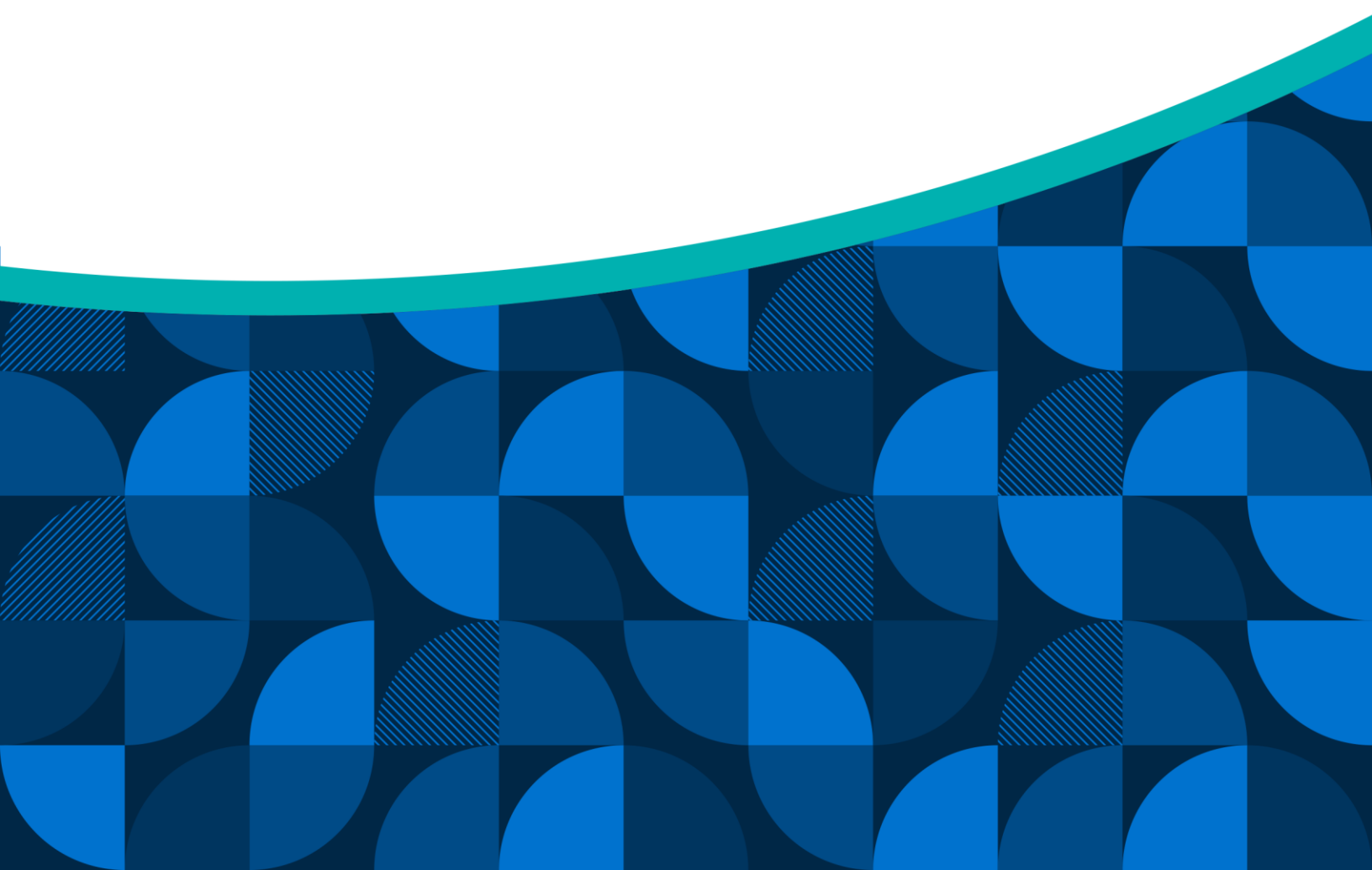**EAB**

TOOLKIT

Free Speech on Campus

Policy Element and Awareness Building Audit

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Free Speech Policies

Three Steps to Audit Your Current Policy and Awareness Building Initiatives

Step 1: Audit current policy elements related to free speech.

There are many policy elements that relate to free speech or activism on campus, including time, place, and manner restrictions, reservation and advance notification procedures, demonstration policies, and speaker and event protocols. These policy elements are often outdated.

