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Lucille L. Foster, Chair
University Senate
Rutgers, The State University of New Jersey
335 George Street, Suite 1250
New Brunswick, NJ 08901

Dear Ms. Foster,

I am writing in response to your February 9 letter regarding the protest that occurred on the Rutgers University–Newark campus on February 4.

As you know, Rutgers has strong commitments both to freedom of expression and to the safety of its community members. In pursuit of those commitments, Rutgers revised its Free Expression Guidelines in 2024. The guidelines largely incorporate university policy, promote greater specificity, and formalize the process for approving demonstrations and protests on campus. The approval process allows the university to estimate attendance and plan appropriately to ensure a safe environment for all. To ensure a safe environment, RUPD officers are typically present at protests and demonstrations. They were present on February 4 and acted in accordance with the obligation to prevent disruptions to university operations.

Under state law and university bylaws, the Board of Governors is vested with the government, control, conduct, management, and administration of the university on its own and through the university officers and administration. Those powers include the authority to develop policies and guidelines for the efficient conduct of the university. Thus the Free Expression Guidelines, and their underlying policies, are all enforceable as appropriate exercises of university authority.

The Free Expression Guidelines provide a framework for conducting protests safely and in a manner that does not disrupt university operations, provided they are followed. Because the February 4 protest threatened to become disruptive in violation of University Policy 50.3.5, RUPD directed the protestors to move to the nearby public sidewalk, informed them that protesting was not permitted inside the building, and permitted entry to individuals who indicated they had legitimate business within the building.

We welcome a meeting to discuss your concerns, and I will ask Chief of Staff Ralph Gigliotti to arrange it, but please understand that the Free Expression Guidelines are an appropriate exercise of university authority, and the RUPD appropriately carried out its responsibilities with respect to the February 4 protest.

Warm regards,

William F. Tate IV