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INTRODUCTION

The Underlying Issues Concerning Free Speech in Schools

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Introduction

Issues regarding free speech in schools have probably existed as long as there have been schools. But they seem particularly salient at this moment in time. In May 2024, there were pro-Palestinian demonstrations at college campuses across the country, which raised myriad free speech issues. These were the most widespread protests seen on campuses since the Vietnam War a half century earlier. The demonstrations follow after difficult speech questions that have arisen across the country on campuses since Hamas's attack on Israel on October 7 and the Israeli invasion of Gaza that followed it.

Having gone to college in the Vietnam War era and having participated in anti-war demonstrations, this moment seems different. Then, students—at least at many schools—were largely united against the war. Now, students are deeply divided over what is occurring in the Middle East, and there seems little hope for a bridge between those who believe that Israel should not exist at all—that it should be an entirely Palestinian state—and those who believe the existence of Israel is essential. Also, unlike earlier protest eras, the current issues relate closely to religious and ethnic identities. At times, there have been expressions that are overtly antisemitic or Islamophobic, though when speech should be regarded as antisemitic or Islamophobic is much disputed.

And all of this occurs in a time of the internet and social media. During the anti-Vietnam War protests, demonstrators needed to capture the attention of a relatively limited number of media outlets. Today, social media enables instantaneous communication of what is occurring, including by the participants themselves.

Although this dramatic context is raising difficult questions concerning free speech on campus, the underlying issues are timeless and transcend these

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events. This wonderful collection of Essays in the *Stanford Law Review* illuminates and discusses many aspects of this topic.

A unique aspect of this symposium is that it examines speech at both the high school and the college levels, and it looks comprehensively at a wide array of issues concerning expression. By way of introduction, I want to identify some of the questions that are raised in the Essays that follow.[1]

I. What should be the overall approach to free speech in schools?

Implicit in the Essays are quite different approaches to thinking about free speech in schools. At the risk of over-simplifying, one perspective might be labeled as the educational mission approach. This approach holds that educational institutions exist to teach and—for colleges and universities—to engage in research. Speech can be—and should be—restricted if it is inconsistent with this educational mission. Robert Post's Essay forcefully argues for this approach.[2]

An alternative perspective is a free speech approach, which posits that schools should be places where all ideas and views should be expressed. Under this view, schools cannot punish speech unless it is unprotected by the First Amendment or for violating constitutionally permissible time, place, and manner restrictions. This approach is implicit in Justin Driver's Essay, which expresses concern about how the Supreme Court's decisions, even those protecting speech and advancing rights for juveniles, pose a serious threat to freedom of speech in public high schools.[3] Underlying his criticism of the Court is a view that there should be robust protection of student speech in schools.

Although there are myriad instances where these approaches would yield the same result, they would differ as to many of the issues discussed in this symposium, such as to when campuses should be open to protestors, when hate speech should be tolerated, and which speakers should be allowed at schools. The educational mission approach would allow restrictions on speech that is inconsistent with the educational mission of the school, while the free speech approach would not allow restrictions unless the speech was unprotected by the First Amendment or represented a violation of time, place, and manner rules.

It is crucial, as is so often the case, to distinguish between the description of the current law from a normative discussion of what the law should be. My

1. I recognize that in identifying these five questions and discussing each Essay under one of them I am not adequately conveying that most of these Essays discuss more than one of these issues. In this way, I realize that I do not do adequate justice to the nuance and insights of these Essays.

2. Robert Post, Essay, *Theorizing Student Expression: A Constitutional Account of Student Free Speech Rights*, 76 STAN. L. REV. 1643 (2024).

3. Justin Driver, Essay, *The Coming Crisis of Student Speech*, 76 STAN. L. REV. 1511 (2024).

sense is that overall, courts have followed the free expression approach in colleges and universities but the educational mission approach as to high schools.[4] Supreme Court cases have primarily dealt with speech in high schools and often have been very deferential to school administrators.[5] Even cases that have ruled in favor of student speech have stressed that expression can be punished when it is disruptive of the educational environment.[6]

By contrast, the Court has taken the free speech approach in cases involving colleges and universities.[7] Lower courts, too, have followed this approach for higher education.[8] In the early 1990s, over 350 colleges and universities adopted hate speech codes, and every one to be challenged in court was declared unconstitutional.[9]

