



## POLICY

### **Title:** Free Expression; Campus Speakers; Response to Disruption

#### Policy Statement

The University upholds and defends the right to free expression, including the freedom to express dissent, within the context of the law. Freedom of expression is vital to the shared goal of the pursuit of knowledge and the exchange of ideas.

Fostering the ability of members of the University community to engage in free expression in an effective and responsible manner is an essential part of the University's educational mission.

The expression of views, through words or conduct, must be exercised in a manner that does not interfere with the rights of others to present their views in a lawful manner without disruptive interference, or for a speaker to be heard without risk to the personal safety of the speaker(s) or others. To protect free expression on campus, the University has the authority and obligation to enforce rules that restrict and sanction those who seek to disrupt the expression of others. Additionally, the University reserves the right to respond appropriately to unprotected speech.

#### Reason for the Policy

The purpose of this Policy is to articulate the institutional commitment to free expression and the exchange of ideas.

#### Applicability of the Policy

This policy applies to all University of Vermont students, faculty, staff, University recognized groups and organizations, and non-affiliated persons and groups on University property or at University sponsored events, including invited speakers, and all persons requesting temporary use of all or part of a University building, facility, or outdoor space for any meeting, conference, event, or activity.

**Exemptions:** This Policy does not apply to (1) classroom speech (for more information, see UVM's [Code of Student Conduct](#) and [Personal Safety and Threat Assessment](#)); or (2) programs offered to the general public in affiliation with UVM but managed by and at a location under the control of an external organization, such as the Flynn Center for Performing Arts (for more information, refer to contracts or policies set forth by the managing party).

#### Definitions

***Affiliate Organization:*** Any organization that fits the definition specified in the University's [Affiliated Organizations policy](#).

- Disruption:** Conduct that obstructs or impedes teaching, research, administration, disciplinary procedures, or other University activities; conduct that infringes upon the rights of University community members or members of the public lawfully using campus grounds or facilities, including interfering with the free expression of others, damaging property, or posing an imminent danger to the safety of persons or groups of people or the security of property and facilities.
- Free Expression:** Rights guaranteed by the First and Fourteenth Amendments to the Constitution of the United States, including rights to freedom of speech, peaceful assembly, petition, and association. Free expression, however, ceases at the point when its exercise infringes on the rights of others.
- Hosted/Sponsored Event/Activity:** Any Event/Activity in which a requestor elects to organize, facilitate, or pay some, or all, of the financial costs.
- Invited Speaker:** A person or group invited by, or on behalf of, University academic or administrative units and their administrators, or recognized University groups and organizations, to give a speech, lecture, presentation, or performance on campus, at a University facility, or as part of a Hosted/Sponsored/Internal Event/Activity.
- Protected Speech:** Speech and other forms of expression that are protected under federal and state law.
- Recognized Group or Organization:** A student, faculty or staff group, organization, or club recognized by the University as set forth in the [University Group and Organization Recognition Policy](#).
- Sponsor:** a University academic or administrative unit, or a recognized University group or organization.
- Unprotected Speech:** Speech and other forms of expression that are not protected under federal and state law, include credible threats, fighting words, incitement of imminent lawless action, harassment, obscenity, defamation, and infringement of the intellectual property or privacy rights of others.

## Procedures

### Engaging In Free Expression

The University's commitment to free expression is operationalized through several interrelated University policies and procedures. These documents guide our community regarding the exercise of free expression on campus, or in association with university sponsored activities, within the boundaries of lawful behavior.

The University reserves the right to specify reasonable time, manner and place for the exercise of these freedoms, guided by factors that include safety, the rights of others and the normal functioning of the University.

#### Use of University Facilities, Grounds, and Resources

- [Banners Display](#)
- [Computer, Communication, and Network Technology Acceptable Use](#)
- [Filming on Campus](#)
- [Flag](#)
- [Political Engagement, Advocacy, and Campaign Related Activities](#)
- [Posting and Solicitation](#)

- [Temporary Structures](#)
- [University Name, Symbols, Letterhead, and other Proprietary Indicia of Affiliation](#)
- [Use of Campus Mail and Letterboxes](#)

#### Promoting Safety and Security

- [Code of Student Conduct](#)
- [Discrimination, Harassment, and Sexual Misconduct](#)
- [No Trespass Notices](#)
- [Personal Safety and Threat Assessment](#)
- [Weapons](#)

#### **Campus Speakers**

The University encourages the airing of diverse viewpoints. The University itself provides a forum for University sponsored speakers, however, it does not take a position regarding the viewpoints these speakers hold. Sponsors must accordingly publicize events conducted in the name of the University in a manner that does not imply University approval or endorsement of the speaker's views. UVM may require that the speaker provide a disclaimer prior to the start of an event. In these cases, the sponsor shall clearly communicate the model disclaimer found in the "Preventing Disruption & Ensuring Safety" section below.

All Sponsors of events and Invited Speakers must review this policy before the event and shall acknowledge in writing their receipt, understanding and obligation to comply with it.

#### **Preventing Disruption & Ensuring Safety**

If the University Sponsor of an event on campus, or of an event otherwise sponsored by UVM, has a reasonable belief that an event will cause, or potentially cause, or encounter an undue disruption to academic or administrative operations, or safety concerns of any kind, the Sponsor must notify UVM Police Services and the Chief Safety & Compliance Officer upon receipt of that information.