Use the **Policy Element Audit** (pg. 4) to systematically review policy elements related to free speech and identify the top elements to prioritize for consideration or review at your institution.

Step 2: Audit the awareness of these policies on campus.

Although creating the policies themselves is important, students, faculty, staff, and interested community members need to be aware of these policies and how they impact interactions on campus. These policies are too often under-communicated to relevant campus stakeholders and have no central location on university websites.

Use the **Policy Awareness Building Audit** (pg. 11) to ensure that your policies are accessible online and well-communicated to relevant stakeholders. Additionally, take time to ensure individuals in external-facing roles such as admissions counselors and alumni relations staff are aware of these policies and can direct people, such as families or donors, to their relevant location online.

Step 3: Consider a standalone free speech policy.

After reviewing and updating your current policies, EAB recommends that institutions consider whether creating a standalone free speech policy is right for your institution.

Use the **Standalone Free Speech Policy Guide** (pg. 15) to determine if this type of policy fits with your institution's mission and goals. You can then use the supplemental resources in the Appendix to inform the development of your own policy.

Policy Element Audit

1

Policy Element Audit

Directions

There are many policy elements related to free speech or activism on campus, such as time, place, and manner restrictions, reservation and advance notification procedures, demonstration policies, and speaker and event protocols. These policy elements are often decentralized and outdated. This audit will help you identify the top policy priorities to consider or revise at your institution.

For each policy element, read the brief description and identify if your institution currently has such a policy. If yes, determine when it was last reviewed or considered. Keep in mind that the policies that are used to respond to campus activists might not be student-facing policies or explicitly labeled as free speech policies. Finally, use these questions to facilitate a discussion with stakeholders across campus about your institution's policies.

Policy Element: Time, Place, and Manner
Content-neutral time, place, and manner restrictions are often the core components of institutional free speech policies. Some institutions choose to have a standalone statement or policy that explains the university's stance on free speech. Clarifying these policies and statements help students, faculty, staff, and the greater campus community understand what sorts of restrictions they can expect on campus.

Does your institution have an existing policy? (Check one.)	❑ No, we do not have a policy
	❑ We are considering a policy
	❑ Yes, we have a policy
	   ▪ When was the policy last reviewed or considered? _____
	   ▪ Who on campus is included in the policy review process? _____

Questions to Consider	• Who does your time, place, and manner policy apply to on campus? • How does your time, place, and manner policy or statement provide clarity about when it will be applied? • Does your policy reference relevant federal, state, or local laws? • Does your policy provide illustrative examples? • How do students typically learn about this policy?

Policy Element Audit (cont.)

Policy Element: Restricted and/or Designated Free Speech Spaces

Some institutions restrict the use of specific campus spaces (e.g., classrooms, lab space) as public forums to ensure that the institution can continue to function. Others designate specific physical spaces for the purpose of demonstrating free speech. While a policy won't necessarily stop all free speech activity from occurring or ensure that all free speech activity happens in a particular space, it does explain what students and the greater campus community can expect.

Does your institution have an existing policy? (Check one.)	❑ No, we do not have a policy ❑ We are considering a policy ❑ Yes, we have a policy ▪ When was the policy last reviewed or considered? _____ ▪ Who on campus is included in the policy review process? _____
Questions to Consider	• Are there spaces on campus that are currently restricted for use as public forums? • Do current policies distinguish between restricted and unrestricted space? If yes, how? • Can or should our campus restrict additional spaces to ensure that the university can normally operate? • What specific physical spaces on your campus should be identified in a free speech space policy? • What is the protocol for when students violate this policy?

Policy Element Audit (cont.)

Policy Element: Reservation and Advance Notification Policies

Content-neutral time, place, and manner restrictions are often the core components of institutional free speech policies. Some institutions choose to have a standalone statement or policy that explains the university's stance on free speech. Clarifying these policies and statements help students, faculty, staff, and the greater campus community understand what sorts of restrictions they can expect on campus.

Does your institution have an existing policy? (Check one.)	☐ No, we do not have a policy ☐ We are considering a policy ☐ Yes, we have a policy ▪ When was the policy last reviewed or considered? _____ ▪ Who on campus is included in the policy review process? _____
Questions to Consider	• When are reservations or advanced notification required? • How far in advance must a student reserve or notify the proper campus authorities? • Would students find the policy reasonably easy to comply with and understand? • How do students learn about this policy? • How does your policy provide clear next steps for students seeking a reservation on campus?

