SPECIAL REPORT

EDUCATION

BEYOND THE CHICAGO STATEMENT:

Do Policies at South Carolina's Public Universities Truly Protect Free Speech?

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INTRODUCTION

College-age students tend to be the demographic that most eagerly speaks out for change. Vietnam War protests in the late 1960s and recent nationwide protests against war in the Middle East have made the headlines over the years, but small ball demonstrations over parking or dining hall food are not uncommon on college campuses. Because Palmetto Promise Institute believes that the free exchange of opinion in a marketplace of ideas is essential in higher education, we are committed to ensuring that colleges protect students' right to speak out on issues that matter to them, regardless of ideological perspective.

This report examines policies relating to free speech and expression within South Carolina public institutions of higher education. We excluded private institutions because they are not owned and operated by government; thus, they are not inherently obliged to follow the First Amendment to the United States Constitution. Most private colleges (Furman University and Wofford College in particular according to our findings) have committed themselves to open debate, but the First Amendment only guarantees that *government entities* protect free expression.

METHODOLOGY

To evaluate higher education free speech policies on a more granular level, we used a rubric to rank the following policy categories which we obtained from the Foundation for Individual Rights in Expression (FIRE):

- Harassment policies
- Policies on tolerance, respect, and civility
- Policies on "bias" and "hate speech"
- Bullying policies
- Protest and demonstration policies
- Posting policies
- Internet usage policies
- Policies restricting freedom of conscience
- Security fee policies

For more detail on why each of these policy categories was worthy of inclusion in our analysis, we refer you to the standards and model policies set by FIRE.

Each institution received a score of 1-3 using the following grading guide:

1	2	3
The policy fails to protect certain kinds of speech, unjustly or unnecessarily restricts exhibitions of speech, or inhibits access to information.	**The policy has at least one component that limits a small subset of speech or which can be construed to restrict free expression.**	**The policy does not restrict free speech beyond narrowly tailored, commonsense measures. It does not block access to information dissemination and actively champions First Amendment rights.**

In some cases, schools marshal around an idea, like opposing bullying, but lack a specific policy to back up that philosophy. When that occurred, we scored the relevant category as a 2. We chose to do this for a couple of reasons. First, the schools usually had other general policies or statements of intent that did not provide us a reason to believe they would exploit that loophole. Second, in some categories it is better to lack policies rather than to have ill-conceived ones. Hate speech regulations, for example, can be drafted well, but they can easily approach speech-restricting territory.

Because we wished to conduct this evaluation in a transparent and aboveboard manner, we contacted those in charge of policies (often student affairs offices) at every university to verify that we were reviewing the correct codes and not missing any nuances. In particular, we clarified the stance of the several University of South Carolina branch campuses, which relied on their own policies in some instances and system policies in others.

We noted that several universities have adopted The Chicago Statement, as Dr. Oran Smith noted in July 2023. This was a factor in our analysis, but we intentionally focused more on the schools' individual policies. **Declarations of intent or belief like Chicago are admirable, but the proof is in the pudding—or in specific policies, rather.**

RESULTS

The results are in: here is how each institution scored. For details on each university's policies and ranking, please refer to the more in-depth evaluation in Appendix I.

UNIVERSITY	SCORE
Clemson University	**3.00**
Coastal Carolina University	**3.00**
College of Charleston	**3.00**
University of South Carolina Columbia	**3.00**
Francis Marion University	**2.88**
Lander University	**2.88**
University of South Carolina Aiken	**2.78**
University of South Carolina Salkehatchie	**2.78**
University of South Carolina Upstate	**2.78**
Winthrop University	**2.78**
University of South Carolina Sumter	**2.67**
University of South Carolina Union	**2.67**
University of South Carolina Beaufort	**2.44**
University of South Carolina Lancaster	**2.44**
South Carolina State University	**2.33**
The Citadel	**2.33**

Palmetto Promise Institute is pleased to announce that no university in the state scored below a 2.33 average, but there's still plenty of work to be done to protect the rights of students to champion issues important to them.

LOOKING TO THE FUTURE

In the 2025-2026 legislative session, if lawmakers wish to strengthen free speech rights further, it could examine legislation similar to H.3467, known nationwide as the FORUM Act (Forming Open and Robust University Minds). Elements of FORUM were included in H.4289, which bans public higher education institutions from viewpoint discrimination against students and employees. H.4289, primarily a Diversity Equity and Inclusion (DEI) bill, passed the House of Representatives but was not taken up in the Senate. PPI has previously advocated for its adoption.

