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TOPIC:

Key Considerations in Safely Managing Campus Events in 2018

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INTRODUCTION:

In the wake of the deadly white supremacist rally in Charlottesville, Virginia, in August 2017, many schools are looking at their policies for invited speakers and campus events with fresh eyes. The best practical advice, from campuses that have experienced dramatic conflicts and major disruption, is: "Over-prepare and over-communicate." This NACUANOTE is intended to provide information on preparations and communications focused on balancing an institution's commitment to free speech and freedom of expression with the obligation to maintain a safe campus for students, faculty, staff, and visitors. It is not intended to be an outline of the black letter law of the First Amendment, a primer on the sources of obligations to protect freedom of expression for private campuses, or advice about the many types of smaller incidents that can provoke outrage and activism among students and/or faculty.[2] Rather, it is intended as practical advice about reviewing or developing event policies, analyzing security risks, and safely managing larger events for which your campus has meaningful advance notice.

The Note is organized in the following sections:

Section 1: Content-Neutral Policies for Events

Section 2: Gathering Information

Section 3: Security/Risk Assessments

Section 4: Communications

Section 5: Issues for the Day of the Event

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DISCUSSION:

Section 1: Content-Neutral Policies for Events

Whether an institution is private or public, freedom of expression is in our DNA. Colleges and universities are places dedicated to "the ungovernable play of the inquiring mind,"[3] which means institutions may host speakers or events that arouse passionate disagreement.

Regrettably, in some instances, disagreement can erupt into tragic violence, as was the case in Charlottesville, or attempted violence, as in Gainesville.[4] Colleges and universities have long relied on institutional policies to help administrators manage foreseeable issues related to crowd capacity, safety, scheduling conflicts, and security. This is certainly not to suggest that policies could have prevented the aforementioned tragedies. However, they deserve renewed attention against the backdrop of recent events, to ensure that they afford the widest possible latitude for robust dialogue while maintaining controls necessary to proactively mitigate safety threats.

A. Auditing Policies

With these goals in mind, institutions may want to audit policies that are likely to implicate speech and expression concerns, especially if some have been in place without substantial revision or review for several years. Policies specific to events, such as event registration; time, place, and manner policies; facilities use policies; speech and demonstration policies; and/or policies on third-party rentals of campus spaces, should take the highest priority.[5] Some institutions have or are also considering policies on masks, body armor, and/or open flames at events, or policies prohibiting weapons on campus. Other policies worth reviewing may include tabling, posting, bulletin board, and chalking policies, as well as demonstration/protest policies, campus trespass policies, student discipline policies, visitor conduct policies, and prohibitions on the disruption of educational activities or the campus environment. Even where the policies have appropriately content-neutral and clear provisions, consider whether there is a process for those impacted by the policies to pursue complaints or grievances to maximize the institution's ability to resolve the matter internally and help ensure equal application.

B. Defining Content Neutrality

To ensure meaningful freedom of expression, campus policies should be guided by First Amendment law regarding content and viewpoint neutrality, although private institutions will generally have more flexibility to vary from First Amendment requirements. Fundamentally, the Supreme Court instructed, in *R.A.V. v. City of St. Paul*, that policies must not "selective[ly] limit[]" speech[6] either because of content or viewpoint. In essence, this means institutions may regulate *how* speech occurs but have limited ability to control *which* speech occurs on campus.[7] These restrictions are often referred to as "time, place and manner" regulations, because the U.S. Supreme Court has consistently upheld the right of both private and public organizations to manage the time, place and manner of speech.[8] Note, however, that time, place and manner restrictions imposed by public institutions in a traditional public forum or

designated public forum are subject to strict scrutiny and must be narrowly tailored to achieve a significant governmental interest.[9] For limited public fora at public institutions,[10] restrictions must only be "reasonable in light of the purpose served by the forum" and viewpoint neutral as discussed below.[11]

Examples of time, place, and manner restrictions for events that have been analyzed and upheld include requiring a permit, requiring a set amount of advance notice, prohibiting events on final exam days, limiting events to certain areas on campus, and limiting the hours during which an event may occur.[12] Institutions should focus on identifying factors specific to campus security and resources that are likely to create challenges or present unacceptable risks from a practical or legal perspective. In ascertaining what the institution can handle, factors to consider include whether campus security officers have the authority to arrest, the size and structure of the campus security force, the number of attendees that staff can appropriately manage, the location and layout of the venue, and the capacity of local law enforcement to support or assist in advance of any criminal behavior.

C. Issues Specific to Event Registration Policies

Event registration policies can also help administrators anticipate possible issues to better plan for events.[13] For example, will the institution allow a student organization formed the previous week to hold an event in a venue that seats 1,000 people and open the event to the public?

First, the policy should clearly define which events must be registered. For example, must all events in institutionally-scheduled space be registered? All events exceeding 100 people? Does the policy apply to include demonstrations or rallies that take place outside? Does it include events that are scheduled in opposition to another event, and if so, how will the advance registration requirements be applied if the primary event met the deadline (perhaps barely) but the opposition event does not have an opportunity to register?

Some public universities have "sponsorship" policies or requirements in their facilities use policies. Such requirements limit public university facilities only to external speakers who are sponsored by a registered student organization or university academic or administrative unit. Texas A&M University, for instance, requires that "[p]rior to submitting a request for use of . . . space," an outside speaker "must secure sponsorship from a recognized Texas A&M student organization, a Texas A&M University academic or administrative unit, or an A&M System member."[14] Such a registration requirement reflects a university's decision to make a facility available only for certain purposes—*e.g.*, for use by student groups and their guests. With respect to property that is not a traditional public forum, a university retains the ability to restrict "access on the basis of subject matter and speaker identity" and may "reserve the forum for its intended purposes."[15] By imposing these restrictions, the university renders the forum a *limited* public forum. Such restrictions are permissible as long as they are (1) reasonable and (2) "viewpoint-neutral".[16] Requiring sponsorship by a student organization may satisfy both of these requirements.

Consider whether particular types of events may merit additional requirements. For example, several schools identify events with "distinguished visitors," such as foreign dignitaries or high-profile individuals, as requiring contact with a specific institutional office to ensure not only proper security but also appropriate courtesies and formalities.[17]

Institutions may also want to implement neutral requirements that obligate registrants to give the institution a certain amount of notice prior to hosting an event. For example, a number of schools have long-standing policies requiring advance registration that builds in several weeks

for an appropriate administrative planning process and supports to be put in place.[18] Smaller schools may find themselves looking at existing policies that do not specify a deadline for registering an event or impose only a short deadline such as one week. With a high-profile speaker who may draw protests from members of the campus community or those outside of it, one or two weeks of planning is unlikely to be adequate. Advance notice requirements should be reasonable, however, consistently applied, and not so onerous that they restrict speech.