Policy Element: Demonstration Policies

Students may choose to express themselves by organizing marches or demonstrations. Institutions typically offer guidance for when and where students can hold these demonstrations so to prevent any disruptions to official university functions. Sometimes, these policies are captured in an institution's time, place, and manner policy.

Does your institution have an existing policy? (Check one.)	☐ No, we do not have a policy ☐ We are considering a policy ☐ Yes, we have a policy ▪ When was the policy last reviewed or considered? _____ ▪ Who on campus is included in the policy review process? _____
Questions to Consider	• What are acceptable forms of demonstrations on campus? • When can these demonstrations occur and for how long? • What constitutes a disruption to official university functions? • What is the protocol for when students violate this policy? • Is this policy consistent with our other free speech policies? • If this policy contradicts another, which policy takes precedence?

Policy Element Audit (cont.)

Policy Element: Speakers and Events

Students, faculty, and staff commonly invite external speakers to come to campus and host events. Occasionally, these speakers and events can generate controversy. Institutions may choose to regulate details like how speakers can be invited and when events can be hosted. Institutions can also define under what circumstances speakers can be formally disinvited or events not allowed to proceed on campus.

Does your institution have an existing policy? (Check one.)	❑ No, we do not have a policy ❑ We are considering a policy ❑ Yes, we have a policy ▪ When was the policy last reviewed or considered? _____ ▪ Who on campus is included in the policy review process? _____
Questions to Consider	• Who can invite speakers to campus? How can they do so? • Where can speakers and events be held on campus? How can these spaces be reserved? • Who is responsible for covering any additional costs of hosting a speaker or event on campus (e.g., extra security personnel)? • Under what circumstances can a speaker or event be cancelled? • What is the protocol for cancelling a speaker or event?

Policy Element: Sound Amplification

Amplified noise is commonly heard during campus protests, demonstrations, and other forms of free speech activity. Institutions may choose to regulate the amplification of sound to specific locations or hours to minimize the impact that excessive noise can have on standard university operations.

Does your institution have an existing policy? (Check one.)	❑ No, we do not have a policy ❑ We are considering a policy ❑ Yes, we have a policy ▪ When was the policy last reviewed or considered? _____ ▪ Who on campus is included in the policy review process? _____
Questions to Consider	• Do students and others need to request permission to amplify sounds during protests and demonstrations? • Is there a maximum sound decibel that is acceptable? • What hours or locations can or should be restricted from amplified noise? • What is the protocol for when students violate this policy?

Policy Element Audit (cont.)

Policy Element: Literature Distribution

Students and others commonly pass out flyers and information pamphlets to raise awareness about the causes that they care about. Institutions may choose to regulate when and where information can be formally distributed.

Does your institution have an existing policy? (Check one.)	❏ No, we do not have a policy
	 ❏ We are considering a policy
	 ❏ Yes, we have a policy
	    ▪ When was the policy last reviewed or considered? _____
	    ▪ Who on campus is included in the policy review process? _____

Questions to Consider	• Can or should the institution regulate when students, groups, and others distribute literature? • Is approval required to distribute literature in specific situations or settings on campus? • Are there any content restrictions on hateful or potentially disruptive materials?

Policy Element: Chalking

Chalking is another written form of expression that is often used to raise awareness about causes or events. Campuses may choose to regulate when and where chalking is permitted, allowed types of chalk (i.e., not permanent) and clean up expectations.

Does your institution have an existing policy? (Check one.)	❏ No, we do not have a policy
	 ❏ We are considering a policy
	 ❏ Yes, we have a policy
	    ▪ When was the policy last reviewed or considered? _____
	    ▪ Who on campus is included in the policy review process? _____

Questions to Consider	• Can or should chalking be restricted to certain areas of campus? • What specific types of chalk are allowed? • Who is responsible for cleaning up chalking markings on campus?

Policy Element Audit (cont.)

Policy Element: Temporary Structures
Students may choose to express themselves by sitting in or camping out in particular locations or offices on campus. A temporary structure policy sets boundaries on what types of 'settlements' are permitted and clarifies expectations for safety, health, and upkeep.

| **Does your institution have an existing policy?** (Check one.) | ❑ No, we do not have a policy
❑ We are considering a policy
❑ Yes, we have a policy
   ▪ When was the policy last reviewed or considered? _____
   ▪ Who on campus is included in the policy review process? _____ |
| **Questions to Consider** | • What constitutes a temporary structure on your campus?
• What considerations (e.g., health, safety, upkeep, access) should be taken into account with your policy?
• How can students and others request permission to erect a temporary structure? |

EAB

Policy Awareness Building Audit

eab.com

Policy Awareness Building Audit

Directions

Not only do institutions need to create comprehensive free speech policies, but they also need to make sure that a variety of stakeholders, including students, faculty, and staff are aware of these policies. Institutions should ensure that all free speech policies are in a central location and proactively shared with key campus stakeholders, such as students, at least twice a year. Moreover, when institutions update these policies and/or add new policies, they should also notify faculty, staff, and students.

