


Randolph College Policy Proposal/Revision Cover Sheet

(Text will re-size as you type)

<p>POLICY NAME</p> <p>Free Expression</p>	<p>PROPOSAL TYPE</p> <p><input checked="" type="checkbox"/> New policy</p> <p><input type="checkbox"/> Revision to existing policy</p> <p><input type="checkbox"/> Retirement of existing policy</p>	<p>NAME OF LEAD POLICY DRAFTER</p> <p>See Below </p>
<p>BRIEF POLICY DESCRIPTION</p> <p>Provides a statement of support for free expression and establishes the processes and regulations for protests, rallies, and demonstrations on campus.</p>	<p>POLICY TYPE</p> <p><input checked="" type="checkbox"/> Standalone</p> <p><input type="checkbox"/> Part of Larger Policy Document:</p> <p>RESPONSIBLE DEPARTMENT OR OFFICE</p> <p>Dean of Students</p>	<p>OTHER INDIVIDUALS INVOLVED</p> <p>Bill Breedlove, Amanda Denny, Charles Gibson, Chris LeMasters, Melissa Meador, Tim Smith</p> <p>ORIGINAL SUBMISSION DATE</p> <p>8/5/24</p> <p>DESIRED IMPLEMENTATION DATE</p> <p>Immediately</p>

BRIEF RATIONALE FOR POLICY

Include any external mandates, regulations, accreditation factors, reporting, etc.

Currently the College has no set procedures or comprehensive policies specifically for protests, rallies, or demonstrations on campus.

DEPARTMENTS OR OFFICES OF THE COLLEGE IMPACTED

The policy applies to all students and employees across the College.

EXISTING COLLEGE POLICIES IMPACTED BY OR OVERLAPPING THIS ONE

The policy may overlap or duplicate information in the Student Handbook, Faculty Handbook, and/or Employee Handbook.

OFFICES RESPONSIBLE FOR FIVE-YEAR POLICY REVIEW

Include brief description of how five-year policy review will be conducted.

Dean of Students, Provost, Intercultural Center, Campus Security, and Human Resources

Leadership in the offices above will review the policy together and make revisions as needed.

ASSUMING PASSAGE, YEAR AND TERM OF FIRST FIVE-YEAR REVIEW: Fall 2029

RESOURCES NECESSARY FOR IMPLEMENTATION

Include necessary training as well as operational costs.

None.

NEW COMMITTEES OR GROUPS NECESSARY FOR IMPLEMENTATION

Describe the composition of necessary committees.

None.

APPROVAL TIMELINE

Entering a name and approval date below signifies that written approval has been communicated.

<i>Approval Stage</i>	<i>Name</i>	<i>Approval Date</i>
(1) Direct Supervisor of Lead Policy Drafter (if applicable)	Tim Smith	8/15/24
(2) Appropriate President's Leadership Team (PLT) Member (if other than policy drafter)	Same as Policy Drafter	N/A
(3) First PLT Approval (prior to Public Comment Period)	Smith	8/13/24
(4) Second PLT Approval (following Public Comment Period)	Smith	9/16/24
(5) Board of Trustees (if applicable)	N/A	

BEFORE SUBMISSION TO THE PLT, ENSURE THAT ● THIS FORM IS FULLY COMPLETED (I.E., IF A QUESTION IS NOT APPLICABLE, PLEASE INDICATE THAT); ● THE *APPROVAL TIMELINE* DIRECTLY ABOVE IS COMPLETED THROUGH STEP 2; ● IN THE POLICY ITSELF, (A) ALL SPECIALIZED TERMS ARE CLEARLY DEFINED AND (2) AN APPEALS PROCESS IS ADDRESSED AS APPROPRIATE.

VPIE COMPLETES UPON FINAL APPROVAL

Date of final approval	9/16/2024
Date policy goes into effect	9/16/2024
Individual responsible for implementation	Lemasters

FREE EXPRESSION POLICY

Randolph College is a community that is united, respectful, secure, safe, inclusive, accountable, empowered, and open to growth. We support free expression to uphold the values embedded in its mission: engaging the world critically and creatively, living and working honorably, and experiencing life abundantly. The College encourages authentic free expression with the understanding that with this freedom comes responsibility. Randolph College community members (all current students and employees) are expected to engage in civil discourse and constructive dialogue. The College strongly encourages community members to leverage the ability of free expression to facilitate truth discovery.

