

SAINT LOUIS UNIVERSITY

POLICY

Policy on Civil Discourse, Speech and Expression

1.0 Policy Summary

Saint Louis University's (SLU's) commitment to freedom of expression, consistent with its Catholic Jesuit heritage and its status as a research university, is detailed in its *Statement on Speech, Expression and Civility*. This Policy, and its supporting Procedures, detail how the philosophy expressed in the Statement will be promoted and facilitated in the daily life of the SLU community. The focus of the Policy is on creating an environment for learning that embraces diverse opinions and encourages civil discourse while assuring that the legitimate concerns of the institution for reverence toward diversity, safety of its community, and security of the campus environment are met.

2.0 Who Is Affected By This Policy

This Policy applies to those who comprise the SLU community—students, faculty and staff and their organizations—both when an outside speaker or performer is invited to a public event or a University event as defined herein, or when a member of the University community or organization presents a speech or performance outside the classroom or not a part of the curriculum for an academic course. The expectation for of civil discourse at events and activities governed by this Policy extends equally to the SLU community and to those guests and visitors in attendance who are not members of the SLU community.

This Policy does not apply to speakers invited to address a class as a part of the curriculum; to convocations such as commencement; or to speakers and performers in designated University venues when such venues have been rented by an entity from outside the University. This policy does not apply to the rental of University-owned venues to unaffiliated organizations, either for-profit or not-for-profit (for example, Chaifetz Arena has its own policy.).

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3.0 Definitions

Outside speaker or performer is an individual or group of individuals not otherwise affiliated with the University invited by a sponsoring organization to speak or perform in a University venue.

Speech, Expression and Civil Discourse Committee (SECDC) is an advisory group appointed by the President of the University, chaired by the Vice President for Student Development (or designee), and charged with periodically reviewing this policy, monitoring its effectiveness and recommending changes when needed. Upon request, the SECDC also provides advice and recommendations regarding controversial event requests. [see Appendix 1]

Public Event is an event at which attendance is open to the general public.

Publicly-accessible Space includes all traditionally-public areas on the campus such as walkways, quads, plazas, lawns and other green spaces.

Academic community refers to the students, faculty, clinicians, and staff of the University.

University Event is one at which attendance is limited to members of the sponsoring group (closed university event) or to the SLU Academic community (open university event).

Convocation is any University-wide event which is open to the public and which is a part of the University Academic Calendar, such as Baccalaureate or Commencement.

Sponsor is any individual member of the SLU community or organization of students, faculty or staff formally recognized by the University through its usual procedures for such recognition.

Alternative Views and Discourse is a planned and approved opportunity for those with alternative viewpoints concerning the content of a speech or performance to express those viewpoints.

Relevant Official (RO) is the University administrator who has responsibility for the sponsor's area, for example: the Vice President for Student Development is the RO in the case of student sponsors and the Provost is the RO for faculty sponsored events.

Designated University Official (DUO) is a University administrator assigned to coordinate any needed University response at any potentially disruptive event.

Civil discourse is a framework for behavior of all participants, prior to, during and following a speech or performance on campus. Based on the Ignatian guidelines incorporated in the *Statement*, this policy defines this discourse as that which encourages those involved to:

- focus on the issues rather than on the individual(s) espousing them;
- defend their interpretations using factual information;
- thoughtfully listen to what others say;
- strive to maintain respect for the other while undertaking a serious exchange of views;
- appreciate and understand that passion in presenting views is not incivility;
- seek the sources of disagreements and points of common purpose;
- embody open-mindedness;
- take the time necessary for a full conversation, even if it is inconvenient.
- avoid violence of any kind (i.e., verbal, physical).¹

Disruptive behavior is any effort by attendees at an event to prevent a speaker or performer from exercising the right to free speech by interfering with their ability to be heard.

¹ Adapted from A Plea for Civil Discourse: Needed, the Academy's Leadership: Andrea Leskes. Liberal Education. Fall 2013, Vol. 99, No. 4

4.0 Policy

4.1 Facilitating Free Speech

4.1.1 Basic Tenets

Saint Louis University welcomes diversity of thought and lively debate on the variety of issues that energize an academic community's search for truth. The University recognizes that facilitating free expression is not always tidy and may even be controversial. However, it also recognizes that providing opportunities for such expression is fundamental to its role as an academic institution, and, in particular, as a Catholic Jesuit University dedicated to the pursuit of truth for the greater glory of God and for the service of humanity. The University is therefore strongly committed to providing an environment wherein even the thorniest of matters can be explored openly and argued productively. The University neither dictates nor censors content. It does have a responsibility to members of its community to assure that speech and expressive activities are conducted in a way that does not infringe on the rights of any of those members, protects the safety of all and enables the institution to function.

