

## **FAQs on the 2024 Revisions to the Guidelines to the Rules of University Conduct**

### **Committee on the Rules of University Conduct**

#### **What are the Rules of University Conduct?**

The [Rules of University Conduct](#), set out in Chapter 44 of the University Statutes:

- Affirm the right of all community members to engage in demonstrations and protests on campus and exercise their free speech rights.
- Establish the parameters of how the University may regulate and restrict public expression on campus. The two types of limitations are presented in § 440.
- Establish the standards of acceptable conduct at a demonstration. These are encapsulated in § 443.
- Establish the process for enforcing the Rules if any member of the community might be actively in violation of the Rules. This process is presented in § 443.
- Establish the process for handling alleged violations.

#### **What are the Guidelines to the Rules of University Conduct?**

The [Guidelines to the Rules of University Conduct](#) provide clarity and guidance to the University community on the Rules of University Conduct; they do not replace or override the Rules.

#### **What is the difference between the Guidelines and the Rules of University Conduct?**

The Guidelines are intended to facilitate the implementation of the Rules by Columbia administrators and to provide public insight into the rationale and processes expressed in the Rules of University Conduct. The Guidelines uphold the principles of legitimacy, privacy, transparency, uniformity of outcomes, timeliness, and the safeguarding of speech while protecting the University's function and academic mission.

#### **Who produced this revision of the Guidelines?**

The Guidelines are written by the University [Senate Committee on the Rules of University Conduct](#) with input from the University community—students, faculty, staff, and administration. The Committee is careful to maintain the distinction between the Rules as a source document and the Guidelines as a guide to the implementation of the Rules. For instance, defining a new violation would be appropriate for the Rules, but not for the Guidelines. Also, changes to the Rules themselves must undergo a more involved and lengthier process—including ratification in the University Senate and University Trustee approval—before adoption. The present revision replaces the previous version of the Guidelines as well as the Interim Policy for Safe Demonstrations that was announced in February 2024.

## **Who do the Rules of University Conduct apply to?**

The Rules of University Conduct apply to (see §442 Jurisdiction):

- All members of the University community: administrators, administrative staff, research staff, library staff, supporting staff, faculty, and students.
- Any demonstration, including a rally or picketing, that takes place on or at a University facility or at any University sponsored activity.
- All members of Columbia's affiliated schools while on Columbia University grounds or in a Columbia building.
- Visitors, licensees, and invitees to any Columbia University campus or facility are also subject to the Rules of University Conduct. (See §442 Jurisdiction).

The Rules of University Conduct do not apply to participation in a demonstration, including a rally or picketing, by full-time employees of the University represented by a collective bargaining agent, where the demonstration arises in the course of or is incident to a labor dispute involving the University (§442 Jurisdiction).

## **What do the Revisions to the Guidelines say about free speech and demonstrations?**

The revisions to the Guidelines reaffirm the principle that the protection of the academic activities of the University is of paramount concern. At the same time, they guarantee a wide latitude in the free expression of opinion in protests and demonstrations, as long as these do not substantially disrupt the University's academic activities. Academic activities are defined as including, but not limited to, studying, teaching, research, clinical activities, conferences, and workshops.

## **When can the University regulate or restrict public expression on campus?**

The University recognizes two necessary limitations on freedom of expression:

- Content-neutral time, place, and manner restrictions that simultaneously protect the academic mission of the University and guarantee essential freedoms of speech, the press, and academic freedom. The violations detailed in §443 of the Rules of University Conduct establish reasonable parameters for time, place, and manner restrictions on protest.
- Restrictions on expression that constitutes a genuine threat of harassment, that unjustifiably invades an individual's privacy, or that defames an individual. These forms of expression do not advance the University's truth-seeking mission and impair the ability of individuals to participate in that mission. The University has an obligation to assure members of its community that they can continue in their academic pursuits without fear for their personal security or other serious intrusions on their ability to teach, research, and study.

Expression that constitutes harassment or other forms of discrimination, invasion of privacy, or defamation may be addressed through the Office of Institutional Equity (OIE) or Human Resources policies and procedures, or under the University's Standards and Discipline.

### **Are there restrictions on what may be said in the context of a protest or demonstration?**

The Rules affirm that “the University may restrict expression that constitutes a genuine threat of harassment, that unjustifiably invades an individual’s privacy, or that falsely defames a specific individual.” Further, federal regulations prohibit actions or speech that constitute attacks on an individual’s group identity based on race, ethnicity, national origin, religion, etc. Expression that constitutes harassment or other forms of discrimination, invasion of privacy, or defamation may be addressed through University policies and procedures other than the Rules of University Conduct.

### **What is the purpose of time, place, and manner restrictions?**

The Rules of University Conduct strive to safeguard free expression and open debate while protecting academic activities and the safety of the University community. The time, place, and manner restrictions in the Guidelines intend to achieve both of these desirable ends. For instance, sound amplification during demonstrations may be used, but those using it must take care not to interrupt academic activities in the surrounding areas. Organizers of such events must be responsive to any complaints to that effect.

### **Do protests need to be registered in advance? If so, how?**

Organizers or sponsors of demonstrations, protests, and other similar events must provide notice to Public Safety and University Life no later than at the time of their public announcement of the event (including by email or social media). This notice will allow for any preparations deemed necessary for ensuring the safety of the community to be made by the relevant campus office(s). The notification should be sent via email to [eventnotifications@columbia.edu](mailto:eventnotifications@columbia.edu), or by filling out an online form at <https://eventnotifications.columbia.edu>, which can be done anonymously if desired.

