

When restricting the free speech rights of employees, public college and university conduct will be reviewed under one of two balancing tests. The *Pickering/Connick* balancing test will apply when a public college or university takes action in retaliation for a specific instance of employee speech. When, however, a public college or university restricts employee speech prior to the speech taking place, the much more demanding balancing test set forth in *United States v. National Treasury Employees Union* will apply. This note discusses the application of each of these two balancing tests in the context of the Seventh Circuit's recent case, *Crue v. Aiken*.