4.1.2 The Responsibilities of Sponsorship

Any individual member of the SLU community or organization of students, faculty or staff formally recognized by the University through its usual procedures for such recognition can sponsor an event that presents speakers or performers in a University venue. With such sponsorship comes responsibility for organizing, conducting and evaluating an event. The sponsor responsibilities include:

- Selection of speakers or performers.
- Informing speakers or performers of the University's commitment to civil discourse and the potential for a presentation of alternative views. (See also Section 4.2.5 below)
- Identifying funds required to support the event, including speaker/performer fees and other costs such as venue charges or security costs, if applicable to the event.²
- Assessing the potential for disruptive behavior or protests related to the event and proposing a plan for dealing with same. (See Section 4.3)
- Following all established University policies and procedures related to contracting, scheduling and use of facilities.
- Maintaining to the fullest extent possible a safe environment.

The University may offer consultative assistance and guidance to assist sponsors in planning and presenting events covered under this policy.

4.2 Organizing an Approved Event

4.2.1 Basic Tenets

Responsibility for planning and managing an event is shared between the sponsor and the appropriate University entities that manage space, catering, security, finance, and other functions that support event success.

4.2.2 Venue Considerations

Providing appropriate interior or exterior space for a University sponsor's events to promote dialogue and open exchange of views is an obligation freely accepted by the University. Accordingly, although a sponsor's access to University venues may be limited by considerations of event size, timing and access,

² If the costs of an event are being met in whole or in part, in cash or in kind, by an organization outside the University, the outside organization is responsible for costs incurred by the University in proportion to its financial contribution to the event.

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it will not be limited as a way of controlling content of an event. Events held inside a University venue will require advance planning and registration. Outdoor expressive events can be held in any publicly accessible spaces on the campus provided the event does not obstruct access to the campus by pedestrians or vehicles, or to University buildings, or interfere with normal University functions. Unless known to the organizers 24 hours before the event that an external speaker(s) will participate, advance approval is not required. Outdoor expressive events are, however, subject to intervention by the University when they involve any of the legal or safety concerns detailed in Section 4.3 of this Policy.

4.2.3 Access Considerations

Public Events are open to the general public. Attendees may be subject to screening to determine compliance with University policies concerning possession of firearms, alcohol or other proscribed items on University property. Attendees at University Events are required to show an approved SLU identification at the entrance or at any time when requested to do so by a University official or security personnel.

4.2.4. Event Publicity

Public Events open to those not affiliated with the University can be publicized to the larger community through any appropriate means, whereas University Events should be publicized only on the campus, and publicity should include the following statement: “This is a University event limited to the SLU community, and admission to the event will require presentation of a valid SLU identification.”

In publicizing any event, the sponsor will clearly indicate in all materials and media that “The views expressed by speakers, presenters, or others who participate in this program do not imply approval or endorsement by the sponsoring group or by Saint Louis University.”

4.2.5 Alternative Views and Discourse

The presentation of alternative views at sponsored events is encouraged in efforts to advance the University’s commitment to civil discourse and free expression. Such opportunities for presentation should be planned and approved in advance, and may be expressed during a moderated question and answer period, by a respondent speaker or panel at the time of or after the event, in a separate opportunity for such response following an event, or even in written materials distributed prior to, or at the event. As a Catholic Jesuit institution, the University is mindful of the social and moral teachings of the Catholic Church. In some instances, the University may choose to offer a Catholic perspective on the subject matter of the speech, performance or presentation. This perspective may be presented in a variety of ways, before or after the event or as a part of the event itself, with prior agreement with the sponsor and speaker.

4.2.6 Communications

The sponsor is responsible for receiving and responding to pre- and post-event communications such as calls, letters and emails whether such are supportive or critical of the event. The response should include the rationale for the sponsor’s choices regarding the event as well as the sponsor’s view of the value the event brought to the SLU community.

4.2.7 Event Review

Following a public or University event as defined in this policy, the sponsor will prepare a brief report detailing those things that went well, and any problems experienced. In particular, sponsor’s comments on the application of this Policy and the related Procedures to their experience would be useful. The report will be provided to the SECDC as a part of its monitoring responsibility.

