



# Know Your School's Speech Code

The first step to ensuring that student rights are protected on campus is to find out if your school has policies that restrict speech. Policies that prohibit or restrict speech protected by the First Amendment, known as speech codes, are evaluated by FIRE's staff and compiled in our searchable [Spotlight](#) database.

## RATING BREAKDOWN

In order to help students understand the severity of speech restrictions on campus, FIRE rates institutions and their written policies on a “red light,” “yellow light,” and “green light” scale. These ratings are applied equally to public institutions, which are legally bound to uphold the Constitution, and most private institutions.

While private colleges and universities are not legally bound to uphold the First Amendment, when a private institution promises free debate and expression, the school is morally bound—and may be contractually bound, depending on the circumstances—to honor the free speech rights and academic freedom of its students and faculty. [Read more about the distinction between public and private universities.](#)



**Red light rating:** An institution that has at least one policy that both clearly and substantially restricts freedom of speech.



**Yellow light rating:** An institution whose policies restrict a more limited amount of protected expression or, by virtue of vague wording, could too easily be used to restrict protected expression.



**Green light rating:** A college or university with no written policies that seriously imperil speech. Fewer than 30 of the approximately 450 universities rated by FIRE have been awarded a green light rating.



**Warning – Does Not Promise Free Speech:** A private university—possessing their right to free association—that clearly and consistently prioritizes other values above a commitment to freedom of speech.

[Check out FIRE's in-depth explanation](#) to learn more about how ratings are determined.

## UNRATED INSTITUTIONS

Many institutional policies can be found in the student handbook or student code of conduct, so you can see for yourself what speech policies your school has on the books. If you don't see your college in FIRE's database but you'd like to find out how the policies would be rated by FIRE, request to have them reviewed by filling out [this simple form](#). Interested in ensuring that your university's policies protect free speech? Do not hesitate to contact our staff—we're here to help!



## FOR STUDENTS AT GREEN LIGHT SCHOOLS

Even if your school has a green light rating, the work is not over. Just because your campus policies don't restrict free speech today doesn't mean that future administrators or students won't attempt to enact repressive speech codes or implement restrictions that are inconsistent with your school's current policies. The best way to protect free speech on your campus is to ensure that your college abides by its published green light policies and by codifying statements, like the [Chicago Statement](#), that commit the university to upholding free expression for all students and faculty. You can also keep students interested in protecting free speech by hosting a [FIRE Speaker](#) on campus.

## ELIMINATING CODES THAT RESTRICT SPEECH

If your university has yellow light or red light policies, there are several actions you can take to kick-start the process of reforming them. Consider [writing an op-ed](#) in the campus paper in support of free speech in order to raise awareness about restrictive policies, hosting [free speech activism](#) events such as [tabling](#) and collecting student signatures to petition a change in policy, constructing a free speech wall, or inviting a [FIRE speaker](#) to help start a discussion about why free speech is critical to fostering a "marketplace of ideas" on campus.

After gaining traction within the campus community, the next step is to [reach out to administrators](#) to revise the offending policies and hopefully earn your school a green light rating. FIRE staffers are on call to help you draft new policies that better protect free expression and to help you advocate for administrators to adopt these policies. FIRE staff are also available to help explain exactly why your campus's policies are overly restrictive. Understanding why your school's policies may be problematic is crucial in the process of amending them.

There is no one-size-fits-all way to go about changing university policies. To give you a sense of the diverse ways you can approach ameliorating speech codes at your school, here are some testimonials from students who embarked on this process:

### **Lincoln Crutchfield, University of New Hampshire:**

Never go into a reformation thinking people on the other side of the argument are not on the same team. Most of the time, these people are just trying to do what is right. Treating administrative counterparts like colleagues working towards the same goals will only result in a more productive and civil conversation. Keeping the conversation civil and productive is key to the second step, maintaining dialogue.

Keeping the dialogue open and moving forward is imperative. Set goals and make sure they are kept. Follow up with the key players, have lunch, and get to know them personally. Making personal conversation will generate dialogue and teach one how to interact with people in a method that best suits the individual. Ensuring that even when the business discussion becomes slow and acrimonious personal conversation still thrives will keep the process alive.

Do not be afraid to press hard. Changing speech codes is a necessary step towards protecting the United States and the institution of higher learning. Prepare like a Supreme Court case is



around the corner. Know exactly what policies need to be reformed, what the new policies need to look like, and how to implement such changes. Make it easy for administrators to execute the change and make it easy for them to defend their actions. Know what potential refutations to the changes may be and counter with a better argument. Make it impossible for campus leadership to say no.

Remember this: Work with campus leaders as a team, keep the conversation going, and prepare for all scenarios. Be frank, be friendly, be intelligent, and push hard. Make yourself part of the team and never give up. It will work.

**Hunter Yoches, University of Memphis Law School:**

Here at Memphis, we refused to let our school make it into the headlines for limiting free speech on campus. To combat this, we invited FIRE to our law school for a discussion on academic freedom. For the event, we invited our academic dean to the event so that he would get an idea of what was going on and see that there were students on campus who would stand up to any kind of limitations. We also had a strong turnout by the student body because we wanted to make other students aware of the dangers.

After FIRE came, FIRE provided us with a report on the limitations currently in place at Memphis so we took action. With FIRE's report, we drafted a memo that we sent to the academic dean and the dean of the law school highlighting areas that we thought were limiting student expression and other freedoms on campus. The dean of the law school, impressed by our efforts, helped us by putting us in contact with the general counsel of the University of Memphis, who we had a meeting with to discuss our memo. At the meeting, we discussed the provisions of the student codes and other school rules that limited student expression. The general counsel took kindly to our suggestions. Following this meeting, we were tasked by the general counsel to re-draft the language of the student codes and rules that we deemed to be limitations on student expression.

We completed a letter that was sent to the University of Memphis general counsel, as well as a letter to the dean of the University of Memphis Law School. We are hoping to continue with this and finally get a meeting with the general counsel.

**Zachary Greenberg, Syracuse University College of Law:**

At Syracuse University, I went about changing our speech codes by gaining the support of our student government organizations. These groups serve as the voices of the students they represent and have the power to pass resolutions that get sent right to the chancellor's desk. After working with my fellow law students to craft a resolution calling for the revision of our speech codes, I presented this resolution to the university's student governments for their approval. At the same time, *The Daily Orange*, our college newspaper, wrote about our push to reform these speech codes.



After the passage of these resolutions and the media coverage that followed, the SU administration took note of our efforts by creating the Free Speech Working Group trusted with coming up with a proposal for how to reform SU's speech codes. I had the privilege of serving on this working group with other students, professors, and administrators. We submitted our proposal to the administration which they used to review and revise many of SU's speech codes.

The one thing I can say about my experience with changing the speech codes at SU is that it is a collaborative process. Building a coalition of those who value free speech not only increases your chances of success, it also goes a long way towards changing the culture of your educational community. In many ways, creating an environment where free speech is valued and respected is just as important as changing the policies themselves. The process is just as important as the end result.