KNOW YOUR RIGHTS

Hosting Pro-Israel Speakers and Events

ON CAMPUS

StandWithUs SAIDOFF LAW

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The First Amendment right to free speech includes the right for student groups and academic departments to invite speakers to campus. Therefore, student groups and academic departments are typically given wide latitude to host events, even biased events, so long as the event is within their departmental purview or student group mission. This right is often codified in specific university policies and includes the right to bring controversial speakers who espouse biased ideas. If you are ever denied or discriminated against for trying to bring a speaker to campus, you likely have had your rights violated.

Anti-Discrimination

Most universities have policies that prohibit discrimination against individuals or student organizations on the basis of ethnicity, national origin, religion, and other protected identities. First Amendment principles require that an invited speaker may not be denied the opportunity to speak because of their viewpoint.

Document Everything

- Make sure to keep all email correspondence from the administration or student government about planning your event, even if it seems irrelevant.
- Take screenshots of social media posts relevant to your event.
- Follow up meetings and phone calls with an email, copying everyone present, summarizing what was discussed and anything that was agreed upon and ask for a confirmation email to ensure you are all on the same page.

Public vs. Private Campuses

The Constitution applies to all public universities; therefore, First Amendment free speech rights are strictly enforced. While private schools typically follow and codify free speech principles, they generally have more leeway to regulate speech than public universities do.

Public Events Are Open to Everyone

Universities, student governments, and student groups are usually allowed to host private events, however if they host public events, they must open the event to the public. If someone is denied entry to an event or asked to leave an event solely on the basis of identity or beliefs, they may have had their personal rights violated. This applies to both in person and online events.

If your pro-Israel student group hosts a public event, you must open the event to everyone, even to those with anti- Israel viewpoints. This does not mean you have to tolerate disruptions of your event. Please see our separate Disruptions fact sheet.

Permits, Tabling and Renting Space on Campus

While the First Amendment prohibits universities from regulating a speaker based on the speaker's viewpoint, universities may reasonably implement neutral time, place, and manner restrictions on speakers and events.

For example, a school may deny a speaker the right to speak at 12AM or prohibit the use of microphones in an outside space so long as the rules are applied equally to everybody.

It is important to follow your university's policies on renting space and obtaining permits for speakers and make all necessary arrangements as far in advance as possible. Additionally, it is important that you save all documentation showing that you obtained the rights. This includes any paper forms from the school, confirmation emails, or online screenshots.

Contract Issues

A contract is a legally enforceable promise. Asking a speaker to come on a certain date to speak at your event and getting confirmation from them that they are coming is likely an enforceable contract they can hold you to, even if you want to cancel the event later. While most formal contracts are in writing, there is (with few exceptions) no requirement that a contract be in writing. You can create a legally binding contract through text messages, over email, and even verbally.

To protect yourself from inadvertently creating a contract, be careful of what language you use. The more specific language and promises made, the more likely you have created a contract.

Please save text messages and emails confirming your conversation and follow up in writing after a verbal conversation to confirm your understanding. This helps show whether or not a contract was created if any issues arise later.

If you need help finding your school's policies, or to learn how the reporting procedures work, contact legal@standwithus.com.

Reach Out to StandWithUs Saidoff Law for Help

StandWithUs is always available to review your university policy and determine what steps you can take. If you are concerned about preparing for an upcoming event you are hosting, or if you have been denied or hindered in bringing a speaker to your campus, please contact research@standwithus.com or legal@standwithus.com or visit www.standwithus.com/law.

We advise you to raise concerns about violations of school policies with your school administration, including the Events Planning Office and the Office of Student Affairs, in an email or meeting. StandWithUs can help you with this.

If you believe your event was not funded, received less funding than similar events promoting a different viewpoint, was denied use of campus facilities, or if the school imposed unreasonable security fees or other procedures due to the pro-Israel position advocated at the event, you likely have a discrimination claim. Contact legal@standwithus.com for help.

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