4.2.8 Political Campaigns

Sponsors must consider that the University, as a tax-exempt entity, is prohibited by law from participating or intervening, directly or indirectly, in any political campaign on behalf of or in opposition to any

candidate for public office at any level; and from supporting particular candidates, political parties, or substantial activity that attempts to influence legislation. This prohibition extends to political fundraising and traditional political rallies, and any event involving an elected official, political candidate, or surrogate must be educational in nature and approved in advance by the Relevant Official (RO) and University Counsel. Compliance with these legal requirements does not mean the University will either promote or suppress expression across the spectrum of political thought represented in its diverse community.

4.3 Managing an Approved Event

Responsibility for managing an event is shared between the sponsor and the University. A representative of the sponsor will set the context for the event. Prior to introducing the speaker or performer, the sponsor's representative will address the University's commitment to civil discourse and freedom of expression and urge attendees to comply in the interests of a fruitful exchange of views. If a presentation of Alternative Views on the speaker's or performer's content is to be a part of the event program, the representative will provide information as to how this will occur.

If deemed necessary for an event, a Designated University Official (DUO) will be present. The DUO is responsible for assuring the event proceeds in a manner consistent with this policy and that supports the speaker's or performer's right to be heard and the audience's right to see and hear the speech or performance. Management of events that engender conflict or stimulate demonstrations or protests is discussed in Section 4.4

In the event the speech or performance is interrupted to the extent the speaker or performer's right to be heard is compromised, the sponsor's representative should be the first person to intervene and attempt to bring the event back on track. Techniques for doing so include reminding attendees of the civil discourse commitment; restating the opportunity for Alternative Views and Discourse, if provided; or recessing the event for a time certain to re-establish control. Response to disruption will be coordinated with the DUO assigned to the event who has the authority to intervene, authorize a security action if necessary and/or to terminate the event.

In general, The DUO will not intervene in the event unless requested by the sponsor's representative or if the event crosses the threshold to involve a legal or safety concern, that is, activity that:

- Is illegal or represents imminent threat of causing verbal or physical violence or illegal action; or
- advocates the physical harm, coercion, intimidation or other invasions of personal rights of individuals within the University community; or
- advocates damage or destruction or seizure of University buildings or other property, or
- involves any activity that disrupts or obstructs the functions of the University or imminently threatens such disruption or obstruction.

4.4 Managing Conflict

4.4.1 Basic Tenets

Although the University values and promotes civil discourse as the best approach to examining different positions on controversial issues, it recognizes that many issues involve passionately-held opposing viewpoints that engender conflict. The University supports the right of members of its community to freely express their disagreement with any speaker or performer, provided that such expression neither impairs the speaker's or performer's free speech right to be heard, nor represents an imminent threat to the safety and security to any members of the SLU community or interferes with the normal functioning of the University. The University's policy is to facilitate an exchange of views on issues, even when that exchange may be contentious. The University reserves the right to act, however, whenever necessary to maintain a safe and secure environment for its community. Restrictive action on a speech or performance should be taken sparingly, when there is a clear and foreseeable threat to the safety and the orderly functioning of the University's academic and business functions. (See Section 4)

4.4.2 Anticipatory Actions

Event sponsors and designated University officials have a joint responsibility for assessing whether a proposed speaker or performer is likely to be considered offensive or harmful by individuals or groups within the SLU community. For those instances where an individual or group in the SLU community is likely to be aggrieved by a speaker or performer, it is strongly encouraged that the sponsor reach out to such individuals and groups in advance of the event for a frank discussion of the sponsor's reasons for proposing the event and the concerns of the adversely affected party(ies). As a part of the discussion, potential for the presentation of Alternative Views or other demonstrations of dissent from the speaker or performers' views must at least be considered.

When considering an event request, particular attention will be given to whether or not the proposed speaker or performer espouses positions that denigrate or attack marginalized individuals or groups, those who experience structural discrimination and systemic injustice in our society. In such situations, the University must consider the impact a speaker or performer may have on the individual or group and take appropriate supportive actions. These actions may include publicly rejecting or condemning some of the ideas and beliefs promulgated by the proposed speaker or performer, as well as providing additional supportive services for vulnerable individuals, as dictated by the circumstances in a specific situation.

In instances where a proposed speaker or performer has a track record of creating controversy or taking position(s) in conflict with the traditions and values of the University as set out in the *Statement*, or advocating actions that raise concerns for safety, the RO will notify the sponsor of the specific concerns raised by the invitation. The RO will work with the sponsor to assess the potential risk posed by the proposed speaker or performer(s) and develop a plan of action to address such risks. The RO may consult as needed with the SECDC and/or with subject matter experts. Following review, the RO will provide guidance to the sponsor concerning the location, structure and timing of the event and/or to provide an opportunity for a presentation of Alternative Views.

