



TO: Regents Governance Committee

FROM: Regent Mark VanDriel

DATE: August 22, 2024

RE: Recommended Changes to Regent Policy 1.D: Freedom of Expression

This item proposes amending Regent Policy 1.D to: (1) apply to digital spaces controlled by the campuses; (2) require university faculty and staff, when writing as citizens on matters of public concern within digital spaces controlled by the campus, to include a disclaimer clarifying that the work does not represent the opinion, belief, or position of the university; and (3) reaffirm that students must comply with campus regulations and procedures governing the use of university grounds, buildings, facilities, and digital spaces.

Currently, Regent Policy 1.D.3.(D)(3) and .(E)(2) require faculty and staff speaking or writing as citizens to “make every effort to indicate that their expression is their own and does not represent the opinion or position of the university....” The proposed changes would more specifically require faculty and staff, when writing as citizens on matters of political, academic, artistic, or social concern, alone or as a group, within digital spaces controlled by the campus, to state that the work does not represent the opinion, belief, or position of the university.

Currently, Regent Policy 1.D.3(F)(3) provides that “[t]he freedom of expression recognized in this section does not grant university students the right to materially disrupt the university environment or university activities or to disregard the standards of conduct as promulgated under article 7, part C of the Laws of the Regents.” The proposed changes would additionally note that, “[i]n 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.”

Pursuant to Regent Policy 2.N, these proposed changes to Regent Policy 1.D were discussed by the Governance Committee on March 21, 2024, and received Notice of Motion on the April 11-12, 2024, Board meeting agenda. The proposed changes were discussed by the Governance Committee at its May 23, 2024, meeting, and will be further discussed by the Governance Committee at its August 22, 2024, meeting. Accordingly, the proposed changes to Regent Policy 1.D could be considered for a vote by the full board at the September 12-13, 2024, Board of Regents meeting.