



March 21, 2022

Betty Rider
Office of the President
Elizabethtown College
Alpha Hall
One Alpha Drive
Elizabethtown, Pennsylvania 17022-2298

Sent via U.S. Mail and Electronic Mail (riderea@etown.edu)

Dear President Rider:

FIRE¹ is disappointed to not have received a response to our February 24 letter concerning Elizabethtown College’s discipline of Etown’s Turning Point USA chapter in connection with an online fundraiser organized by some of its members. As our letter explained, Etown’s determination that the fundraiser contained a “fraudulent” statement is unfounded and inconsistent with the college’s commitment to free expression. Any sanctions based on that determination—including mandatory prior review of “club-related business”—must be rescinded.

Our concerns are now amplified by Etown’s refusal to hear TPUSA’s appeal—another clear departure from the college’s written policies. On February 22, TPUSA president Alex Russo appealed Etown’s decision, specifically challenging the “dishonesty” finding and the prior review and probation sanctions.² Etown upheld its decision on the basis that the only grounds for appeal are procedural error or new information that would significantly affect the outcome, neither of which TPUSA invoked.³

Etown’s dismissal of TPUSA’s appeal is flatly inconsistent with the Elizabethtown College Student Club and Organization Handbook, which clearly states an appeal will be accepted on the following grounds, among others: “To determine whether the finding is not supported by the preponderance of the evidence;” “To determine whether the action plan imposed was

¹ As you will recall from previous correspondence, the Foundation for Individual Rights in Education is a nonpartisan, nonprofit organization dedicated to defending liberty, freedom of speech, due process, academic freedom, legal equality, and freedom of conscience on America’s college campuses.

² TPUSA appeal of Elizabethtown College decision of February 16, 2022 (on file with author).

³ Letter from Jenn Crowder, Assoc. Dean of Students, Elizabethtown Coll., to Alexander Russo, Feb. 28, 2022 (on file with author).

appropriate for the violation(s).”⁴ These are precisely the two bases cited in TPUSA’s appeal.⁵ Therefore, Etown denied TPUSA due process by departing from its own written procedures.

Etown’s consistent disregard for its own promises of free speech and due process contravenes students’ reasonable expectations of the rights Etown affords them and violates Etown’s legal and moral obligations to keep its promises. But the college still has a chance to show its students it takes these commitments seriously. FIRE once more calls on Etown to reverse the finding of “dishonesty” and vacate the associated sanctions against TPUSA.

Sincerely,

A handwritten signature in black ink, appearing to read 'A. Terr', written over a horizontal line.

Aaron Terr
Senior Program Officer, Individual Rights Defense Program

Cc: Jenn Crowder, Associate Dean of Students

⁴ ELIZABETHTOWN COLL., ELIZABETHTOWN COLLEGE STUDENT CLUB AND ORGANIZATION HANDBOOK 2021-2022, at 25, <https://www.etown.edu/campus-life/Spring%202021-Fall%202022%20Club%20Handbook.pdf> [<https://perma.cc/S7QG-D7GG>].

⁵ TPUSA appeal, *supra* note 2.