

Freedom of Expression

Adopted Policy 1.2

Policy Purpose

To set forth the University at Albany's commitment to encourage and preserve free speech, freedom of expression and freedom of assembly for the entire University community as guaranteed by the United States Constitution and the New York State Constitution.

Responsible Office

Provost Office

Responsible Executive

Chief of Staff to the Provost

Policy History

- Date of Interim Approval: August 24, 2018
- Date of Permanent Approval: March 4, 2019

Policy Statement

The rights of free speech, freedom of expression and freedom of assembly are the foundation of a higher education institution's mission. As a public institution, the University is also bound by legal requirements that the campus be open to third parties to exercise their free speech rights under the principles of a limited, designated forum. The University is committed to protecting the rights of free speech, freedom of expression, and freedom of assembly guaranteed by the United States Constitution and the New York State Constitution.

Persons Affected

Students, Faculty, Staff, Third Parties

Definitions

Third Party or Parties is any person, organization, group or entity not legally affiliated with the University including, but not limited to, the general public, contractors, vendors, guests and visitors to the University, those using University facilities or property under a University revocable permit, and volunteers not enrolled as such on University systems.

University is the University at Albany, State University of New York.

Policy

The University welcomes free expression in all its forms, including the expression of dissent. To implement this commitment to protecting the rights of free speech, freedom of expression, and freedom of assembly, the University fosters an environment in which persons who are legitimately on campus may freely express their views. In furtherance of such commitment, the University pledges to provide the greatest protection available for controversial, unpopular, opposing or dissenting opinions.

This Policy shall be effective immediately upon approval.

Procedures

SUNY policies 5603 Use of Facilities by Non-Commercial Organizations and 5607 Commercial Use Policy (Use of University Facilities for Commercial Purposes) as well as the University at Albany's Public Forum policy provide the procedures under this policy. Cases of non-compliance shall be referred to the appropriate offices, in particular the Office of Community Standards and Human Resources.

Related Documents

Statutes:

- United States Constitution, First Amendment
- New York State Constitution, Articles 8 & 9

Regulations: 8 NYCRR Part 535

SUNY Policies:

- [5603 Use of Facilities by Non-Commercial Organizations](https://www.suny.edu/sunypp/documents.cfm?doc_id=374)
(https://www.suny.edu/sunypp/documents.cfm?doc_id=374)
- [5607 Commercial Use Policy \(Use of University Facilities for Commercial Purposes\)](https://www.suny.edu/sunypp/documents.cfm?doc_id=704)
(https://www.suny.edu/sunypp/documents.cfm?doc_id=704)
- [SUNY Board of Trustees Policy on Academic Freedom Article XI, Title I](https://www.suny.edu/SUNYPP/index.cfm?clear=y)
(<https://www.suny.edu/SUNYPP/index.cfm?clear=y>)

University Policies, Guidelines and Procedures:

- [Public Forum Policy](https://www.albany.edu/risk-management-compliance/policy/public-forum-time-manner-and-place-rules) (<https://www.albany.edu/risk-management-compliance/policy/public-forum-time-manner-and-place-rules>)
- [Exterior Posting Policy](https://www.albany.edu/student-activities/student-organizations#heading-policies-3) (<https://www.albany.edu/student-activities/student-organizations#heading-policies-3>)
- [6.1 Weapons on Campus](https://www.albany.edu/risk-management-compliance/policy/weapons-campus) (<https://www.albany.edu/risk-management-compliance/policy/weapons-campus>)
- [6.2 Prohibited Items and Activities during Events](https://www.albany.edu/risk-management-compliance/policy/prohibited-items-and-activities-during-events) (<https://www.albany.edu/risk-management-compliance/policy/prohibited-items-and-activities-during-events>)
- [6.4 Rules for the Maintenance of Public Order](https://www.albany.edu/risk-management-compliance/policy/rules-maintenance-public-order) (<https://www.albany.edu/risk-management-compliance/policy/rules-maintenance-public-order>)
- [7.1 Camping on Campus](https://www.albany.edu/risk-management-compliance/policy/camping-campus) (<https://www.albany.edu/risk-management-compliance/policy/camping-campus>)
- [7.2 Chalking, Marking, and Painting on Campus](https://www.albany.edu/risk-management-compliance/policy/chalking-marking-and-painting-campus) (<https://www.albany.edu/risk-management-compliance/policy/chalking-marking-and-painting-campus>)
- [Alcohol Policy - Students](https://www.albany.edu/studentconduct/community_rights_and_responsibilities.php)
(https://www.albany.edu/studentconduct/community_rights_and_responsibilities.php)
- [Alcohol Policy - Employees](https://www.albany.edu/hr/assets/Alcohol.pdf) (<https://www.albany.edu/hr/assets/Alcohol.pdf>)
- [Sexual Harassment and Assault Policy](https://www.albany.edu/hr/assets/Sexual_Harassment_Policy_and_Procedures.pdf)
(https://www.albany.edu/hr/assets/Sexual_Harassment_Policy_and_Procedures.pdf)
- [Community Rights and Responsibilities](https://www.albany.edu/studentconduct/community_rights_and_responsibilities.php)
(https://www.albany.edu/studentconduct/community_rights_and_responsibilities.php)

- [Nondiscrimination Notice \(https://www.albany.edu/hr/assets/Nondiscrimination-Notice.pdf\)](https://www.albany.edu/hr/assets/Nondiscrimination-Notice.pdf)

Other: None