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4. The Essays in this symposium are focused on high schools and colleges and universities. Relatively few cases have arisen concerning speech in grades lower than high school and it is quite likely courts would give even more deference to school officials. *See, e.g.*, C.R. *ex rel.* Rainville v. Eugene Sch. Dist. 4J, 835 F.3d 1142, 1146 (9th Cir. 2016) (affirming a school's suspension of a seventh grader); West v. Derby Unified Sch. Dist. No. 260, 206 F.3d 1358, 1361-62 (10th Cir. 2000) (same); L.M. *ex rel.* Morrison v. Town of Middleborough, 103 F.4th 854, 860 (1st Cir. 2024) (upholding a "hate speech" provision of a middle school's dress code). *But see* W. Va. State Bd. of Educ. v. Barnette, 319 U.S. 624 (1943) (holding that elementary school students have the right to refuse to say the Pledge of Allegiance). *See also* Amy Gutmann, Essay, *What Is the Value of Free Speech for Students?*, 29 ARIZ. ST. L.J. 519, 523, 528, 532 (1997) (discussing why there may be "relatively low expectations of justice from very young children"); Jay Alan Sekulow, James Henderson & John Tuskey, *Proposed Guidelines for Student Religious Speech and Observance in Public Schools*, 46 MERCER L. REV. 1017, 1072 (1995) (arguing for extending speech protections to elementary school students).

5. *See, e.g.*, Morse v. Frederick, 551 U.S. 393, 397 (2007) (finding no First Amendment violation in punishing a student for displaying a banner that was perceived as encouraging illegal drug use); Hazelwood Sch. Dist. v. Kuhlmeier, 484 U.S. 260, 276 (1988) (finding no First Amendment violation in a principal's censorship of stories in a school newspaper); Bethel Sch. Dist. No. 403 v. Fraser, 478 U.S. 675 (1986) (allowing discipline for a student for a speech with sexual innuendo at a school assembly).

6. *See, e.g.*, Tinker v. Des Moines Indep. Comty. Sch. Dist., 393 U.S. 503, 508 (1969) ("There is no indication that the work of the schools or any class was disrupted."); *see also* Mahanoy Area Sch. Dist. v. B.L. *ex rel.* Levy, 141 S. Ct. 2038, 2044 (2021) (applying *Tinker* to off-campus speech over social media).

7. *See, e.g.*, Papish v. Bd. of Curators, 410 U.S. 667, 671 (1973) (holding that a student could not be expelled for a political cartoon in a newspaper); *see also* Healy v. James, 408 U.S. 169, 185-86 (1972) (holding that a college could not exclude a chapter of Students for a Democratic Society because of its views, even if it expressed a philosophy of violence and destruction, because the speech was protected unless it met the test for incitement).

8. *See* Bair v. Shippensburg Univ., 280 F.Supp.2d 357, 369-72 (M.D. Pa. 2003) (striking down several provisions of a university's speech code as overbroad); OSU Student All. v. Ray, 699 F.3d 1053, 1057-58 (9th Cir. 2012) (finding that a university's policy restricting the distribution of an independent newspaper violated the First Amendment).

9. ERWIN CHEMERINSKY & HOWARD GILLMAN, FREE SPEECH ON CAMPUS 82 (2017).

This, of course, does not answer the normative question of which approach *should* be followed and whether it should be the same for high schools and for universities. There are obvious differences in the age of the students and the mission of the institutions. Universities have a research mission and there is more protection for academic freedom than in high schools. But, on the other side, there are speech interests of students and faculty in all of these schools.

II. How should protecting free speech be reconciled with need to create equal educational opportunities and learning environments?

Closely related to this general question is the more specific issue of how schools can or should respond to hateful expression. No issue is more difficult for schools now than wrestling with how they are to reconcile their need to comply with Title VI of the Civil Rights Act of 1964 with their duty (at least for public schools) to not violate the First Amendment. Title VI says that recipients of federal funds cannot discriminate on the basis of race. This has been interpreted to include religion for ethnically identifiable groups.[10] If schools fail to deal with antisemitism or Islamophobia, they face being deemed to have violated Title VI. But if it restricts or punishes speech, a public school can be deemed to violate the First Amendment.

Several of the Essays in this symposium directly relate to the problems of hateful speech in schools. Kenji Yoshino forcefully argues that at least for private universities (and also social media platforms), there should be much more regulation of hateful speech.[11] His Essay joins a debate that has gone on for several decades about how hate speech should be treated in schools,[12] though his focus is more narrow in centering on private actors, private schools, and privately owned social media.

