

ARE YOU **INVOLVED** IN A **STUDENT** **ORGANIZATION** ON CAMPUS?

- > Has your student organization been denied recognition, even though other political clubs that hold different viewpoints exist on campus?
- > Have your applications for speakers or events been repeatedly rejected?
- > Is your organization being denied equal benefits, such as funding or venues?

THEN THIS **STUDENT TOOLKIT** IS FOR YOU.



**SCAN CODE
FOR HELPFUL
RESOURCES**

This resource is provided to the public for educational and informational purposes only. This resource is not legal advice; do not rely on these materials without first seeking the advice of an attorney about your particular situation. Nothing in this resource should be taken to create an attorney-client relationship between you and America First Policy Institute.

RESOURCES

Scan the QR codes below to gain access to the sample letters as templates for your school communications. Remember to tailor them to the specific details of your situation.



PUBLIC SCHOOL
PRE-EMPTIVE LETTER
ACCOMPANYING APPLICATION



PUBLIC SCHOOL
APPEAL FOR DENIAL OF
CLUB RECOGNITION



PUBLIC SCHOOL
APPEAL REGARDING UNFAIR
TREATMENT



PRIVATE SCHOOL
PRE-EMPTIVE LETTER
ACCOMPANYING APPLICATION



PRIVATE SCHOOL
APPEAL FOR DENIAL OF
CLUB RECOGNITION



PRIVATE SCHOOL
APPEAL REGARDING UNFAIR
TREATMENT



ARE *YOU* FACING **VIEWPOINT** DISCRIMINATION?



KNOW YOUR RIGHTS!

The First Amendment protects your right to freedom of expression: This means the government cannot prevent you from expressing your views on politics, religion, or other important issues.

What does this mean for schools?

Well, if you go to a public high school or university, these schools are run by the government, and they are obligated to protect your First Amendment rights. This means not deciding what student groups are allowed on campus based on politics or viewpoint. It also means not playing favorites on which groups are allowed access to shared spaces or school funds and resources.

But what if you go to a private high school or university?

These are not run by the government, but if your private school receives federal funding, it may still be subject to similar rules. In certain situations, schools may lose funding if they violate federal policy. In addition, many private schools promise to protect free speech in their own charters or mission statements. Research your institution to see if it accepts federal funds or if it has policies stating that it values “viewpoint diversity” or a similar phrase.



What Counts as Viewpoint Discrimination?

Schools cannot treat student clubs differently because of their beliefs or opinions. If one group is granted easy approval or funding while another is denied for the same activities, this may be viewpoint discrimination.

Federal law (20 U.S.C. § 4071) requires public schools that allow non-academic clubs to meet to give equal access to all groups—religious, political, or otherwise.

Courts, including in *Rosenberger v. University of Virginia*, have confirmed that public colleges cannot deny recognition or funding based on a group's viewpoint.



How to Know If Your Rights Have Been Violated

Here are some red flags. If any of these happen, your school might be violating the law:

- > Your club is denied recognition by the school administration or student governance body, while similar clubs with different or opposing views get approved.
- > Your club does not get the same funding, room access, or event permissions as other groups.



TIPS:

1. Follow the Rules

- Complete all requirements: forms, signatures, and faculty advisor approval.

2. Stay Professional

- If denied, remain polite and request written reasons for the decision.
- Save all emails or messages from school staff.

3. Keep Detailed Notes

If no written response is given, record:

- Date and time of the conversation
- Names and titles of those you spoke with
- Exact reasons given for the denial

4. Compare Treatment

- Note examples of other clubs that were approved especially those with different viewpoints.
- If other groups received funding or sponsorship, document:
 - The source of information
 - Any official confirmation you can find

5. Track Event Access

- If denied use of event space or an outside speaker, record the reasons.
- Collect examples of similar events or speakers that were approved.

6. Know Your Rights & Next Steps

- Review your school's appeal procedures.
- Follow all steps before considering any legal action for rights violations.



- > School officials state they disagree with your club's message (e.g., “This is too political”).
- > The rules are applied unevenly, like requiring extra steps for your club to be recognized or to host events that other groups are not subject to.



Template 1: Public School – Pre-emptive Letter Accompanying Application

[Administrator's Name]

[School Name]

[School Address]

[City, State, ZIP]

Dear [Administrator's Name],

I am writing in conjunction with the application for recognition and formation of [Organization Name Club/Chapter] on campus. In addition to meeting all institutional requirements for recognition [Organization Name Club/Chapter] represents needed viewpoint diversity on campus and is an expression of our First Amendment rights.

