

Editor's note: The following is the text of the **DRAFT** report prepared by the Independent Commission on Free Speech and Civility. It was used as a reference by the commission during its May 24 campus-wide meeting. A more detailed report was drafted by the commission and submitted on May 31 is currently being reviewed by the Affirmative Action Committee, the Shared Governance Group, and the Faculty/Staff in Support of an Independent Examination group. It will be released in August.

The Independent Commission's Understanding and Recommendations: A Work Still in Progress

Voices From the Community

- The advisors of our club were concerned their jobs might suffer as a result of being associated with us who experience ourselves as a political minority on campus
- How many times does harassment occur or get reported before it is taken seriously?
- We brought press releases to the communications office in advance of campus events, and the office nixed them.
- Academic department does not welcome students of color. They discourage you from taking courses, saying you will fail to pass them.
- Administration nixed any engagement about recruiters and the Solomon amendment by saying "we have to obey." There is no exploration of those critical times when individuals and organizations must resist their country's laws that are immoral.
- The line between free speech and civility is crossed when people engage in hate speech or violence.
- We are not recognized as 'police,' We are named as 'security officers' in the Student Handbook. People refer to the police as 'guards' or 'mall cops.' There is no respect for us or for the multiple degrees we may have earned in our profession.
- When I had to dig deep into my pockets for a nickel because I was told that I owed 5 cents for a plastic spoon in the cafeteria, I felt embarrassed and unwelcome.
- Why can't we have buses running later than 5:00?
- As a veteran, I feel silenced. It's hard for me to feel I have a rightful place on this campus.
- I've got serious health issues. When I am told that my college-issued voucher is not acceptable for certain foods in the cafeteria, I feel discriminated against.
- What are the 'shared values' for those who embrace diversity?
- Why is it that most of the staff of color are part time?

Charge to the Commission

- Conduct an independent and impartial examination of the troubling campus environment during the Spring 2005 and Fall 2005 semester
- Make recommendations that address how this community can learn, heal, and create a climate of free speech and inquiry within an environment of civil discourse free from violence and intimidation

Mandated Product

- Produce a living document from which all – faculty, staff, administration, students and campus police - can learn
- Summarize the events, consequent actions, and outcomes
- Provide a series of detailed recommendations

Our Method

- Conducted 30-40 interviews with students, faculty, administrators, staff, and police

- Reviewed relevant policy documents
- Reviewed memos
- Reviewed correspondence among HCC community members
- Reviewed stories in Phoenix
- Examined flyers related to the events

Impacts on Campus Climate

- Increase in uncivil speech, i.e., “Communist bitch, ‘ ‘faggot”
- Unresolved tension among students from different ideological orientations
- Clearer definition of policy, e.g., defining ‘gathering’ as two or more students
- Hiring of Chief of Police
- Unresolved tension among faculty, staff and administrators regarding whether it is appropriate to share their views with students, or seek to influence students politically
- Feelings that the administration responded in biased ways toward either the AWC or the CRs
- Continued concern that flyers put up by unpopular groups still get torn down
- Feelings of mistrust and betrayal between some students and staff (“You did not honor what we agreed to.”)

These events raised questions about the appropriate role played by:

- Administrators and staff
- Police
- Students in the AWC
- Students in the CRs
- Advisors to the AWC
- Advisors to the CRs
- Student bystanders to the 9/29/05 protest
- The editor of the student newspaper (the Phoenix)

Attitudes of Faculty, Staff and Administrators that Impact

How They View the Events of 2005

- Some faculty, staff and administrators feel strongly that neither staff nor course instructors should bring their political views into the classroom, lest they unduly influence students.
- Other faculty staff and administrators believe their role is the opposite: they should strongly articulate their political views and challenge students to act upon their values.
- Other faculty, staff and administrators told us they were glad to see students taking political action.
- We heard from other faculty and staff that the campus is dominated by those with liberal or left-leaning political views. We heard from those who don’t share those political views that they feel it is risky to voice their opinions, for fear of some form of ostracism, either subtle or overt. This was especially true of those who feel people should support our troops by not voicing opposition to the war.