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10. Shaare Tefila Congregation v. Cobb, 481 U.S. 615, 617-18 (1987). *See also* Kenneth Marcus, *Anti-Zionism as Racism: Campus Anti-Semitism and the Civil Rights Act of 1964*, 15 WM. & MARY BILL OF RTS. J. 837, 838 (2007) ("[The Department of Eduction's Office for Civil Rights's] policy now treats anti-Semitic harassment as prohibited racial or ethnic harassment except when it is clearly limited to religious belief rather than ancestral heritage.").

11. Kenji Yoshino, Essay, *Reconsidering the First Amendment Fetishism of Non-State Actors: The Case of Hate Speech on Social Media Platforms and at Private Universities*, 76 STAN. L. REV. 1755 (2024).

12. *See, e.g.*, NADINE STROSSEN, HATE: WHY WE SHOULD RESIST IT WITH FREE SPEECH, NOT CENSORSHIP (2018); Charles R. Lawrence, III, *If He Hollers Let Him Go: Regulating Racist Speech on Campus*, 1990 DUKE L.J. 431; Mari Matsuda, *Public Response to Racist Speech: Considering the Victim's Story*, 87 MICH. L. REV. 2320 (1989); Richard Delgado, *Words That Wound: A Tort Action for Racial Insults, Epithets, and Name-Calling*, 17 HARV. C.R.-C.L. L. REV. 133 (1982).

Under Title VI—and also Title IX which prevents sex discrimination by educational institutions receiving federal funds—the key is that schools cannot be deliberately indifferent to harassment.[13] This does not mean that they must punish speech that is hateful, but that they must take some meaningful actions. The law is unclear as to what is sufficient to avoid being deemed deliberately indifferent.

One approach that some universities have taken is creating bias response teams to respond to instances of hateful speech and harassment. Carson Smith's Essay examines the inconsistent lower court decisions as to bias response teams and proposes an approach that would likely address any constitutional challenges.[14] Smith argues that "while universities should forego [bias response teams'] connections to formal or punitive resources, they should continue to embrace [their] informal resources, like mediation and restorative justice offerings."[15]

III. III. Should there be a distinction between public and private schools?

The First Amendment, of course, applies only to public schools. But other sources of law regulate private schools and can require that they meet the same standards that the Constitution imposes on public schools. The commitment to academic freedom in both public and private universities—often promised in faculty handbooks—is a way in which speech is protected at both.[16]

In California, the Leonard Law provides that secondary and postsecondary schools, public and private, cannot discipline speech that "when engaged in outside the campus" is protected by the First Amendment.[17] Taylor Barker's Essay argues that the Leonard Law can be challenged on the grounds of violating the right of expressive association and also on vagueness and

13. *See, e.g.*, Feminist Majority Found. v. Hurley, 911 F.3d 674, 702 (4th Cir. 2018) (holding that a school liable under Title IX if it is deliberately indifferent to harassment).

14. Carson Smith, Essay, *Bias Response Teams: Designing for Free Speech and Conflict Resolution on the University Campus*, 76 STAN. L. REV. 1837 (2024).

15. *Id.* at 1840.

16. For examples of faculty handbooks promising academic freedom, see *Stanford Faculty Handbook*, STANFORD UNIV., https://perma.cc/FCS3-J7BL (last updated Oct. 13, 2022) (including a "Statement on Academic Freedom"); Univ. of Cal., General University Policy Regarding Academic Appointees: APM - 015 - The Faculty Code of Conduct (2020), https://perma.cc/N7VS-LNG4; *Senate Assembly Statement on Academic Freedom*, UNIV. OF MICH., https://perma.cc/YX7M-UHK6 (archived Aug. 23, 2024); UNIV. OF S. CAL., FACULTY HANDBOOK 2022, at 18-19 (2022), https://perma.cc/AGZ9-WYET; GEORGETOWN UNIVERSITY, FACULTY HANDBOOK 18 (2024), https://perma.cc/H5ZW-H7MS.

