

REPORT
of the
AD HOC COMMITTEE ON
GUIDELINES REGARDING SPONSORSHIP OF EVENTS

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**Faculty Senate
Ad Hoc Committee on Guidelines Regarding Sponsorship of Events**

Report

Overview

The University of Massachusetts Amherst provides an environment of vigorous interaction and exchange in a variety of areas, whether scholarly and intellectual, cultural and artistic, social and political. It is the practice of the University as a public institution to host events of all description without regard to content. This accords with its mission as a public university, and with well-established laws of free speech.

With regard to sponsorship, it should not need emphasizing that hosting any particular event on our campus does not imply or entail endorsement by the university as an institution of the event itself or the views expressed there. Events are part of the broader exchange of ideas and inquiry which free speech promotes. At the same time, precisely because there is a broad range of views and interests on campus, all events should promote the values of respect, diversity and dignity. That is why, in our guidelines that follow, we focus on three components: rights; responsibilities; and awareness. We believe that attention to all three will help support and preserve a campus environment with a strong tradition of interaction and debate.

Our aim in this report is to provide guidelines that are clear, intelligible and concise, that all constituencies, whether on or beyond our campus, will find helpful as we navigate this terrain. We trust it reflects the culture of this university—that all who read it will find its broad commitments reflected here—and that it will go some way to underpinning that culture as we move forward.

Contexts

The United States today is a society characterized by profound polarization on political, social, religious, and moral issues. By its very nature, the institution of the university—as a social space for critical debate, inquiry, and investigation—stands at the center of these tensions. The primary impetus for establishing this ad hoc committee is to think through the role of the university in the midst of increasing polarization of public debate in the United States. That is, how do we—students, faculty, staff, and the administration—work to reaffirm the role of the university as a place of learning and debate based on free speech, while taking cognizance of a sensitive social climate within and outside of the university?

Polarization became obvious during and after the 2016 Presidential election, yet survey data reveal that it had been increasing for at least a decade. The election revealed the potential impact of social media on the quality (and often degradation) of public discussion, be it via the increased ability of individuals to select information sources that reinforce their already-held opinions; social media algorithms designed to influence people; organized use of trolls and bots advancing extreme views or conspiracy theories; or agents

of foreign states interested in weakening democracy in the United States. If polarization has become more intense since 2016, at the same time marginalized groups have continued to challenge long-accepted practices of exclusion. Their expressions of legitimate concerns have aroused strident objections from others. The result has been an increase in the number of topics that generate strong disagreement and the entrenchment of opinions within the public at large and within the university.

There are other considerations that make this review necessary. The public at large frequently misunderstands the nature of debate and exploration in the university setting. To some, sponsorship of an event may connote endorsement of the views expressed by speakers, and the University will be held responsible. Or it may appear that an event is targeting specific communities. In some cases, there may be attempts to prevent an event from taking place, whether through political pressure or the courts. We on campus are generally comfortable with the notion of hosting events, and the kinds of debates and disagreements that can result. Yet we may still be unsure of how to approach potentially contentious events. And clarification on the question of what sponsorship does and does not mean may still be helpful.

This ad hoc committee was formed to examine the current situation and provide guidance to the university community about how to advance the university's mission of vigorous reasoned discussion in the context of a highly polarized society.

Charge and Process

The Faculty Senate established this Ad Hoc Committee on Guidelines regarding Sponsorship of Events in October 2019 (Sen. Doc. No. 20-014 of 17 October 2019) and gave it two tasks:

- To explore the terrain around hosting, sponsoring, and co-sponsoring events and to clarify the various issues that arise when the campus or units within host, sponsor, or co-sponsor an event held on or off campus with a view to developing a helpful map of that terrain, and a compass for navigation.
- To provide, in the light of the results of that exploration, guidelines about the meanings and implications of hosting or otherwise sponsoring or co-sponsoring events on or off campus that the Faculty Senate can recommend for departments, other academic units, and the university as a whole.