EAB recommends that institutions audit the awareness of your free speech policies on a regular basis and after campus flashpoints. Use the guiding questions below to help identify where there might be specific awareness gaps at your institution.

Policy Awareness Element: Centralizing Free Speech Policies
Free speech policies can be difficult to find, often buried in the student handbook or spread across the webpages of multiple institutional offices. Centralizing where these policies live make these policies easy to look up and share.

| **Are our policies accessible in a central location?** (Check one.) | ❑ No, our policies are spread across multiple webpages
❑ We are currently centralizing our policies online
❑ Yes, all of our policies can be found on the same webpage
  ▪ Where are these policies located? _____
  ▪ Do students know where to find these policies?_____ |
| **Questions to Consider** | • Where are your free speech policies located?

• How and when does the campus community learn about the location of these policies?

• Who should students contact to learn more these policies? Is it a particular office, such Student Conduct, or a specific administrator? |

Policy Awareness Building Audit (cont.)

Policy Awareness Element: Building Initial Awareness

Campus policies are typically shared during orientation with new students, staff, and faculty. Senior institutional leaders should also regularly share these policies throughout the year to continue raising awareness.

Do we communicate policies to students, staff, and faculty during their orientation?
 	
(Check one.)
	❑ No, we don't formally communicate these policies to students, faculty, and staff
	❑ We communicate some of these policies, usually to students
	❑ Yes, we communicate all of our policies to students, faculty, and staff
	  ▪ Who introduces campus members to these policies?_____
	  ▪ In what setting do they learn about these policies?_____
	  ▪ Are new campus members directed to online versions of these policies?_____

Questions to Consider	• How do new community members learn about campus free speech policies? • What questions do different stakeholders typically have about these policies? • How often is the campus community reminded of these policies across the year? And by whom? • Are these policies proactively shared with the campus ahead of potential flashpoints (controversial speaker) or political events (i.e., 2024 presidential election)?

Policy Awareness Element: Communicating Policy Changes

At most institutions, campus policies are often shared with students, staff, and faculty during orientation or in response to a flashpoint. While this builds a baseline awareness regarding these policies, it is important to keep stakeholders regularly informed as new policies are enacted and existing policies are updated. Creating a communication plan to share these updates keeps the campus informed throughout their tenure with the institution.

Do we regularly communicate new policies and policy changes?
 	
(Check one.)
	❑ No, we don't formally communicate these changes
	❑ We communicate some policy changes on an ongoing basis
	❑ Yes, we communicate all of our policy changes regularly
	  ▪ Who communicates these policy changes? _____
	  ▪ How are these policy changes communicated?_____

Questions to Consider	• How does your institution communicate policy changes currently to faculty, students, and staff? What channels are most frequently used? • Who communicates policy changes to the campus? How often? • What channels are most frequently used? And for which constituencies (e.g. students vs. staff)? • How can people on campus provide feedback regarding these changes?

Policy Awareness Building Audit (cont.)

Policy Awareness Element: Frontline Staff in Externally Facing Roles

Frontline staff in externally facing roles such as individuals in fundraising, alumni relations, or admissions are increasingly getting questions about the institution's free speech policies. While it is unrealistic to expect these representatives to know these policies inside and out, they should at least be equipped to direct interested parties such as alumni, families, and prospective students to where these policies live online and how they can follow-up to learn more.	
Do staff in admissions, alumni relations, and fundraising know where your free speech policies live? (Check one.)	❑ No, they are not directly informed about these policies ❑ It depends on the unit ❑ Yes, all of our staff in these units know where the policies live ▪ Who on campus should they direct interested parties to? _____
Questions to Consider	• Which frontline staff in externally facing roles may receive questions about the institution's free speech policies? • What training and awareness building efforts do we currently have for staff in these roles regarding free speech policies? • Do these staff currently have a basic understanding of these policies? • How are these staff notified about policy changes? • Where should these staff members direct parents, alumni, and prospective students to if they want to learn more about these policies?