Institutions may incorporate a fact-specific analysis of safety concerns relating to the speaker, event, etc., ranging from protests to violence. For example, an event registration policy could ask those registering events to identify whether the event is likely to be a target of disruption, threats, violence, or other acts of intimidation. The policy may solicit information about the expected size of the event and ask the organizers to disclose whether it is likely to draw unusually large or disruptive crowds. Such factors do not distinguish between speakers on the left or right, but rather allow the administration to focus on assuring safety for members of the campus community. The institution should make clear that this is only a first step to allow evaluation of safety risks, not a red (or green) light for the event. However, information about completed registrations ordinarily should be restricted to campus administrators[19] and not made public as doing so could be seen as attempting to "chill potential speakers by eliminating anonymous speech."[20]

Finally, consider whether the event registration policy should require the event hosts to participate in planning meetings, undergo institutional training, serve as student event monitors, or otherwise take responsibility for managing the event in a safe and constructive way.[21] There is a strong argument to be made for including any student event hosts in the risk management discussion and processes, which advances educational goals and supports students taking ownership of inviting speakers who may have, as some have described Richard Spencer, "trolls with little to say."[22]

D. Information to be Gathered through Event Registration

The registration process should begin to gather information that will drive the risk or safety assessment. Tailor the process to gather information relevant to safety/security assessments and planning, without making the process unduly burdensome for those wishing to host events or use campus facilities. In 2008, Georgia Southern University's event registration form withstood a constitutional challenge by an outside speaker who alleged that the form was not narrowly tailored. The registration form in question required the following information:

> Name; organization represented, if applicable; permanent mailing address; telephone number; type of requested activity; preferred date(s), hour(s), and duration of requested activity; primary topic or purpose of requested activity; equipment, literature and sound enhancement devices to be used; proof of liability insurance, if applicable; and a signature confirming that the applicant has read and agreed to GSU's policy governing the use of campus facilities.[23]

The Eleventh Circuit Court of Appeals held in favor of the University and found that the University's disclosure requirement was narrowly tailored to address the University's interest in allocating access to the University and to protect the safety and security of the community. While registration policies such as the policy at Georgia Southern University are not uncommon, the Department of Justice has recently taken an aggressive stance opposing such processes, describing a permitting process at Los Angeles Pierce College as "unconstitutional prior restraints" and not narrowly tailored.[24]

Section 2: Gathering Information from the Campus Community

Once the event is registered, it may be advisable as a routine function to have a small group of staff members, perhaps including campus police, gather additional information about the speaker, organization, or event. The function of this check is not to review the content of the speech[25] but to determine whether any previous engagements have resulted in protests or violence. Performing a routine search based on the initial information provided may identify potential security concerns early in the planning process. One safety consideration may be to look for instances where a speaker has targeted identifiable individuals on campuses,[26] to ensure that campus administrators consider safety concerns that the speaker may create, rather than safety concerns that may arise from opposition to the speaker. Whatever the protocol is, institutions of higher education need to quickly and efficiently identify events that have an unacceptably high safety risk, without impeding the scheduling of hundreds of ordinary academic events that present no safety risk at all. Then, resources can be focused on the very small number of events that present a safety risk for people on the campus.

A college strives to have its finger on the pulse of its campus community at all times as much as possible. Each campus is different with different cultures, demographics, and student groups. What is an issue at one campus may not be an issue at another.[27] When an event is registered that administrators believe may be unduly disruptive to the campus community, information gathering should be undertaken. Determining whether an event will present safety challenges may require some institutional knowledge of past events as well. Knowing whether the proposed speaker or group has been to campus in the past could be a starting point for further inquiry. However, administrators should not assume that because a controversial speaker came in the past without issue, the same result will necessarily follow with the proposed visit. For instance, Charles Murray spoke at Middlebury in 2007 about The Bell Curve without violent protest. However, in 2017 a narrative was shared that, during the previous visit, he had looked at minority students and told them that they didn't belong at Middlebury.[28] Though Murray disputed this narrative, it nonetheless stirred action in an already tense climate. For a particular community, knowing what narratives are circulating about earlier events can be important.

Information gathering could be a function of student affairs or the communications office or both. Arguably, the most effective methods are the most low-tech – having actual conversations with the students and faculty to gauge how activated students may be by the event.[29] As Lee Gardner noted, "Knowing what students are concerned about, and taking those concerns seriously, can help keep a leader from seeming clueless when they come to a head."[30] These conversations may shed light on the likelihood of protests or even violence at a controversial event. Administrators, however, should be careful not to imply in these conversations that they are making decisions about the controversial event based on the content of the anticipated speech.

Information available on the campus community's social media (such as students' and student groups' accounts) regarding a controversial event cannot be overlooked. The degree of social media monitoring colleges and universities undertake remains a hot-button topic with several different approaches as well as legal pitfalls.[31] To some extent, staff members either in student affairs or, more likely, the communications office should monitor the online discussions regarding key or high-risk events. One challenge of this function is identifying *which* platforms students are using. Worldwide, and as of September 2017, there were approximately 12.2 billion active user accounts on the top twenty social media platforms – 8.8 billion of which are on platforms other than Facebook or Facebook Messenger.[32] Enlisting the aid of students and/or

industry experts may be necessary to be effective. Monitoring may help identify a number of valuable pieces of information, such as organized protests and plans, soft numbers of potential protesters, and other groups whose engagement has not been previously recognized. Any material calling for violence or disruptions should be noted and shared with campus and/or local police immediately.

Traditional and social media outside of the campus community should be monitored as well to gauge the level of attention and media coverage, if any, that the event is generating. If financially feasible, multiple consulting firms exist that can be hired to monitor certain keywords and phrases on outside social media. Now may be the time to examine existing relationships between the office of communications and external public relations or media consultants and put in place a mechanism to engage those services quickly. It is critical that any relevant social media information on the event is reviewed and shared as soon as possible to allow the college or university to issue timely statements or responses as necessary. As discussed below, the ability to react promptly cannot be overstated.