Even if H.3467 or H.4289 were to become law, however, every public university should affirmatively adopt its own policies that protect free expression, demonstrating the institution's voluntary commitment to the First Amendment without legislative pressure. Based on our analysis, as shown by their high scores, some have done this nearly perfectly. They serve as ready models for those whose scores indicate there is work to do.

The Bottom Line: As a whole, South Carolina public institutions of higher education have come a long way in a short time on the issue of free expression. Adoption of the aspirational Chicago Statement was rare just a few years ago. It is now much more common. This general pledge of support has led to a second stage where universities have adopted specific policies implementing that pledge. But consistency across all institutions is needed. Should the General Assembly choose to pass legislation, many universities will be in compliance on Day 1, as was the case with the founding documents bill (the REACH Act).

APPENDIX I: SCORE BREAKDOWN

CLEMSON UNIVERSITY

AVERAGE SCORE: 3.00

Harassment policies	**3**
Policies on tolerance, respect, and civility	**3**
Policies on “bias” and “hate speech”	**3**
Bullying policies	**3**
Protest and demonstration policies	**3**
Posting policies	**3**
Internet usage policies	**3**
Policies restricting freedom of conscience	**3**
Security fee policies	**3**

Clemson has adopted the Chicago Principles and has policies existing in line with that statement of intent. It clearly delineates which time, place, and manner restrictions it will impose—none of which seem unreasonable—and it has narrowly tailored its subset regulations like its harassment and demonstration policies.

COASTAL CAROLINA UNIVERSITY

AVERAGE SCORE: 3.00

Harassment policies	**3**
Policies on tolerance, respect, and civility	**3**
Policies on “bias” and “hate speech”	**3**
Bullying policies	**3**
Protest and demonstration policies	**3**
Posting policies	**3**
Internet usage policies	**3**
Policies restricting freedom of conscience	**3**
Security fee policies	**3**

A notable aspect of Coastal Carolina University's free speech policy is how it cites Supreme Court cases for the instances in which speech is not protected speech. No other school displays so clearly the legal precedent for the wording, and we believe it relieves a lot of potential concern and confusion.

COLLEGE OF CHARLESTON

AVERAGE SCORE: 3.00

Harassment policies	**3**
Policies on tolerance, respect, and civility	**3**
Policies on "bias" and "hate speech"	**3**
Bullying policies	**3**
Protest and demonstration policies	**3**
Posting policies	**3**
Internet usage policies	**3**
Policies restricting freedom of conscience	**3**
Security fee policies	**3**

Considering how College of Charleston is a liberal arts institution, we particularly appreciate their policy supporting free expression that covers all the bases of protesting, holding events, and refusing to discriminate against certain viewpoints.

UNIVERSITY OF SOUTH CAROLINA - COLUMBIA

AVERAGE SCORE: 3.00

Harassment policies	**3**
Policies on tolerance, respect, and civility	**3**
Policies on "bias" and "hate speech"	**3**
Bullying policies	**3**
Protest and demonstration policies	**3**

Posting policies	**3**
Internet usage policies	**3**
Policies restricting freedom of conscience	**3**
Security fee policies	**3**

USC Columbia displays its commitment to free expression in a multitude of ways. It created dedicated free speech support delegates who educate the university community about free speech. It adopted the Chicago Principles and does not use vague wording in other policies. We were also delighted to note that unlike many universities, USC Columbia clearly and publicly lays out all the various fees involved in hosting an event.

FRANCIS MARION UNIVERSITY

AVERAGE SCORE: 2.88

Harassment policies	**3**
Policies on tolerance, respect, and civility	**3**
Policies on “bias” and “hate speech”	**3**
Bullying policies	**3**
Protest and demonstration policies	**3**
Posting policies	**3**
Internet usage policies	**3**
Policies restricting freedom of conscience	**3**
Security fee policies	**2**

Francis Marion excelled in every area. Its security fee policy in the student handbook was the weakest link, but the verbiage was strong overall. We would appreciate it if they publicized the rates for security at events.

