

# Greek Life: Know Your Rights!



**FIRE**

Foundation for Individual  
Rights and Expression

Students do not give up their fundamental rights when they join a fraternity or sorority. At the Foundation for Individual Rights and Expression ([FIRE](#)), a nonpartisan nonprofit dedicated to defending student civil liberties, we believe the first step to defending your rights is knowing exactly what they are! Review this guide to better understand your rights to free expression, free association, and due process.

If your group's rights are in jeopardy, [submit a case](#) to FIRE. We'll review your situation — free of charge — to see if we can help.

Read more about the case submission process and how we fight for student rights in our [FAQ](#).

For questions about this guide or the rights of Greek organizations, please contact FIRE Senior Program Officer Zach Greenberg at [zach.greenberg@thefire.org](mailto:zach.greenberg@thefire.org).

**This guide is for informational purposes only and does not constitute legal advice.**



# FREEDOM OF SPEECH

Public universities are bound by the First Amendment, which protects a wide range of expression, even if it is offensive, distasteful, or just unpopular.

Private universities are not bound by the First Amendment, but the vast majority of private institutions promise their students free speech rights consistent with the First Amendment. You can find many private universities' free speech promises in [FIRE's Spotlight Database](#).

Freedom of speech encompasses more than just words — it protects expressive activities such as holding events, chapter functions, and protests, and even wearing your letters.

University limits on the topic, opinion, viewpoint, or speaker of the expression are generally impermissible. Watch out for:

- Restrictions on themed or “offensive” expressive events or activities, such as parties, social events, [clothing](#), and [house decorations](#).
- Limits applicable to Greek groups, but not other student groups, such as bans on wearing Greek letters or holding Greek events or activities.
- University disciplinary action, including investigations, in response to “hateful” or controversial expression, including social media posts.

*This guide concerns punishments from universities.*

Punishments from Greek organizations, such as chapters and national headquarters, are generally permissible, as these groups are private organizations that do not promise their members free speech.

*For more information about free speech, see [FIRE's Guide to Free Speech on Campus](#) and this [primer on unprotected speech](#).*

## FREEDOM OF ASSOCIATION

Students have the right to freely associate with individuals and organizations to pursue a wide variety of political, social, economic, educational, religious, and cultural ends.

Students have the right to create and join university-recognized Greek organizations and [off-campus](#), non-university-affiliated social groups.

University rules that restrict or [limit recruitment](#), [social activities](#), or other [organizational functions](#) may violate your associational rights. Watch out for rules that prevent students from associating with Greek organizations, or that deny Greek organizations the same rights or privileges as other student organizations.



# DUE PROCESS

Due process rights are procedural protections college and university administrators must provide to students and groups before punishing them.

At public universities, and at private universities that promise students fundamentally fair disciplinary proceedings, administrators must provide students and groups with:

- Notice of the alleged misconduct, including the specific university policies the students or groups are accused of violating.
- A meaningful opportunity to contest the charges, such as a disciplinary hearing where students and groups can defend themselves and present evidence.
- An impartial decision-maker.
- Other protections outlined in your college or university's disciplinary policies.

Punishments imposed without due process are generally impermissible. Watch out for restrictions on communications or chapter functions imposed before students or groups are found responsible for any misconduct.

Conferring guilt by association, or punishing a student group for misconduct it did not commit solely because it is similar to another student or group, is generally impermissible.

For more information about due process, see "FIRE's Guide to Due Process and Campus Justice," Model Code of Student Conduct, and Spotlight on Due Process 2021-2022.

Questions about this guide, FIRE, or students' rights?  
Contact FIRE Senior Program Officer Zach Greenberg at  
[zach.greenberg@thefire.org](mailto:zach.greenberg@thefire.org)!