In conjunction with the office of communication monitoring outside media, law enforcement should leverage relationships with local and federal agencies and utilize the resources of the local or state "fusion center." A fusion center is an intelligence gathering, analysis and dissemination resource in each state or major urban area centers, which is owned by state, local, and territorial law enforcement and Department of Homeland Security entities, many of which were jointly created between 2003 and 2007. "Fusion centers operate as state and major urban area focal points for the receipt, analysis, gathering, and sharing of threat-related information between federal, state, local, tribal, territorial (SLTT), and private sector partners."[33] Doing so can identify outside security risks for the event. For example, the planned attendance of the event by known members of a hate group may be identified through a fusion center through its unique network.

In conjunction with fusion centers, any warnings or assessments that may be delivered by federal agencies such as DHS or the FBI should be acted upon appropriately. Failure to do so could leave the institution unprepared for violence and result in sharp criticism where forewarned violence erupts. For instance, state and local authorities in Virginia faced criticism for their response to a DHS assessment days in advance of the Charlottesville rally warning that the event would most likely be "among the most violent to date[.]"[34] Law enforcement and the administration should pay careful attention to these resources and use this information for more informed decision-making and risk assessment.

Section 3: Security Risk Assessments

A. Who Should Do It?

After gathering information broadly, including from sources such as social media and law enforcement, that information needs to be synthesized and analyzed by people who can make appropriate judgments about the risks, the controls or other mitigating factors, and how to safely support the event. Depending on the institution's size and make-up, existing resources for a sophisticated safety assessment may be in different places. Certainly, campus security staff need to be central to this assessment, because they have knowledge of the campus and past events, as well as the tactical expertise to assess safety and security risks. Campus safety personnel in larger police departments will often have individuals with experience in planning and executing large-scale events safely.[35] Administrators from student affairs, facilities, counsel, and risk management may also have valuable input to a security risk assessment.

If the risk assessment team identifies factors indicating that individuals other than members of the campus community may target the event, the institution will likely want to involve local law enforcement in planning. One of the lessons learned during 2017 was that areas of the country that may be seen as left- or right-leaning are equally at risk for violence. Therefore, colleges must take seriously the possibility that extremists from either or both sides may choose to make the campus a battleground, even if your campus is more usually known for bucolic views of mountains or farmlands. While every institution would hope to avoid the governor declaring a State of Emergency, as Governor Rick Scott of Florida did in October 2017 to prepare for Richard Spencer's event at the University of Florida in Gainesville, it's important to understand whether there are technical hurdles to engaging particular kinds of support, such as state police, sheriff's office staff, or the National Guard. Including those groups in the planning process will also illuminate whether they have restrictions on their activities that may be unexpected. For example, a county sheriff's office, though having authority to arrest and transport arrestees, may lack vans to move large numbers of people.

For small campuses with private or non-deputized security staff and fewer resources, threat assessment teams may be able to provide additional support. Threat assessment training guides teams to gather and evaluate information from a wide range of sources and make evidence-based decisions about whether an individual is on a path to violence. Trained and experienced team members, even if they normally serve in a communications role, or in a clinical role may be able to assist in evaluating information to assess the risk level.

B. How to Conduct a Risk Assessment

In addition to convening a risk assessment team, institutions should also consider the risk factors and the controls or mitigation strategies that might allow the event to proceed safely. Like policy provisions, key factors for the security risk assessment must be content neutral. Assessments that evaluate risk based on a particular topic (e.g., racism), or by a person of a particular identity (e.g., self-described black, queer, female) present constitutional challenges for public institutions and expose both public and private institutions to risk when an assessment is based, in whole or in part, on what is said or the identity groups to which the speaker belongs. Appropriate, content-neutral factors to consider could include:

- The speaker is someone who has been the subject of protest (e.g., in the last 12 months)
- An event with this speaker has involved/resulted in violence.
- The speaker has a history of targeting identified or identifiable individuals in campus communities.
- The event/issue has been the subject of protest or extensive activism within the campus community, especially if civil disobedience has been used.
- There is information or reason to believe that individuals within the campus community intend to protest the speaker or event (along a continuum from peaceful, disruptive, to violent).
- There is information that individuals outside of the campus community intend to protest the speaker or event (along a continuum from peaceful, disruptive, to violent).

- There is information or reason to believe that individuals within the campus community intend to hold a counter protest. Determine whether there is information indicating a likelihood of violence.

- There is information or reason to believe that individuals outside of the campus intend to hold a counter protest. Determine whether there is information indicating a likelihood of violence.

- There is information indicating other potential risk factors/reasons for concern (e.g., likely to draw large crowds).

- There is insufficient time to plan and ensure the availability of resources.

Once the assessment group has a picture of the risks, they can consider what controls or mitigation strategies exist and how effective they will be. Risk mitigation strategies could include moving the event to a different venue, limiting attendance numbers, restricting an event to students or campus community members only, suggesting alternative formats for the event (including speakers joining by video-conference as Edward Snowden has done), counter-programming, hiring additional security staff, and other strategies designed to mitigate risk.

The assessment group should apply those controls and then evaluate whether the event can be held safely with those controls/mitigation strategies in place. As an example, the assessment group might be asked to answer whether the following control factors exist, and how effective they will be (on a scale):

- Campus security resources are available and sufficient to manage this event.

- Required local police resources are available and sufficient.

- Required law enforcement resources in addition to local police (state police, sheriffs, etc.) are available and sufficient.

- The administration has open communication and support of students/faculty on both sides of the issue (those who are organizing the event and those who oppose the event).

- The institution has appropriate policy enforcement protocols for this event[36].

- The institution has appropriate emergency protocols for this event.

- An incident command center, with the individuals with responsibility for making the "safety" call regarding this event is/will be in place.

If desired, such an assessment tool could include numerical rankings and weighting to generate rankings of events that are clearly appropriately safe, those which require further examination or planning, and those which appear not to be able to be safely sponsored on campus at that particular time, or which require additional security measures.

Keep in mind that security assessments should include the whole campus – not just the chosen venue. Controls will obviously need to be tightest in the venue, but may also need to be put in place to maintain safety for those entering and exiting the venue. The control plan should contemplate the possibility of physical altercations between protesters and counter-protesters that might occur outside the venue or at a counter-programming event. For public institutions or

those otherwise committed to First Amendment standards, the plan should also be sensitive to avoiding prior restraints or other impermissible speech restrictions.

