



August 25, 2026

James T. Minor
Office of the Chancellor
Southern Illinois University Edwardsville
1 Hairpin Drive
Rendleman Hall 3316, Box 1151
Edwardsville, IL 62026

Sent via U.S. Mail and Electronic Mail (chancellor@siue.edu)

Dear Chancellor Minor:

On August 12, FIRE and SPLC wrote regarding our First Amendment concerns with Southern Illinois University Edwardsville's Marketing and Communications' practices involving *The Alestle*.¹ We are disappointed you have failed to address our concerns and have not even attempted to work productively with us to improve the atmosphere for the student press at SIUE.²

As we explained, SIUE's media minder practice limits *The Alestle*'s ability to gather news and chills employee expression. Director of Communications Nicole Franklin's assertions that her presence is "non-negotiable" for interviews with employees and that such interviews are "ultimately [her] decision" run afoul of basic First Amendment law. Both blanket preapproval and monitoring requirements³ and policies that grant unbridled discretion over expression to a single administrator⁴ contravene SIUE's constitutional obligations. Additionally, such practices unduly burden the press and public's right to receive information that willing employees choose to convey.⁵ Rather than work amicably with us to address these deficiencies, SIUE has met our concerns with apparent indifference.

¹ Letter enclosed.

² We continue to offer to meet with *The Alestle* and representatives from your office to work out a system that meets both SIUE's and *The Alestle*'s reasonable and legitimate interests.

³ See *United States v. Nat'l Treasury Emps. Union*, 513 U.S. 454, 457-60, 474 (1995); *Moonin v. Tice*, 868 F.3d 853, 862 (9th Cir. 2017); *Milwaukee Police Ass'n v. Jones*, 192 F.3d 742, 750 (7th Cir. 1999).

⁴ *Moonin*, 868 F.3d at 867 (citing *Lakewood v. Plain Dealer Publ'g Co.*, 486 U.S. 750, 763-64 (1988)); *Sanjour v. EPA*, 56 F.3d 85, 97 (D.C. Cir. 1995).

⁵ *Nat'l Treasury Emps. Union*, 513 U.S. at 470.

To comply with its First Amendment obligations—and its own stated commitment to student press freedom⁶—SIUE must not condition interviews with public employees on the presence of a media minder, nor vest sole discretion in a single administrator to determine whether employees may speak with the press in their personal capacities on matters of public concern. FIRE and SPLC's offer remains open to assist your office, at no cost, in addressing these concerns in a manner that respects constitutional limits. We respectfully request a substantive response to our August 12 letter confirming you will not require a media minder or blanket preapproval for interviews no later than September 1, 2026.

Sincerely,



Marie McMullan
Program Manager and Counsel, SPFI



Jonathan Gaston-Falk
Staff Attorney, SPLC

Cc: Paula Bridges, Executive Director of University Marketing and Communications
Nicole Franklin, Director of Communications
Lucas Crater, General Counsel

Encl.

⁶ Email from Paula Bridges, Executive Director of SIUE Marketing & Communications, to all SIUE students, faculty, and staff (July 27, 2026, 9:00 AM) (on file with author).

August 12, 2026

Paula Bridges
University Marketing and Communications
Southern Illinois University Edwardsville
35 Circle Drive
Vadalabene Center, Room 1001
Edwardsville, Illinois 62025

Sent via U.S. Mail and Electronic Mail (pabridg@siue.edu)

Dear Executive Director Bridges:

FIRE's Student Press Freedom Initiative¹ and the Student Press Law Center² are concerned about Southern Illinois University Edwardsville's interview-handling practice that limits *The Alestle*'s ability to gather news and chills employee expression. We seek to assist SIUE in upholding its constitutional obligations and its stated commitment to student press freedom. We accordingly urge you to abandon this method of handling press interviews. We ask that you meet with *The Alestle* and representatives from our organizations to work out a system that meets both SIUE's and *The Alestle*'s reasonable and legitimate interests.

On July 9, *Alestle* student journalist Gavin Quinlan interviewed a staffer from SIUE's Kimmel Belonging Engagement Hub. Director of Communications Nicole Franklin joined, and she began recording the interview without first notifying Quinlan.³ Franklin also joined a phone interview between student journalist Madison Steffen and SIUE's director of housing, likewise with no prior warning to *The Alestle*. The situation came to a head when, on July 16, *Alestle*

¹ FIRE is a nonpartisan nonprofit that defends freedom of speech and of the press on and off campus. FIRE's Student Press Freedom Initiative (SPFI) defends free press on campus by advocating for the rights of student journalists at colleges and universities across the country. You can learn more about our mission and activities at fire.org.