### **Are encampments prohibited by the Rules of University Conduct?**

Camping and encampments on Columbia’s campus fall under the Facilities [Outdoor Space Policy](#), which prohibits them. The Rules and Guidelines prioritize academic activities and communal use of campus space. As the Guidelines state: “demonstrations and protests may not claim exclusive use or substantially inhibit the primary purposes of a given University space or facility for an extended period of time without prior authorization.” Participating in an encampment may also entail other violations of the Rules of University Conduct, including (but not limited to) the following from §443:

- (5) (simple) causes minor property damage or loss, or endangers property on a University facility;
- (7) (simple) interferes over a short period of time with entrance to, exit from, passage within, or use of, a University facility but does not substantially disrupt any University function;

- (8) (serious) continues for more than a very short period of time to physically prevent, or clearly attempt to prevent, passage within, or unimpeded use of, a University facility, and thereby interferes with the normal conduct of a University function;
- (9) (serious) enters or remains in a University facility without authorization at a time after the facility has been declared closed by the University;
- (14) (serious) disrupts a University function or renders its continuation impossible;
- (18) (simple) fails to obey the reasonable orders of a properly identified Delegate regulating the location of demonstrators or others within the vicinity of a demonstration to assure unimpeded access to or use of a facility or to avoid physical conflict between demonstrators and others;
- (19) (simple) fails to disperse from an assembly upon order of a properly identified Delegate when such order results from repeated or continuing violations of these Rules by members of the assembly and the Delegate has by verbal directions made reasonable effort to secure compliance before ordering dispersal;
- (20) (serious) fails to disperse from an assembly upon order of a properly identified Delegate when such order results from serious violations of these Rules by members of the assembly and the Delegate so states in his order to disperse.

See also Columbia's Outdoor Space Policy and University Event Policy:

<https://universitypolicies.columbia.edu/outdoorspace>

and

<https://universitypolicies.columbia.edu/content/university-event-policy>.

### **Is there a ban on masking at protests?**

Face coverings are allowed in protests for a number of reasons, including health considerations, personal safety concerns, and religious practices. However, the Rules are premised on individual accountability for personal conduct, and they do require that individuals alleged to be violating the Rules identify themselves to a Delegate or other University officer if asked. If they refuse, they may be asked to briefly pull down their mask so that they may be photographed. If they do not comply, they may be required to leave the campus. Failure to identify oneself in such circumstances may be charged as a secondary violation of the Rules, per §443.16.

### **How do I file a complaint if I believe that a violation has occurred?**

A General Concern Form may be used by members and neighbors of the Columbia Community to report alleged violations of the Rules of University Conduct. Please go to: [https://cm.maxient.com/reportingform.php?ColumbiaUniv&layout\\_id=0](https://cm.maxient.com/reportingform.php?ColumbiaUniv&layout_id=0)

### **How do the Guidelines promote due process?**

The Guidelines emphasize that all complaints related to violations of the Rules in the context of a demonstration are under the jurisdiction of the Rules, which contain clearly outlined procedures

for the adjudication of the alleged violation to maintain due process under the University Judicial Board. Furthermore, the Guidelines clarify that the assessment of complaints should only take into account individual actions and evidence rather than the actions of a group when investigating an individual.

### **What if someone files a complaint of a Rules violation that involves me?**

If the Rules Administrator charges you with a violation and you contest the charge, you are entitled to a hearing before the University Judicial Board. The Rules Administrator will determine if they believe that a complaint is credible and has substance. They will inform you of your rights and provide updates throughout the process. You have the following rights as a respondent:

- To respect, dignity, and sensitivity.
- To appropriate support from the University.
- To privacy to the extent possible consistent with applicable law, University policy, and the respondent's wishes.
- To information about the University's Rules of University Conduct.
- To the presence of an advisor throughout the process.
- To participate or to decline to participate in the investigation or hearing process; however, a decision to refrain from participating in the process either wholly or in part will not prevent the process from proceeding with the information available.
- To a prompt and thorough investigation of the allegations.
- To adequate time to review documents during and following the investigation.
- To adequate time to prepare for a hearing.
- To introduce evidence into the record and call witnesses on one's own behalf.
- To request access to University documents or camera footage that can be used in one's defense.
- To an opportunity to challenge the Rules Administrator, members of the University Judicial Board, or members of the Appeals Board for a possible conflict of interest.
- To refrain from making self-incriminating statements.
- To appeal the decision made by a UJB hearing panel and any sanctions imposed.
- To notification, in writing, of a report of misconduct, any charge filed, any resolution of the case, any factual findings of the investigation, any explanation of findings of responsibility, and any imposed sanctions, including the outcome of any appeal.
- To understand that information collected in the process may be subpoenaed in criminal or civil proceedings.

### **How do the Rules of University Conduct relate to the University Event Policy?**

The Rules process is the appropriate mechanism for resolving disciplinary matters connected to demonstrations and protests; the University Event Policy applies to events of other sorts.

**How do the Rules manage counter-protests?**

Section 444(c) protects University Delegates' discretion to create separate areas for permissible protests and Section 443(a)(18) makes it a violation of the Rules to fail to obey the reasonable orders of a properly identified Delegate concerning the relocation of demonstrators to avoid physical conflict. Taken together, these provisions give Delegates wide latitude to reasonably manage counter-demonstrations. However, Delegates should generally not relocate counter-demonstrators to a location that would frustrate the purpose or expressive value of the counter-demonstration. As stated in Section 444(c), to the extent possible, Delegates should ensure that each delineated group of demonstrators and counter-demonstrators have unobstructed views of each other and Delegates should avoid the use of physical barriers to delineate separate groups of demonstrators where feasible. In managing the delineation of space between separate groups of demonstrators, Delegates should proceed without regard to the content or viewpoint of the protestors' expression.