LANDER UNIVERSITY

AVERAGE SCORE: 2.88

Harassment policies	**3**
Policies on tolerance, respect, and civility	**3**
Policies on “bias” and “hate speech”	**3**
Bullying policies	**3**
Protest and demonstration policies	**3**
Posting policies	**2**
Internet usage policies	**3**
Policies restricting freedom of conscience	**3**
Security fee policies	**3**

Lander’s posting policy has some reasonable requests, namely that student organizations can’t publicize an event until a facility has been confirmed. However, the policy also prohibits any messaging about off-campus events “unless the event is connected with a particular university division OR if the event is an organization-sponsored fundraiser for a philanthropy (car wash, etc.) Social events may not be advertised, even for a philanthropy.”

In addition, absolutely no alcohol may feature on any messaging. These policies certainly limit the speech of the student body, for at least a portion of the student body are older than 21. Other schools say alcohol may not be the *primary* communication of the flyer—perhaps Lander could tone down its policy to that level.

UNIVERSITY OF SOUTH CAROLINA - AIKEN

AVERAGE SCORE: 2.78

Harassment policies	**2**
Policies on tolerance, respect, and civility	**3**
Policies on “bias” and “hate speech”	**2**
Bullying policies	**3**
Protest and demonstration policies	**3**

Posting policies	**3**
Internet usage policies	**3**
Policies restricting freedom of conscience	**3**
Security fee policies	**3**

The Harassment Policy in the Student Handbook prohibits "action(s) or statement(s) that threaten harm or intimidate a person, or any other form of unwanted contact either in person or through technology." The words "unwanted contact" are broadly construed. USCA should tailor the language to include pervasive communication and/or to narrow the meaning of "unwanted."

UCSA should also ensure that no part of their free speech policies unjustly criminalize speech for being biased or hateful, and carefully draft a policy to that effect.

UNIVERSITY OF SOUTH CAROLINA - SALKEHATCHIE

AVERAGE SCORE: 2.78

Harassment policies	**3**
Policies on tolerance, respect, and civility	**3**
Policies on "bias" and "hate speech"	**3**
Bullying policies	**3**
Protest and demonstration policies	**3**
Posting policies	**2**
Internet usage policies	**3**
Policies restricting freedom of conscience	**3**
Security fee policies	**2**

USC Salkehatchie scored surprisingly well compared to the other USC satellite campuses. They have extensive statements and policies of non-discrimination for a variety of the categories on which we are evaluating them. We were unable to find a posting or a security fee policy, however, and actual policies tend to reveal the true colors of statements of intent.

UNIVERSITY OF SOUTH CAROLINA UPSTATE

AVERAGE SCORE: 2.78

Harassment policies	**3**
Policies on tolerance, respect, and civility	**3**
Policies on “bias” and “hate speech”	**3**
Bullying policies	**3**
Protest and demonstration policies	**2**
Posting policies	**2**
Internet usage policies	**3**
Policies restricting freedom of conscience	**3**
Security fee policies	**3**

USC Upstate’s posting policy limits signage from bearing profanity. Unless the school clarifies that this prohibition is in line with a legal definition, they are unnecessarily restricting speech (albeit speech in poor taste).

WINTHROP UNIVERSITY

AVERAGE SCORE: 2.78

Harassment policies	**3**
Policies on tolerance, respect, and civility	**2**
Policies on “bias” and “hate speech”	**2**
Bullying policies	**3**
Protest and demonstration policies	**3**
Posting policies	**3**
Internet usage policies	**3**
Policies restricting freedom of conscience	**3**
Security fee policies	**3**

Winthrop's Resolution on Free Speech proffers an admirable standard for protecting expression on campus. However, language in the Code of Conduct muddies the water. Phrases like "bias-driven misconduct will not be tolerated" and "Winthrop University will protect freedom of action and freedom of speech for both students and employees, so long as it is not of an inflammatory or demeaning nature and does not interfere with the students' living and study conditions and the administration of its affairs" open the door for content discrimination. If speech that is deemed to be demeaning or biased-driven is not legally protected, Winthrop should clarify that. Otherwise, this vague policy directly contradicts its broad Resolution on Free Speech.

In addition, when we reached out to Winthrop administration for help in compiling a complete set of policies, the university asked that we submit a FOIA request. We complied but found their demand to be quite odd. How ironic that policies about free speech reside behind a legal wall? As of publication, we have not received a response to our FOIA.