² The Student Press Law Center (SPLC) is a nonprofit, nonpartisan organization which, since 1974, has been the nation's only legal assistance agency devoted to educating high school and college journalists about the rights and responsibilities embodied in the First Amendment. SPLC provides free legal information and educational material for student journalists, and its legal staff jointly authors the widely used media-law reference textbook, *Law of the Student Press*.

³ The following is our understanding of the pertinent facts. We appreciate that you may have additional information to offer and invite you to share it with us, whether in a response to this letter or at a later-scheduled meeting with Marie McMullan, SPFI Program Manager and Counsel, and *The Alestle*.

reporter Lily Berkenbile emailed Tyann Cherry, Interim Director of Online Services and Educational Outreach, requesting an interview.⁴ Franklin responded that she would join.⁵ Berkenbile asked why Franklin would be present and whether her presence was required for the interview to move forward. Berkenbile also asked if Franklin planned to record the interview and if so, the purpose of the recording, and who would be able to access it.⁶ Franklin responded: “I try to make most of the interviews press had with our staff, Lily, thank you. Yes, I record to keep quotes accurate.”⁷

Noting Franklin did not answer all her questions, Berkenbile declined the request for Franklin to join the interview and wrote that she would schedule an interview with Cherry herself.⁸ Franklin responded, copying you and *The Aestle*’s faculty advisor Tammy Merrett, reiterating that she would be joining the interview.⁹ Merrett asked whether students can conduct interviews without Franklin present.¹⁰ Franklin stated:¹¹

The University reserves the right to sit in on all interviews involving the university and its operations. As director of communications, the approval of the interview is ultimately my decision, including how it is conducted. [...] I am going to attend interviews. This is non-negotiable.

Merrett asked the department to stop the practice,¹² and Franklin again refused.¹³ Notably, a past SIUE policy explicitly provided that University Marketing and Communications “will coordinate schedules, assist [employees] in developing talking points and prepare [employees] for the interview.”¹⁴ While that policy no longer appears on SIUE’s official website, Franklin’s actions indicate a return to that practice.

⁴ Email from Lily Berkenbile, student, to Tyann Cherry, Interim Director of Online Services and Educational Outreach (July 16, 2026, 7:47 AM) (on file with author).

⁵ Email from Nicole Franklin, Director of Communications, to Berkenbile (July 16, 2026, 8:04 AM) (on file with author).

⁶ Email from Berkenbile to Franklin (July 16, 2026, 10:06 AM) (on file with author).

⁷ Email from Franklin to Berkenbile (July 16, 2026, 10:42 AM) (on file with author).

⁸ Email from Berkenbile to Franklin (July 16, 2026, 12:37 PM) (on file with author).

⁹ Email from Franklin to Berkenbile (July 16, 2026, 1:17 PM) (on file with author).

¹⁰ Email from Tammy Merrett, faculty advisor, to Franklin (July 16, 2026, 1:53 PM) (on file with author).

¹¹ *Id.*

¹² Email from Merrett to Franklin (July 16, 2026, 3:19 PM) (on file with author).

¹³ Email from Franklin to Merrett (July 16, 2026, 3:36 PM) (on file with author).

¹⁴ While it has since been taken down, the past iteration of the policy is available at <https://perma.cc/G27E-YWG3>. See also Frank LoMonte, *Putting the ‘Public’ Back into Public Employment: A Roadmap for Challenging Prior Restraints That Prohibit Government Employees From Speaking to the News Media*, 68 KAN. L. REV. 1, 44 (2019), available at <https://kuscholarworks.ku.edu/server/api/core/bitstreams/d8290bde-a1e2-4728-9e7d-728ca696e8fa/content>.

