

TO: The Board of Regents

FROM: Executive Committee

MEETING DATE: January 25, 2018

SUBJECT: Commitment to Free Expression

RECOMMENDED ACTION: Adopt the Policy which follows this item, to be designated as *Board of Regents Policy RP-6.4.10*, Commitment to Free Expression; Guide for Facilities Use; and Education; and related report.

PREVIOUS ACTION: None

EXPLANATION: Institutions of higher education, both in the United States and around the world, attract the exchange and sharing of ideas and opinions, a practice that goes hand-in-hand with the underlying foundations of education. The University of Nebraska has long embraced, supported and facilitated that practice. It is now, and always has been, dedicated to free expression, as guaranteed by the First Amendment of the U.S. Constitution. Events in recent years, nationally and locally, have prompted the University to re-examine and re-dedicate itself to the principles of free expression, found in the First Amendment. In response to those events, the President appointed in September 2017 a working group of University personnel, representing the system and all four campuses, with skills and experience in the areas of student affairs, facilities, legal, and communications, among others. This group coordinated the drafting of the proposed policy, a process that included review of the draft and input from the Regents, students, faculty, and staff leadership.

The purpose of the proposed policy is to articulate, clarify and underscore that long-standing commitment in a manner that furthers both freedom of expression and the University's mission of teaching, research and public service. The first section of this policy sets forth the University's and the Board of Regents' commitment to the tenets of Free Expression; the second section provides a framework for campuses to provide what are referred to as "facilities use plans" or programs applicable to particular spaces and resources on their campuses, consistent with that commitment, the law, and the University's mission; and the final section is a mandate for education with respect to the rights surrounding the First Amendment.

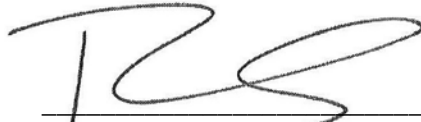
Adoption of this item further provides that University leadership will report to the Board of Regents, within the first calendar quarter of 2019, an update with respect to implementation of this policy, the facilities use plans, and any complaints of alleged violations of the policy for the previous year, including action taken in response to violations of the policy, provided that such report shall respect the rights of confidentiality or privilege possessed by parties involved. The report shall also review

educational programs provided in accordance with the third section of the policy.

PROJECT COST: No funding is required. Implementation will be achieved using human and other resources presently in place.

RECOMMENDED: The Executive Committee  
Board of Regents

SPONSORED:   
Robert L. Whitehouse, Chairman of the Board

  
Robert M. Schafer, Vice-Chair of the Board

DATE: January 12, 2018

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