

AIMS COLLEGE OF BUSINESS AND IT
(PVT) LTD

FREEDOM OF SPEECH



In compliance with (Sri Lanka ratified the International Covenant on Civil and Political) Rights of Speech Section available in Sri Lanka's constitution, article 14 (1) (a) which allows the exercising of freedom of speech and expression, AIMS sets the following regulations, controlling the behavior of staff and students and prescribing procedures to be followed in order to ensure legal freedom of expression on institution grounds.

Introduction

1 Regulations No. 1

- 1.1 AIMS thinks that maintaining freedom of opinion and speech inside educational institutions is critical to their claim to be such. To prevent the articulation of certain viewpoints simply because they are not accepted by some groups, or even by the majority, is to prevent the full understanding, analysis, and criticism of those views. As a result, it protects those who hold such views from having to defend them against the arguments of those who do not.
- 1.2 It is, nevertheless, acknowledged that the expression of certain beliefs or the use of certain language may constitute incitement to riot, insurrection, racial hate, sexual harassment, discrimination on the basis of race or sex, or other illegal activity. Their mere expression may be illegal. On other situations, the expression of such beliefs may lead to a breach of peace. It is the obvious responsibility of AIMS to try to avoid any violation of the law if it is reasonable to expect that one would occur.
- 1.3 Here is an intermediary zone in which what persons expressing them claim to be simply statements of opinion are perceived by others as abusive, threatening, frightening, humiliating, demeaning, or 'verbal violence,' even though their speech is not a violation of the law. However, it remains axiomatic that such utterances should be answered with reasonable analysis and debate rather than violence. The suppression of points of view by violence or intimidation is opposed to the essence of learning institutions, but so is an undue emphasis on openly expressing opinions that are bound to offend or disturb others. Conflicts between moral values are seldom simple to overcome, even when one of those principles is the right to free and lawful speech.
- 1.4 Conflicting moral values are never simple to settle, especially when one of them has the right to free and lawful expression; self-control and regard for the sentiments of others are the greatest guides here.

1.5 The rest of these Regulations deal with three categories of events:

- (a) Activities on AIMS premises organized by AIMS employees outside of the usual teaching course (which latter word shall be held to include Special Courses as well as courses leading to campus awards).
- (b) Activities organized by a society or on AIMS grounds by an individual student
- (c) Events organized by any person or group of people not covered by (a) or (b) above but held on AIMS premises

Regulations No. 2

2.1 The Vice-Chancellor and staff, as well as the Chancellor collectively, shall do everything reasonably possible to ensure that no individual or body of persons is denied access to AIMS premises on the basis of that individual's or any member of that body's beliefs or views, or the policy or objectives of that body, subject only to the caveats in paragraphs 2 and 3.

2.2 Where views may be publicly expressed, whether verbally or in writing, at any of the events listed in paragraph 1.4 above, adequate notice shall be given to the Vice-Chancellor or his or her designated officer (normally the Registrar and Company Secretary); less than 14 days' notice shall be regarded as inadequate. Such notice shall include:

- (a) the date, time, and location of the event
- (b) in the case of staff and student-organized events, the name of the individual or group responsible for them and, where a group, the name of the individual who will act as correspondent to the group; and
- (c) in the case of other events, the name of the individual or group responsible, and, where it is a group, the name of the individual who will act as correspondent to the group, plus, where possible, the name of at least one member of staff connected with the group and willing to act as co-sponsor of the event, who shall sign an undertaking to comply with all lawful instructions of AIMS, together with the correspondent or organizing individual.

2.3 Where no objection is raised to the proposed arrangements, the Vice-Chancellor or designated official shall express assent within seven days of receipt of such notice. Changes to the agreements must also be made within seven days.

2.4 If it appears to the individual or group organizing the event that unlawful views may be expressed, or that other unlawful actions may occur, this must be reported to the Vice-Chancellor or designated officer at the same time as the notice described in paragraph 2.2 above, or immediately if suspicion that this may occur arises thereafter. When the Vice-Chancellor or designated officer reasonably suspects that unlawful conduct is about to be committed, he or she may reject permission for the event to take place on AIMS premises.

2.5 In line with paragraph 2.4, the organizer(s) of an event shall notify the Vice-Chancellor or designated official if he/she/they believe that a breach of the peace may occur during/before/after the event. When the Vice-Chancellor or designated officer reasonably believes that there may be a breach of the peace during/before/after the event, he or she shall consult the Senior Police Officer in the Police Division within which the event is to take place as soon as practicable. Permission for the event may be denied following such consultation. Where this is not the case, the Vice-Chancellor or a designated officer must work with the Senior Police Officer and the event organizer(s) to ensure that free expression is protected, and that no disturbance of the peace occurs.

2.6 Whenever an event falling within the requirements of Regulations 2.4 or 2.5 is proposed, the Vice-Chancellor or designated official shall notify the Board of Governors of his or her actions and decision.

2.7 AIMS shall not arbitrarily deny permission to hold events on its premises. To that end, before denying authorization for an event, the Vice-Chancellor or designated officer must first answer the following questions:

- (a) Whether those attending the event are likely to be incited to commit a criminal act;
- (b) the likelihood of the expression of views contrary to criminal law;
- (c) whether the event is in direct support of an organization whose aims and objectives are illegal;

(d) whether the event could result in a breach of the peace (considering the advice of the Senior Police Officer of the appropriate Division of the Police).

(e) the safety of those attending the event and others in the area that may be put at risk;

(f) the security of AIMS' facilities; and

(g) the reputation of our institution.

2.8 Any violation of these Regulations will be dealt with by the Board of Governors, who will determine what action to take. A violation by a member of staff is dealt with in line with the disciplinary processes.

2.9 A student who signs an agreement to follow our AIMS Regulations upon enrollment is assumed to have formally embraced both the letter and spirit of these Regulations. Similarly, AIMS students and its associated clubs and organizations must respect the rights to free expression and legal assembly when carrying out the tasks delegated to them under the constitution authorized by the Board of Governors.

3 Delegations

3.1 The Board of Governors delegated its powers in relation to the matters addressed in these Regulations to the Vice-Chancellor or his/her designated officers, except where the latter considers it desirable to seek advice or a decision from the Governors, where this is reasonably practicable.