The Alestle reported on the interview and Franklin’s mandated presence on July 20.¹⁵ On July 27, you sent a university-wide email about that piece.¹⁶ You contended *The Alestle*’s reporting on Franklin’s interview requirements “was fiction presented as facts” and that it was “simply false” that Franklin “threatened to block a student reporter’s interview”¹⁷—even though Franklin made clear the interview would not be permitted to go forward without her presence. You claimed it was the common practice of public relations staff to observe interviews to ensure accuracy, and alleged past accuracy concerns with *The Alestle*.¹⁸ You further stated the department’s commitment to student press freedom, denied SIUE had engaged in censorship, and requested an immediate retraction from *The Alestle* about Franklin’s required presence at interviews.¹⁹

Franklin’s contention that her presence sitting in on interviews with SIUE employees is “non-negotiable” and that the approval of interviews with employees “is ultimately [her] decision” clearly represents a policy of filtering all interviews with news media through SIUE’s marketing office. SIUE must end this practice if it is to live up to its stated commitment to student press freedom and its constitutional obligations as a public institution.²⁰

Blanket restrictions that require public employees to obtain supervisory approval or that prohibit them from discussing their work violate the First Amendment.²¹ The question is not necessarily whether employees are permitted to speak at all, but whether there exists “a significant burden on expressive activity”²²—such as restrictions on receiving payment for

¹⁵ Dylan Hembrough, *BREAKING: ‘An attempt to control the story.’ Admin demands presence in some Alestle interviews*, THE ALESTLE (July 20, 2026), https://www.alestlelive.com/news/article_a0fe57d6-6e86-4220-bbc2-ed77dcf71ddf.html.

¹⁶ Email from Paula Bridges, Executive Director SIUE Marketing & Communications, to all SIUE students, faculty, and staff (July 27, 9:00 AM) (on file with author). *The Alestle* additionally published this communication since they received it as a letter to the editor submission. See Paula Bridges, *LETTER TO THE EDITOR: An open letter to the university*, THE ALESTLE (July 27, 2026), https://www.alestlelive.com/opinion/article_8ed3467a-ce51-400d-83e9-59ef4fbc1f6f.html.

¹⁷ *Id.*

¹⁸ *Id.*

¹⁹ *Id.*

²⁰ *Healy v. James*, 408 U.S. 169, 180 (1972) (“[T]he precedents of this Court leave no room for the view that because of the acknowledged need for order, First Amendment protections should apply with less force on college campuses than in the community at large. Quite to the contrary, ‘the vigilant protection of constitutional freedoms is nowhere more vital than in the community of American schools.’”) (internal citation omitted).

²¹ *United States v. Nat’l Treasury Emps. Union*, 513 U.S. 454, 457–60, 474 (1995) (striking down as a prior restraint an ethics statute prohibiting federal workers from accepting payment for speeches or articles); *Moonin v. Tice*, 868 F.3d 853, 862 (9th Cir. 2017) (concluding policy prohibiting highway patrol officers from making statements to outside actors constituted an unconstitutional prior restraint); *Milwaukee Police Ass’n v. Jones*, 192 F.3d 742, 750 (7th Cir. 1999) (“With a prior restraint, the impact is more widespread than any single supervisory decision would be, and the action chills potential speech instead of merely punishing actual speech already communicated.”); *Harman v. City of New York*, 140 F.3d 111, 115 (2d Cir. 1998) (striking down agency policy prohibiting employees from communicating with media about agency policies or activities without prior agency approval).

²² *Nat’l Treasury Emps. Union*, 513 U.S. at 468–69.

speeches and articles,²³ requiring supervisor approval,²⁴ or mandating only one representative may discuss matters pertaining to the entity.²⁵

Indeed, “[t]here is considerable value ... in encouraging, rather than inhibiting, speech by public employees,” because “government employees are often in the best position to know what ails the agencies for which they work.”²⁶ Where a “wholesale deterrent to a broad category of expression” is at issue, courts weigh the impact of the restriction as a whole—considering both the employees whose speech may be impacted and on the public interested in what they would say—against the restricted speech’s “‘necessary impact on the actual operation’ of the Government.”²⁷ This places a heavier burden on the state “to justify an ex ante speech restriction as opposed to an isolated disciplinary action.”²⁸ The Supreme Court has shown skepticism towards a state actor’s purported interest in suppressing speech that could merely damage the entity’s reputation,²⁹ as opposed to speech that hinders the efficient performance of its public services.³⁰ Your office’s concerns with *The Alestle*’s past reporting cannot justify a blanket requirement that Franklin approve all interviews and sit in on those interviews with university employees.