4.4.3 Basis for Rejecting a Proposed Event

An event request may be rejected by the RO if it is concluded that the speaker or performer's advocacy of any actions or positions are likely to constitute a clear and present and significant risk to the orderly implementation of the University's activities and its obligation to maintain a safe environment for its community and its members. One important factor to consider will be whether the track record of the speaker or performer in other settings has been marked with any violence, safety threats, or other disruption incompatible with this policy.

4.4.4 Appeal of Decision to Reject a Proposed Event

A sponsor has the right to appeal any decision of the RO to reject or restrict a request to hold a proposed event. The appeal shall be in written or electronic form and submitted to the RO. The appeal should provide a detailed response to the reasons given for disallowing or restricting the event and include a specific request for relief. The RO will consult with the SECDC in considering the appeal. The sponsor has a right to attend any meeting at which the appeal is considered and to be heard as a part of the proceeding. At the conclusion of an appeal meeting, the RO and the SECDC will make recommendations to the President, who has the final authority to uphold or set aside the original decision under appeal. In most instances, the appeal will be decided within 10 working days.

4.4.5 Basis for Rescinding an Invitation to a Speaker or Performer

Invitations extended by sponsors to external speakers or performers may be rescinded if the University's President or designee concludes that the speaker or performer's advocacy of any actions or positions is likely to constitute a clear, present and significant risk to the orderly carrying out of the University's activities and its obligation to maintain a safe environment for its community and its members. Again, the track record of the speaker or performer in other settings will be an important factor in this decision.

4.4.6 Protesting an Event

Protest by members of the University community is an expression of free speech and is a right that is supported by the University, provided such activities do not violate a speaker or performer’s right to be heard and an audience’s right to see and hear a speech or performance. It is the responsibility of designated University officials and the sponsor, working together, to assess the potential for protest in conjunction with an event and make arrangements for reasonable accommodation of protesters as part of the event plan. When deemed necessary, such arrangements may include reservation of appropriate space(s) adjacent to the event venue for protesters. However, it is not required that protests be limited to a specific location, and all publicly accessible spaces on the campus are available for protest, provided that such activities do not violate this or other University policies, disrupt or threaten to disrupt University functions, or curtail the free speech rights of others.

Protests by members of the SLU community are allowed in university buildings provided their protest does not interrupt or disturb academic or office functions or prevent ingress or egress for those not involved in the protest.

4.5 Violations of Policy

All members of the SLU community are accountable for their actions in maintaining an environment of open and civil exchanges of ideas. Students violating this policy will be subject to the disciplinary procedures under the University’s Code of Community Standards. Faculty and staff violations will be handled in accord with the University’s Faculty Manual and Human Resources policies.

5.0 Related Documents and Tools

This Policy on Civil Discourse, Speech and Expression is derived from, and supports, the Saint Louis University *Statement on Speech, Expression and Civility* which details the values, history and commitments of the institution to freedom of expression. In turn, this Policy undergirds the University’s *Procedures* for implementing this *Policy*.

6.0 Roles and Responsibilities

Assuring compliance with this Policy is the responsibility of the RO for the sponsor’s area and, ultimately, the President. The implementation of the Policy will be reviewed periodically by the SECDC. In carrying out that responsibility, the functions of the Committee include developing guidelines as needed to implement this Policy; monitoring of the effectiveness of the Policy and Procedures in achieving their intent; proposing amendments to the Policy and Procedures when needed; and periodically communicating and maintaining transparency with the SLU community concerning the effectiveness of the Policy and Procedures in supporting the objectives articulated in the *Statement on Speech, Expression and Civility*. The SECDC also helps develop, publicize and review appeal procedures.

7.0 Revision History

[As applicable - Listing of updates made to the Policy document]

REVISION HISTORY		
EFFECTIVE DATE	REVISION NUMBER	MODIFICATION
	1.0	New Document

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Appendix 1 Speech, Expression and Civil Discourse Committee (SECDC)

Compliance with SLU's SEC policies will be facilitated and monitored by the SECDC appointed by the President and chaired by the Vice President for Student Development or designee. Membership on the SECDC shall include student, faculty and staff representation, with particular attention focused on ensuring member diversity. The functions of the committee include:

- reviewing guidelines as needed to implement this Policy;
- monitoring of the effectiveness of the Policy and Procedures in achieving their intent;
- proposing amendments to the Policy and Procedures when needed;
- periodically communicating with the SLU community concerning the effectiveness of the Policy and Procedures in supporting the objectives articulated in the *Statement on Speech, Expression and Civility*; and
- providing advice and recommendation(s) concerning controversial events when requested by an RO or the President.