

# University of Rochester

## Guidelines for Free Speech and Peaceful Protests

August 2018

The University of Rochester values freedom of speech as essential to our academic community. Although, as a private institution, the University of Rochester is not subject to the First Amendment, it is committed, as a matter of policy and academic tradition, to protecting speech and peaceful protest on its campus. Its buildings and grounds are frequently used for University-sponsored activities to which outside speakers and attendees are invited.

This document supplements and provides guidelines for the application of existing policies and procedures that protect free speech and promote the safety of our University community and visitors. In 1970, as required by the New York State Education Law, the University first adopted the “Dissent and Public Order” policy that has appeared ever since in the [Faculty Handbook](#). In addition, University [HR Policy 112](#) addresses political activities, and the [Standards of Student Conduct](#) addresses student speech and behavior that may lead to discipline. Other University policies that are intended to protect the health, safety, and rights of members of the University Community to be free of harassment may also apply.

These guidelines are to be followed by all members of the University Community, which for the purposes of these guidelines includes current students<sup>i</sup>, faculty, and staff. These guidelines also apply to the invited guests of any member of the University Community. As used in these guidelines, the term “University Community” does not include alumni, parents, former employees, students from other institutions, medical center patients, or the general public who have been permitted access for the purpose of participating in organized peaceful assembly. These guidelines will be regularly reviewed and updated as needed to ensure the protection of rights and privileges afforded to members of the University Community.

Persons and groups planning protests, vigils, or similar exercises, are encouraged to contact the Department of Public Safety and/or Event Management in advance, so that arrangements can be made to provide for the health and safety of all participants and observers.

### Principles

- The University of Rochester supports academic and intellectual freedom. It is a place for discussion, learning, and the exchange of ideas.
- The University endorses free speech and peaceful protest.
- The University does not restrict speech based on viewpoint or content.
- The remedy to offensive speech is more speech—counter programming, peaceful protest, fierce intellectual debate—not enforced silence.
- The University has a fundamental responsibility to keep the University Community safe. It reserves the right to take immediate action in the event of a threat of physical harm to persons or property.

- University buildings and outdoor spaces are open to visitors attending a University program or event, so long as they obey University rules and instructions.
- The University reserves the right to place restrictions on the time, place, and manner in which speech is made on its property.
- Use of University property for demonstrations, protests, or other peaceful assembly must not interfere with access to buildings, classrooms, and private offices, and must not violate state or local laws, including fire code occupancy limits, or other Environmental Health and Safety requirements (whether or not legally mandated).

## Free Speech and Peaceful Protests

The University fully supports the exercise of free speech and peaceful assembly by members of the University Community on University property, so long as it does not disrupt classes or other University activities, prevent free movement, or pose a risk to the health or safety of anyone.

The University reserves the right to refuse access to the campus to anyone who is not a member of the University Community.

In certain circumstances, the University may permit access to its property by non-members of the University Community for purposes of participating in organized peaceful assemblies, provided that they abide by the principles stated in this document. Those visitors must leave when the activities have ended.

## Restrictions on Time, Place, and Manner of Speech

At any time, the University reserves the right to exclude any person from its property. It also reserves the right to reject speaker and/or event requests, or end an event in progress, if there is a likelihood of violence or physical harm to person or property.

Permission to remain in buildings expires at the conclusion of academic activities or other programs for the evening, but no later than the scheduled securing of the building, unless arrangements have been made with University administrators in advance.

The University prohibits the use of firearms, explosives, destructive or noxious chemicals, or any dangerous or apparently dangerous weapons, other than as allowed by law and University regulation.

Other restrictions on time, place, and manner of speech on University property may include, but are not limited to:

- The use of amplified devices (e.g., bull horns, PA systems, compressed gas boat signal horns)
- The use of wooden or metal poles for the display of placards as those poles could pose a hazard or be used as a weapon
- Assembly within structures or the starting of fires.

## Political Campaigns

The University encourages members of its community to be active and engaged citizens and to participate fully in political activity. As noted in [HR Policy 112](#), federal law prohibits the University as an institution from participating in any political campaign on behalf of or in opposition to any candidate for public office or political party. This includes hosting fundraisers and political speeches, making a financial contribution, or publishing statements on behalf of a candidate or party.

## Administration and Enforcement

The Senior VP of Administration and Finance and CFO, and the Chief of the Department of Public Safety will apprise the University President, Provost, URMCE CEO, respective Deans and whenever possible and feasible, one or both of the Faculty Senate Co-chairs of upcoming protests and related planning activities.

The Chief of the Department of Public Safety in consultation with the President, Provost, Senior Vice President and CFO and or the URMCE CEO, as applicable, has the authority to determine if protest activities or other forms of speech are likely to or have reached a level of disturbance that necessitates enforcement of the Dissent and Public Order, or other policies.

## Procedures for Addressing Violations

Violation of these guidelines and existing policies may result in disciplinary action, up to and including separation from the University. Disciplinary action may only be taken in compliance with applicable policies and procedures.

Members of the University Community have the right to make a complaint if they feel that their rights have been violated. The manner of making complaints and the process for addressing them will depend upon the specific policy that is believed to be violated. For example, complaints of discrimination or harassment based on race, sex, or other protected class can be made under [HR Policy 106](#) or the [Standards of Student Conduct](#), depending upon the status of the person or group accused.

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<sup>i</sup> This standard applies to all students of the University, graduate and undergraduate.  
<https://www.rochester.edu/GradBulletin/PDFbulletin/Regulations.pdf>