While going through the security assessment, you'll want to consider periodically whether identified risks, alone or in combination, may trigger an emergency operations protocol, such as engaging in joint planning with law enforcement, creating an incident action plan, and/or establishing an incident command center as the date of the event approaches.

In conducting risk assessments and making decisions, a key First Amendment principal that must not be overlooked is the heckler's veto doctrine, which states that a speaker "cannot be silenced merely because those who disagree with the speech 'may start an argument or cause a disturbance.'"[37] Narrow categories of speech fall outside of the hecklers veto doctrine, including fighting words, inciting lawless action, and true threats.[38] Therefore, at the conclusion of a risk assessment, it would be impermissible to make a decision to suppress a speaker based on the expected negative reaction of the audience.

C. Where Do the Costs Fall?

The application and assessment of security fees for public institutions under the First Amendment was litigated and decided by the U.S. Supreme Court in 1992 in *Forsyth County v. Nationalist Movement*. The Court clarified that the government cannot assess a security fee on the speaker based upon the costs of controlling the reaction of potential hostile onlookers or protesters, under a legal doctrine called the "heckler's veto." As Justice Harry Blackmun wrote, "[s]peech cannot be financially burdened, any more than it can be punished or banned, simply because it might offend a hostile mob."[39]

The extraordinary six-figure expenses required from the University of California, Berkeley, University of Florida, and other public institutions are well-documented.[40] Even with the holding of *Forsyth*, other courts have since found that *some* costs may be assessed to groups demonstrating on public property, primarily in the context of parade ordinances. For example, in *Sullivan v. City of Augusta*, the U.S. Court of Appeals for the First Circuit examined a parade ordinance that required a permit of $100, "plus the costs of traffic control per city collective bargaining agreement and cleanup costs, as estimated by the Police Department."[41] In distinguishing the holding of *Forsyth*, the court in *Sullivan* stated:

> While *Forsyth* stands as a clear warning against vesting governmental officials with excessive discretion in regard to fee-setting, . . . the range of fee-setting discretion granted to the county administrator in *Forsyth* far exceeded that granted here to the Augusta Police Chief and Police Department. In *Forsyth*, unlike here, the county administrator was not limited to estimating, as part of the fee, a particular category of expenses within the administrator's expertise, like the costs of traffic control. Instead, he had discretion to decide the kind and amount of administrative and policing expenses to include (or exclude) from the fee, and it appears that he also assumed the right to charge nominal or no fees to favored groups.[42]

The distinguishing factor is the amount of discretion. *Forsyth* held that a regulation that allows "arbitrary application" is "inherently inconsistent with a valid time, place, and manner regulation because such discretion has the potential for becoming a means of suppressing a particular point of view."[43] A permitting scheme containing a fee-setting component, in addition to being content-neutral, "must contain 'narrow, objective, and definite standards to guide the licensing authority.'"[44] In *Sullivan*, the police department's discretion was limited to "the

number of extra officers and police vehicles to assign to a particular parade or march for traffic control purposes."[45] In support of its holding, *Sullivan* cites to another U.S. Supreme Court case post-*Forsyth* in which a parade ordinance was examined and upheld.[46] In *Thomas v. Chicago Park District*, the Supreme Court upheld a Chicago Park District ordinance that listed thirteen specific grounds by which a permit application could be denied.[47] One of the reasons included "the applicant has not tendered the required application fee with the application or has not tendered the required user fee, indemnification agreement, insurance certificate, or security deposit . . . ."[48]

Due to the heightened analysis and scrutiny given by the courts to fee assessments, any decision by a public university to assess fees to a speaker should be very carefully considered. In addition to legal hurdles, assessing fees could also cause publicity issues as well. For instance, UCLA drew media attention last year for assessing security fees to the UCLA Republican Club hosting a Ben Shapiro event.[49]

For an example of a policy assessing basic security fees, the University of California, Berkeley ("UC Berkeley") implemented a policy titled "Major Events Hosted by Non-Departmental Users" which assesses the costs of "basic security" as well as other costs to certain events on campus.[50] UC Berkeley's policy states, "Security fees will be based on standard, approved, and published recharge rates" and the number of personnel will be based on:

1. Event venue, including venue size, location, number of entrances and exits to be staffed;
2. Time of day;
3. Number of expected attendees;
4. Whether entrances will be controlled and whether tickets will be sold;
5. Whether the event will be open and/or advertised to non-affiliates of the University;
6. Whether alcohol will be served;
7. Whether there will be sales of food, beverages, or other items and whether cash handling will occur;
8. Whether event performers come with personal security teams or details that require [University of California Police Department] liaisons; and
9. Whether event organizers or event performers request additional security measures[51].

The policy also states:

> Additional security fees will not be charged to event sponsors based on concerns that the content of the event or the viewpoints, opinions, or anticipated expression of the sponsors, event performers, or others participating in the event might provoke disturbances or response costs required by such disturbances.[52]

UC Berkeley's policy is currently the subject of litigation, and the U.S. Department of Justice views the policy as a prior restraint on constitutionally protected speech that invites viewpoint discrimination.[53] Specifically, the U.S. Department of Justice alleges certain portions of the policy grant "unfettered discretion" to designate events as "major" and alleges that decision makers are not required by the policy to adequately articulate the reasons for their decisions.[54]

Institutions that adopt a policy to assess security fees should develop procedures that help administrators create a thorough record, utilizing objective bases for security fees and detailing supporting reasons. In *College Republicans of the University of Washington v. Cauce*, the Court granted the Republican student group a temporary restraining order and preliminary

injunction and held that the security fee policy is "neither reasonable nor viewpoint neutral" because the policy "gives administrators broad discretion to determine how much to charge student organizations for enhanced security, or whether to charge at all."[55] The Court noted that although the Chief of Police "offers a lengthy discussion of the 'objective facts' he considered . . . , nowhere does he explain how these facts support his determination as to the number of officers needed . . . [n]or does he identify the 'open-source websites' that the . . . Police Department referenced to corroborate information about the event."[56] The Court determined that the record did not demonstrate that the security fee of $17,000 is the result of a "definite and objective" process."[57] Accordingly, a record that demonstrates how the police or other administrators objectively assess security costs will be critical before litigation ensues.