Standalone Free Speech Policy Guide

Guiding Questions for a Standalone Free Speech Policy

Directions

Use the guiding questions below to help you decide if a standalone free speech policy is the right answer for your institution.

Mission Alignment

- How would you describe your institution's commitment to free speech on campus?
- How would a standalone free speech policy align with the stated mission, values, and goals of your institution?

Stakeholder Analysis

- Who are the stakeholders on campus (e.g., student leaders, general counsel, senior leaders) who should be involved with or help craft a standalone free speech policy?
- Who are the external stakeholders (e.g., alumni, community members, legislators) who should be consulted when developing a standalone free speech policy?

Content Development

- What are the federal, state, local, or system-level laws or policies that must be considered when developing a standalone policy?
- Should the policy include an upfront section or preamble defining the institution's commitment to free speech?
- What specific policy elements will be included in the overall policy?
- When and where will the policy apply on campus?
- Who will the standalone policy apply to (e.g., only students, all members of the university community, third-party actors)?
- How will the policy be enforced? Will there be consequences for violating the policy?

Policy Promotion and Updates

- Where will the standalone policy be housed?
- Who will update the policy? How often?
- How will you educate the campus community about the new policy?

Next Steps

After evaluating these questions, if your institution wants to move forward with creating a standalone policy, EAB has gathered policy excerpts and additional resources to guide your efforts. These items can be accessed in the Appendix.

Appendixes

- Appendix A: Policy Excerpts
- Appendix B: Policy Drafting Template
- Appendix C: Reading List

Policy Excerpt

Freedom of Expression Provisions, Arkansas State University

August 1, 2023 https://www.astate.edu/a/hr/files/Freedom-of-Expression.pdf

Purpose [...]

Definitions [...]

Freedom of Expression

Expressive activities are allowed on all campus forums as defined by Act 614 of 2023, subject to the reasonable time, place, and manner restrictions set forth in this Operating Procedure as well as all applicable state and federal laws. The campus shall not create free speech zones or other designated outdoor areas of campus outside of which expressive activities are prohibited. The campus maintains a position of neutrality as to the content of any protected speech.

Outdoor Areas of Campus [...]

Indoor Areas of Campus *[...]*

Expressive Activities *[...]*

Lawful Limitations on Expressive Activities

Members of the campus community who want to engage in noncommercial expressive activities may do so freely in the public forums of campus so long as that member's conduct is 1) not unlawful, 2) does not materially and substantially disrupt the functioning of a state supported institution, 3) does not materially and substantially disrupt another person's expressive activity, and 4) does not disregard a policy pertaining to the productive and efficient operation of an instructional or work environment.

Freedom of Association [...]

Use of Campus Property for University Sponsored Activities and Events [...]

Prohibited Activities

The right to engage in Expressive Activities under this Operating Procedure does not include the right to engage in the following:

- (a)   Obstructing vehicular or pedestrian traffic.
- (b)   Engaging in unlawful activity.
- (c)   Engaging in activities that create a clear and present threat to public safety.
- (d)   Engaging in true threats and expression directed to provoke imminent lawless actions and likely to produce imminent lawless actions.
- (e)   Engaging in unlawful harassment.
- (f)   Utilizing sound amplification devices.
- (g)   Posting materials on University property.

Damage to Property Owned by the Campus [...]

Commercial Speech [...]

Grievance Process [...]

Sources [...]

Policy Excerpt

Free Speech and Assembly Policy, Mississippi State University

October 24, 2022 https://www.policies.msstate.edu/policy/91304

Mississippi State University recognizes that in the community of scholars there are certain indisputable rights to freedom of inquiry, freedom of thought, and freedom of expression. The university encourages the search for truth and knowledge and does not abridge searchers' rights to reveal their findings, by both spoken and written word, even if in so doing they might find themselves at variance with their peers as well as the lay community. To dissent, to disagree with generally accepted truth and knowledge is acceptable.

The university also stands for the right of all the university community to pursue their legitimate activities without interference, intimidation, coercion, or disruption. The university will protect the rights of freedom of speech, expression, petition, and peaceful assembly and affirms all rights and freedoms guaranteed under the Constitution of the United States.

Finally, the university recognizes that the right to dissent and the right not to speak are essential components of free expression. To ensure these rights are respected, the university requires that public statements on issues of current importance made on behalf of the institution or any division thereof receive appropriate review and prior approval.

