



Congress of the United States
House of Representatives

July 21, 2026

President Jeanette M. Nuñez
11200 S.W. 8th Street, PC 528
Miami, Florida 33199

Dear President Nuñez,

The recent penalization imposed by Florida International University's (FIU) administration upon seven of its students for their silent protest staged at a campus event in March of this year is a grave violation of First Amendment free-speech protections. FIU's actions set up a dangerous precedent and will have a chilling effect on students' ability to freely express themselves and their ideas—a bedrock tenet of our free and democratic society, as enshrined in our Constitution, particularly in a university environment.

FIU's own regulations, as defined in *FIU-110 Expressive Activities in Outdoor Areas on Campus*, protect students' First Amendment activities, including "assemblies, demonstrations, exercises of free speech, protests, parades, marches, and picketing protected under the First Amendment to the United States Constitution and Article 1 of the Florida Constitution."¹ FIU regulations permit such activities so long as they are lawful and do not "[...] materially and substantially disrupt the normal operations of the University or materially and substantially infringe upon the rights of others."²

FIU has maintained that the seven students violated a university ban on expressive activities indoors. However, students' First Amendment rights on campus have been upheld at the federal level at least since the Supreme Court precedent set in 1969 by the *Tinker v. Des Moines Independent Community School District* decision. The majority ruled in *Tinker* that neither students nor teachers "shed their constitutional rights to freedom of speech or expression at the schoolhouse gate."³

University regulations plainly serve to prevent disruption of the learning environment. It is disingenuous to suggest that the seven students standing up to display the message on their shirts is "materially and substantially" disruptive to normal university operations.

¹ <https://regulations.fiu.edu/wp-content/uploads/2025/11/FIU-110-2024-11-25.pdf>, page 1

² Ibid

³ <https://www.law.cornell.edu/supremecourt/text/393/503>

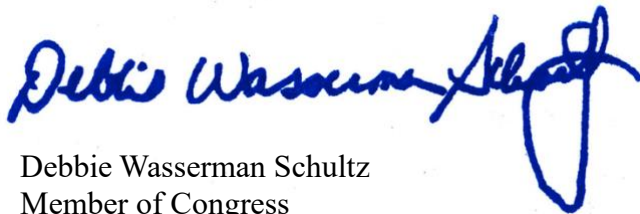
Per public reporting, the punishment levied against students includes forcing them to record a two-minute video explaining university expectations around indoor and outdoor areas, which they could be compelled to re-record if it does not meet FIU Office of Student Conduct and Academic Integrity standards.⁴ This punishment itself violates students' First Amendment rights, given that no governing body can force individuals to support certain expressions— often referred to as the compelled speech doctrine— as upheld by *West Virginia State Board of Education v. Barnette*.⁵

FIU's violation of constitutionally guaranteed free-speech rights for students is thus twofold. Responding to the violation of a protected First Amendment expression with a further violation is an unacceptable form of disciplinary action. The university's actions send a clear message to students that free expression will be silenced if it is convenient for the university, and that they must fall in line or suffer the consequences.

This presents a clear disincentive for students to voice controversial, unpopular or divisive opinions, which is both a right and an important part of the education process. As part of the State University System of Florida, FIU adopted its Statement of Free Expression "to support and encourage full and open discourse and the robust exchange of ideas and perspectives on our respective campuses." ⁶ Punishing students in the aforementioned manner for silent protest is in direct violation of this statement, as well as FIU's publicly stated values of "freedom of thought and expression."

As a public university supported by federal funding and entrusted with advancing the education of our students, FIU has a responsibility to uphold students' First Amendment rights. I strongly urge FIU to rescind its disciplinary actions against these students and fully restore First Amendment speech protections for its student body.

Sincerely,



Debbie Wasserman Schultz
Member of Congress

⁴ <https://www.wlrn.org/light/government-politics/2026-07-01/fiu-students-silent-protest-immigration>

⁵ <https://www.law.cornell.edu/supremecourt/text/319/624>

⁶ <https://www.flbog.edu/bog-fes/>