There may be institutions that wish to charge the security costs attributable to the speaker's supporters to the speaker. In *City of York*, the Third Circuit suggested that, unlike charging for security costs associated with opponents, charging for security costs associated with supporters is permissible. The court stated, "[a]lthough an applicant can plan for the level of participation *by members of its organization*, it simply cannot accurately anticipate the actions of others or the anticipated reaction of the police."[58]

Many universities will likely not want to charge security fees or have other requirements for all events occurring on campus. Therefore, policies which have such requirements should objectively differentiate between which events require security fees, approvals, etc., and which do not. For instance, UC Berkeley's policy discussed above applies to "Major Events," which is a defined term in the policy.[59] The University of Memphis charges security services to "Special Events."[60]

Some have suggested that institutions consider setting an annual budget for security for student events or events sponsored by outside organizations. Once the budgeted amount has been utilized, additional events would have to be scheduled in the following fiscal year. The Supreme Court has, in a different context, recognized there is a general principle supporting "the right of the University to make academic judgments as to how best to allocate scarce resources."[61] While this strategy has not been tested legally – to the best of our knowledge – it would seem that a well-written policy could demonstrate its content-neutral intent and application.[62]

Of course, private institutions may have more flexibility. Many colleges and universities have policies generally stating that the costs of hosting an event are the responsibility of the individuals, organization or department hosting it,[63] while others have policies that express an implicit expectation that (usually) student organizations are responsible for the costs of the events they host.[64] These policies often have provisions allowing for a "waiver" of security costs or an application to an appropriate office for funding.

When it comes to communicating the decision about the conditions under which an event may take place, it may be helpful to state how the event can go forward, safely. For example, the security assessment may indicate that the event can be safely managed if it is limited to institutional ID holders only, in a venue holding no more than 60 people, during daylight hours, and with uniformed police presence. Rather than saying that an event cannot occur as proposed, consider discussing appropriate venues, formats, etc., and consider whether the institution is seeking to "re-schedule" rather than to cancel or disapprove an event.

Section 4: Communications

A. Planning In Advance

Colleges and universities should prepare communication strategies for controversial events in advance.[65] With the meteoric rise of social media, gone are the days in which administrators had the luxury of ample time to respond to a crisis. Recognizing this, administrators would be well advised to determine communication roles ahead of time and have resources and draft communications ready for any number of likely scenarios. This process should be reviewed and updated on a regular basis. Also, having consistently scheduled meetings between communications staff and other administrators to discuss potential issues, strategies, roles, and processes will save valuable time when faced with a controversial event generating media and social media attention. Part of these discussions regarding issues relevant to the campus should be based on information learned from student groups.

From a security perspective, campus law enforcement should reach out to local and state agencies to ensure that the necessary mechanisms are in place to quickly and easily request additional officers for an event, whether under memoranda of understanding, agreements to provide mutual aid, or other documents. Moreover, running table-top and functional exercises for disruptive protests, in coordination with local law enforcement partners, is time well-spent.

B. Communications Prior to Controversial Event

After a college or university becomes aware of an event that will likely be controversial, the administration should communicate internally and externally. Internally, key executives (perhaps constituted as an Incident Response Team or Crisis Management Team) should be convened. Student affairs should continuously communicate with student groups likely to be organizing opposition. Contact should be made with the organizers of any planned protests of the event. A proven strategy is for the administration to take every opportunity to discuss the protesters' goals, message, and plans for the event as well as convey the college or university's requirements and concerns. As an example, the student activities team at Florida State University communicates extensively with student leaders of protest groups to discuss expectations and logistics, which was a key to avoiding violence at a Milo Yiannopoulos event in September of 2016.[66] The event at FSU included protests and counter-protests, yet it resulted in "a civil discussion of opinions and differences between both sides."[67] In addition to working with potential protesters, the organization that booked the controversial event and/or the speaker should be contacted to discuss expected security issues and other logistics. Campus police should make contact with other departments or agencies for any additional security needs, if necessary.

Externally, communication strategies will vary. The communications staff and other administrators should be on the same page early to convey a consistent message. When the ideas and message of the speaker do not align with the values of the college or university, a common strategy is to issue an early statement saying so but also reaffirming the college or university's commitment to free speech.[68] This can help keep the anger of protesters focused on the speaker, rather than the president or the administration. Another strategy to direct anger away from the administration is to provide alternative programming to the campus community. For instance, in response to a Richard Spencer appearance, Texas A&M held an event called "Aggies United" at an athletic field, featuring entertainment and speakers that was attended by thousands of students, faculty, and community members.[69] Of course, an event like "Aggies United" may overwhelm security resources at smaller institutions. A similar option less likely to draw unmanageable crowds could be a "Virtual Assembly" like the one held by the University of Florida during the recent Richard Spencer visit on October 19, 2017. UF's Virtual Assembly was an online event, including "a series of videos and performances from around the UF community to open dialogue about race relations, cooperation, diversity, and much more."[70]

To have a specific point of reference for dissemination of information, it may be prudent to establish a questions and answers page specific to the event.[71] The administration should also implement its social media strategy, focusing on quickly disseminating accurate information that will demonstrate transparency. The administration's prior planning to develop a social media strategy will pay dividends. As Ray Beltzner, Associate Vice President for University Communications at Temple University, stated to Beth McMurtrie, "When the bad stuff starts is not when you can begin thinking about your social-media presence and your action in those channels."[72]

C. Communications through the Day of the Event and After the Event:

The executive team managing the issue (whether a Crisis Management Team or incident response team, etc.), communications staff, and campus security should coordinate communication responsibilities leading up to and through the day of the event. Especially important is the ability to communicate as quickly and easily as possible with the police and staff who will be on the ground and the executive team so that information and requests for additional resources can be processed quickly. Where security concerns exist that threaten the safety of the students or staff, the campus emergency alert system should be utilized as required by the Clery Act.[73] Reminders of prohibited items and conduct may need to be communicated.[74] Other information relevant to the campus should be shared as soon as possible such as whether roads are closed, classes cancelled, or offices closed. Where protests are planned or expected, communication should be maintained with the organizers/student groups, and the university's expectations should be made known. If members of the media wish to attend, the executive team should address (or direct the management of) those logistics as well.

Section 5: Issues for the Day of the Event

If you've been creative and developed counter-programming, the "day of" may be comprised of multiple events and programs, with a variety of participants and tones. As many reported, Florida's choice to play "Lift Every Voice in Song" from the university bell tower during Mr. Spencer's event was a powerful way to communicate the institution's values and set a tone.

