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# EDUCATE, NOT REGULATE

A CASE STUDY FOR PINEYWOODS UNIVERSITY



# Overview

- **About Pineywoods University**
- **Pineywoods Current Policy on Guest Speakers**
- **1st Amendment and Free Speech**
- **Limited Public Forum**
- **A Review of Free Speech Policies Around the Country**
- **Problematic Campus Climate**
- **NASPA Principles of Good Practice for Student Affairs**
- **Lessons Learned from Other Universities**
- **Recommended Changes to Pineywoods Current Policy**
- **Initiatives**



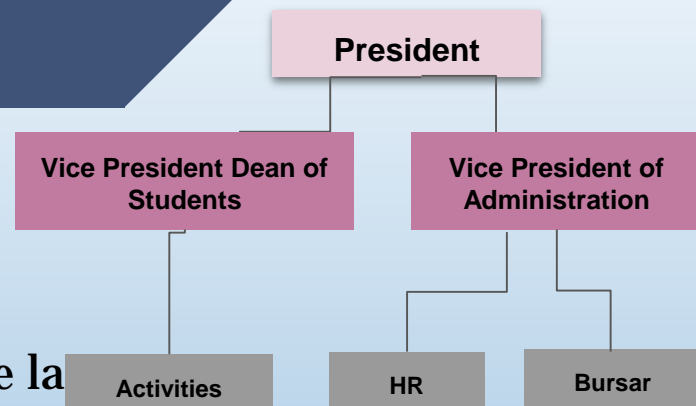
# About Pineywoods University

Located in Pineywoods, Texas  
Established in 1945  
Four year bureaucratic institution

“The type of organization designed to accommodate large scale administrative tasks by systematically coordinating the work of many individuals” (Richard Birnbaum, 1998)

Population: Approximately 14,000 undergraduate students  
Approximately 1,200 Graduate students

Just under half of the student population is from a lower socioeconomic background and many of these students are first generation college students



# Mission Statement

Pineywoods University is a comprehensive institution dedicated to excellence in teaching, research, scholarship, creative work, and service. Through the personal attention of our faculty and staff, we engage our students in a learner-centered environment and offer opportunities to prepare for the challenges of living in the global community.



Pineywoods University

# Current Guest Speaker Policy Synopsis

- If a student organization brings an outside speaker or guest to campus, they must:
  - Have date and location approved by the Director of Student Engagement
  - Reserve the location at least 48 hours before the event
- Speaker views do not necessarily represent the views of the university
- Speakers may not:
  - Present material that would materially disrupt the university or its objectives; or
  - Advocate the imminent violation of law

## **Current Guest Speaker Policy Synopsis Continued**

- **Protests can occur at any location in the university as long as they do not materially disrupt or interfere with the normal activities or objectives of the university**
- **University Police Department will be called and they will take necessary measures according to threat level if a protest were to:**
  - **materially disrupt or interfere with the normal activities or objectives of the university**
  - **spark any form of violence**

## Problematic Campus Culture (Thomas, 2018)

The committee determined that Pineywoods University has a problematic campus culture described as a **Policing Culture** which has been linked to bureaucratic institutions

A **Policing Culture** as defined by Nancy Thomas (2018) is where “either students or administrators take on the task of defining and policing what can and cannot be said--and in different ways

- Students do not tolerate intolerance; they will block speakers or try to ostracize those with views that are not shared
- Administrators regulate every scenario and may use disciplinary action

The committee concluded that to “***educate, not regulate***” would be the goal in cultivating a speaker policy that promotes free speech while maintaining justice, honesty, equality, civility, freedom, dignity, and responsible citizenship



# Balancing Free Speech and Inclusion (Thomas, 2018)

## Considerations when evaluating current speaker policy and making recommendations:

- Encourage social cohesion across all social and political groups
- Promote political discussions in the classroom and beyond
- Manage, not dodge free speech that has no educational merit
- Encourage student input and listen to them; respect students as leaders and partners

# Constitution of the United States

“*Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.*”