In response to this charge, over the course of its deliberations the Ad Hoc committee conducted research on sponsorship policies on campuses elsewhere, including the University of California, Berkeley; University of Connecticut; University of Iowa; University of Michigan; Ohio State University; Rutgers University; Stanford University. We also held meetings and hearings with a variety of constituencies and stakeholders on this campus, including the following: senior Administration; Deans; Department Chairs; the Massachusetts Society of Professors (Executive Committee); the Office of Legal Counsel; Student Affairs Leadership Council; university faculty (open meeting); graduate and undergraduate students (open meeting). We are grateful to all for their views, and hope we have done them justice here.

Principles and Values

This committee's work and recommendations are grounded in the following principles and values, which we believe are central to our public university, its work and its mission:

- **Mission.** The core mission of UMass Amherst, as defined in its Strategic Plan, is ‘to provide an affordable and accessible education of high quality and to conduct programs of research and public service that advance knowledge and improve the lives of the people of the Commonwealth, the nation, and the world.’* An essential part of this is creating an environment of intellectual, social, cultural and political inquiry on our campus.
- **Debate.** Such an endeavor requires ongoing intellectual discussions and debates. These include often robust disagreements, be it in the sciences or in the humanities. These are a motor for change, improvement, and self-reflection on where we are as a society and where we would like to go. They comprise an essential part of the core mission of the University.
- **Difficult Conversations.** The institution of the university is the space par excellence in our society to conduct difficult conversations. In many respects, these conversations make us who we are and represent what we strive for as an educational and social institution.
- **Free Speech.** Free speech is central to UMass Amherst, and is a right enjoyed by all members of the university community (as it is by everyone under US law). This includes speech that may be difficult or challenging to some members of the campus community. We reaffirm the importance of protecting the rights of speakers and their UMass sponsors, including speech on contentious issues. Robust free speech is particularly crucial at a major public university.
- **Community.** The university strives to be a community sensitive to its diverse students, staff, faculty and administrators. Without compromising the central place of free speech, we believe that members of our community have a responsibility to be mindful of the potential effects of particularly contentious events on other community members.
- **Balancing Commitments.** The interface of some of these principles can be challenging. Even as we seek to balance them, our aim should be to find hospitable spaces for potentially uncomfortable conversations. The university is committed to ensuring freedom of expression and dialogue among diverse groups in a campus community defined by mutual respect among its members.

Observations

We learned much during the course of our research and hearings. Here are a few key highlights—aspects we feel are important for the campus as a whole to know.

* *Be Revolutionary: A Vision for the Future.* 2018-2023 Campus Strategic Plan.
<https://www.umass.edu/strategicplan/strategic-plan>.

- **Hate speech.** While hate crime and verbal threat are legal concepts, hate speech is not defined legally, and has no legal remedy, in US federal and state law. Feeling offended by a given event does not have a legal dimension, while of course it does have an important implication for our students, who may seek support, and for the university community. As such, questions of offense should be taken seriously.
- **Free speech.** The Office of Legal Counsel recommended a working principle: the less one interferes with people's speech, the better off we are. It has been a matter of practice and principle for the University to provide venues for public events. When we do so, this must be in a manner that is consistent with the First Amendment. The Supreme Court also protects Academic Freedom as a special concern of the First Amendment. This conception recognizes the unfettered pursuit of knowledge and truth as a founding principle. As such, we cannot restrict for content.
- **Student Support.** Controversial events on campus bring out another dimension of campus impact, the need to provide advice and support to students before and after the event so that space for discussing difficult issues is maintained. The costs, whether in terms of finances or the work required on the part of counsellors and staff, can be significant.
- **Social Media.** While we should not be intimidated by fear of social media storms in response to events, Deans and department Chairs raised the need for coherence and (sometimes) assistance when crises erupt on social media.

Guidelines

In the light of everything we heard and learned we have developed guidelines which we trust will be meaningful and helpful to the campus as a whole. These are intended to be as non-restrictive as possible yet clarify the pertinent issues and protocols. We emphasize that we offer guidelines, not policies; our aim has been to provide the compass for navigation of sometimes complex terrain that our charge specified. Here then are our recommendations.