On the day of an event with meaningful security risks, you will need to establish an incident command center, staffed with appropriate representatives from the various administrative offices needed. While you will be working hand-in-hand with law enforcement and they may be the decision-makers about specific issues, senior administrators have a role to ensure that institutional interests are known and considered, and then to ensure clear communication back out to the campus community. Ensure that everyone in that room as well as all of the senior leadership on campus have a clear understanding of who will make the safety decisions as the day progresses.[75] (Keep in mind that an Emergency Operations Plan may dictate procedures and who has final responsibility.)

Unfortunately, the "event" is not over until everyone is safely home. At the University of Florida, after Spencer left the campus, three men drove up in a Jeep near protesters at a bus stop, disparaged them with Nazi slogans, and fired a gun toward the crowd.[76] Planning for safety throughout the day and the campus should include the dispersal of crowds, control over exits, and the safe departure of outside speakers, etc.

Section 6: After the Event

"Figuring out how to better respond to future crises involves looking back to examine what has worked and what hasn't."[77] Post-event analyses can aid in identifying gaps or mis-steps, and

considering policy or procedural changes to strengthen the institution's response for future events. The institution may need to deliver messages or hold events to unify the campus after the event. For instance, in 2012, after a racial incident at the University of Mississippi following the presidential election, the University held a unity event which included the chancellor reciting the University's Creed.[78] Strong and consistent messaging such as this from leadership is important in reaffirming in students' minds that they are all part of the university family.

CONCLUSION:

University leaders have done tremendous work to preserve meaningful freedom of expression on their campuses while safeguarding the human lives and dignity in their community. It can be done, but it takes time, talent, and treasure. For universities hosting events, success requires careful and intentional planning and action before, during, and after each event by all involved. Campus counsel can assist by providing the necessary calm presence to a stressful situation, giving sound advice, helping spot issues, and ensuring all of the necessary parties are at the table. At the end of the day, a successful event with protest but no violence will likely reflect myriad contributions of many different individuals and departments on your campus, including not only administrators and campus security staff, but also faculty and students.

END NOTES:

[1] Justin Kavalir is Legal Counsel at Louisiana Tech University and a member of NACUA. Hannah Ross is the General Counsel of Middlebury College, and Vice Chair of the NACUANOTES Editorial Board.

[2] For more information on these topics, see, e.g., Robert Clothier and Alexander Bilus' excellent article, "The First Amendment Rights of Students, Protesters, Gadflies, and Assorted Miscreants: What Can a Public Institution Do and Where?" (NACUA Annual Conference 2015); Pedro Ramos and Barbara Lee, "The Intersection of Title VI, Title IX, the First Amendment and Academic Freedom" (NACUA Annual Conference 2015).

[3] STEFAN COLLINI, WHAT ARE UNIVERSITIES FOR? (2012).

[4] Susan Svrluga and Lori Rozsa, "'Kill Them': Three Men Charged in Shooting After Richard Spencer Speech," WASHINGTON POST (Oct. 20, 2017), https://www.washingtonpost.com/news/grade-point/wp/2017/10/20/kill-them-three-men-charged-in-shooting-after-richard-spencer-speech/?noredirect=on&utm_term=.3e65c8a1c9cf.

[5]Other policies to consider may include campus protest policies; and speech and expression policies. *See, e.g.,* Towson University, *Policy on Time, Place, and Manner* (June 6, 2011); University of Chicago, *Policy on Protests and Demonstrations* (June 1, 2018); Georgetown University, *Speech and Expression Policy* (Jan. 17, 2018).

[6] *R.A.V. v. City of St. Paul*, 505 U.S. 377, 392 (1992).

[7] It is well established that the government may close or restrict access to a designated public forum "as long as the restrictions are viewpoint neutral and reasonable." *American Freedom Def. Initiative v. WMATA*, 245 F. Supp. 3d 205, 211 (D.D.C. 2017) (citing *Cornelius v. NAACP Legal Def. & Educ. Fund, Inc.*, 473 U.S. 788, 800 (1985)); *Make the Road by Walking, Inc. v. Turner*, 378 F.3d 133, 143 (2d Cir. 2004) ("[T]he government may decide to close a designated public forum." (citing *Perry Educ. Ass'n v.*

Perry Local Educators' Ass'n, 460 U.S. 37, 46 (1983)). For further information about types of fora, please see the "Additional Resources."

[8] *Cox v. New Hampshire*, 312 U.S. 569 (1941); *Thomas v. Chicago Park Dist.*, 534 U.S. 316 (2002).

[9] *Pleasant Grove City v. Summum*, 555 U.S. 460, 469–70 (2009); *McCullen v. Coakley*, 134 S. Ct. 2518, 2522 (2014) ("[E]ven in a public forum . . . the government may impose reasonable restrictions on the time, place, or manner of protected speech, provided the restrictions 'are justified without reference to the content of the regulated speech, that they are narrowly tailored to serve a significant governmental interest, and that they leave open ample alternative channels for communication of the information.'") (repealed on other grounds by Mass. Gen. Laws ch. 197 (2014)); *Good News Club v. Milford Cent. Sch.*, 533 U.S. 98, 106–08 (2001).

[10] *See, e.g.*, Robert C. Clothier and Alexander R. Bilus, "The First Amendment Rights of Students, Protesters, Gadflies, and Assorted Miscreants: What Can a Public Institution Do and Where?" (NACUA Annual Conference 2015) (distinguishing between traditional public fora, designated public fora, limited public fora, and non-public fora at pages 3-6). Additionally, see the Resources section at the end of the Note.

[11] *Good News Club v. Milford Cent. Sch*, 533 U.S. at 106-07 (quoting *Cornelius v. NAACP Legal Defense & Ed. Fund, Inc.* 473 U.S. 788, 806 (1985)).

[12] *See, e.g.*, *Bowman v. White*, 444 F.3d 967, 980-83 (8th Cir. 2006); *Sonnier v. Crain*, 613 F.3d 436, 444-49 (5th Cir. 2010) (opinion withdrawn in part on rehearing); *Keister v. Bell*, 879 F.3d 1282, 1288–90 (11th Cir. 2018).

[13] Institutions may also want to review other policies, such as those governing vendors on campus, tabling, posting or chalking policies. When reviewing policies, consider whether they adequately allow for complaints for grievances to be filed.

[14] Texas A&M University, *External Client Sponsorship Request Process* (July 2017).

