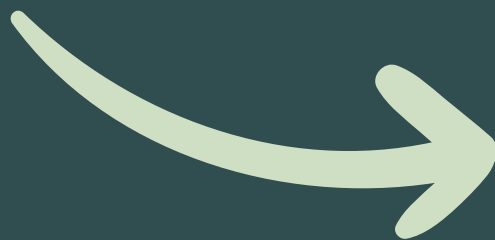




# Anti-Prejudice Tools:

Guidance for Students  
Targeted in Response to  
Palestine Rights Advocacy





## Core tips to students asserting their free speech rights in educational settings:

1

Students in all levels of education are afforded free speech within the public school setting, with two caveats:

- a. Offensive speech is afforded less protection in the public school system (outside the school setting this would be fully protected)
- b. Hate speech is not protected in public schools despite having at least partial protection in most other settings.



## Core tips to students asserting their free speech rights in educational settings:

- 2 You have the right to speak out, hand out flyers and petitions, and wear expressive clothing in school
  - a. You cannot cause a disruption or violate the school's content-neutral policies
  - b. Speech cannot incite people to violence (ever- not in or out of school)



## Core tips to students asserting their free speech rights in educational settings:

3

Schools can only limit students' expression if they can reasonably predict that it will create a substantial disruption or material interference in school activities or invade the rights of others.

- a. The school disagreeing with your position or believing that your position is controversial does not necessarily mean that the speech is disruptive.
- b. Whether the speech is disruptive will depend on the circumstances.



## Core tips to students asserting their free speech rights in educational settings:

4

The Supreme Court has held that school authorities must respect students' rights to express themselves outside of school, including their right to express dissenting or unpopular views.

- a. Schools do not have the same authority to punish students for speech outside of school as they do in school contexts.



## Core tips to students asserting their free speech rights in educational settings:

5

The First Amendment also prohibits “viewpoint discrimination” – government action (which includes action by public university officials) that burdens or suppresses speech based on viewpoint.

- a. This means that if a student or a group is punished because administrators don’t like their message, the university may be held accountable for violating students’ constitutional rights.



## Core tips to students asserting their free speech rights in educational settings:

- 6 Free speech protections do not extend to defamation, obscenity, “true threats” or speech that incites imminent violence or law-breaking.
- 7 Students cannot be punished for publishing content on social media in most circumstances, unless it is threatening to the school, or members of the school- threats are never protected speech.

*Palastine Legal’s Know Your Right’s Student Handbook*

[\\_palestinelegal.org/know-your-rights\\_](https://palestinelegal.org/know-your-rights)



**We urge students in public school settings to read CAIR's recent guide offering practical steps for youth experiencing bullying in school and their families.**

It includes advice such as how students can develop a plan to advocate for themselves in response to bullying, as well as step-by-step guidance for parents who seek to report incidents of bullying to school authorities.

[bit.ly/cairguidebullyinginschools](https://bit.ly/cairguidebullyinginschools)