Moreover, if the decisions of whether and how an interview is conducted with employees are left solely to Franklin, that only raises additional constitutional concerns. Administrators’ “[u]nbounded discretion” to make such decisions “raises the specter of arbitrary or viewpoint-discriminatory enforcement.”³¹ The Supreme Court has “often and uniformly held such statutes or policies impose censorship on the public or press.”³² Rather than vesting the authority to determine who gets to speak with *The Alestle* and under what circumstances solely in Franklin, SIUE must leave open avenues for public employees to speak on matters of public concern in their personal capacities,³³ even when the questions concern the university.³⁴

In addition to these concerns, SIUE’s Marketing and Communications practice of using Franklin as a media minder unduly burdens the press and public’s ability to hear from

²³ *Id.* at 458–60, 474.

²⁴ *Milwaukee Police Ass’n*, 192 F.3d at 750.

²⁵ *Providence Firefighters Local 799 v. City of Providence*, 26 F.Supp.2d 350, 357 (D.R.I. 1998) (holding chief of fire department’s order to employees that “only the Chief of the Department has the authority to discuss for publication, matters concerning the Department” and threat of punishment unconstitutional).

²⁶ *Lane v. Franks*, 573 U.S. 228, 236 (2014) (internal quotations omitted).

²⁷ *Nat’l Treasury Emps. Union*, 513 U.S. at 467–68 (quoting *Pickering v. Bd. of Educ.*, 391 U.S. 563, 571 (1968)); see also *Moonin*, 868 F.3d at 861.

²⁸ *Moonin*, 868 F.3d at 861 (internal citation omitted).

²⁹ *Pickering*, 391 U.S. at 570.

³⁰ *Id.* at 568.

³¹ *Moonin*, 868 F.3d at 867 (citing *City of Lakewood v. Plain Dealer Publ’g Co.*, 486 U.S. 750, 763–64 (1988)); *Sanjour v. EPA*, 56 F.3d 85, 97 (D.C. Cir. 1995).

³² *Lakewood*, 486 U.S. at 763.

³³ *Pickering*, 391 U.S. at 568.

³⁴ *Lane*, 573 U.S. at 240 (“The critical question ... is whether the speech at issue is itself ordinarily within the scope of an employee’s duties, not whether it merely concerns those duties.”).

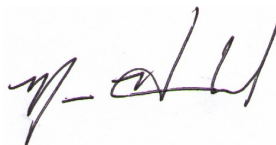
university staff without an intermediary present. Indeed, it is not only the public employee's speech that could be affected, but "the public's right to read and hear what the employees would otherwise have written and said" absent a policy like SIUE's that "will inevitably diminish [public employees'] expressive output."³⁵ Answering questions in front of a media minder is likely to produce less spontaneous, authentic responses from university staff, who will frequently be asked to speak in their personal capacity and not on behalf of the university. These effects produce a constrained expressive environment that does not reflect your stated commitment to student press freedom or the First Amendment.³⁶ Instead, SIUE should explicitly state that it will not require media minders.³⁷

FIRE and SPLC call upon SIUE to make clear that interviews with public employees will not be conditioned on the presence of one of your office's representatives, and that the university will not revert to its past unconstitutional practices. FIRE and SPLC have worked amicably with many universities to provide resources and assistance in the process of policy reform. We would be happy to assist you in enacting practices consistent with your First Amendment obligations and stated commitment to the student press. Specifically, we request to meet with representatives from your office and *The Alestle*³⁸ the week of September 7, 2026, at a time that works for all parties. We request a substantive response to this letter confirming you will not require a media minder to be present during interviews and sharing your availability to meet no later than August 20, 2026.³⁹

Sincerely,



Marie McMullan
Program Manager and Counsel, SPFI



Mike Heistand
Senior Legal Counsel, SPLC

Cc: James T. Minor, Chancellor
Nicole Franklin, Director of Communications

³⁵ *Nat'l Treasury Emps. Union*, 513 U.S. at 470.

³⁶ See email from Bridges, *supra* note 16. ("University Marketing and Communications fully supports a free and independent student press.").

³⁷ See John K. Wilson, *Freedom of The Press on Campus*, UNIV. OF CALIF. NAT'L CENTER FOR FREE SPEECH AND CIVIC ENGAGEMENT, available at <https://freespeechcenter.universityofcalifornia.edu/fellows-19-20/wilson-research/>.

³⁸ *The Alestle* will be undergoing a media law and best practices training with FIRE's Student Press Freedom Initiative.

³⁹ FIRE staff would be happy to conduct this meeting in person since a representative will be in Edwardsville that week for *The Alestle* training.