The College is committed not only to promoting the freedom of debate and deliberation, but also to protecting the vision and values of the College. It is an essential part of the educational mission to educate members of the community about these fundamental principles, and to foster the community's ability to engage in debate and deliberation in an effective and responsible manner.

Free expression includes the freedom to engage in non-disruptive counter-speech. Members of the College community are free to contest ideas expressed on campus and to criticize speakers who present their views; however, members of this community may not obstruct or otherwise interfere with the freedom of others to speak or engage in their own permitted acts of expression.

The primary purpose of the College is to discover and disseminate knowledge through teaching, research, and service. To fulfill these functions, a free exchange of ideas is necessary not only within its walls but with the world beyond. The history of intellectual discovery and growth clearly demonstrates the need for freedom; the right to think the unthinkable, discuss the unmentionable, and challenge the unchallengeable. Whenever someone is deprived of the right to state unmentionable views, others are necessarily deprived of the right to listen to and evaluate those views. The College must protect and guarantee intellectual and academic freedom. To do so it must promote an environment in which any and all ideas are presented. Through open exchange, vigorous debate, and rational discernment, the campus community can evaluate ideas.

Every member of the campus community has an obligation to support the right of free expression along with refraining from actions that reduce intellectual discussion. No member shall prevent such expression, which is protected under the constitutions of the United States and the State of Virginia.

While legal protections for free expression may sometimes supersede the values of civility and mutual respect, members of the College community should weigh these values carefully in exercising their fundamental right to free expression.

In addition, the College will restrict expressions which¹:

- deprive others of their ability to participate in our learning community;
- violate local, state, or federal law;
- harass, threaten or slander;
- run contrary to the regulations and/or functioning of the College.

These limited exceptions will be observed by the College in a manner consistent with the spirit of its effort to provide an ideal environment for free expression.

Nothing in this policy is intended to, nor should be construed to, limit or interfere with employee rights as set forth under all applicable provisions of the National Labor Relations Act, including Section 7 and 8(a)(1), the right to organize and engage in protected, concerted activities regarding the terms and conditions of employment.

I. Protests, Rallies, and Demonstrations

Randolph College believes that the safety and well-being of campus community members must always be protected and of utmost importance. Content-neutral time, place, and manner restrictions have been established to support the right to engage in campus protests, rallies or demonstrations while safeguarding the rights and safety of the entire College community, given our small campus and limited staff. These restrictions do not interfere with anyone's right to express themselves or be heard.

The right to protest, rally or demonstrate is limited to current College staff, faculty, and students. As a private institution, Randolph College can restrict campus access and use by non-community members. To maintain a safe campus and ensure academic operations, individuals and organizations outside the campus community are not allowed to organize or participate in protests, rallies, demonstrations, or counter protests on campus.

Campus members wishing to organize a protest, rally, or demonstration must complete the Demonstration Request Form 72 hours in advance of their desired start time. The Demonstration Request Form will be reviewed by a member of the Dean of Students Office Staff alongside the Director of Campus Safety. Campus community members completing the Demonstration Request Form should actively monitor their Randolph College email for updates and requests for additional information. A decision will be emailed to the Randolph College email address of the campus member wishing to host a protest, rally, or demonstration from the Director of Campus Safety or their designee. If approved, all individuals involved in the protest, rally, or demonstration must follow the requirements outlined in this policy.

- a. *Designated Areas.* There are two approved, designated demonstration areas on campus: SunTrust Plaza and Michels Plaza.

¹ See [Employee Handbook](#), [Faculty Handbook](#), and [Student Handbook](#).

