

## Federal Mandates and Campus Rights: FIRE's Response to Title VI Pressure at Columbia

Date: July 28, 2025

Topic: Time, Place, and Manner Regulations

---

In its [demand letter](#) to Columbia University, the federal government called on the school to “implement permanent, comprehensive time, place, and manner rules to prevent disruption of teaching, research, and campus life.” Columbia’s initial [response](#) and the [Resolution Agreement](#) each reaffirm the university’s commitment to free expression while indicating that protests in academic buildings and other key university spaces would generally not be permitted.

As a threshold matter, colleges may impose reasonable time, place, and manner (TPM) restrictions in publicly accessible areas of campus that restrict when, where, and how people conduct expressive activities. To protect campus speech, these policies must be content-neutral, leave open other avenues for expression, and be narrowly tailored toward a significant university interest—such as preventing substantial disruption to campus operations. Columbia’s current policies on this topic leave ample room for improvement.

Columbia must harmonize its existing policies on expression with the §440 Affirmative Statement in [The Rules of University Conduct](#), which states: “The University recognizes only two kinds of limitations on the right of freedom of expression, and both are to be narrowly construed. First, the University reasonably regulates the time, place, and manner of certain forms of public expression...Second, the University may restrict expression that constitutes a genuine threat of harassment, that unjustifiably invades an individual’s privacy, or that falsely defames a specific individual.”

As a general rule, the government, including public universities, may enforce reasonable time, place, and manner restrictions on when, where, and how people conduct expressive activities. Private colleges that promise their students and faculty expressive rights may also implement such reasonable restrictions on campus to prevent disruption to campus activities. Those rules must be content-neutral, meaning they’re applied evenly regardless of the topic of the speech. They must also be [narrowly tailored to serve a significant government interest, leave open ample alternative channels for communication](#), and be applied evenhandedly, not discriminating against particular viewpoints.

Columbia maintains more than ten policies that contain time, place, and manner regulations. These rules include fire safety guidelines and limits on amplified sound, erecting tents, and the number of people who can safely gather in a particular space. Unfortunately, many of these policies maintain conflicting provisions. For example,

different policies have different definitions for what constitutes a “special event,” a category of expressive activity subject to stricter rules. These discrepancies create confusion and impede the ability of students and faculty to express themselves on campus.

In the aggregate, Columbia’s policies presently require a speaker to provide notice, at minimum, or obtain “advanced approval” from administrators, at the maximum. This range is confusing and will deter students from engaging on campus.

Columbia’s [“University Events Policy,”](#) one of its most restrictive, requires a reservation and advance approval for all expressive activity. Of heightened concern, the policy’s expansive definition of “special events” makes all outdoor events, and all events with more than 25 attendees, subject to a 10-day notice requirement. On the whole, this policy would likely not pass muster under First Amendment standards since, among other deficiencies, it requires all events—no matter how small and non-disruptive, and no matter the location—to be reported to (and possibly preapproved by) the administration. Even a handful of students cannot gather on Butler Lawn wearing t-shirts urging the institution to improve its protest policies without first alerting the administration. We know with certainty that Columbia is not consistently administering such restrictions precisely because they are so broad that doing so would grind the campus to a halt. For the same reason, we know such broad restrictions are simply unnecessary for the functioning of campus.

Columbia’s “Outdoor Space Policy,” which would presumably cover spontaneous expressive activity outdoors, if permitted, requires all outdoor events be “booked” with the university, therefore effectively cutting off the ability to spontaneously demonstrate. Providing further clarity, an [FAQ](#) document explaining recent policy revisions confirms spontaneous demonstrations are not acceptable, stating that demonstrators “must provide notice to Public Safety and University Life no later than at the time of their public announcement of the event (including by email or social media).” Being unable to spontaneously demonstrate on campus robs students and faculty of the ability to respond to rapidly unfolding events.

FIRE is also concerned about Columbia’s response to [federal demands](#) for TPM regulations that “demonstrations and other protest activities that occur inside academic buildings and places where academic activities take place present a direct impediment to maintaining our core academic mission.” Columbia goes on to state it will clarify that “such protests in academic buildings, and other places necessary for the conduct of University activities” will generally not be acceptable on campus.

Such a statement is simply too broad to be true. While Columbia may regulate indoor expressive activities to ensure there is not a disruption to regular operations—such as the occupation of an academic building which prevents students from attending class—the response suggests the university intends to take an overly restrictive approach. Under its

terms, Columbia might draft or implement a policy that prevents even non-disruptive “protest activities,” such as wearing an armband in solidarity with one’s preferred cause, or that regulates outdoor protests in the same manner as indoor ones. These heavy-handed approaches would unnecessarily stifle expression. Any new policy should be limited to regulating disruptive protests that impede university operations.

Discriminatory harassment, properly [defined](#), prohibits targeted conduct that is so severe, pervasive, and objectively offensive that it denies its target access to an educational opportunity or benefit. If expressive conduct meets this standard, it is not protected by the First Amendment. If harassment policies are to be of use in protecting the rights of all students, Columbia must draft and implement them so that they subject expressive activity on campus only to properly defined limitations.

This exchange raises important questions about administrative overreach, viewpoint neutrality, and the boundaries of permissible regulation of student expression.