

Full Petition: Protect Free Speech on University Campuses

Institutes of higher education are enshrined in their capacity to flourish as beacons of discourse, debate, and dissent. For many students, Universities aren't just a place of learning, but their place of residence, community, and livelihood.

I write on behalf of many at the University of North Florida to ask that the University administration publicly commit to protecting students, faculty, and staff and the principles of free speech and academic freedom.

What has been taking place over recent years is worrisome. In place of fostering an esteemed environment, (where students, faculty, and staff feel safe expressing their views,) they are in its stead being harassed, surveilled, assaulted, and suppressed via capitulation and collaboration with law enforcement that seeks to infringe upon their First Amendment rights. This not only creates an adversarial relationship between the University leaders and its students, but degrades our legitimacy as an institution.

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The U.S. Supreme Court recognized in 1957 recognized, “[t]eachers and students must always remain free to inquire, to study and to evaluate, to gain new maturity and understanding; otherwise our civilization will stagnate and die.”¹ Yet, in light of recent events, these ideals have been deteriorated.

The Trump administration is now attacking academic freedom in an effort to bring higher education institutions to heel. These attacks are not just rhetorical. The Trump administration has sought to silence protected political speech on campus through aggressive immigration enforcement efforts, change research, scholarship, and even curriculum by threatening to investigate and withhold millions in funds. We urge the University to stand against these unconstitutional actions and to make commitments to protect students, faculty, and staff at the University of North Florida.

The Trump administration is currently arresting or attempting to arrest noncitizens on college campuses, targeting them solely based on their protected political speech and attempting to strip them of their legal status in our country² with the Trump administration having revoked the student visas of hundreds of others across the country.³ In addition, the administration has

¹ *Swezy v. State of N.H. by Wyman*, 354 U.S. 234, 250 (1957).

² Liam Knox, “International Students Navigate Escalating Threats,” *Inside Higher Ed* (Mar. 18, 2025) (available at: https://www.insidehighered.com/news/global/international-students-us/2025/03/18/international-students-navigate-escalating-threats?utm_source=Inside+Higher+Ed&utm_campaign=bc0fbb65ff-DNU_2021_COPY_02&utm_medium=email&utm_term=0_1fcbc04421-bc0fbb65ff-712300933&mc_cid=bc0fbb65ff&mc_eid=79f810c213)

³ Ryan Quinn, “AAUP, Middle East Studies Group Sue Trump Over Deportations,” *Inside Higher Ed* (Mar. 26, 2025) (available at: https://www.insidehighered.com/news/diversity/2025/03/26/aaup-middle-east-studies-group-sue-trump-over-deportations?utm_source=Inside+Higher+Ed&utm_campaign=d78319fe9c-DNU_2021_COPY_02&utm_medium=email&utm_term=0_1fcbc04421-d78319fe9c-712300933&mc_cid=d78319fe9c&mc_eid=79f810c213).

targeted faculty and staff, (for protected speech,) including Georgetown University professor and postdoctoral scholar Dr. Badar Khan Suri, and Dr. Rasha Alawieh, an assistant professor at Brown University.⁴ Such retaliatory action against individuals evidently based on their speech should be universally condemned, particularly by institutions of higher education that exist to advance intellectual thought and debate.

President Trump has also signed several executive orders with the evident intent of chilling intellectual debate and speech on campuses. Executive Order 14161 calls for the institution of new procedures for granting and reviewing visas based on individuals' views, including whether those views may be considered "hostile toward [US] citizens, culture, government, institutions, or founding principles."⁵ Executive Order 14188 which addresses anti-Semitism, calls for higher education institutions to "monitor for and report activities" by noncitizen students, faculty and staff, which in turn will lead to "investigations and, if warranted, actions to remove such aliens."