Attitudes of Students That Influence How They View the Events of 2005

- Some students see little significance in these events. Their priority is to complete course requirements and acquire the knowledge they need to graduate.
- Students who are veterans, and do not oppose the war, also feel it is risky to speak up when so many students and faculty oppose the war.
- Other students feel strongly that it would be wrong to continue with ‘business as usual’ when an illegal or immoral war is going on. They feel that they, as well as the college, need to take a principled stand against the war.

Current State

- We have heard from multiple constituent groups - students, faculty, staff, and administrators - that the college has a culture that, more often than not, avoids public exploration of controversial or difficult topics.
- Since the events of 2005, there is little public engagement over the issues of the war and the presence of military recruiters on campus.
- Administrators, staff and faculty are not visibly initiating public discussion about the dilemmas raised by the war, differing political ideologies present on the campus, or the role of faculty, staff and administrators in expressing dissent to public policy while employed at a state institution.

Choices in Moving Forward

The college faces a choice. To what extent does it actively want to foster expression of free speech? There are at least two approaches:

- **Laissez Faire or Passive** stance - where the college focuses on removing any intentional barriers as well as policing inappropriate behavior, but does not actively foster events where campus community members engage in discussion about issues of concern to the community at large
- **Activist/Educator** stance - where the college uses its resources to create situations where campus community members engage in discussion about issues of concern to the community

Guidance from the Mission and Legacy

- Serve the Pioneer Valley
- Provide high-quality educational opportunities that are responsive to community needs
- Meet the intellectual, esthetic, and practical needs of a diverse student body
- Serve an economically, educationally, and linguistically diverse population
- Provide career programs that are responsive to the economic and social needs of the region.
- Focus on underserved populations - Originally, this consisted of older, part time students. In recent years it has shifted to younger, full time students. Currently, it is moving to address the needs of Latino students.

Recommendations Regarding the Exercise of Free Speech

- Make competency in public discourse and the expression of free speech an educational priority
- Provide role models, hands-on experience, and a variety of forums in which students can learn and practice free speech
- Clarify the requirements and responsibilities that must be met when engaging in free speech and free assembly. This will require an activist approach toward educating all campus members about the differences between free speech, harassment, protest, and civil disobedience
- Clarify the connection between free speech, democracy and respect for all individuals

Recommendations for Administrators

- Clarify the lines of authority in situations where civil disobedience might occur. Identify, where and when the authority of administrators ends, and that of the police begins.
- Although there is a prohibition against harassment in the Student Policy Guide, the rationale for this needs further elaboration in terms of legal precedents regarding limitations of protected speech.
- Clarify the grievance process governing those situations where students claim an administrator, staff, or faculty person has infringed on their rights of free speech or free assembly. Develop a process to ensure that someone out of the normal hierarchy hears the case.

Recommendations Regarding the Police

- Administrators should ensure that the police are consistently referred in all communication by their appropriate name: Campus Police
- State law stipulates that as soon as anyone places their hands on a police officer, the officer can then arrest them. Does the college community know this and support it?
- If this approach is the one the college chooses to support, who will ensure that it is applied in all cases. Who within the college will monitor how consistently this policy is applied?

- What forms of redress will be available to individuals who claim the policy is applied inconsistently? If a student makes a claim of harassment or other form of infringement on free speech against a police officer, who outside of a police hierarchy will oversee and adjudicate that claim?

Recommendations Regarding Students

- Provide students with clear definitions of the differences between civil discourse and protest, and between protest and civil disobedience.
- Clarify the rules for bystanders and protesters during a protest
- Develop a clear and consistent set of consequences that will be imposed on anyone who violates the rules of free speech or free assembly (including civil disobedience).
- Faculty and Club Advisors should review with students the parameters of free speech when they lead activities where there is a chance that disagreement may arise over an issue.

Civil Discourse

- ❖ **Civil** - from Latin word for citizen; implies community (from the Latin for 'common')
- ❖ **Discourse** ('reasoning' - from the Latin for 'running to and fro')
 - How essential, for full participation in a democratic society, is competency in civil discourse?
 - How and where does civil discourse fit into the curriculum of a public college?
 - Where and how do students learn about the role which actions such as dissent, protest, and civil disobedience play in a democratic society?
 - Can there be 'community' if each person does not feel respected?
 - How does a community engage in civil discourse while demonstrating respect for each individual?