Procedure

Reasonable time, place, and manner restrictions will be enforced. However, the enforcement will not depend, in any way, on the subject matter involved in an expressive activity. It is strongly suggested that all activities be registered with the Dean of Students' office 48 hours in advance in order to make adequate arrangements for safety and security and to insure the space desired is available. Registration information can be obtained at the Dean of Students' office.

Mississippi State University provides forums for the expression of ideas and opinions, such as the following:

1. Traditional public forums include the university's parks and similar common areas such as the Drill Field and Junction. These areas are generally available for non-amplified expressive activity, planned or spontaneous, for the individual or small group at any time without the need for reservation or prior approval, unless the space is already scheduled. No individual or small group shall be permitted to set up on or obstruct the traffic flow on sidewalks, roadways, or through plazas. Reasonable setback and distance requirements from roads, sidewalks, plazas, and other areas will be enforced to preserve access and traffic flow.
2. Designated public forums include other parts of the campus that may become temporarily available for non-amplified expressive activity as designated by the university. Examples of designated forums include parking lots and athletic fields.
3. Non-public forums are areas that are not traditional public forums or designated public forums. These locations will be restricted to use for their intended purpose and are typically not available for public expressive activity. Examples include, but are not limited to, classrooms, residence halls, faculty and staff offices, academic buildings, administration buildings, medical treatment facilities, libraries, research and computer labs, and private residential housing on campus.
4. Additionally, security considerations may affect the availability of spaces that would otherwise be available.

Disruptive activities will not be allowed. The university has defined a disruptive activity as any action by an individual, group, or organization to impede, interrupt, interfere with or disturb the holding of classes, the conduct of the university business, or the authorized scheduled events and activities of any and all segments of the university. Furthermore, any activity that incites imminent lawless action or that triggers an automatic violent response will be considered disruptive. In addition to any potential criminal penalties, students engaging in disruptive activities will be referred to the Dean of Students' office, and employees will be referred to Human Resources.

Guidelines […]

Policy Excerpt

Free Speech Policy, Ohio State University May 30, 2023 https://policies.osu.edu/assets/policies/campus-free-speech-policy.pdf

Purpose of the Policy

To affirm principles of campus free speech and communicate the process for submitting and addressing complaints alleging free speech violations in accordance with Ohio Revised Code (ORC) 3345.0215.

Policy Details

1. In accordance with ORC 3345.0215, the university affirms the following principles:

A. Students have a fundamental constitutional right to free speech.
B. The university is committed to giving students broad latitude to speak, write, listen, challenge, learn, and discuss any issue, subject to Policy Details III.
C. The university is committed to maintaining a campus as a marketplace of ideas for all students and all faculty in which the free exchange of ideas is not to be suppressed because the ideas put forth are thought by some or even by most members of the institution's community to be offensive, unwise, immoral, indecent, disagreeable, conservative, liberal, traditional, radical, or wrong-headed.
D. The role of the university's individual students and faculty is to make judgments about ideas for themselves, and to act on those judgments not by seeking to suppress free speech, but by openly and vigorously contesting the ideas that they oppose.
E. The proper role of the university is not to attempt to shield individuals from free speech, including ideas and opinions they find offensive, unwise, immoral, indecent, disagreeable, conservative, liberal, traditional, radical, or wrong-headed.
F. The university greatly values civility and mutual respect. Nevertheless, concerns about civility and mutual respect may never be used as a justification for closing off the discussion of ideas, however offensive, unwise, immoral, indecent, disagreeable, conservative, liberal, traditional, radical, or wrong-headed those ideas may be to some students or faculty.
G. All students and faculty are free to state their own views about and contest the views expressed on campus, and to state their own views about and contest speakers who are invited to express their views on the campus. Nevertheless, they may not substantially obstruct or otherwise substantially interfere with the freedom of others to express views they reject or even loathe. To this end, the university has a responsibility to promote a lively and fearless freedom of debate and deliberation and protect that freedom.
H. The university is committed to providing an atmosphere that is most conducive to speculation, experimentation, and creation by all students and all faculty, who will always remain free to inquire, study, evaluate, and gain new understanding.
I. The primary responsibility of faculty is to engage an honest, courageous, and persistent effort to search out and communicate the truth that lies in the areas of their competence.

2. Only students, student groups, and faculty may submit complaints about alleged violations of this policy by university employees to the Office of University Compliance and Integrity at compliance-integrity@osu.edu or through the university's Anonymous Reporting Line at 866-294-9350 or ohio-state.ethicspoint.com.