Executive Order 14173 is one of many of the administration's unlawful endeavors, and has led to confusion and self-censorship as federal grant recipients have terminated programs in order to certify that they do not run "programs promoting DEI that violate any applicable federal antidiscrimination laws."⁶ Executive Order 14151, another administration effort purported to target DEI, terminates all "equity-related" grants or contracts, another term that is undefined, and that has caused widespread upheaval including in higher education institutions.⁷ The uncertainty and censorship caused by these Executive Orders have been further fueled by the U.S. Department of Education Office for Civil Rights' Dear Colleague Letter of February 14, 2025, which threatens to investigate state and local education institutions that receive federal funds if they persist with an undefined category of activities that support diversity, equity, and inclusion.⁸ The U.S. Department of Education has also, under the guise of conducting investigations into alleged Title VI violations at universities, requested the specific names and nationalities of students and faculty who may have been involved. Compliance with such a request could violate

⁴ Cate Latimer, "Brown professor, doctor deported despite federal judge's orders," *The Brown Daily Herald* (Mar. 16, 2025) (available at: https://www.browndailyherald.com/article/2025/03/brown-professor-doctor-deported-despite-federal-judges-orders?utm_source=Iterable&utm_medium=email&utm_campaign=campaign_12929444_nl_Daily-Briefing_date_20250318).

⁵ Exec. Order No. 14161, 90 F.R. 8451 (Jan. 30, 2025) (available at: <https://www.federalregister.gov/documents/2025/01/30/2025-02009/protecting-the-united-states-from-foreign-terrorists-and-other-national-security-and-public-safety>).

⁶ Exec. Order 14173, 90 F.R. 8633 (Jan. 21, 2025) (available at: <https://www.federalregister.gov/documents/2025/01/31/2025-02097/ending-illegal-discrimination-and-restoring-merit-based-opportunity>).

⁷ Exec. Order 14151, 90 F.R. 8339 (Jan. 20, 2025) (available at: <https://www.federalregister.gov/documents/2025/01/29/2025-01953/ending-radical-and-wasteful-government-dei-programs-and-preferencing>).

⁸ Craig Trainer, "Dear Colleague" Letter, (Feb. 14, 2025) (available at: <https://www.ed.gov/media/document/dear-colleague-letter-sffa-v-harvard-109506.pdf>).

the University's obligations under the Family Educational Rights and Privacy Act (FERPA) along with other civil rights laws.⁹

These efforts to impede debate on campuses and to censor scholarship and curriculum undermine the ability of institutions of higher education to accomplish their missions. Students, faculty and staff have a First Amendment right to protest and engage in speech that is critical of the United States and its policies including other countries. With certainty, First Amendment protections apply to this kind of political speech. It should not be tolerated to allow the government to punish students and faculty for engaging in political expression because it undermines academic freedom and First Amendment rights.

What the Trump administration is doing is pressuring the implementation of stronger disciplinary measures on students, faculty, and staff for voicing their beliefs. They are promoting the surveillance, detaining, and deportation of noncitizen students, faculty, and staff. They are requesting personal documents from students, gutting higher institutions to limit certain studies the administration deems unfavorable, and lastly, maintaining an overarching crackdown of academic freedom and free expression. However, instead of standing up for freedoms, rights, and liberty, many Universities are capitulating to these demands, and we hope from the depths of our hearts that the University of North Florida will not be one of them.

What must be done is that the University of North Florida usher in not an era of silence and retreat, but of something else. Following what has been one of the biggest and most recent infringements upon our academic freedoms, the University of North Florida can designate themselves as the coattails of many to follow by championing free speech.

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To protect academic freedom and the ability of our higher education institution to fulfill its mission of ensuring a full and open marketplace of ideas and robust scholarly debate, we urge the University of North Florida to take the following three steps.