[Organization Name Club/Chapter] has met the [School Name] requirements for [club/chapters] approval:

- [Insert school requirements that you have met in bullet form, list the published school requirements with section numbers and references, and provide evidence of satisfying the requirements.]

This application is submitted with the understanding that [School Name], as a public institution, is obliged to uphold the principles of the First Amendment. The First Amendment of the U.S. Constitution prohibits discrimination on the basis of viewpoint, and as the Supreme Court reiterated in the case of *Healy v. Jones*, schools are not enclaves separate from the First Amendment and cannot deny a student group recognition due to ideological content. In fact, the Court has repeatedly declared that the protection of the constitutional right to freedom of expression and association is nowhere more vital than in schools and the classroom, (*Shelton v. Tucker & Keyishian v. Board of Regents*).

We note that [school name] has authorized the creation of the following student groups within the same category of [club/chapter] purpose:

- [list any officially recognized student groups with different/opposing views].

Our application represents not only an important opportunity for viewpoint diversity on campus, but also an opportunity for [school name] to demonstrate its commitment to equal treatment. With that in mind, we hope and expect that [school name] will stay true to its commitments in [list charter or published policy commitment to ideological diversity] by promptly reviewing and accepting our application.

Respectfully,

[Your full name]

Template 2: Public School – Appeal for Denial of Club Recognition

[Administrator's Name]

[School Name]

[School Address]

[City, State, ZIP]

Dear [Administrator's Name],

We were surprised and disappointed by the denial of our application submitted on [application date] for the creation of a [organization name chapter/club] on campus. The grounds for denial were [briefly state the reason given, e.g., “concerns about political views” or “a sufficiently similar club already existing”]. Following [mention school policy process for internal appeal], we are submitting an appeal for review of this decision.

As mentioned in our preliminary letter, [school Name] is obligated to follow the First Amendment as a public institution. As decided by the Supreme Court in *Christian Legal Society v. Martinez*, restrictions on speech and association in a school's forum must be viewpoint-neutral. Denying recognition to [Club Name] while approving similar groups like [name comparable clubs] appears to indicate [school name] is not conducting its processes in a viewpoint-neutral fashion. The Court has repeatedly found viewpoint discrimination to be a blatant and egregious violation of the First Amendment, (*Rosenberger v. UVA*, *R. A. V. v. St. Paul*).

We hope that pursuing this internal appeal process is a step toward resolving the matter amicably within the school's framework. We request that this appeal be processed within a set timeframe of 30 days from [date of appeal]; if this timeframe is not workable, please provide a specified alternative date. As stated in our previous letter, we have met all institutional requirements for [club/chapter's] founding, as outlined in [school charter/published policy]. Please include in your response the specific code that was not met from the following:

- [Insert school requirements that you have met.]

If this appeal is denied, we request that a substantive written explanation be provided detailing why our application has been denied while other comparable groups have been permitted.

We trust that the appeal process will lead to a fair outcome and hope to avoid escalation. Please confirm receipt of this letter and provide details on next steps.

Respectfully,

[Your full name]

Template 3: Private School – Pre-emptive Letter Accompanying Application

[Administrator's Name]

[School Name]

[School Address]

[City, State, ZIP]

Dear [Administrator's Name],

I am writing in conjunction with the application for recognition and formation of [Organization Name] on campus. In addition to meeting all institutional requirements for recognition as noted in the application, [Organization Name Club/Chapter] represents needed viewpoint diversity on campus.

[Organization Name Club/Chapter] has met the [School Name] requirements for [club/chapters] approval:

- [Insert school requirements that you have met in bullet form, list the published school requirements with section numbers and references, and provide evidence of satisfying the requirements.]

This application is submitted with the understanding that [school Name] has made commitments in [School charter/published policy, cite specific article number] to uphold viewpoint diversity on campus. We note that courts have routinely found a legal obligation that schools substantially comply with their own published policies concerning the free speech and freedom of association rights of students, (*State v. Schmid*, *Awad v. Fordham University*). We note that [school name] has authorized the creation of the following student groups:

- [List any officially recognized student groups with different/opposing views]

With the above in mind, we hope and expect that [school name] will stay true to its commitments in [list charter or published policy commitment to ideological diversity] by promptly reviewing and accepting our application.

