



WILLIAM & MARY

CHARTERED 1693

OFFICE OF THE PRESIDENT

November 26, 2019

The Honorable Ralph S. Northam
Governor
Commonwealth of Virginia
Post Office Box 1475
Richmond, VA 23218-1475
c/o clark.mercer@governor.virginia.gov

The Honorable Steve Newman
Post Office Box 48
Forest, VA 24551
district23@senate.virginia.gov

The Honorable R. Steven Landes
Post Office Box 12
Verona, 24482
steve@stevelandes.com

Dear Governor Northam, Senator Newman, and Delegate Landes:

In compliance with §23.1-401.1(D) of the Code of Virginia, this report assembles in a consolidated document William & Mary's:

1. Policies regarding speech that is constitutionally protected under the First Amendment to the United States Constitution and the process to report incidents of disruption of such constitutionally protected speech (see attachment);
2. Certification of notification to employees of these policies; and
3. Copies of any complaints filed in a court of law since December 1, 2018, for alleged violation of the First Amendment to the United States Constitution.

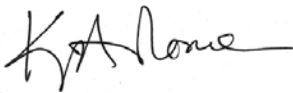
On behalf of the university, I certify that William & Mary notified all employees who are responsible for discipline or education of enrolled students of the existence of policies and rights articulated in the Student Handbook. This occurs annually through the Provost's "Essential Matters" communication, most recently distributed by email on November 22, 2019. A Free Speech Concerns reporting form and hyperlink to the centralized webpage (www.wm.edu/report) were provided to all employees and students in back to school communications from the Provost and

Vice President for Student Affairs, respectively, in fall 2019. A Free Expression on Campus webpage is maintained to provide a central location for policies relevant to free speech, materials about the policies and regulations, and the process to report incidents involving the disruption of constitutionally protected speech.

I further certify that no complaints have been filed against William & Mary since December 1, 2018, to initiate a lawsuit against the institution or an employee of the institution in his official capacity for an alleged violation of the First Amendment to the United States Constitution.

William & Mary takes seriously our responsibility to uphold the constitutional freedoms provided under the First Amendment. “We engage diverse perspectives and seek wisdom in bridging differences,” in the words of the university’s recently updated Vision, Mission, Values statement, affirmed by the Board of Visitors this month, as we “cultivate creative thinkers, principled leaders, and compassionate global citizens equipped for lives of meaning and distinction.”

Sincerely,

A handwritten signature in black ink, appearing to read "K.A. Rowe". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Katherine A. Rowe
President

Attachment: William & Mary Policies Regarding Constitutionally Protected Speech

In compliance with §23.1-401.1(B) of the Code of Virginia, William & Mary includes (1) in the Student Handbook, (2) on the website, and (3) in student orientation programs policies regarding speech that is constitutionally protected under the First Amendment to the United States Constitution and the process to report incidents of disruption of such constitutionally protected speech.

1. W&M Student Handbook

The Student Handbook section of Student Rights and Responsibilities, Section II.A. guarantees students' basic rights of freedom of expression and belief, freedom of association and peaceful assembly. All new students are informed of these policies, rights and processes in the orientation session prior to the beginning of the fall and spring semester. All students receive an annual "Welcome Back" email communication from the Vice President for Student Affairs that states:

FREE SPEECH & USE OF CAMPUS FACILITIES

William & Mary is committed to creating an environment in which all members of the community and invited guests are encouraged to speak freely and express themselves on university property. Such a commitment to free expression is essential to fostering open discourse, argumentation, speaking, listening, learning and exploration of ideas.

More information about university policies concerning free speech can be found on our website, along with relevant links to the Student Handbook and the Use of Campus Facilities policies which apply to the scheduling and conduct of campus events and activities, e.g. meetings and other group activities of student organizations; speeches, performances, and other events by outside groups invited by student organizations; demonstrations, rallies, vigils, and other group free speech exercises; and distributions of literature such as leafleting and pamphleting. For assistance in scheduling and planning your activities, please contact the Scheduling Office in the Sadler Center.

2. W&M Website

A dedicated webpage on the university's website, Free Expression on Campus, also compiles the materials on free speech in a central location.

➤ Policies & Regulations Relevant to Free Speech

- [Use of Campus Facilities Policy](#)
- [Posting on Campus Policy](#)
- [Chalking Policy](#)

➤ Materials Relevant to Protected Rights & Responsibilities

- [Faculty Handbook](#)

Section I. A. Statement of Rights & Responsibilities ensures that students, faculty and administrators shall enjoy all rights, privileges and immunities guaranteed to every citizen of the United States and the Commonwealth of Virginia.

1. Among the basic rights are freedom of expression and belief, freedom of association and peaceful assembly, and freedom from personal force and violence, threats of violence and personal abuse.

Section III.A. Academic Freedom and Professional Ethics safeguards a faculty member's ability to "encourage free discussion, inquiry, and expression" in the course of teaching and learning. Additionally, "(F)aculty members are also entitled to their political rights and should be free from institution censorship or discipline for exercising them".

- [Student Handbook – Rights and Responsibilities](#)

Section II. Rights, Privileges and Immunities states in part that the members of the university community, as individuals, shall enjoy all rights, privileges, and immunities guaranteed every citizen of the United States and the commonwealth of Virginia, including:

A. Basic Rights: Among the basic rights are freedom of expression and belief, freedom of association and peaceful assembly, and freedom from personal force and violence, threats of violence and personal abuse.

C.2. Right to Organize: The right to hold public meetings, to invite speakers of his/her own choosing to campus, to post notices, to engage in peaceful, orderly demonstrations within reasonably and impartially applied rules (see Use of Campus Facilities Policy above)

Section III. A. Rights and Responsibilities of Citizenship articulates in part that students have the right to:

3. "discuss freely, inquire and express opinions inside the classroom"
6. "hear and study unpopular and controversial views on intellectual and public issues"
7. "expect that information about his/her views, beliefs and political associations which an instructor acquires in the course of his/her work as a teacher, advisor or counselor of the student be held in confidence."

➤ Process for Reporting Disruption of Constitutionally Protected Speech

Online [Report Form](#) for community members or invited guests

3. *Student Orientation Program*

- Tribe Values Opening Presentation by the Dean of Students Office to the entire new student body includes information about and affirmation of students' rights free expression and belief, freedom of association and peaceful assembly. The Use of Campus Facilities policy and Posting and Chalking policies are highlighted as resources for more information.