

January 31, 2025

Frank H. Wu, Office of the President, Queens College-CUNY

Dear President Wu:

I am writing on behalf of the Professional Staff Congress Academic Freedom Committee. Our charge is to defend academic freedom as a professional and contractual right of all CUNY professional staff. Academic freedom is grounded in the faculty or staff member's qualifications for the position as reviewed by his/her peers. It consists of the freedom to teach, research, write, and to speak in our capacity as citizens without restraint by the administration.

We join with the [Queens College PSC Chapter and other PSC members](#) to demand that you immediately withdraw the [“Interim Queens College Guidance Regarding Time, Place, and Manner Regulations for Demonstrations on Campus.”](#) As the recent letter from PSC members notes, this guidance is unnecessary, since [The City University of New York's Henderson Rules](#) already govern the campus conduct it addresses. Indeed, it is debatable whether these restrictions are even permissible under the Henderson Rules.

Furthermore, given that the opening paragraph states “The Guidance applies to all persons at Queens College, regardless of their affiliation,” it will very clearly have the effect of repressing the contractual academic freedom rights of PSC members, and indeed all members of the Queens College community. We particularly object to the fact that members of the Queens College PSC Chapter were not consulted in the drafting of these guidelines, nor were students and other members of the community whose rights will be affected by these guidelines. These new policies represent a chill on academic freedom, free speech, and freedom of assembly that undermines the basic mission of Queens College, and of CUNY as a whole, as an academic institution.

Among other concerns, the interim guidance impermissibly and arbitrarily constrains free speech rights on campus by stifling spontaneous demonstrations by Queens College community members—including PSC members—and by isolating protests from their audiences, thus excluding community voices from the decision-making process. Regardless of intent, its provisions would likely have a discriminatory impact, limiting the ability of individuals and groups to make their voices heard.

In tandem with other PSC members, we offer the following objections in particular to the “time, place, and manner regulations”:

- In the most general sense, a key component of free speech and academic freedom is the ability to engage in spontaneous expression, to immediately respond to breaking news and developing events. Requirements for advance permission constitutes an unacceptable restriction on PSC members' First Amendment and academic freedom rights.

- “No Demonstrations are allowed inside College buildings.” This provision could in many instances deny protesters a reasonable opportunity to reach their intended audience, who may be indoors. Moreover, this policy is impermissibly discriminatory against individuals who, for a variety of reasons, cannot fully participate in an event that is held exclusively outdoors. During inclement weather, this provision could stop demonstrations entirely. Additionally, the vague description of “demonstrations” precludes any number of activities that PSC members may deem to be of academic and intellectual value, thus in effect precluding them from doing our work as public educators.
- “Demonstrations shall not exceed three hours in duration.” This provision could similarly deny protesters a reasonable opportunity to reach their intended audience, as when a demonstration concerns a campus event that lasts more than three hours. Additionally, this rule could be used to deny interested individuals the opportunity to participate in the demonstration. A demonstration should have the right to reach a wide audience and allow all who wish to join an opportunity to do so.
- “The College permits approved Demonstrations at the following locations, unless another party has previously reserved the space: Student Union Field 1 Parking Lot, Eastern Quad, Central Quad, Western Quad, Dining Hall Plaza. The College may authorize Demonstrations at other locations on Campus only upon written approval of the Vice President of Student Affairs and Enrollment Management.” The Henderson Rules already bar demonstrations from blocking access to college facilities, rendering this further restriction on free speech completely unnecessary. Moreover, this policy contains protests within small spaces that are isolated from the rest of the campus and would again potentially prevent demonstrators from reaching their intended audience.

Our committee also objects to the ban on protests during finals week, and to asking people to remove a face mask unless they have approved accommodations. The latter point is particularly important, given the PSC’s insistence upon making certain that members who have health conditions be able to work in a safe environment that allows them to protect their health. Additionally, the interim policy’s language around incitement, lawless action, defamation, harassment, threats, damage to college property, and “unauthorized markings or attachments” is excessively vague, open to interpretation, and invites overreach by CUNY management.

While all of these restrictions are drafted to appear “content-neutral” on their face, their application is likely to be anything but neutral, disproportionately impacting the very people, including PSC members, who are most likely to demonstrate on campus—those who express viewpoints that the college administration opposes. Moreover, the very process of creating these guidelines runs counter to ensuring an inclusive environment, as key segments of the college community (including students, faculty, staff, and unions) were excluded from the drafting process.

The interim guidance purports that it is “intended to ensure a welcoming, safe, and inclusive environment that supports academic and social activities at Queens College.” In fact, it does the

opposite. As noted above, these guidelines chill academic freedom and free speech in a manner that undermines both the academic mission of Queens College and the contractual academic freedom rights of PSC members. We therefore demand the immediate withdrawal of this interim policy. Any subsequent changes to guidance governing expression on campus, if and when these are deemed by the Queens College community to be necessary, should be crafted in the least restrictive way possible, and in consultation with students, faculty, and staff—and, in particular, with members of the Queens College PSC Chapter.

Sincerely,

Professor Anthony Alessandrini, Chair

On behalf of the PSC-CUNY Academic Freedom Committee

cc: Félix V. Matos Rodríguez, Chancellor, City University of New York

Professor James Davis, President, Professional Staff Congress

Ari Paul, *Clarion* Editor

Fran Clark, PSC-CUNY Director of Communications

Professor Karen Sullivan, Chair, Queens College PSC-CUNY Chapter

Professor Erica Doran, Vice Chair, Queens College PSC-CUNY Chapter

Professor Jane Guskin, Delegate, Queens College PSC-CUNY Chapter