UNIVERSITY OF SOUTH CAROLINA - SUMTER

AVERAGE SCORE: 2.67

Harassment policies	**3**
Policies on tolerance, respect, and civility	**3**
Policies on "bias" and "hate speech"	**3**
Bullying policies	**3**
Protest and demonstration policies	**3**
Posting policies	**2**
Internet usage policies	**2**
Policies restricting freedom of conscience	**3**
Security fee policies	**2**

Clubs hosting events must pay a per-hour fee (see Regulations for Campus Organizations) for lighting and sound technicians. That fee is not public information, nor does it include the cost for any necessary security. Furthermore, the university does not have a posting policy that we could find,

and, as of publication, university administrators have not yet responded to our attempts to clarify their policies.

UNIVERSITY OF SOUTH CAROLINA - UNION

AVERAGE SCORE: 2.67

Harassment policies	**3**
Policies on tolerance, respect, and civility	**3**
Policies on “bias” and “hate speech”	**3**
Bullying policies	**3**
Protest and demonstration policies	**2**
Posting policies	**2**
Internet usage policies	**3**
Policies restricting freedom of conscience	**3**
Security fee policies	**2**

USC Union administration did not respond to our request to see a security fee policy or posting policy. The fact that they have only nine student organizations listed in their handbook is not a good reason to fail to clarify their stance on either issue.

UNIVERSITY OF SOUTH CAROLINA - BEAUFORT

AVERAGE SCORE: 2.44

Harassment policies	**3**
Policies on tolerance, respect, and civility	**3**
Policies on “bias” and “hate speech”	**2**
Bullying policies	**3**
Protest and demonstration policies	**2**
Posting policies	**2**
Internet usage policies	**3**

Policies restricting freedom of conscience	**2**
Security fee policies	**2**

USCB's Student Code of Conduct does posit that the school will protect free speech, but not if expression "materially interferes with the normal activities of the university or invades the rights of others." This wording is vague and doesn't thoroughly describe the scope of protection or lack thereof. Similarly, the university should ensure that nothing in any of their policies implicates restriction of speech other than hate speech. In addition, we could not locate a posting policy or the university's rates for security at events.

UNIVERSITY OF SOUTH CAROLINA - LANCASTER

AVERAGE SCORE: 2.44

Harassment policies	**3**
Policies on tolerance, respect, and civility	**3**
Policies on "bias" and "hate speech"	**2**
Bullying policies	**2**
Protest and demonstration policies	**2**
Posting policies	**2**
Internet usage policies	**3**
Policies restricting freedom of conscience	**3**
Security fee policies	**2**

USC Lancaster's existing policies could be strengthened with an overarching policy committing the school to the protection of free expression. It places "reasonable time, place, or manner restrictions" on speech but doesn't state that those restrictions must be content-neutral.

We were unable to locate a posting policy or a security fee policy (to ascertain whether the school has standard rates and does not financially inhibit certain groups from hosting events). As of publication, USCL administration did not respond to our attempt to contact them.

SOUTH CAROLINA STATE UNIVERSITY

AVERAGE SCORE: 2.33

Harassment policies	**3**
Policies on tolerance, respect, and civility	**2**
Policies on “bias” and “hate speech”	**2**
Bullying policies	**2**
Protest and demonstration policies	**2**
Posting policies	**3**
Internet usage policies	**2**
Policies restricting freedom of conscience	**2**
Security fee policies	**3**

The Prohibited Communication Policy in the Student Code of Conduct outright bans using any device to send messages that “could be interpreted as profane, vulgar, lewd, suggestive, sexually explicit, inappropriate, or offensive.” This policy leaves much up to interpretation: what is offensive to me may not be offensive to thee. Furthermore, students in consensual relationships are restricted from pertinent conversation under this policy, as their messages may be seen as “suggestive” to an outsider, but not to each other. If our reading is not the proper interpretation of the Prohibited Communication Policy, we recommend the wording be amended.

In addition, SCSU should draft a broader statement supporting free expression across campus. A lack of such a policy doesn’t necessarily harm the university, but it does raise questions about how the institution would handle any issues that emerge.

