

Freedom of Expression Regulation (REG07.30.06)

Faculty Senate Meeting, November 13, 2018

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- Designed to afford all persons the rights of expression guaranteed by the First Amendment
 - In case of conflict, the Regulation is subordinate to the First Amendment
- Protects the right of Academic Freedom:
 - *“This Regulation shall not be interpreted as limiting the right of Academic Freedom as set forth in the University’s Faculty Manual.”*
- Requires that any restrictions on speech be content-neutral and designed to facilitate the Mission of the University, including learning, teaching, conducting research, fostering robust discussion, and patient care
 - Recognizes that location and context matter:
 - E.g., medical clinic vs. classroom vs. Mall
 - E.g., math class vs. political science class
 - Recognizes that the University must continue to function:
 - Obstructing others from entering/exiting classrooms, buildings
 - Disturbing patient care, classrooms, research
- Identifies speech and actions *not* protected by the First Amendment
 - Illegal acts, including discrimination, hostile environment, harassment, hazing, stalking, defamation
 - Acts in violation of health and safety regulations
- Allows for Spontaneous Expressive Activity
- NEW: Explicitly protects the right of persons who have reserved space to be heard, while also allowing dissenters to be heard, so long as the Event is not materially and substantially disrupted
- NEW: Ensures that all potential disciplinary action is governed and subject to the disciplinary policies and procedures *already in place*:
 - Students: Code of Student Conduct
 - Faculty: Faculty Manual
 - SHRA, CSS, and EHRA Non-Faculty: Existing laws, policies and handbooks
- NEW: Requires the University to annually disseminate information to the University Community about Policies, Regulations and Rules that set forth free speech rights