- b. *Designated Times.* Protests, rallies, or demonstrations may take place from 9:00 am-9:00 pm.
- c. *Requirements & Regulations.* Protest, rally, or demonstration managers and participants must comply with all College policies and procedures and College officials' directions:
 - i. The rights of others or their right to demonstrate must not be impeded.
 - ii. The health and safety of others must not be endangered.
 - iii. Normal College functions (including classes, events, and the social climate) must not be disrupted.
 - iv. There must not be any damage to property.
 - v. Virginia state policy prohibits the wearing of head/face coverings with the intent to conceal one's identity during these events. See the Virginia legal code for further information.²
 - vi. Activities can occur only in reservable spaces following reservation procedures.
 - vii. Participants must stay 20 feet away from building entrances and exits.
 - viii. Entrances, exits, and passageways must not be blocked.
 - ix. Displaying images, messages, or signs on College buildings or property is prohibited.
 - x. The use of sound amplification (via bullhorns, electric speakers, etc.) is prohibited.
 - xi. If the College requires additional safety officers, those costs may be passed on to the organizing group. Searches or metal detectors may be used for safety.
 - xii. Individuals participating in the protest, rally, or demonstration may be asked to show College identification.
 - xiii. Weapons are not permitted on campus at any time.
 - xiv. The event manager must inform participants of event parameters set by the Dean of Students and Campus Safety, ensure participant safety, act as the primary contact with College officials during the event, and be on-site during the event.
 - xv. Individuals are not permitted to sleep or stay overnight in public campus spaces (such as residence hall lounges, the Student Center, Main Hall Lobby) or College-owned outdoor green spaces (such as approved demonstration areas, gazebo, balconies, rooftops).
 - xvi. Theft or inappropriate possession of College property or the property of another student/employee is prohibited.
 - xvii. The use of abusive, threatening, or obscene language is prohibited.
 - xviii. Any type of harassing, frightening, threatening, or intimidating conduct is prohibited.
 - xix. Physical force should be restrained throughout the event.

² See [Va. Code 18.2422](#).

- xx. Streaking or other public undress, public urination, and public defecation are prohibited.
- xxi. No object or substance should be thrown or used as a projectile.
- xxii. The use of spray paint is prohibited.
- xxiii. Using electronic or other devices to take pictures and/or make an audio or video recording of the private activities of any person without their prior knowledge or effective consent, including for use on social media, is prohibited.
- d. *Students and Employees.* The Code of Student Conduct and Employee Conduct and other administrative rules must be followed. Indecent, grossly obscene, or offensive expressions related to race, age, ethnicity, religion, gender, disability, sexual orientation, or other protected categories are not tolerated. Any violations of this policy or any College standard policies will be addressed in a corrective manner. Violation of conduct or policy will be addressed appropriately with corrective action or termination.
- e. *Guests and Visitors.* Guests and visitors are not allowed to participate in campus protests, rallies, demonstrations, or counter protests.

II. Posters, Flyers, Handbills, Banners, and Chalking

- a. *Right of Refusal.* The College reserves the right to restrict the placement of flags, decorations, or other objects in campus public spaces in association with public expression. Permission must be obtained from the Dean of Students before posting or hanging any objects.
- b. *Chalk.* Chalk is allowed only on concrete sidewalks and blacktop surfaces. The use of chalk is not allowed on the front campus, under covered porches or trolleys, on stairways, or on vertical surfaces or brickwork at any time. Chalk must not be used to advertise alcoholic beverages or make obscene statements.

III. Temporary Displays

Tents, canopies, or any similar structures are not allowed on campus as part of a protest, rally, or demonstration.

Failure to comply with College policies or lawful directives, including orders to stop an event, will result in immediate suspension or stoppage of the protest, rally, or demonstration by Campus Safety, the Dean of Students, or their designee. The College may involve law enforcement, such as Lynchburg police, to disband unlawful or unauthorized protests, rallies, or demonstrations.

This policy does not override local, state, or federal laws. Students and employees who do not comply with the Free Expression Policy will be referred to the appropriate disciplinary body or supervisor. Non-students, unrecognized student organizations, or non-employees are not subject to College discipline and may face action under local and state law for non-compliance.