THE CITADEL

AVERAGE SCORE: 2.33

Harassment policies	**3**
Policies on tolerance, respect, and civility	**2**
Policies on “bias” and “hate speech”	**2**

Bullying policies	**2**
Protest and demonstration policies	**3**
Posting policies	**1**
Internet usage policies	**3**
Policies restricting freedom of conscience	**3**
Security fee policies	**2**

With a few exceptions, The Citadel "strictly prohibits the carrying or display of open flames, sticks, signs, posters, flags, banners, or any similar item anywhere on campus." Event posters are permitted, but even for a military college, this is an unfortunate curtailing of free speech. It would also benefit the college to draft a policy specifically against bullying and separate that from their anti-harassment policy.

This report reflects free speech and free expression policies that were accessible online as of July 2024. Institutions that wish to submit policies not included in this report should reach out to admin@palmettopromise.org.

For more information on the specific policies we reviewed resulting in each score, please do not hesitate to contact us.

APPENDIX II: THE CHICAGO STATEMENT

Report of the Committee on Freedom of Expression at the University of Chicago

The Committee on Freedom of Expression at the University of Chicago was appointed in July 2014 by President Robert J. Zimmer and Provost Eric D. Isaacs "in light of recent events nationwide that have tested institutional commitments to free and open discourse." The Committee's charge was to draft a statement "articulating the University's overarching commitment to free, robust, and uninhibited debate and deliberation among all members of the University's community."

The Committee has carefully reviewed the University's history, examined events at other institutions, and consulted a broad range of individuals both inside and outside the University. This statement reflects the long-standing and distinctive values of the University of Chicago and affirms the importance of maintaining and, indeed, celebrating those values for the future.

From its very founding, the University of Chicago has dedicated itself to the preservation and celebration of the freedom of expression as an essential element of the University's culture. In 1902, in his address marking the University's decennial, President William Rainey Harper declared that "the principle of complete freedom of speech on all subjects has from the beginning been regarded as fundamental in the University of Chicago" and that "this principle can neither now nor at any future time be called in question."

Thirty years later, a student organization invited William Z. Foster, the Communist Party's candidate for President, to lecture on campus. This triggered a storm of protest from critics both on and off campus. To those who condemned the University for allowing the event, President Robert M. Hutchins responded that "our students . . . should have freedom to discuss any problem that presents itself." He insisted that the "cure" for ideas we oppose "lies through open discussion rather than through inhibition." On a later occasion, Hutchins added that "free inquiry is indispensable to the good

life, that universities exist for the sake of such inquiry, [and] that without it they cease to be universities."

In 1968, at another time of great turmoil in universities, President Edward H. Levi, in his inaugural address, celebrated "those virtues which from the beginning and until now have characterized our institution." Central to the values of the University of Chicago, Levi explained, is a profound commitment to "freedom of inquiry." This freedom, he proclaimed, "is our inheritance."

More recently, President Hanna Holborn Gray observed that "education should not be intended to make people comfortable, it is meant to make them think. Universities should be expected to provide the conditions within which hard thought, and therefore strong disagreement, independent judgment, and the questioning of stubborn assumptions, can flourish in an environment of the greatest freedom."

The words of Harper, Hutchins, Levi, and Gray capture both the spirit and the promise of the University of Chicago. Because the University is committed to free and open inquiry in all matters, it guarantees all members of the University community the broadest possible latitude to speak, write, listen, challenge, and learn. Except insofar as limitations on that freedom are necessary to the functioning of the University, the University of Chicago fully respects and supports the freedom of all members of the University community "to discuss any problem that presents itself."

Of course, the ideas of different members of the University community will often and quite naturally conflict. But it is not the proper role of the University to attempt to shield individuals from ideas and opinions they find unwelcome, disagreeable, or even deeply offensive. Although the University greatly values civility, and although all members of the University community share in the responsibility for maintaining a climate of mutual respect, concerns about civility and mutual respect can never be used as a justification for closing off discussion of ideas, however offensive or disagreeable those ideas may be to some members of our community.

The freedom to debate and discuss the merits of competing ideas does not, of course, mean that individuals may say whatever they wish, wherever they wish. The University may restrict expression that violates the law, that falsely

defames a specific individual, that constitutes a genuine threat or harassment, that unjustifiably invades substantial privacy or confidentiality interests, or that is otherwise directly incompatible with the functioning of the University. In addition, the University may reasonably regulate the time, place, and manner of expression to ensure that it does not disrupt the ordinary activities of the University. But these are narrow exceptions to the general principle of freedom of expression, and it is vitally important that these exceptions never be used in a manner that is inconsistent with the University's commitment to a completely free and open discussion of ideas.