[15] *Perry Educ. Ass'n*, 460 U.S. at 49, 46; *Keister v. Bell*, 879 F.3d at 1288–90 ("It is plain that governments may exclude a speaker 'if he is not a member of the class of speakers for whose especial benefit the forum was created.'"); *ACLU v. Mote*, 423 F.3d 438, 443–44 (4th Cir. 2005) ("'[T]he government does not create a public forum by inaction or by permitting limited discourse, but only by intentionally opening a nontraditional forum for public discourse.'"). Each institution, however, should be cognizant of state laws that may provide greater protection for speech and other expressive activity. *See, e.g.*, Va. Code § 23.1-401 (2016).

[16] *Summum*, 555 U.S. at 469–70; *Perry Educ. Ass'n*, 460 U.S. at 46.

[17] See Yale College, *Event Policies Checklist* (last visited June 6, 2018).

[18] *See, e.g.,* Brown University, *Event Registration Policy* (last visited June 6, 2018); University of Nebraska-Lincoln, *Event Planning and Registration Process* (last visited June 6, 2018); and Duke University, *New Student Organization Event Registration* (Aug. 26, 2013).

[19] Public institutions may be required to disclose such records upon a proper Freedom of Information Act or open public records request, absent an applicable exception.

[20] *Bloedorn v. Grube*, 631 F.3d 1218, 1239 (11th Cir. 2011) (citing *Watchtower Bible & Tract Society of N.Y., Inc. v. Village of Stratton*, 536 U.S. 150, 166 (2002)).

[21] *See, e.g.,* Amherst College, *Policy on Student Event Planning* (last visited June 6, 2018); Hamilton College, *Policy on Scheduling Events* (last visited June 6, 2018) (strongly recommending that students registering an event with more than 75-100 attendees to have a mandatory meeting with student activities, and/or other offices).

[22] Andrew Selepak, *Civil Pro/Con Debate: Should White Supremacists Be Allowed to Speak and Hold Rallies on Public College Campuses?*, HUFFINGTON POST (Nov. 6, 2017), (no longer available) (excerpts available at UNIVERSITY OF FLORIDA COLLEGE OF JOURNALISM AND COMMUNICATIONS, *Andrew Selepak Comments on Richard Spencer's Visit to UF* (Nov. 13, 2017), https://www.jou.ufl.edu/2017/11/13/andrew-selepak-comments-richard-spencers-visit-uf/).

[23] *Bloedorn v. Grube*, 631 F.3d 1218, 1226 (11th Cir. 2011).

[24] Department of Justice Statement of Interest, *Shaw v. Burke, et al.*, No. 2:17-cv-02386-ODW-PLA (C.D. Cal. Oct. 24, 2017), available at https://www.justice.gov/opa/press-release/file/1006236/download. The U.S. Department of Justice alleges the permitting policy in question is an impermissible prior restraint for three reasons. First, the University's policy gave "unbridled discretion" to administrators in approving or denying applications, i.e., there was nothing in the policy that limited or gave parameters on how to make a decision. Second, the policy required *all* speakers to apply regardless of the size of the group, making the policy overly broad and not narrowly tailored according to the Department of Justice. Third, the Department of Justice asserts that requiring the applicants to provide names, organizational affiliation, and other information before engaging in speech is unconstitutional by banning all spontaneous speech.

[25] Police may also have privacy-based restrictions on their ability to investigate the criminal background of a proposed speaker. If your (private) campus is discussing non-safety factors that might influence or determine which speakers are invited, you might consider an article by Robert Boatwright, *A Practical Approach to Campus Speakers*, CHRONICLE OF HIGHER EDUCATION (Oct. 15, 2017).

[26] *See, e.g.,* Claire Landbaum, *Alt-Right Troll Milo Yiannopoulos Uses Campus Visit to Openly Mock a Transgender Student*, THE CUT (Dec. 16, 2015); Maya Oppenheim, *UC Berkeley protests: Milo Yiannopoulos Planned to 'Publicy Name Undocumented Students' in Cancelled Talk*, THE INDEPENDENT (Feb. 6, 2017).

[27] *See* Holly Combe, "Proactive and Responsive Strategies for Managing Campus Unrest," (NACUA Annual Conference June 2016) (overview of events and issues causing unrest across campuses).

[28] See Taylor Gee, *How the Middlebury Riot Really Went Down*, POLITICO (May 28, 2017).

[29] *Id.* at 16. *See also* Douglas A. Hicks and Suzy M. Nelson, *Are You Ready to Work with Student Protesters?*, UNIVERSITY BUSINESS (March 2016).

[30] Lee Gardner, *How Presidents Try to Stay Ahead of the Social-Media Outrage Machine*, CHRONICLE OF HIGHER EDUCATION (Oct. 9, 2016).

[31] *Childers v. Fla. Gulf Coast Univ. Bd. of Trs.*, No. 2:15-cv-722, 2018 U.S. Dist. LEXIS 14283, *15–16 (M.D. Fla. Jan. 30, 2018) (holding administrators are not entitled to qualified immunity because the individual administrators "acted outside of his or her discretionary authority in monitoring private Facebook page at issue"); *see* Sarah Perkes, *Colleges are Monitoring Social Media*, NCC NEWS (April 7, 2016) (highlighting the Department of Public Safety at Syracuse University which houses four detectives that monitor social media daily); *see also* Tanya Roscorla, *Student Social Media Monitoring Stirs up Debate*, GOVERNING (Sept. 30, 2013) (discussing Utah State University's decision to stop monitoring student athlete's social media accounts because it was "overburdensome" and "became almost a full-time job to monitor").

[32] STATISTA: THE STATISTICS PORTAL, *Most Popular Social Networks Worldwide as of April 2018, Ranked by Active Users (in millions)* (last visited June 6, 2018).

[33] DEP'T OF HOMELAND SECURITY, STATE AND MAJOR URBAN AREA FUSION CENTERS (2017), *https://www.dhs.gov/state-and-major-urban-area-fusion-centers*.

[34] Josh Meyer, *Virginia Received DHS Warning Before Charlottesville Rally*, POLITICO (Aug. 29, 2017).

[35] If any staff members (in any department) have experience in executive protection practices, they should be included in the assessment process, since protecting individual targets in a crowd is a different task than maintaining order.

[36] For one example of a clear enforcement structure for a policy prohibiting disruption of campus events, see Columbia's recently revised Rules of University Conduct, which include specifying that individuals will be requested to cease disruption of an event and failure to comply will subject the individual to interim sanctions up to and including suspension for the rest of the semester. Columbia University, *Rules of University Conduct* (Sept. 29, 2016).

