



### Official Response to the Provost Directed Academic Committee

**From** Blackman II, David W [redacted]  
**Date** Fri 2/27/2026 3:53 AM  
**To** Mathews, Jud [redacted]  
**Cc** Vollmer, Michele Renee [redacted]; Sanders, Shaakirrah R [redacted]; Conway, Danielle M [redacted]  
 [redacted] >: Office of the Provost [redacted] >; OEC - Office  
 [redacted] >; General Counsel [redacted] >; Office of the President  
 [redacted] >; Faircloth, Kalene Marie [redacted] >  
**Bcc** David Blackman [redacted] >

Professor Mathews and esteemed Committee Members,

I am grateful you took the time to review my petition. Even if I am not in agreement with the result, I respect the good faith with which the committee handled itself. However, I do not respect nor acknowledge the policy requiring attendance in such a class as constitutionally sound in nature, and I will not be attending nor participating in the REPL class due to my own academic and personal conscience. As to your suggestion to sit on the REPL committee next year, it would be the equivalent of a voice shouting into a black void. It is clear that my stance is far away from that of my peers, and I will not waste my time trying to fix a broken class that was designed to be this way.

Furthermore, under Penn State Policy AD49 and AD67, all legal matters, including constitutional challenges to University curriculum, must be referred, investigated, and ruled on by the Penn State Office of the General Counsel or the Office of Ethics and Compliance, unless the Board of Trustees or the General Counsel specifically delegated "Constitutional adjudication" powers to this committee, regardless of whether the Provost of Penn State authorized it or not. As I submitted my petition to the Office of the General Counsel on January 28, 2026, and an Office of Ethics and Compliance Report on January 27, 2026, they are the only authorized agencies to resolve my claims under University Policy. Moreover, as I explicitly notified the Office of the President by email on January 29, 2026, referring this matter back to Dean Conway, or a committee of faculty that ultimately report to her, constitutes an inherent conflict of interest and a procedural violation of my due process rights under the legal principle of nemo iudex in causa sua, and the Fourteenth Amendment of the US Constitution, not only University Policy. Therefore, I reject the committee's authority to determine the merits of my petition, and the petition and all its antecedents are still in force as of 02/27/2026.

I believe the requirements of the REPL course approach the threshold of compelled speech and ideological orthodoxy, and no amount of academic freedom argument will dissuade me. Justice Robert Jackson famously wrote in West Virginia State Board of Education v. Barnette:

'If there is any fixed star in our constitutional constellation, it is that no official, high or petty, can prescribe what shall be orthodox in politics, nationalism, religion, or other matters of opinion or force citizens to confess by word or act their faith therein'

As Justice Jackson stated, and current Justice Gorsuch has affirmed, I am a Texan at heart, mind, and spirit, and I am "free to think, and speak as I wish, not as the government or law school demands" (303 Creative LLC v. Elenis (2023)).

If either Justice could see this REPL class (and one just might), they would undoubtedly find similarities compelling students to salute the flag to a class that requires complete attendance to discuss a one-sided viewpoint of Critical Race Theory, because lets not fool ourselves here; Critical Pedagogy is just CRT wrapped in sheep's wool, and whether the presenters and instructors like to admit it or not, everything taught in REPL is an opinion, unless both sides of an argument are presented.

Furthermore, be advised that I view any attempt at unilateral withdrawal while I am still an active member and participant of my doctrinal courses or a referral to the honor council as a profound violation of due process. The Dickinson Law Honor Council lacks the subject matter jurisdiction to determine if an academic curriculum as instructed violates Constitutional Law under Penn State Policies AD49 and AD67. The Office of the Dean of Dickinson Law does not have the authority to academically sanction me until the OGC/OEC releases its findings of my constitutionally protected activity of filing a petition citing violations of the Constitution as well as University policy by the Office of the Dean and its Associate Deans, specifically Dean Danielle Conway and Associate Director Kalene Faircloth under Penn State Policy AD56. Any attempt to sanction me before the OGC/OEC releases its findings will be treated as retaliation under Penn State Policy AD67. Furthermore, if the Office of the General Counsel or Office of Ethics and Compliance rules against my claim, I must be given the opportunity to fulfill the requirements of the REPL program before any sanctions or withdrawal can be conducted under the guiding principles of Due Process and Administrative Fairness.

As a former member of law enforcement in the Great State of Texas, I abhor everything this class teaches and will no longer be even a passive participant in such a farce. I will remain a dedicated student in the classes that will make me a better attorney, such as Contracts, Con Law, and Property, and will vigorously defend my ability to self-exclude from a class that violates my core beliefs. If the law school wishes to challenge me on this, it will be in the courtroom that we are training to one day be the stewards of, and to quote a famous Texan, with regards to my Juris Doctorate: Come and Take It.

-David Blackman  
JD Candidate  
Dickinson Law

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**From:** Mathews, Jud [REDACTED] >  
**Sent:** Thursday, February 26, 2026 5:42 PM  
**To:** Blackman II, David W [REDACTED] >  
**Subject:** following up

Dear David:

I appreciate you meeting with me over Zoom, in spite of your being sick. I write to share the conclusion of the group of faculty and administrators convened by Dean Conway to review your concerns. We conclude that none of the remedial actions you seek to have the university take are required. To graduate from the law school, you will need to complete all required courses, including REPL.

You have important contributions to make at Penn State Dickinson Law. As a former law enforcement officer and a veteran, you have a perspective that many of your classmates may not have heard, and it enriches the discourse in the law school for you to share your views. In our conversation, you shared that your ultimate goal was to make the REPL course a stronger and better experience, and the law school is always open to students constructively engaging to improve the curriculum. There are many ways that you can do so.

The REPL course has a Student Advisory Committee that provides input on the direction of the course and serves in an advisory capacity to the REPL faculty. Participation is open to all interested 2Ls and 3Ls. You might consider joining in the fall. More immediately, the MSEEQ (which is currently open) and the SEEQ are important avenues for students to share feedback on courses. MSEEQ results are shared only with instructors, but SEEQ results are reviewed by the Associate Deans for Academic Affairs and Dean. Another vehicle for students to engage with the curriculum is the SBA's Academic Affairs Committee. Dean Vollmer also extends an invitation to you to meet and discuss your suggestions for the course. Outside of the formal law school curriculum, if there are viewpoints that you believe are underrepresented in the law school discourse, you might also consider working with one of our many student organizations to organize an event to bring those perspectives to light. I would also be happy to meet with you to discuss these or other possibilities.

Sincerely yours,

Jud Mathews  
Professor of Law and Political Science  
Penn State Dickinson Law – University Park

office: 331 Lewis Katz Building



appointments: [schedule here](#)

[web](#) / [papers](#) / [bio](#)