

"Uphold Conduct Codes While Respecting Students' Free Speech Rights," Campus Legal Advisor, September 2014

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For higher ed administrators, upholding conduct codes while respecting students' free speech rights is a tricky tightrope to walk. A recent court case (*Serodio v. Rutgers, The State University of New Jersey*, No. 09-2221, D.N.J. June 13, 2014) provides a useful roadmap to help higher ed administrators manage this balancing act. A medical student alleged that the New Jersey Medical School of Rutgers University suspended him in retaliation for exercising his First Amendment rights to free speech. The student had written a racially charged op-ed piece in which he declared himself a "white African-American," which was published in the student newspaper. The student also claimed the university discriminated against him as a "white African-American" and failed to address a racially hostile environment.