3. Nothing in this policy will be interpreted as preventing or prohibiting the university from imposing lawful measures that do not violate the First Amendment to the United States Constitution or Article I, Sections 3 and 11 of the Ohio Constitution, such as:

A. Constitutional time, place, and manner restrictions;
B. Reasonable and viewpoint-neutral restrictions in nonpublic forums;
C. Restricting the use of university property to protect the free speech rights of students and faculty and preserve the use of the property for the advancement of the university's mission;
D. Prohibiting or limiting speech, expression, or assemblies that are not protected by the First Amendment to the United States Constitution or Article I, Sections 3 and 11 of the Ohio Constitution; and E. Content restrictions on speech that are reasonably related to a legitimate pedagogical purpose, such as classroom rules and expectations.
E. Nothing in this policy will be construed to interfere with any faculty member's academic freedom…
F. Nothing in this policy will be construed to grant students…
G. The university encourages all students, student groups, and faculty to file complaints about alleged violations…

Procedure

1. The university will review and respond to all complaints alleging violations of this policy as set forth in the Campus Free Speech Policy Complaint Investigation, Hearing, and Resolution Process.

2. The university will report complaint information annually to Ohio's chancellor of higher education in accordance with ORC 3345.0215.

Policy Excerpt

Protests and Demonstrations Policy, University of Chicago

September 27, 2023 https://studentmanual.uchicago.edu/student-life-conduct/protests-and-demonstrations-policy/

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While the University respects the freedoms and rights of every individual, there remains an expectation for all who interact on Campus that their behavior be guided by the principles outlined in the 'Civil Behavior in a University' Section.

The primary function of a university is to discover and disseminate knowledge by means of research and teaching. To fulfill this function, a free interchange of ideas is necessary not only within the university but also with the larger society. At the University of Chicago, freedom of expression is vital to our shared goal of the pursuit of knowledge. Such freedom comes with a responsibility to welcome and promote this freedom for all, even in disagreement or opposition.

The right of freedom of expression at the University includes peaceful protests and orderly demonstrations. At the same time, the University has long recognized that the right to protest and demonstrate does not include the right to engage in conduct that disrupts the University's operations or endangers the safety of others. University Statute 21 states:

"Disruptive conduct is conduct by any member of the University community that substantially obstructs, impairs, or interferes with: (i) teaching, study, research, or administration of the University, including UCMC's clinical mission; (ii) the authorized and other permissible use of University facilities, including meetings of University students, faculty, staff, administrators and/or guests; or (iii) the rights and privileges of other members of the University community. Any member of the University who engages in disruptive conduct will be subject to disciplinary action. Disruptive conduct includes but is not limited to (1) obstruction, impairment, or interference with University sponsored or authorized activities or facilities in a manner that is likely to or does deprive others of the benefit or enjoyment of the activity or facility and (2) use or threatened use of force against any member of the University community or his or her family that substantially and directly bears upon the member's functions within the University."

The Dean-on-Call

The Dean-on-Call will often be called upon to be present at and monitor protests, demonstrations, and other events on or adjacent to University property. […]

Noise Level […]

Building Occupancy […]

Placards, Banners and Signs […]

Advance Arrangements

To further the effectiveness of their event, organizations and other groups of students organizing a protest or demonstration are encouraged to make advance arrangements with the staff of the Center for Leadership and Involvement (CLI) and/or their appropriate Recognized Student Organization (RSO) Advisor. Advance notification enables the University to help ensure that the event takes place in a constructive and peaceable manner.

When possible, a request to hold a protest or demonstration should be submitted at least 48 hours before the start of the event to ensure its successful execution. With the appropriate advance notice, RSO Advisors together with the Dean-on-Call will engage with student protestors and demonstrators during the event to help assure that the event is effective, to ensure participants' safety, and to assist organizers in seeing that the demonstration does not disrupt the normal functioning of the University. For events occurring on city sidewalks and streets adjacent to the University, students should make appropriate arrangements to acquire city permits and should adhere to city ordinances and applicable state and federal law.

Please see the Report of the Ad Hoc Committee on Protest and Dissent for additional information regarding the principles that govern protests and demonstrations on campus.

Policy Excerpt

Protests and Demonstrations Policy, University of Chicago (cont.)

Protest and Demonstration Duration

Protests and demonstrations normally are permitted until or unless University officials determine that University operations have been compromised and/or the rights of others have been significantly infringed. Interference with instruction and research are viewed as particularly disruptive to the University.