- **Rights.** We recommend a perspective based on rights. Organizers have a right to invite and host; speakers a right to speak; audiences a right to hear; audiences a right to talk back to speakers; those who object a right to protest. Everyone has a right to physical safety; no one has a right to threaten others. General rules of civility are the sine qua non of all events. The University also has a responsibility to defend all those who exercise their rights of expression.
- **Responsibilities.** Even as we talk of rights, we also need to bear responsibilities in mind. All of us are part of a wider campus community, and of communities beyond the campus. Organizers and sponsors of events should be mindful of the diversity and interests of their audiences. While it is impossible to make rules based on this, every effort should be made to bear the wider campus climate in mind, to bring people together even in disagreement, rather than reinforce divisions. This is part of our collective responsibility as a university.
- **Intellectual Inquiry/Politics.** There is no easy or bright line to be drawn between intellectual inquiry and politics, especially in some disciplines or avenues of investigation. This is as it should be, and should be respected.
- **Inclusion.** While everyone has a right to be included in the potential audience of an event, there is no right per se for everyone to feel included in any or all views

expressed. While many events will present varied points of view, sometimes it may be appropriate for a single point of view to be expressed. This too can be part of a larger conversation, and does not prevent other views being expressed at other events.

- **Participation and Engagement.** With these thoughts in mind, we recommend that every event should include an opportunity for meaningful question and answer sessions with the audience, so that they can be active participants in the event itself. All public events should be open to the press, including the student press.
- **Sponsorship.** It is quite clear that while sponsorship by a department, unit or group indicates an endorsement that an event should take place, it does not in itself imply or entail endorsement of any or all views expressed at that event. It is quite possible to imagine agreeing to sponsor an event even where one disagrees with the views that may be expressed, simply to raise important issues.
- **Endorsement and the University.** Even in cases where a group does endorse the views expressed at an event, that does not constitute endorsement by the university community as a whole. This is an important principle to underline. Hosting any particular event on our campus does not imply or entail endorsement by the University as an institution either of the event or the views expressed there. Such events are part of the broader exchange of ideas and inquiry which free speech promotes.
- **Funding.** There can be sponsorship of an event with or without funding, and funding can make a difference, including, in some circumstances, a legal difference. Where primary sponsors request co-sponsorship from others, they should be prepared to disclose the main sources of their funding, so that others can make an informed decision on whether to co-sponsor or not. Where donors prefer to remain anonymous, departments should indicate that to prospective co-sponsors.
- **The language of sponsorship.** Because the language of ‘sponsorship’ may imply funding and/or endorsement, it may be useful to explore other options in terms of the language we use: e.g., the notion of hosting or supporting. Organizers might say something like the following: ‘This event is hosted by...with support from the following....’ Or, ‘Major funding comes from...with additional support from....’
- **Departmental Procedures.** While most events on campus are uncontroversial, we recommend that every department develop procedures for sponsorship decisions on potentially contentious events. For instance, a small subcommittee, in consultation with the Chair of a Department, may identify potentially controversial events and decide to refer sponsorship decisions to the Department as a whole for a vote, where presumably some form of majority (simple or two-thirds) will prevail.
- **Funding Sources/Ethics.** The above recommendation on departmental procedures may help obviate real or perceived concerns regarding the sources of funding. Where sources either are or may be perceived to involve a conflict of interest or other concerns, we recommend organizers use caution and give due regard to the ethical issues that may be involved.
- **University Resources.** Even where no funding of an event is provided, we need to recognize that university resources come into play. The name of a department is a resource, as is any campus venue. All decisions regarding sponsorship should bear this in mind.

Conclusion

It is quite easy in the current context of polarization to take up a defensive posture as we try to protect what the university represents. However, we believe it is better to take a positive approach and proclaim proudly what we as a university stand for. We stand for a climate of uninhibited inquiry and exchange which nonetheless preserves principles of trust and mutual respect. We hope that the guidelines we have developed will help preserve and enhance that ethos not only in the current period but also in years to come.

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