17. CAL. EDUC. CODE § 94367(a) (West 2024).

overbreadth grounds.[18] The underlying question is whether it is desirable to require that private universities follow the same free speech principles as public universities. Scholars, such as Julian Eule and Jonathan Varat, have supported Barker's position, which is critical of the Leonard Law.[19] Yoshino's Essay argues for private universities punishing hateful speech and rejecting what he terms First Amendment "fetishism."[20]

On the other hand, I have argued in favor of the Leonard Law and requiring that private schools be required to adhere to First Amendment principles.[21] The values of freedom of speech by students and faculty are the same whether they are in a public or a private institution.[22]

One crucial difference between public and private schools concerns religion. The Establishment Clause of the First Amendment long has been a limit on the presence of religion in public schools,[23] but obviously no such restriction applies in private schools. Alexander Tsesis, however, shows the dramatic changes in the law in this area, including the Supreme Court's weakening of the Establishment Clause doctrines that limited religious activities in public schools and constrained government support for religious schools.[24]

IV. How should curricular decisions be handled as opposed to regulation of non-curricular speech?

An important issue that is discussed in many of the Essays concerns the distinction between the government's ability to regulate curricular decisions in public schools as opposed to speech in non-curricular activities. For example, Mary-Rose Papandrea examines the ability of law schools, as part of instilling professionalism, to impose standards of civility in student discourse.[25] She concludes: "[L]aw schools have greater authority and are less likely to run into

18. Taylor J. Barker, Essay, *Expressive Association Claims for Private Universities*, 76 STAN. L. REV. 1787 (2024).

19. *See generally* Julian N. Eule & Jonathan D. Varat, *Transporting First Amendment Norms to the Private Sector: With Every Wish There Comes a Curse*, 45 UCLA L. REV. 1537 (2007).

20. Yoshino, *supra* note 11, at 1757.

21. Erwin Chemerinsky, *More Speech Is Better*, 45 UCLA L. REV. 1635, 1643-44 (1998) (replying to Eule & Varat, *supra* note 19).

22. Erwin Chemerinsky, *The Constitution and Private Schools*, *in* PUBLIC VALUES, PRIVATE SCHOOLS 276 (Neil L. Devins ed., 1989).

23. *See* HOWARD GILLMAN & ERWIN CHEMERINSKY, THE RELIGION CLAUSES: THE CASE FOR SEPARATING CHURCH AND STATE 66-72, 79-93 (2020) (describing constitutional limits on religion in public schools).

24. Alexander Tsesis, Essay, *The Establishment of Religion in Schools*, 76 STAN. L. REV. 1725 (2024).

25. Mary-Rose Papandrea, Essay, *Law Schools, Professionalism, and the First Amendment*, 76 STAN. L. REV. 1609 (2024).

First Amendment problems when the professionalism standards are tied tightly to the core teaching and scholarly mission of the school."[26] When it comes to campus events, she argues that "[s]chools should consider reconceptualizing these sorts of events to involve more faculty involvement to make institutional deference more appropriate."[27]

One of the most important current free speech issues concerning schools involves state laws that restrict the teaching of specific material, such as the laws outlawing the teaching of Critical Race Theory or the "Don't Say Gay" laws. Should these be regarded as part of the government's ability to set the curriculum in schools, which is generally thought to be broad in its scope?[28] Especially in light of the Supreme Court saying that there cannot be a free speech challenge when the government is the speaker,[29] is there a basis for challenging these curricular decisions?

Caroline Mala Corbin argues that there are First Amendment grounds for challenging laws prohibiting the teaching of Critical Race Theory and "Don't Say Gay" laws, especially as unconstitutionally limiting the ability of students to receive speech and instructors ability to convey it.[30] Corbin argues that "speech with both private and governmental speakers should not be deemed government speech immune from review . . . [and] even when the government alone speaks, the audience's free speech interest should, when weighty enough, trigger free speech review."[31]

Catherine J. Ross examines an important aspect of choices by public schools: book bans in public school libraries.[32] As Ross describes, there has been a notable increase in targeted removals of books from school libraries. Yet the law on when this violates the First Amendment is unclear, especially because there is only one Supreme Court decision dealing with this. And that case—*Board of Education v. Pico* in 1982[33]—was a plurality opinion that fails to provide a clear legal standard. Ross says that the "mass targeted book removals we are witnessing today as part of politically driven culture wars seem patently wrong when viewed in light of the values embedded in the First

26. *Id.* at 1642.

27. *Id.*

28. *See, e.g.*, Griswold v. Driscoll, 616 F.3d 53, 58-59 (1st Cir. 2010); Chiras v. Miller, 432 F.3d 606, 618 (5th Cir. 2005).

29. *See* ERWIN CHEMERINSKY, CONSTITUTIONAL LAW: PRINCIPLES AND POLICIES 1076-1080 (7th ed. 2023) (describing the government speech doctrine).