Policy Application […]

Counter-Protest

A protest, demonstration, or event on campus may invite another form of protest. When these occasions arise, the expression of all parties is important. Please note that a separate protest area may be designated by Campus and Student Life for those persons with views that differ from the views held by the event organizers. In order to ensure the safety of all participants, the University Police Department may require the attendance of one or more officers.

All people participating in protests and demonstrations are expected to provide a form of University issued or government issued identification upon request from a University official.

Policy Excerpt

Disruptive Activity Policy Draft, University of Michigan

March 27, 2024   https://record.umich.edu/wp-content/uploads/2024/03/Draft-Disruptive-Activity-Policy_2024-03-27.pdf

Purpose

The University of Michigan-Ann Arbor (the University) respects, encourages, and defends free speech and free expressive activity as bedrock principles of our academic community. Those principles extend to engagement in the University community, including academic and social activities, gatherings, and celebrations. Being members of a community means respecting one another's right to engage in speech, expression, and activities that are important to each and every member of the community.

No one has the right to infringe on the exercise of others' speech and activities by disrupting the normal celebrations, activities, and operations of the University ("University Operations"). The purpose of this Policy is to address disruption to University Operations so that all members of the University Community and guests may exercise their rights, including their right to hear from speakers; attend classes, activities, and open meetings; and participate as guests at University ceremonies. See, e.g., UM SPG 601.01.

Scope

This Policy applies to all students, employees, contractors, volunteers, and visitors ("Person") engaging in disruptive activity that either impairs the University's ability to engage in University Operations or prevents others from participating in them, as set forth by this Policy, on University property, or in University controlled spaces (University Facilities).

Policy

1. No Person without legal authority may prevent or impede the free flow of persons about campus, whether indoors or outdoors, including any pedestrian, bicycle, or vehicular traffic.

2. No Person may disrupt the University Operations of UM Facilities, including but not limited to the communications or activities of speakers or performers on University Facilities, or of any class, laboratory, seminar, examination, performance, formal proceeding, activity in a reserved space, field trip, or other educational, research, artistic, athletic, medical, operational, or service activity occurring on UM Facilities by obstructing lines of sight, making loud or amplified noises, projecting light or images, or otherwise creating substantive distractions.

3. All Persons in violation of this policy, or those who knowingly aide or assist others in committing a violation of this policy, must comply with lawful requests to leave UM Facilities.

Violations and Enforcement […]

    A. *Students […]*

    B. *Staff […]*

    C. *Faculty […]*

    D. *Contractors, Volunteers, and Visitors […]*

Other University Policies

In the event of a conflict with another University policy, this policy shall apply

Policy Drafting Template

Policy Name

Purpose

Consider these questions when drafting the text of your policy:

- Who does it apply to?
- What is the specific purpose of the policy?
- When and where does it apply?
- How will it be enforced?
- Who can people contact with questions?

Policy Text (add pages as necessary)

Source: EAB interviews and analysis.

Policy Drafting Template (cont.)

Where will the policy be located?

_____

_____

How will the campus learn about the policy and future updates?

_____

_____

If this policy contradicts another policy, which policy takes precedence?

_____

_____

Source: EAB interviews and analysis.

Reading List

> ## Directions
>
> The below articles provide interesting insight into the current public debate about free speech on college campuses. Use this reading list to inform your perspectives on the issue or tee up group discussions with your team on campus.

Suggested Articles

Allain, Jacqueline. Champions of Higher Education Statement of Purpose. Pen America. December 2022.
https://pen.org/champions-statement/

Blake, Jessica. PEN America Cites 6 Bills "Dangerous" for Higher Ed. Inside Higher Ed. February 9, 2024.
https://www.insidehighered.com/news/quick-takes/2024/02/09/pen-america-lists-six-dangerous-bills-higher-ed

Hicks, Maggie. A Public University Wants to Prevent 'Disruptive Activities.' That's Complicated. The Chronicle of Higher Education. April 1st, 2024.
https://www.chronicle.com/article/a-public-university-wants-to-prevent-disruptive-activities-thats-complicated

Otterman, Sharon. College Dorm Decorations Become a Front in the Campus Free Speech Wars. The New York Times. March 1, 2024.
https://www.nytimes.com/2024/03/01/nyregion/campus-free-speech-barnard-columbia.html

Spotlight on Speech Codes 2024. Foundation for Individual Rights in Expression. 2024.
https://www.thefire.org/research-learn/spotlight-speech-codes-2024