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Only progressives need apply

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William Felkner was a student at Rhode Island College, a state school, studying social work. The school's faculty explained that as a profession "we do take sides" and are "devoted to the value of social and economic justice." Accordingly, the professors required the students to lobby the state legislature for progressive policies.

But Felkner didn't hold these same progressive views. When he refused to espouse the political ideology that was required, he was given failing grades and dismissed from the program. But, of course, the First Amendment has long been understood to prohibit the government from compelling an individual to espouse a political opinion with which he or she disagrees. Despite this, the lower state court actually upheld the school's action, finding that no constitutional rights had been violated.

While the lower court here had held there was no evidence that Felkner was required to lobby, this holding is specifically refuted by the professor's testimony. When asked, "So, in other words, the school was going to tell them which position they had to lobby on?" he answered, "Yes." The trial court also improperly focused on precedent at the primary and secondary school level rather than a post-secondary institution like Rhode Island College.

This precedent was about in-classroom speech — that teachers can maintain decorum in the classroom and require certain recitations as a means of instruction — but the trial court misapplied it to a requirement to lobby publicly in a context in which the student would be presumed to be speaking for himself. The trial court also misapplied precedent about speech, which implicitly bore the approval of the school. While a school can properly restrict children's speech that the public might reasonably perceive to be the school's speech, it can't require students to profess a certain political ideology — and there's even less leeway if the students are adults.

In *Felkner v. Rhode Island College*, the Rhode Island Supreme Court should protect the First Amendment rights of students from being compelled to advocate policies with which they disagree as a condition of maintaining their standing at the school and progressing towards a degree.

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