[37] *Dariano v. Morgan Hill Unif. Sch. Dist.*, 767 F.3d 764, 768 (9th Cir. 2014) (quoting *Terminiello v. Chicago*, 337 U.S. 1 (1949)).

[38] *Id.* at 770.

[39] *Forsyth County v. Nationalist Movement*, 505 U.S. 123 (1992).

[40] *See* Madison Park, *Universities Face Rising Security Costs for Controversial Speakers*, CNN (Oct. 31, 2017).

[41] *Sullivan v. City of Augusta*, 511 F.3d 16, 33 (1st Cir. 2007).

[42] *Id.* at 35.

[43] *Forsyth*, 505 U.S. at 130.

[44] *Id.* at 131. (quoting *Shuttlesworth v. Birmingham*, 394 U.S. 147, 150-151 (1969)).

[45] *Sullivan*, 511 F.3d at 36.

[46] *Id.* at 32.

[47] *Thomas v. Chicago Park District*, 534 U.S. 316 (2002).

[48] *Id.* at 318-319 n.1; *see also iMatter Utah v. Njord*, 980 F.Supp.2d 1356 (D. Utah 2013) (upholding a UDOT requirement that in order to obtain a permit to march on a state highway, applicants must provide proof of liability insurance of $1,000,000 per occurrence and $2,000,000 in aggregate).

[49] Teresa Watanabe, *UCLA Republicans Protest Potential Security Fees for Talk by Conservative Ben Shapiro*, LOS ANGELES TIMES (Oct. 24, 2017).

[50] UC Berkeley, *Major Events Hosted by Non-Departmental Users* (Jan. 9, 2018).

[51] *Id.* at 9.

[52] *Id.*

[53] United States' Statement of Interest, *Young America's Found. v. Napolitano*, No. 3:17-cv-02255-MMC (N.D. Cal. Jan. 25, 2018), *available at* https://www.justice.gov/opa/press-release/file/1028761/download.

[54] *Id.* at 14.

[55] *Coll. Republicans of the Univ. of Wash. v. Cauce*, No. C18-189, 2018 U.S. Dist. LEXIS 22234, *7 (W.D. Wash. Feb. 9, 2018).

[56] *Id.* at *8.

[57] *Id.*

[58] *The Nationalist Movement v. City of York*, 481 F.3d 178, 186 (3rd Cir. 2007) (emphasis added).

[59] A Major Event is any planned gathering where any one of the following conditions applies: (1) 300 or more people are expected; (2) multiple administrative units other than the sponsor and the campus police are needed to support the event; (3) the event significantly impacts campus safety and security; (4) the event has a likelihood of interfering with campus functions; (5) the event is a dance; (5) alcohol will be served; or (6) outdoor amplified sound is requested. UC Berkeley, *Major Events Hosted by Non-Departmental Users* (Jan. 9, 2018).

[60] A "Special Event" is "any activity requiring the presence of security personnel, either University commissioned police officers or contracted security officers, for a period of time in excess of one hour." The University of Memphis, *Special Event Services* (Feb. 15, 2017).

[61] *Widmar v. Vincent*, 454 U.S. 263, 276 (1981).

[62] This strategy is discussed in greater detail in materials for the session titled "Thinking Ahead: Anticipating and Planning For Disruptive Speech Demonstrations," by Bruce Berman and Hannah Ross, at the February 1, 2018 CLE conference.

[63] *See, e.g.,* Georgetown University, *Speech and Expression Policy* (Jan. 17, 2018).

[64] Trinity College, *Event Planning* (last visited Jan. 16, 2018).

[65] *See* Beth McMurtrie, *What to Do When the Outrage is Aimed at Your Campus*, CHRONICLE OF HIGHER EDUCATION (Sept. 08, 2015).

[66] Samuel R. Staley, *From Milo Yiannopoulos to Middlebury College*, INSIDE SOURCES (March 27, 2017).

[67] Joseph Zeballos-Roig, *Free Speech at FSU Shown with Milo Yiannopoulus Visit, Black Lives Matter Protest*, FSUNEWS.COM (Sept. 25, 2016).

[68] *See generally* AUBURN UNIVERSITY, *Statement on Richard Spencer* (April 12, 2017); PUBLIC AFFAIRS AT UC BERKELEY, *Chancellor's Message on Campus Appearance by Milo Yiannopoulos* (Jan. 26, 2017).

[69] *See* Michael K. Young, *President Young: "Aggies United" Event Planned for Dec. 6 at Kyle Field*, TEXAS A&M TODAY (Nov. 29, 2016); Whitney Miller, *Aggies United Event Draws a Crowd During Protests*, KBTX-TV (Dec. 6, 2016).

[70] UF NEWS, *Student Leaders to Host Online Event for UF Community* (Oct. 17, 2017).

[71] For a good example, visit the FAQ page created by the University of Florida. University of Florida, *Frequently Asked Questions About the First Amendment* (last visited June 6, 2018).

[72] Beth McMurtrie, *What to Do When the Outrage is Aimed at Your Campus*, CHRONICLE OF HIGHER EDUCATION (Sept. 08, 2015).

[73] *See* 20 U.S.C. § 1092(f)(1)(J).

[74] In preparation of the Richard Spencer speaking event at the University of Florida, the police published a list of prohibited items on the police website and hung a large banner also listing prohibited items. University of Florida, *Richard Spencer Speaking Engagement Prohibited Items List* (Oct. 19, 2017).

[75] Advance planning should consider whether sworn university police are entitled to qualified immunity under Section 1983 (and/or analogous state laws) so long as they are acting consistent with public law enforcement protocols or expectations, and whether such immunity is changed or lost when a university executive directs officers in specific tasks.

[76] Jeremy Bauer-Wolf, *Nine Lessons Learned After Richard Spencer's Talk at University of Florida*, INSIDE HIGHER ED (Oct. 23, 2017).

[77] Lee Gardner, *How Presidents Try to Stay Ahead of the Social-Media Outrage Machine*, CHRONICLE OF HIGHER EDUCATION (Oct. 9, 2016).

[78] STUDENT AFFAIRS PROFESSIONALS IN HIGHER EDUCATION (NASPA) AND THE EDUCATION LAW ASSOCIATION, *Responding to Campus Protests: A Practitioners Resource*, *Legal Links,* Vol 1., Iss. 2, 11 (2014).

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