30. Caroline Mala Corbin, Essay, *The Government Speech Doctrine Ate My Class: First Amendment Capture and Curriculum Bans*, 76 STAN. L. REV. 1473 (2024).

31. *Id.* at 1479.

32. Catherine J. Ross, Essay, *Are "Book Bans" Unconstitutional? Reflections on Public School Libraries and the Limits of Law*, 76 STAN. L. REV. 1675 (2024).

33. 457 U.S. 853 (1982).

Amendment. And yet, contemporary constitutional doctrine does not offer an obvious remedy."[34] Her hope is that the many pending appellate cases will develop a workable legal standard that protects First Amendment values.

V. How should the distinction between speech in-school and out-of-school be handled?

Historically, the Supreme Court's cases about the First Amendment and schools focused on speech occurring within the school. Most famously, in *Tinker v. Des Moines Independent Community School District*—which is much discussed in this symposium—the Court said that the First Amendment protected the ability of students in a high school to wear black armbands within the school to protest the Vietnam War.[35] In an opinion by Justice Fortas, the Court declared that "First Amendment rights, applied in light of the special characteristics of the school environment, are available to teachers and students. It can hardly be argued that either students or teachers shed their constitutional rights to freedom of speech or expression at the schoolhouse gate."[36]

But the development of social media has changed this and raised the question of when schools can punish student speech that occurs outside of schools and outside of school hours. The Supreme Court confronted this for the first (and, so far, only) time in 2021 in *Mahanoy Area School District v. B.L.*[37] The Court, in an 8-1 decision, ruled that a school could not punish a student for a profanity-laden rant over social media that objected to her not making the varsity cheerleading team.

Justice Breyer was clear from the outset that the Court was holding that this student's speech was protected, but that it was not going as far as the Third Circuit had in concluding that schools never can punish off-campus speech.[38] The Court left open the ability of schools to punish off-campus expression that involves bullying, harassing, or cheating, or that significantly disrupts school activities.[39]

But this leaves lower courts with relatively little guidance as to when student speech over social media can be punished. Laura Rene McNeal addresses this in her Essay, arguing that *Mahanoy* decision provides inadequate guidance and proposing a new test, which she calls the "integrated contextual

34. Ross, *supra* note 32, at 1723.

35. 393 U.S. 503 (1969).

36. *Id.* at 506.

37. 594 U.S. 180 (2021).

38. *Id.* at 189.

39. *Id.* at 188.

disruption test."[40] McNeal seeks to provide a new standard that "strikes the necessary balance between a school's regulatory interest in maintaining an environment conducive to learning and the competing value of student free-speech rights."[41] She argues that student speech should not be protected if it occurs off campus or through social media platforms, is a message "that targets a member of the school community in a negative manner," the message is disseminated in an open accessible online medium, and there is a "strong basis in evidence" that the message has caused or is likely to cause a "substantial or material disruption" to the school learning environment.[42]

Two of the Essays in this symposium deal with other aspects of social media and new technology, focusing on their threat to student privacy. Danielle Keats Citron focuses on the way schools are using new technology to engage in surveillance of students.[43] She describes how schools, in an understandable effort to protect student safety, are monitoring students' laptop activity and social media content.[44] She explains that this is done without transparency, is often used to the detriment of students of color and LGBTQ students, and undermines intimate privacy of the students.[45] She concludes that it is essential to adopt reforms to protect intimate privacy to enable students "to develop ideas, acquire knowledge, and freely express themselves."[46]

In his Essay, David Cremins focuses on the problem of doxxing, which he defines as "the revealing of 'information about (an individual) on the internet, typically with malicious intent.'"[47] He argues that doxxing is a serious threat to students and proposes that campuses prohibit it by students, while recognizing that campuses cannot control what those outside the campus do. The difficult issue is whether public schools can punish doxxing out of the need to protect student privacy if it is speech that is protected by the First Amendment.

40. Laura McNeal, Essay, *Integrating the Marketplace of Ideas: A New Constitutional Theory for Protecting Students' Off-Campus Online Speech*, 76 STAN. L. REV. 1575 (2024).

41. *Id.* at 1581.

42. *Id.* at 1581-82.

43. Danielle Keats Citron, Essay, *The Surveilled Student*, 76 STAN. L. REV. 1439 (2024).

44. *Id.* at 1450-53.

