

Policy Library

910 Right of Expression

Authority: Approved by the Board of Trustees

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910.1 Overview of Policy

The right of expression is as necessary as the right of inquiry and both must be preserved as essential to the pursuit and dissemination of knowledge and truth. Consequently, the University takes seriously its commitment to protecting the rights of students, employees, guests and other visitors to engage in free speech and protected expressive activity. Importantly, nothing in this policy shall interfere with the right of any member of the University faculty to conduct and manage their teaching and research activities in accordance with their professional judgment and the principles of academic freedom.

910.2 Applicability of Policy

This policy applies to all invited guests and visitors to the University and to the following members of the University community:

- a. Students;
- b. Student organizations;
- c. University employees, including faculty, administrators, and staff;
- d. Individuals using University resources or facilities or receiving funds administered by the University; and
- e. Other individuals when speaking or acting on behalf of the University.

910.3 Policy Statement

The University is committed to protecting the rights of the University community, invited guests and visitors to engage in free speech and protected expressive activity. Protected expressive activity includes:

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- b. Communicating by lawful verbal, written, audio visual, or electronic means.
- c. Participating in peaceful assembly.
- d. Protesting.
- e. Making speeches, including speeches of guest speakers.
- f. Distributing literature.
- g. Carrying signs.
- h. Circulating petitions.

Except when an outdoor area of campus has been reserved in advance, individuals may engage in protected expressive activity in any outdoor area of campus that is generally accessible to the public.

910.3.1. Religious, Political, or Ideological Student Organizations. The University will not deny any benefit or discriminate against a religious, political, or ideological student organization on the basis of the organization's protected expressive activity or a requirement that a leader of the student organization:

- a. Affirm or adhere to the sincerely held beliefs of the student organization;
- b. Comply with a standard of conduct of the organization; or
- c. Further the mission or purpose of the student organization.

910.3.2. Speakers and Visitors. The University does not limit who may speak at or visit the University on the basis of their views or beliefs, nor does it endorse the views or beliefs of any speaker or visitor who does. The University likewise does not prohibit others from expressing their objections to the views and beliefs of any speaker or visitor.

910.4 Prohibited Activities

The University may regulate the time, place and manner of free speech and protected expressive activities if necessary to ensure the safety of individuals, the protection of property, and the continuation of University functions. To that end, individuals engaged in protected expressive activities must comply with all federal, state, and local laws, and with the following restrictions. Expressive activities may not, whether by physical, auditory, or other means:

- a. Significantly hinder the protected expressive activity of another individual or

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- b. Prevent the transaction of business at a lawful meeting, gathering, or procession including by:
 - i. Engaging in fighting, violence, or other unlawful behavior; or
 - ii. Physically blocking or threatening violence to prevent an individual from attending, listening to, viewing, or participating in a protected expressive activity.
- c. Endanger the safety and well-being of individuals.
- d. Result in the destruction of property.
- e. Constitute harassment.

Examples of prohibited activities include substantial disruption to classroom instruction, interference with the normal functioning of the University, interference with the flow of pedestrian or vehicular traffic, disruption to scheduled programs or events, and similar activities.

It cannot be emphasized more that physical violence, threats or implied threats of physical violence, intimidation, and destruction of property are strictly prohibited. The University reserves the right to ban any individual from its property and facilities who engages in such activity.

Nothing in this section is designed to interfere with or prohibit members of the University community from spontaneously and contemporaneously assembling and distributing literature.

910.5 Sanctions

Violations of this policy by any member of the University community will be addressed in accordance with applicable University policies and procedures, which may include disciplinary action, up to and including suspension, termination or expulsion from the University.

Any person who is not a member of the University community and who violates this policy may be removed from University property. The University reserves the right to pursue legal remedies, including trespassing.

Anyone who is suspected of violating the law will be referred to law enforcement and may be subject to criminal penalties.