Respectfully,

[Your full name]

Template 4: Private School – Appeal for Denial of Club Recognition

[Administrator’s Name]

[School Name]

[School Address]

[City, State, ZIP]

Dear [Administrator’s Name],

We were surprised and disappointed by the denial of our application submitted on [application date] for the creation of a [organization name chapter/club] on campus. The grounds for denial were [briefly state the reason given, e.g., “concerns about political views” or “a sufficiently similar club already existing”]. Following [mention school policy process for internal appeal], we are submitting an appeal for review of this decision.

As mentioned in our preliminary letter, [school Name] is obliged to comply with its published policies on viewpoint diversity. As decided by the Supreme Court in *Christian Legal Society v. Martinez*, restrictions on speech and association in a school’s forum must be viewpoint-neutral. Denying recognition to [Club Name] while approving similar groups like [name comparable clubs] appears to indicate [school name] is not conducting its processes in a viewpoint-neutral fashion.

We hope that pursuing this internal appeal process is a step toward resolving the matter amicably within the school’s framework. We request that this appeal be processed within a set timeframe of 30 days from [date of appeal]; if this timeframe is not workable, please provide a specified alternative date. As stated in our previous letter, we met all institutional requirements for [club/chapter’s] founding, as outlined in [school charter/published policy]. Please include in your response the specific code that was not met from the following:

- [Insert school requirements that you have met.]

If this appeal is denied, we request that a substantive written explanation be provided detailing why our application has been denied while other comparable groups have been permitted. We trust that the appeal process will lead to a fair outcome and hope to avoid escalation. Please confirm receipt of this letter and provide details regarding the next steps.

Respectfully,

[Your full name]

Template 5: Public School – Appeal Regarding Unfair Treatment

[Administrator's Name]

[School Name]

[School Address]

[City, State, ZIP]

Dear [Administrator's Name],

I am writing to file a formal complaint regarding the disparate treatment experienced by [Organization chapter/club], which was officially recognized on [date of recognition] but has since been subjected to unequal allocation of resources and opportunities compared to other student organizations at [school name]. If we continue to experience higher levels of scrutiny than our contemporaries, we can only conclude that [school name] is engaging in viewpoint discrimination, undermining the school's stated principles of fairness and inclusivity.

Since recognition, we have operated in good faith, adhering to school guidelines and contributing to life on campus. However, [Describe examples of unfair treatment, i.e., unreasonable delay in approval of events/speakers, refusal of application to use school venues or spaces that are otherwise available, denial of requests for funds that other groups have been granted. Describe interaction with school administration in detail, making note of dates when communication occurred and highlighting delays].

As a public institution, [school name] is obliged to comply with the First Amendment, which prohibits viewpoint discrimination. The Supreme Court has ruled that unequal allocation of resources or communal space to a student group on the basis of political, religious, or philosophical position constitutes a First Amendment Violation, (*Rosenberger v. University of Virginia*, *Board of Education v. Mergens*).

We request that [school name] provide an explanation for [situation explained above] promptly and amend the situation going forward to avoid any escalation.

Respectfully,

[Your full name]

Template 6: Private School – Appeal Regarding Unfair Treatment

[Administrator's Name]

[School Name]

[School Address]

[City, State, ZIP]

Dear [Administrator's Name],

I am writing to file a formal complaint regarding the disparate treatment experienced by [Organization chapter/club], which was officially recognized on [date of recognition] but has since been subjected to unequal allocation of resources and opportunities compared to other student organizations at [school name]. If we continue to experience higher levels of scrutiny than our contemporaries, we can only conclude that [school name] is engaging in viewpoint discrimination, undermining the school's stated principles of fairness and inclusivity.

Since recognition, we have operated in good faith, adhering to school guidelines and contributing to life on campus. However, [Describe examples of unfair treatment, i.e., unreasonable delay in approval of events/speakers, refusal of application to use school venues or spaces that are otherwise available, denial of requests for funds that other groups have been granted. Describe interaction with school administration in detail, making note of dates when communication occurred and highlighting delays].

[School name] is obliged to comply with its commitments outlined in [school charter or published policy] on diversity of viewpoint on campus. We note that courts have routinely found a legal obligation that schools substantially comply with their own published policies concerning the free speech and freedom of association rights of students, (*State v. Schmid*, *Awad v. Fordham University*).

We request that [school name] provide an explanation for [situation explained above] promptly and amend the situation going forward to avoid any escalation.

Respectfully,

[Your full name]