

## **Voices of Respect: Free Speech Rights & Limits Toolkit for Campus Leaders**

Updated: 9/17/2024

This fall, UWM will continue educating the campus community about free speech, lawful protest and campus conduct not only for our students but also for our faculty and staff. We want to remind the campus community of expectations for behavior around free expression. UWM will enforce all state laws, Universities of Wisconsin and UWM policies, and our university's student and student organization codes of conduct.

Faculty and staff will look to you as campus leaders for direction and guidance. The information below serves as a "toolkit" for addressing questions about free speech, protests, political activity and how to approach students' concerns.

More information on policies, guidelines and resources can be found on UWM's Free Speech website: [uwm.edu/freespeech](http://uwm.edu/freespeech).

### **What employees should know**

1. UWM supports free speech and expression, but there are limits. All expressive activity must abide by state and federal laws and university policies. Should activity violate laws or the code of conduct (like disruptions, encampments or building occupations), UWM will take appropriate action to enforce the rules, including ending the encampment or occupation, issuing citations and initiating student conduct and student organization conduct disciplinary processes.
2. Faculty and staff are always free to express their thoughts on current events on personal time through their personal communications using personal, not UWM email and/or UWM-affiliated social media accounts.
3. Employee attendance at protests, rallies or assemblies occurring on campus during work time is only permissible if attendance is related to your job duties. Attending protests, rallies or assemblies during an unpaid break is permissible, but absences from the workplace that extend beyond an individual's break time require the use of leave time consistent with university policy.
4. Departments or other subunits should not issue statements on public events or issues that do not maintain viewpoint neutrality and/or do not impact their educational mission. (See section below for specifics.)
5. UWM is committed to a safe campus for students, faculty, staff and visitors. Any member of the campus community can request support from the UWM Police Department. A number of student and employee support resources are available as well. (Listed below.)

## Free speech and its limits

UWM remains committed to supporting safe and lawful free speech and expression, but UWM also must focus on ensuring the physical safety of our campus community. In no case does UWM condone language that targets individuals or specific populations, even if that speech is legally protected.

UWM, and every member of our campus community, must respect each individual's right to speak freely and take part in peaceful protests and demonstrations. As a public institution, UWM cannot, with very few exceptions, regulate or sanction speech based on its content or the viewpoint of the person speaking.

Hate speech is offensive and hurtful; however, it is generally protected by the First Amendment. [Learn more about hate speech in this FAQ.](#)

UWM can, however, regulate speech based on the time, place and manner it occurs. Speech cannot disrupt, impair or interfere with University activities, events or operations.

Other examples of speech that are not protected: Hecklers who shout down and try to drown out a speaker during a gathering – [that's misconduct](#). [Discriminatory harassment](#), defamation, speech that unduly intimidates someone, [threats](#) and [imminent incitement of violence](#) are examples of speech that is not protected by the First Amendment.

UWM can take action to address time, place and manner violations, disruptions, and speech that is not protected by the First Amendment.

Faculty and staff are always free to express their thoughts on current events on personal time through their personal communications using personal, and not UWM email and/or UWM-affiliated social media accounts.

## Sharing Events

Faculty and staff may be asked to share events that students might attend. If the event is **NOT** sponsored by UWM, related to your academic program or apolitical, it may be drifting into the area of political activity or current events, and care should be taken in deciding to use UWM resources to inform students about it.

If nonpartisan, apolitical events are being shared to encourage students to connect to UWM, such as university welcome activities, university-sponsored social events, etc., these can be shared freely in support of student wellness and retention.

## Statements on Current Events and Issues

Consistent with Universities of Wisconsin guidance, UWM endeavors to maintain viewpoint neutrality and does not make public statements on issues that do not impact its educational mission. Still, faculty are often asked to speak out on public issues and current events.

The chancellor is the only person authorized to speak on behalf of UWM or to designate someone to speak on behalf of UWM. Anyone else must make it clear that they are speaking on their own behalf, not as a spokesperson for or representative of the university.

Departments or other subunits should not issue statements on public events or issues that do not maintain viewpoint neutrality and/or do not impact their educational mission.

In the case that a department or subunit is issuing a statement that meets the system guidance, subunits should ensure their message is consistent with the institutional message and receive approval from their division head (e.g., dean or vice chancellor) in consultation with the Vice Chancellor of Marketing, Communications & University Relations. Learn more on the [Employee Guidance on Statements webpage](#), including a [checklist to be used by subunits](#) considering a statement.

## Expressive Activity Policy

UWM remains committed to supporting safe and lawful free speech and expression, but it must also focus on ensuring the physical safety of our campus community. Expressive activities are governed by UWM's [Interim Expressive Activity on Campus Policy](#), among other rules.

Encampments and occupation of buildings violate state law. If encampments are erected or university buildings are occupied, UWM will take appropriate action to enforce the rules, including ending the encampment or occupation, issuing citations and initiating student conduct and student organization conduct disciplinary processes. Protests must abide by state and federal laws and university policy.

Visit UWM's [Expressive Activity on Campus webpage](#) that includes guidelines on the following:

- [Encampments and building occupation](#)
- [Chalkings and postings](#)
- [How to demonstrate or organize an event](#)
- [More policies and procedures for demonstrating](#)

Employee attendance at protests, rallies or assemblies occurring on campus during work time is only permissible if attendance is related to your job duties (e.g., a journalism instructor guiding a class to observe and cover a protest). Attending protests, rallies or assemblies during an unpaid break is permissible, but absences from the workplace (lab, office or classroom) that extend beyond an individual's break time require the use of leave time consistent with university policy. Official university business should not be conducted during such events unless explicitly tied to your job duties.

## Campus safety

UWM is committed to a safe campus for students, faculty, staff and visitors.

Students and employees are encouraged to download the [Rave Guardian app](#) — a safety tool that connects you directly with UWM Police Department resources. Use the app as a virtual safe walk companion, to receive emergency alerts and to text directly with the UWMPD.

In an emergency, please call the UWM Police Department at 911 on a UWM Teams account or 414-229-9911 on a cellphone or off-campus phone.

## Employee Guidance Links

College leaders and faculty should familiarize themselves with the guidance below and share it with employees of their units.

Faculty and staff are always free to express their thoughts on current events or participate in political activity on personal time using personal, and not UWM technology and resources.

- Read [UWM's Statement on Free Speech](#)
- See the [employee guidelines on statements](#)
- See [employee guidance on political activity](#)

### Universities of Wisconsin Resources

- Read the [Universities of Wisconsin Commitment to Academic Freedom and Freedom of Expression](#)
- Universities of Wisconsin [Freedom of Expression video](#)
- Universities of Wisconsin [Civil Dialogue Project](#)

### Support Resources

- [Hate/Bias Reporting Form](#) for any student or employee who believes they have been subjected to, or who has witnessed, an incident of hate or bias
- [Support U website](#) for a list of various health, financial and other resources and information
- [Dean of Students Office](#) to address a range of matters concerning student well-being, concerning behaviors, misconduct and activities that may pose a risk to the health or safety to students or the UWM community.
- [UWM Police Support](#) for any concerns related to campus safety.
- [UWM Employee Assistance Program](#) offers mental health resources for employees.