



University of Colorado

Boulder | Colorado Springs | Denver | Anschutz Medical Campus

BOARD OF REGENTS

1. UNIVERSITY OF COLORADO SELF-GOVERNANCE, GUIDING PRINCIPLES AND FREEDOM OF EXPRESSION

Policy 1.D: Freedom of Expression

1.D.1 As required by Regent Law, the University of Colorado shall protect the freedom of expression of its students, faculty, and staff on campus and in its programs and activities.

1.D.2 This policy addresses speech that occurs on University of Colorado campuses or digital spaces controlled by the campuses, but not speech occurring in the course of research or in the classroom instructional environment. Speech in research and teaching is governed by regent articles 5.B and 7.C.

1.D.3 Use of University Grounds, Buildings, ~~and~~ Facilities, and Digital Spaces:

(A) No campus shall designate any area as a free speech zone or otherwise limit free expression to a predetermined and designated area of campus. Generally accessible outdoor areas on the campuses shall be available to members of the university community for free expression in accordance with campus policies authorized by this section.

(B) The president of the university shall adopt, in accordance with university policy and applicable external law, regulations and procedures governing the use of university grounds, buildings, and facilities not located upon any university campus.

(C) The chancellor of each campus shall adopt, in accordance with university policy and applicable external law, regulations and procedures governing the use of university grounds, buildings and facilities on that campus.

(1) The use of university grounds, buildings, and facilities shall be limited to members of the university community, except as the use by others is specifically authorized under regulations adopted in accordance with university policy and applicable law.

(2) The use of university grounds, buildings, and facilities may be subject to requirements that govern the time, place, and manner of expression, including scheduling requirements, but all such requirements must be:

(a) Reasonable;

- 42 (b) Justified without reference to the content of the expression;
43 (c) Narrowly tailored to protect the university environment, prevent
44 disruption of university activities, or serve another significant
45 university interest;
46 (d) Leave open ample alternate channels for communication of the
47 information or message.
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49 (3) The use of university grounds, buildings, and facilities by members of the
50 university community may be conditioned upon the payment of reasonable
51 expenses incurred by the campus in hosting an event. Any such fees shall
52 be determined based upon the campus's good faith estimate, based upon
53 the application of objective criteria, of the actual expenses it shall incur in
54 hosting an event. In no instance shall a campus assess any such
55 expenses in a manner that is based upon disapproval of the substantive
56 message that the speaker expresses.
57
58 (4) Nothing in this section grants members of the university community the
59 right to materially disrupt previously scheduled or reserved activities
60 occurring on university grounds, buildings, and facilities.
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62 (D) Freedom of Expression by University of Colorado Faculty
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64 (1) When engaged in teaching and research, faculty enjoy the associated
65 rights and observe the associated responsibilities of academic freedom as
66 expressed in regent policy 5.B.
67
68 (2) University faculty are members of our communities and members of a
69 learned profession. When university faculty speak or write as citizens, not
70 in furtherance of their university duties or in the course and scope of their
71 university employment, on matters of political, academic, artistic, or social
72 concern, the university shall not censor their expression, initiate
73 disciplinary action against them, or otherwise subject the faculty members
74 to adverse employment actions because it disapproves of the substance of
75 their expression.
76
77 (3) When university faculty speak or write in their personal capacities, not in
78 furtherance of their university duties or in the course and scope of their
79 university employment, they must make every effort to indicate that their
80 expression is their own and does not represent the opinion or position of
81 the university. When writing as citizens on matters of political, academic,
82 artistic, or social concern, alone or as a group, within digital spaces
83 controlled by the campus, university faculty must include a disclaimer
84 clarifying that the work does not represent the opinion, belief, or position of
85 the university.
86 ~~(3)~~
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88 (4) The freedom of expression recognized in this section does not grant
89 university faculty the right to refuse to perform official duties, to materially

90 disrupt the university environment or university activities, or to disregard
91 the standards of ethical conduct as expressed in article 8, part B of the
92 Laws of the Regents or regent policy 8.A.

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94 (E) Freedom of Expression by University of Colorado Staff
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96 (1) All staff of the university are members of our communities. When staff of
97 the university speak or write in their personal capacities, not in furtherance
98 of their university duties or in the course and scope of their university
99 employment, on matters of political, academic, artistic, or social concern,
100 the university shall not censor their expression, initiate disciplinary action
101 against them, or otherwise subject the staff members to adverse
102 employment actions because it disapproves of the substance of their
103 expression.

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105 ~~(2)~~ When staff of the university speak or write as citizens, they must make
106 every effort to indicate that their expression is their own and does not
107 represent the opinion or position of the university. When writing as citizens
108 on matters of political, academic, artistic, or social concern, alone or as a
109 group, within digital spaces controlled by the campus, staff of the university
110 must include a disclaimer clarifying that the work does not represent the
111 opinion, belief, or position of the university.

112 ~~(2)~~

113
114 (3) The freedom of expression recognized in this section does not grant staff
115 of the university the right to refuse to perform official duties, to materially
116 disrupt the university environment or university activities, or to disregard
117 the standards of ethical conduct as expressed in article 8, part B of the
118 Laws of the Regents or regent policy 8.A.

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120 (F) Freedom of Expression by University Students
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122 (1) When engaged in educational activities, university students enjoy the
123 associated rights and observe the associated responsibilities of academic
124 freedom as expressed in article 7, part C of the Laws of the Regents.

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126 (2) University students are members of our communities. When university
127 students speak or write in their personal capacities on matters of political,
128 academic, artistic, or social concern, not in furtherance of their studies or
129 in the course of their academic duties, the university shall not censor their
130 expression, initiate disciplinary action against them, or otherwise subject
131 the students to adverse academic actions because it disapproves of the
132 substance of their expression.

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134 ~~(3)~~—The freedom of expression recognized in this section does not grant
135 university students the right to materially disrupt the university environment
136 or university activities or to disregard the standards of conduct as

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promulgated under article 7, part C of the Laws of the Regents. In exercising the freedom of expression recognized in this section, students must comply with campus regulations and procedures governing the use of university grounds, buildings, facilities, and digital spaces.

History:

- Adopted: September 14, 2018.
- Revised: N/A
- Last Reviewed: September 14, 2018.

DRAFT