In a word, the University's fundamental commitment is to the principle that debate or deliberation may not be suppressed because the ideas put forth are thought by some or even by most members of the University community to be offensive, unwise, immoral, or wrong-headed. It is for the individual members of the University community, not for the University as an institution, to make those judgments for themselves, and to act on those judgments not by seeking to suppress speech, but by openly and vigorously contesting the ideas that they oppose. Indeed, fostering the ability of members of the University community to engage in such debate and deliberation in an effective and responsible manner is an essential part of the University's educational mission.

As a corollary to the University's commitment to protect and promote free expression, members of the University community must also act in conformity with the principle of free expression. Although members of the University community are free to criticize and contest the views expressed on campus, and to criticize and contest speakers who are invited to express their views on campus, they may not obstruct or otherwise interfere with the freedom of others to express views they reject or even loathe. To this end, the University has a solemn responsibility not only to promote a lively and fearless freedom of debate and deliberation, but also to protect that freedom when others attempt to restrict it.

As Robert M. Hutchins observed, without a vibrant commitment to free and open inquiry, a university ceases to be a university. The University of Chicago's long-standing commitment to this principle lies at the very core of our University's greatness. That is our inheritance, and it is our promise to the future.

APPENDIX III: EXAMPLE OF A BOARD OF TRUSTEES RESOLUTION (COASTAL CAROLINA)

RESOLUTION
State of South Carolina
County of Horry
Coastal Carolina University

WHEREAS, in 1974, the Committee on Free Expression at Yale University issued a statement known as the Woodward Report that stands as a classic defense of free expression on campuses;

WHEREAS, in 2015, the Committee on Freedom of Expression at the University of Chicago issued a similar and widely respected report;

WHEREAS, in 1967, the Kalven Committee Report of the University of Chicago articulated the principle of institutional neutrality regarding political and social issues and the essential role of such neutrality in protecting freedom of thought and expression at universities;

WHEREAS, the principles affirmed by these three highly regarded reports are inspiring articulations of the critical importance of free expression in higher education; and

THEREFORE, BE IT RESOLVED, that the policies and procedures of Coastal Carolina University in regard to free speech shall be interpreted in a manner consistent with the First Amendment of the United States Constitution and Article 1, Section 2 of the Constitution of the State of South Carolina.

Coastal Carolina University is committed to the principles of free expression and encourages the timely and rational discussion of topics in an environment that is intellectually and ideologically diverse. Coastal Carolina University as an institution shall not attempt to shield individuals from constitutionally protected speech, including ideas and opinions they find offensive, unwise, immoral, indecent, disagreeable, conservative, liberal, traditional, radical, or wrong-headed.

Outdoor areas within the boundaries of the Coastal Carolina University campus constitute a designated public forum for the benefit of students, student organizations, faculty, administrators, other employees, and their invited guests, to engage in expressive activity unless access to the area is otherwise properly restricted. Time, place, and manner policies regarding the use of the outdoor areas shall be tailored in the service of a significant institutional interest, published, and content- and viewpoint- neutral.

Coastal Carolina University as an institution will not discriminate against any student, student organizations, faculty, administrators, other employees and their invited guests based on the content or viewpoint of their expressive activity. Access to, and use of, facilities at Coastal Carolina University shall be equally available to all students, student organizations, faculty, administrators, or other employees, and their invited guests, regardless of the ideological, political, or religious beliefs of the organization.

Nothing in this resolution prohibits Coastal Carolina University from complying with federal law or acting against a student, student organization, faculty, administrator, or other employee and their invited guests for violations of federal or state law, including but not limited to Title VI of the Civil Rights Act of 1964, 42 U.S.C. Sec. 2000d et seq., Title VII of the Civil Rights Act of 1964, 42 U.S.C. Sec. 2000e et seq. and Title IX of the Education Amendments of 1972, 20 U.S.C. Sec.1681 et seq.

BE IT FURTHER RESOLVED, that the University is directed to administratively revise Policy, *UNIV-477, Free Speech, Solicitation, and Promotional Activities on Campus,* consistent with and based on the guidance provided with this Resolution.

Done this Twenty-Eighth Day of February, Two Thousand Twenty-Four.