# The Preservation of Free Speech

- The freedom to express and explore different beliefs supports the mission and purpose of Pineywoods University
- At Pineywoods University we encourage our students to engage in conversation that is respectful and thought provoking even though it may be challenging or uncomfortable
- It is necessary that university policy be consistent with our mission to educate students for an evolving society



# Limited Public Forum

A limited (or designated) public forum, according to the Supreme Court, “is a forum set aside by government for expressive activities”

- Our committee considered making our campus a Limited Public Forum
  - List of Pros and Cons to aid in decision making
- Cases and Articles used as examples in Pros and Cons list
- Cons
  - Causes more scrutiny
  - [Southeastern Promotions v Conrad \(1975\)](#)
  - [Rosenberger v Univ. of Virginia \(1995\)](#)
- Pros
  - Using facilities to host guest speakers
  - [Student Affairs Hosts Public Forum, Students Voice Political Concerns](#)
  - [The Case of the Censored Newspaper](#)

# NASPA Principles of Good Practice for Student Affairs (2018)

The NASPA Principles of Good Practice for Student Affairs (2018) were consulted and used by the committee as a context for examining and making recommendations for the Pineywoods University speaker policy:

- ***Engages students in active learning to bring their life experiences into the learning process***
  - Allow students to participate and be heard in the revision process of the speaker policy
- ***Helps students develop consistent values and ethical standards; effective learning communities are committed to justice, honesty, equality, civility, freedom, dignity, and responsible citizenship***
  - New speaker policy should bind the campus community to its educational mission and encourage a more positive campus climate
- ***Sets and communicates high expectations for student learning with individual and community responsibility***
  - High expectations set forth in the speaker policy will communicate positive behaviors and community responsibility to students, faculty/staff, and community members

# NASPA Principles of Good Practice for Student Affairs (2018) Continued

- ***Uses systematic inquiry to improve student and institutional performance***
  - Review of the speaker policy on a regular basis will promote effective practices and policies
- ***Uses resources effectively to achieve institutional missions and goals***
  - Improve learning environments by educating the campus community to move toward the mission and educational goals of the university
- ***Forges educational partnerships that advance student learning***
  - Support collaboration and education with students, faculty, staff, administrators and others inside and outside the university regarding policy and implementation
- ***Builds supportive and inclusive communities***
  - Speaker policy should value diversity, promote social responsibility, discussion, debate; encourage connections and interpersonal relationships

# Guidance from the Free Speech Policy Compendium

Research conducted allowed our team to compare existing policies to those from similar institutions by utilizing the [Free Speech Policy Compendium](#)

Free Speech Policy Compendium served as a resource for:

- Comparing existing campus speech policy to institutions of similar size
- Informing our efforts to revise or update the current speaker policy
- Considering when developing statements on free speech

# Lessons Learned From Other Universities:

- From [University of Virginia](#): Location of Charlottesville Tragedy:
  - On August 11, 2017, a group of white supremacists marched through the UVA campus with torches that incited violence which left one woman dead
- What was learned:
  - Grounds permits are a MUST for guest speakers AND protests
  - Formed a threat assessment team
    - Made up of University Police Department officers and Student Affairs staff members
  - Educating University Police Department about ALL policies involving student, faculty and staff safety





# Lessons Learned From Other Universities Continued

- [Texas A&M - College Station](#)
  - On December 7th, 2016, a Texas citizen invited Richard Spencer, a white supremacist to speak at an event. This led to many student protests and also led to a change in policy at the institution
  - This policy stated only student organizations at Texas A&M are permitted to invite outside speakers
  - To ensure campus safety, and avoid liability, all event details and security measures must have been put in place and talked about with not only the guest speaker but also the student organization and the office of student affairs
- [University of California - Berkeley](#)
  - Student organization planned to hold a “Free Speech Week” but was cancelled the day before it was to begin due to a controversial speaker sparking violent protests.
  - The University of California System recommended administrators be trained on mediation, de-escalation, and policies on what weapons are available to university police and what university police are and are not able to do during threatening situations