A Spectrum of Reactions to Expressions of Difference

When someone expresses a new, unpopular or disquieting viewpoint, the options for responding include:

- Avoid the person
- Attempt to rebut or prove the statement to be wrong, inaccurate, etc.
- Respond with social sanction against the person who expressed the view
- Explore the person's reasons behind the statement with the intention of understanding their experience

A Place to Start

Recommendation:

- If students are to understand the American democratic tradition, they need to understand the nature and purpose of protest, dissent and civil disobedience. Not only do they need to know the difference and relationship between civil action and civil speech, but they also need to delve into what they are, and how they foster democracy.
- College leaders should initiate a public dialogue about how the campus community should best handle the issue of hate speech. This issue intersects the matters of both free speech and civil discourse. It often arises during discussions about sexism, racism and homophobia.
- After a full discussion, the college should adopt a clear policy about hate speech that positions it in the context of the college's values, and mission.
- The adopted policy should clearly define the roles which students, faculty, staff and administrators will play in minimizing the impact of such speech.

Other controversial issues which call for public discussion

- The war
- Affirmative action
- Immigration
- English as the official language/ESL
- The FY 2006-2007 priority of increased outreach and collaboration with the City of Holyoke, particularly to foster enhanced educational opportunities for it Latino community
- The commitment to increase the Latino student population on campus to at least 25%
- The impact on students, staff and faculty of color of the white/Anglo educational culture/system
- The reception that minorities (political, racial, etc.) get, when they voice opinions or viewpoints which are not shared or valued by the majority

1. HOW WILL HCC ENSURE THAT MEMBERS OF THE CAMPUS COMMUNITY LEARN TO ENGAGE IN CIVIL DISCOURSE?

Recommendations:

- Adapt the educational paradigm - work from a 'learning moments' model versus a pre-set curriculum
- Disseminate best practices already present
- Include training in civil discourse in orientation for all administrators, faculty and staff.
- Include training in civil discourse in the orientation for all new students.
- Students elected to the Student Senate should receive an orientation that reviews the rules for civil discourse.

2. HOW WILL THE COLLEGE ENSURE THAT STAFF, FACULTY AND ADMINISTRATORS SUPPORT AND MODEL THE SKILL OF CIVIL DISCOURSE?

Recommendations:

- Include an assessment of competency in civil discourse as one element in all performance evaluations.
- The role of Club Advisor should be adapted to include the expectation that Advisors will help students practice civil discourse.
- Surveys or focus groups should be conducted by students every semester to assess the degree to which civil discourse is occurring on campus.

3. WHAT CHANGES IN THE COLLEGE STRUCTURE NEED TO BE MADE TO ENSURE THERE IS ADEQUATE TIME AND SPACE FOR CIVIL DISCOURSE?

Recommendations:

- The schedule needs to be reviewed to find larger blocs of time where important issues can be discussed in depth
- Meeting places where large numbers of the community can gather should be reserved for widely publicized discussions of community issues.
- The responsibility for monitoring rumors and responding quickly to them should be centralized in one office, probably the Vice President of Student Affairs.

4. WHAT MECHANISMS WILL THE COLLEGE EMPLOY TO ENSURE THAT ALL PARTIES ADHERE TO THE NORMS AND PROCEDURES WHICH SUPPORT CIVIL DISCOURSE?

Recommendation:

- A system of graduated discipline in relation to civil discourse needs to be added to the college's discipline system
- This information should be added to the Student Policy Guide and it should be reviewed in orientation sessions.

Student Demographics -Spring 2005
Municipal Racial Demographics
Students' Home Communities

- 14% Springfield
- 12% Chicopee
- 11% Holyoke
- 9% Westfield
- 6% West Springfield
- 5% Easthampton
- 5% Northampton
- 4% Agawam
- 4% South Hadley
- 3% Belchertown
- 3% Ludlow
- 2% Palmer
- 2% Amherst