APPENDIX IV: EXAMPLE OF HIGHLY RATED UNIVERSITY POLICY (USC-COLUMBIA)

USC-Columbia's policies relating to free speech are easy to access and understand. They are also reasonably calculated to protect expression while maintaining normal campus operations. We have pulled quotes from these policies that best reflect the intent and practice of the university, but we praise these policies in their entirety as a model for other higher education institutions to follow.

Harassment/Bullying Policy

The thirty-one page harassment policy establishes a clear, comprehensive process for determining whether something is harassment, rather than listing examples of specific methods of harassment. It also establishes a three-part inquiry to evaluate neutral, well-meaning policies to determine whether they may unlawfully discriminate against students or employees.

Policy on Tolerance, Respect, and Civility

USC-Columbia does not have one specific policy dedicated to tolerance, respect, and civility, but the school's protections fan out through other regulations. The Free Speech webpage includes a section on respect that outlines the university's support for free expression and civil debate. It also strives to uphold those rights by silencing those who intentionally disrupt or heckle a speaker:

> "Freedom of speech does not give individuals permission to silence the speech of others by shouting, heckling or otherwise disrupting a speech to the point that the speaker cannot continue or that the audience can no longer listen.
>
> - The free speech rights of a speaker would be infringed upon if members of an audience could silence anyone with whom they disagreed.
> - Individuals who fail to comply with a campus official's request to cease disruptive activities may be subject to arrest or referral to the Office of Student Conduct."

The university also stresses how any time, place, or manner restrictions upon speech will be content-neutral. In accordance with the Freedom of

Expression and Access to Campus policy, the Scheduling University Union Facilities policy maintains that:

> "The university reserves the right to cancel existing reservations only in situations where an emergency or unforeseen event necessitates that the university place another event in the space or cancel for that date; such decisions will be made on a case-by-case basis and will be made in a content neutral fashion."

USC-Columbia will make every effort to ensure no voice is unduly silenced for any reason, even an emergency.

Policy on "Bias" and "Hate Speech"

Craig Parks, Director of Public Affairs and Advocacy at the University of South Carolina, clarified that "USC recognizes harassment and discrimination; we have no policies on 'bias' or 'hate speech' nor do we have an official means of individuals reporting bias or hate speech."

In addition, the university's Freedom of Expression and Access to Campus policy assuages any worries about speech being misconstrued as biased or hateful. It clarifies that

> "Even when expression occurs that may not be in line with the university's values, the university recognizes that an essential part of our educational mission is to encourage individuals to engage in the responsible and civil exchange of ideas."

USC-Columbia only bans speech that is not legally protected. Fighting words, true threats, obscenity or child exploitation, harassment, or incitement of violence are the declared instances in which expression may be curtailed.

Protest and Demonstration Policy

The university remains remarkably supportive of outdoor expressions of free speech. The same free expression policy limits such demonstrations based on the potential for or actual disruption of normal operations. In that case, USC-Columbia will make every effort to move the demonstration instead of silencing it completely:

> "If there is a reasonable determination that there is a safety risk in their current location and that the alternative location is more appropriate;

> decisions to move a demonstration must be made in a content neutral fashion."

Posting Policy

The posting section of the same policy restricts certain types of flyers or messaging. But it also has a subsection where it states what kinds of publicizing it doesn't restrict:

> "Nothing in this section is intended to prevent an individual on campus to use a handheld sign or banner unless the content on that sign or banner would violate any of the limitations on free expression addressed in this policy."

Internet Usage Policy

USC-Columbia's policy on Responsible Use of Data, Technology, and User Credentials doesn't appear to be anything out of the ordinary. It mandates that users follow all laws and uphold data privacy. It also recommends that users "accept responsibility for all activity they initiate or conduct through the use of their user credentials [and] refrain from accessing or using University Data and Information for Personal Matters." These regulations support the sanctity of the school's digital network and remind users to be mindful of what they do online.

Policy Restricting Freedom of Conscience

The Academic Freedom policy holds students responsible for learning course material, but it also encourages them to "develop the capacity for critical judgment and to engage in a sustained and independent search for truth." While students must embark on such a quest with responsibility, they must "be evaluated solely an academic basis, not opinions or conduct in matters unrelated to academic standards."

Security Fee Policy

The university webpage for room reservations for events provides a publicly available, drop-down menu of all associated costs. No student organization would be surprised by hidden fees that would prevent them from holding an event. The FY25 user fee report provides a breakdown of charges for police and civilian personnel for events, which ranges from $53-$145 per hour.