



Free Speech and Responding to Protests and Activism in Education Settings Certification Course Agenda

Description:

Free Speech and Responding to Protests and Activism in Education Settings is a one-day certification course for educators and administrators in K-12 and higher education. The course provides a comprehensive overview of the complexities involved in navigating the tensions between freedom of expression and ensuring an environment free from harassment and discrimination.

Expert faculty will explore institution/district responsibilities for responding to protests, preventing and addressing disruptions, and ensuring that all voices are represented in a respectful and lawful manner. Topics include understanding the limits of free expression, addressing unprotected speech and harassment, protest management strategies, referral considerations to other school/institutional support systems or processes, and school/institutional legal obligations. Participants will gain the skills needed to respond to public expression and protest-based discrimination and harassment complaints in a timely and fair manner.

This course is designed for senior administrators, compliance officers, student affairs/services administrators, campus security personnel/school resource officers, district/institutional leaders, and legal counsel responsible for managing free expression and protest-related issues in educational environments.

Learning Outcomes:

After completing this training, participants will be able to...

- Explain the legal principles governing free expression and protest activity in public and private education settings, including the limits on those rights and those areas of the law that are still unsettled
- Distinguish between protected and unprotected speech under federal law, and understand the school/institution's role in addressing each
- Assess how to balance the rights of protesters with the need for safety, maintaining order, minimizing disruption, and protecting the educational environment
- Create clear and legally sound policies and protocols for handling protests, ensuring compliance with free expression protections
- Implement strategies to manage protests and activism that disrupt institutional operations while respecting lawful expressions of free speech

Course Topics

Introduction to Free Expression in Education Settings

- First Amendment Statute
- Application in Education
- Public vs. Private Schools/Institutions

Legal Framework Governing Free Expression and Protests

- Protected Expression
- Seminal Cases: Unprotected Expression
- Protected Expression Exceptions
- True Threat Analysis
- Prior Restraint of Speech

Application of Time, Place, and Manner in the Various Forums

- Time, Place, and Manner Restrictions
- Forums
- Three-Step Analysis for Expression
- Publish Campus Access Policy
- Publish Facilities Use Policy
- Challenges of Social Media
- Neutrality and Compelled Speech

Addressing Speech, Harassment, and Discrimination

- School/Institutional Obligations
- Hostile Environment Standards
- Addressing Harassment

Student Newspapers and Student Organizations

- Student Newspapers
- Student Organizations

Academic Freedom and the First Amendment

- Academic Freedom Principles
- Faculty Protections
- *Meriwether v. Hartop*
- *Kilborn v. Amiridis*

- Non-Faculty Speech Rights

Addressing Off-Campus Speech

- Off-Campus Speech Perspectives

Right to Assemble

- Right to Assemble
- Heckler's Veto
- School/Institution Responsibilities

Responding to Protests and Activism

- Establishing Protocols
- Essential Actions During an Event
- Safety and Security
- Incident Response
- Disciplinary Referrals
- Community-Wide Impact Considerations

Note: Training will include one morning and one afternoon break (approximately 15 minutes each) and a one-hour lunch break. Training start and end times for in-person events are determined by the host site. All virtual training sessions take place from 10 AM – 5 PM ET unless otherwise specified.