# Guest Speaker Policy Recommendations

- Incorporate the importance of free speech by updating the policy to manage speaking events but not avoid them
- Seek guidance from the NASPA Principles of Good Practices for student affairs to ensure policy meets the standards
- Incorporation Of what to-do and what not-to-do procedures
- Accessibility of guest speaker policy-research found that the Pineywood's speaker policy as well as other institution's speaker policies were hard to locate and not made easily accessible
- Collaborate with University Police Department and campus officials to form a risk management team to assess the campus climate
- Consider student input and perspectives during the policy revision process
- Speaker must be invited by student organization and complete all necessary forms; student organization is responsible for:
  - Reviewing guest speaker contract
  - Filing a grounds form with the Director of Student Engagement
  - Ensuring presence of staff member at speaking events to interject if necessary

# Openness and Accessibility Initiative

Implementation: We suggest collaborative policy review be held every other year with student leaders and student affairs staff. Once any changes are made students should be updated of those changes at student leader trainings

Purpose: The purpose of these reviews would be to reflect on current policy, assess its effectiveness, and recommend the appropriate changes. Student input should be taken into consideration during the revision. Policy changes as a result of the meetings should be easily accessible and understandable to students



# Student Education Initiative

**Implementation:** When students request appropriate forms to invite speakers to campus they should be handed a copy of the “guest policy.” The student will be invited to come and speak with the Director of Student Engagement before the event to go over the guest’s contract and the event itself. This will help ensure that all parties are on the same page and have the same expectations for the event

**Purpose:** To educate student leaders and make them aware of current guest speaker policies. This will help ensure the safety of the students and encourage civility during the events

During the biannual policy review the effectiveness of the student education initiative will be assessed

# Risk Management Initiative

**Implementation:** We suggest the formation of a Risk Management Team with representatives from the University Police Department, Student Affairs, General Counsel and other departments deemed necessary. This team will construct a crisis action plan to be used during an emergency

**Purpose:** To have trained personnel who are equipped to address on campus crisis situations

# Debriefing Space Initiative

**Implementation:** Students will have access to an alternate space where they can freely discuss and reflect on guest speakers and the content of their message. Debriefing spaces are meant to eliminate the disruption caused by potentially controversial or volatile speakers. Therefore debriefing spaces will be implemented in conjunction with speakers we anticipate will provoke strong reactions from students

**Purpose:** To provide students with an outlet for their thoughts and concerns in response to guest speakers by encouraging open conversation

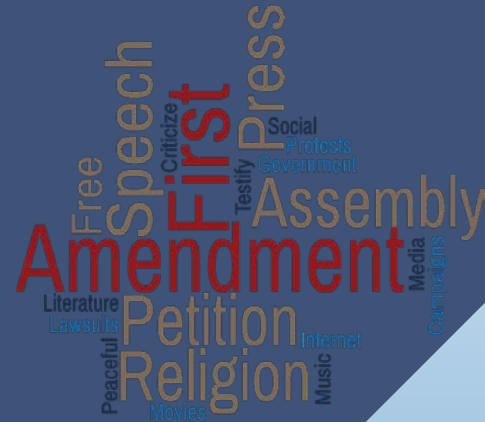
The programs effectiveness will be assessed to determine further use and implementation

# Principles of Good Practice Criteria Met\*

	#1 Engages Student in Active Learning	#2 Coherent Values and Ethical Standards	#3 Communicates High Expectations and Community Responsibility	#4 Assessment Methods Used to Gain Information	#5 Uses Resources Effectively	#6 Partnerships that Advance Student Learning	#7 Build Supportive and Inclusive Community
<b>Openness &amp; Accessibility Initiative</b>	✓	✓	✓	✓	✓	✓	✓
<b>Student Education Initiative</b>	✓	✓	✓	✓	✓	✓	✓
<b>Threat Assessment Initiative</b>		✓	✓		✓	✓	✓
<b>Debriefing Spaces Initiative</b>	✓	✓	✓	✓	✓	✓	✓

\*Initiative recommendations in accordance with the the NASPA Principles of Good Practice standards

# Questions?





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