The Chief Safety & Compliance Officer and Police Services, in consultation with Emergency Management, facilities teams, and other on and off campus resources will assess the ability of the University to ensure the safety of the event, organizers, speakers, and attendees as well as the broad campus community.

To mitigate safety risks at any event, the University may require reasonable security action including but not limited to: requiring tickets, conducting security searches at points of ingress, changing the venue, augmenting security arrangements or personnel, or transmitting the speech from a secure location by means of a video stream. Cancellation of an event should be an option of last resort.

If at any time, based on objective facts and information available, the Chief Safety & Compliance Officer or designee determines that the event cannot be held safely, the University may decline to host an event, or the event may be canceled or postponed at the discretion of the University. In the event it is determined that the event can be held safely but that additional security or related resources are required to do so, reasonable costs for safety and security planning and execution will be borne by the organizing entity. These costs will be calculated and assessed on the same basis as the calculation of any similarly sized and programmed event without regard to viewpoint or content of the event's participants.

**Disclaimer:** At the event, a designated UVM official, or a representative of the organizer, shall make the following announcement when the event begins:

- Hello. My name is \_\_\_\_\_ [name and title].
- Thank you for attending this event. UVM respects and values free expression, including the lawful expression of dissent.

- Dissent is welcome so long as it does not interfere with the ability of the speaker to deliver the message or the ability of the audience to receive the speaker’s message.
- An individual whose actions interfere in this manner will be warned. If the individual or group continues to interfere, they will be escorted out and will be held accountable under relevant University policies.
- Our goal is to have a peaceful and respectful event. We appreciate your cooperation.

The announcement should be consistent in substance and delivery, regardless of the identity of the speaker(s) or those expressing dissent, or of the content or the viewpoints to be expressed at the event.

**Responding to Disruption**

The primary goal of the University during a disruption is to swiftly reestablish an atmosphere conducive to communication between the speaker and the audience, to ensure full respect for the rights of all parties.

If disruption occurs once the event has begun, a UVM official or a representative of the organizer should pause the event and read the above statement.

If disruption continues, whenever possible and appropriate, UVM officials shall attempt to resolve the situation through dialogue. If reasonable efforts to resolve the situation through dialogue fail, or where disruption presents an imminent and significant threat of violence or risk of harm to persons or property, persons engaged in disruptive conduct will first be advised that failure to desist may result in University disciplinary action, removal from the event, issuance of a trespass notice, and/or criminal prosecution. In cases where, in the considered judgment of UVM officials, action must be taken immediately to avert personal injury or property damage, notice of the violation shall be given at the same time as preventive or responsive action is instituted. Nothing in this section is intended to, nor shall it, prevent duly authorized public safety officials, including UVM Police Services, from taking action consistent with applicable law to protect persons and property.

**Violations of Policy & Sanctions**

Violation of this Policy by an academic or administrative unit, or a recognized group or organization, may result in loss or suspension of facilities use or campus speaker sponsorship privileges and/or recognition. Violation of this policy by employees or students will be reviewed in accordance with applicable University policies and may result in disciplinary action in accordance with relevant Collective Bargaining Agreement procedures or applicable code of conduct or handbook, with sanctions ranging from a warning to permanent separation from the University. Violation of this Policy by non-UVM event organizers may result in suspension or removal of use privileges. In all cases, violations of this policy related to disruption may also result in issuance of a no-trespass notice and/or civil or criminal prosecution.

**Contacts**

<b>Questions concerning the daily operational interpretation of this policy should be directed to the following (in accordance with the policy elaboration and procedures):</b>	
<b>Title(s)/Department(s):</b>	<b>Contact Information:</b>
Chief Safety and Compliance Officer	(802) 656-8937
Police Services	(802) 656-3473 Emergencies Only: 9-1-1
University Event Services	(802) 656-5665 <a href="mailto:eventservices@uvm.edu">eventservices@uvm.edu</a> <a href="http://www.uvm.edu/eventservices">www.uvm.edu/eventservices</a>

## Forms/Flowcharts/Diagrams

- None

## Related Documents/Policies

- [Academic Freedom \(Officers' Handbook and UVM-United Academics Contract\)](#)
- [Alcohol, Cannabis, Tobacco, and Other Drug Use - Faculty and Staff Policy](#)
- [Alcohol, Cannabis, Tobacco, and Other Drug Use - Students Policy](#)
- [Alcohol Service and Consumption at University Activities - Faculty and Staff Procedure](#)
- [Banner Display Procedure](#)
- [Code of Student Conduct](#)
- [Facilities and Grounds Use for Events and Activities Policy](#)
- [Group and Organization Recognition Policy](#)
- [No-Trespass Notices Operating Procedure](#)
- [Political Engagement, Advocacy, and Campaign Related Activities Policy](#)
- [Weapons Policy](#)

## Regulatory References/Citations

- None

## Training/Education

Training will be provided on an as-needed basis as determined by the Approval Authority or the Responsible Official.

## About this Policy

<b>Responsible Official:</b>	Chief Safety and Compliance Officer	<b>Approval Authority:</b>	President
<b>Policy Number:</b>	V. 3.27.1	<b>Effective Date:</b>	December 19, 2023
<b>Revision History:</b>	<ul style="list-style-type: none"><li>• Replaced the Free Expression and Campus Disruption Policy (V. 1.1.4) and Campus Speakers Policy (V. 3.4.2) on December 19, 2023.</li></ul>		

---

University of Vermont Policies and Operating Procedures are subject to amendment. For the official, approved, and most recent version, please visit UVM's [Institutional Policies Website](#)