1. Publicly Recognize and Affirm First Amendment Rights and Academic Freedom of Students, Faculty, and Staff

We urge you, on behalf of the University of North Florida, to publicly recognize that the First Amendment protects the right of students and educators to speak, or not to speak, and the right to be free from retaliation by any public official for the exercise of those rights.¹⁰ This institution's policies should prevent the government from dissuading speech and discourse, which occurs when policies and practices discourage free expression, causing individuals to self-censor. These rights should extend to everyone on campus, regardless of their immigration status, including visa holders on our campus.¹¹ Our policies and practices should make it clear that all students,

⁹ American Association of University Professors, "Letter to University Office of the General Counsel" (Apr. 2, 2025)(available at <https://www.aaup.org/sites/default/files/2025.04.02-AAUP-Letter-to-GCs.pdf>).

¹⁰ *Suarez Corp. Indus. v. McGraw*, 202 F.3d 676, 685 (4th Cir.2000).

¹¹ *Bridges v. Wixon* | 326 U.S. 135 (1945).

faculty, and staff, regardless of citizenship, retain basic First Amendment protections, and that the First Amendment binds all government agencies and actions.

We also urge the University of North Florida to recognize and reaffirm the academic freedom which your students, faculty, and staff depend upon through strong tenure protections, including for those who exercise their free speech rights. We urge you to clarify policy and contract language as needed to put faculty and staff on notice as to what speech is protected and provide guidance on how faculty can engage in service, advocacy, and faculty governance without fear of retaliation.

2. Establish a Safe Zone Resolution to Protect Students, Faculty, and Staff From ICE

We ask that the University of North Florida adopt a Safe Zone resolution for our campus. A Safe Zone resolution clearly addresses how faculty and staff should respond to U.S. Immigration and Customs Enforcement (ICE) activities on campus. A sample Safe Zone resolution is available at this [link](#).¹²

A Safe Zone resolution primarily states that the institution will not voluntarily coordinate with ICE. Under a Safe Zone policy, administrators decline to voluntarily allow ICE access to non-public areas of campus or to access private information about students or employees. This policy helps protect students, faculty, and staff, with the caveat that ICE may be able to gain access even without a judicial warrant.

Safe Zone policies can limit the harm caused by immigration enforcement by limiting enforcement officers' entry onto campuses and blocking requests for records. An effective Safe Zone resolution would accomplish the following:

- * Make clear that our campus is a welcoming place for all students, prohibit any unnecessary collection of immigration information from students or employees, and establish procedures for responding to immigration enforcement.
- * Clarify areas that are public and areas that are private in order to limit ICE enforcement to public areas and to protect the legitimate expectations of privacy that students and faculty have (e.g., classifying common areas as public, but dorm rooms as private).
- * Require ICE officers to notify appropriate campus officials before engaging in any immigration enforcement on campus. Such notifications are important so that campus officials can ensure that any enforcement action complies with campus policies and respects the rights of students and faculty.

3. Do not take internal steps that put students' immigration status at risk

Lastly, we urge the University of North Florida to make a commitment to not take unwarranted internal disciplinary actions that would place students' immigration status at risk.

¹² NEA Office of General Counsel "Guidance on Immigration Issues Impacting Higher Education" (Feb. 2025) (available at: <https://www.nea.org/sites/default/files/2025-02/2.11.2025-immigration-guidance-he-final.pdf>).

Punishing students for engaging in protected speech and peaceful protest activities not only sends students the message that such speech and peaceful conduct is prohibited by the university, undermining the university's overall mission, but also places students at risk of overbroad immigration enforcement efforts. Subjecting students to public discipline risks placing students on the radar of ICE. Suspending or expelling students puts them at risk of ICE detention or deportation. In addition, the University of North Florida, excluding a court order, should decline to voluntarily provide the federal government with any student disciplinary records related to protests and political activism, including the specific names and nationalities of students who have been subject to discipline or who may have violated codes of conduct.

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In the face of increasing threats from the federal government, we urge the University of North Florida to hold fast to its commitment to free speech and academic freedom, and to put those values into action by protecting the students, faculty, and staff on campus. Higher education benefits from debate and diversity. It is our duty to reject the Trump administration's efforts to chill speech and discourse, punish political advocates, and target the most vulnerable among us, especially within our communities.