45. *Id.* at 1457-63.

46. *Id.* at 1472.

47. David Cremins, Essay, *Defending the Public Quad: Doxxing, Campus Speech Policies, and the First Amendment*, 76 STAN. L. REV. 1813, 1815 (2024) (quoting *Dox*, OXFORD ENGLISH DICTIONARY, https://perma.cc/TVF8-ZR37 (archived May 9, 2024)).

VI. What places should be available for speech in schools, and how can they be regulated?

A constantly arising issue, especially for colleges and universities, is what parts of the campus at a public university must be made available for speech and what types of regulations are permissible. The Supreme Court has categorized different types of government properties and prescribed different rules for each. In *Christian Legal Society v. Martinez*, Justice Ginsburg, writing for the Court, stated:

> In conducting forum analysis, our decisions have sorted government property into three categories. First, in traditional public forums, such as public streets and parks, "any restriction based on the content of . . . speech must satisfy strict scrutiny, that is, the restriction must be narrowly tailored to serve a compelling government interest." Second, governmental entities create designated public forums when "government property that has not traditionally been regarded as a public forum is intentionally opened up for that purpose"; speech restrictions in such a forum "are subject to the same strict scrutiny as restrictions in a traditional public forum." Third, governmental entities establish limited public forums by opening property "limited to use by certain groups or dedicated solely to the discussion of certain subjects." As noted in text, "[i]n such a forum, a governmental entity may impose restrictions on speech that are reasonable and viewpoint-neutral."[48]

For public and designated public forums there can be time, place, and manner restrictions, so long as they are content-neutral, serve an important purpose, and leave open adequate alternative places for communication.[49]

The issue constantly arises as to how this applies in the campus setting. Jacob Gersen and Jeannie Suk Gersen address this in their Essay by positing a hypothetical campus, describing a hypothetical situation, and providing a hypothetical judicial opinion resolving the free speech issues.[50] In doing so, they address many of the other issues presented in this symposium, including the "conflict between academic freedom and free speech interests on the one hand, and discrimination, harassment, and bullying rules on the other."[51]

As campuses have confronted pro-Palestinian protests and encampments in April and May of 2024, it is clear that guidance for how university administrators should respond is often not to be found in the law. Campuses certainly can have time, place, and manner restrictions with regard to speech and may enforce them against, including through use of police and school

48. 561 U.S. 661, 679 n.11 (2010) (citations omitted).

49. *See* CHEMERINSKY, CONSTITUTIONAL LAW PRINCIPLES AND POLICES, *supra* note 29, at 1241 (describing the law regarding time, place, and manner restrictions).

50. Jacob E. Gersen & Jeannie Suk Gersen. Essay, *Academic Freedom and Discipline: The Case of the Arguably Peaceful Protestors*, 76 STAN. L. REV. 1537 (2024).

51. *Id.* at 1574.

disciplinary procedures. The enormously difficult question is when and how they should be enforced, which is much more a question of pragmatics and politics than the First Amendment. Clearing encampments through use of the police has been sharply criticized.[52] But doing nothing can be significantly disruptive of school activities and risks violence erupting. In watching all of this unfold, there is a sense that the First Amendment—especially for public schools—is enormously important, but that it does not provide much guidance as to how school administrators should act so long as they are not violating it.

Conclusion

This symposium was organized months before October 7, though now the choice to focus on speech in schools seems prescient. The Essays in this symposium reveal that the underlying issues are both timeless and incredibly timely. I have no doubt that the contributions to this symposium will be valuable to those dealing with these issues now and for many years to come.

52. *See* Lisa Richwine & Arlene Washington, *Fresh Chaos, Arrests on US College Campuses as Police Flatten Camp at UCLA*, REUTERS (updated May 3, 2024, 10:01 PM PDT), https://perma.cc/3ZZW-RN5N; Jaclyn Diaz, *In NYC and LA, Police Response to Campus Protests Draws Sharp Criticism*, NPR (May 8, 2024, 5:01 AM ET), https://perma.cc/2YCC-JS5A; *Harvard Ratchets Up Pressure on the Last Pro-Palestinian Campus Encampment in Greater Boston*, WBUR (May 10, 2024), https://perma.cc/5ARG-DKHF; Sareen Habeshian & Rebecca Falconer, *Over 2,000 Protesters Arrested at College Campuses Across the U.S.*, AXIOS (updated May 3, 2024), https://perma.cc/EEP9-55RD.