



Success. It's In Our Nature.

**Policy Name:** Freedom of Speech

**Policy Number:** None

**Functional Area(s) Responsible:** President

**Owner(s) of Policy:** Diversity, Equity & Inclusion

**Most Recent BOT Approval Date:** April, 4, 2019

**Most Recent Review Date:** April 2019 (New Policy)

**Most Recent Review/Revision Type:**  none  minor/non-substantive  substantive/extensive

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**Policy Statement:**

As a public higher education institution, Finger Lakes Community College has a responsibility to respect and foster First Amendment guarantees of freedom of speech and the right to assemble peaceably. Neither student nor instructor shall be deprived of the tenets of academic freedom, including open discussion and investigation, and the College shall be ever conscious of and shall promote the motto of the State University System - "To Learn - To Search - To Serve."

The opportunity for peaceful and orderly assembly for the purpose of exercising freedom of speech will be provided on an equal basis with the college remaining neutral as to the content of the assembly. In fulfilling its educational mission, FLCC reserves the right to regulate the time, place and manner of expression in order to ensure that there is no disruption to the educational or institutional process in ways that interfere with the freedom of others. The goal of such regulation is to protect College property and operations while maintaining a secure environment for individuals to exercise constitutional rights.

FLCC recognizes the complexity of issues surrounding this topic and believes that they require careful and ongoing thought and attention as a community. It is the duty of the College to educate students about the fundamental importance of freedom of expression and diverse views and their history in America. It is also our mission to model and teach civility and tolerance in support of an environment of diversity, equity and inclusion.

The College further recognizes that some speech may contribute to the disenfranchisement and marginalization of some community members, especially those who may feel they do not have the same opportunity as others to exercise their free speech rights. Nevertheless, speech that could be considered hateful or objectionable is still protected, provided it does not incite violence or cross the line into discriminatory harassment which violates College non-discrimination and sexual harassment policies. The College supports additional speech as an appropriate response to such offensive, yet permitted expression, and community members may address speech they find to be offensive or hateful. The community should expect campus leaders to exercise their own free speech rights in responding to speech inconsistent with College values and norms, while recognizing that institutional leadership cannot respond to all speech that some may consider offensive.

The College values practices that increase awareness within the community about the impact that words and expressions may have, with the goal of maintaining a respectful environment for teaching and learning. The College's support for free speech does not mean that the institution agrees with all views expressed or that the College affords moral equivalency to all views. As an institution, the College will take appropriate action against those who threaten or engage in violence on our campus.

**Reason(s) for Policy:**

This policy is consistent with Diversity, Equity, Inclusive practices in higher education pertaining to the expression of diverse perspectives.

**Applicability of Policy:**

All full-time and part-time students as well as all employees should be familiar with this policy.

**Definitions:**

**Free Speech:** The right to express information, ideas, and opinions free of government restrictions based on content and subject within reasonable limitations (e.g., restricting speech to avoid a clear and present danger; or reasonably restricting employee speech as permitted by law and to promote the efficiency of the public services the College performs) especially as guaranteed by the First and Fourteenth Amendments to the U.S. Constitution.

**Diversity:** Individual differences (e.g., personality, prior knowledge, and life experiences) and group/social differences (e.g., race/ethnicity, class, gender, identity, sexual orientation, country of origin, and ability as well as cultural, political, religious, or other affiliations).

**Inclusion:** The active, intentional, and ongoing engagement with diversity—in the curriculum, in the co-curriculum, and in communities (intellectual, social, cultural, geographical) with which individuals might connect—in ways that increase awareness, content knowledge, cognitive sophistication, and empathic understanding of the complex ways individuals interact within systems and institutions.

**Equity:** The creation of opportunities for historically underrepresented populations to have equal access to and participate in educational programs that are capable of closing the achievement gaps in student success and completion.

**Discriminatory Harassment:** Verbal, written, online and/or physical conduct that is:

- Based on a protected characteristic (e.g., sex, gender, race, religion, disability, etc.);
- Unwelcomed; *and*
- Sufficiently severe, persistent or pervasive that it unreasonably interferes with, denies, or limits someone's ability to participate in or benefit from the College's educational program and/or activities; or otherwise creates an intimidating, hostile or offensive work or learning environment.

This definition of discriminatory harassment is intended to be consistent with and include all conduct that is prohibited by the **Non-Discrimination & Sexual Harassment Response and Prevention Policy**.

**Related Documents:**

- FLCC Non-Discrimination Policy
- Sexual Misconduct and Non-Discrimination Policy for Students
- Use of Identification Cards Policy
- Facility Use Policy
- Academic Freedom Policy
- Art Acquisition Policy
- Bias-Related Crime Prevention
- Disorderly Conduct on Campus
- Electronic Messaging Acceptable Use
- Student Code of Conduct and Grievance Procedures

**Procedures:**

None

**Forms/Online Processes:**

None

**Appendix:**

None