

Free Speech at the University



Academic Freedom and
the First Amendment

UNC Policy 1300.8

Policy on Free Speech and Expression Within the University of North Carolina System

Addresses 7 Topics:

- Affirmation of Commitment to Free Speech
- University's Role in Public Policy Controversies
- Free Expression at Constituent Institutions and Access to Campus
- Unprotected Speech
- Dissemination of Information
- Disciplinary Action
- Compliance

*Adopted in December 2017 as a result of the Restore/Preserve Campus Free Speech Act

Affirmation of Commitment to Free Speech

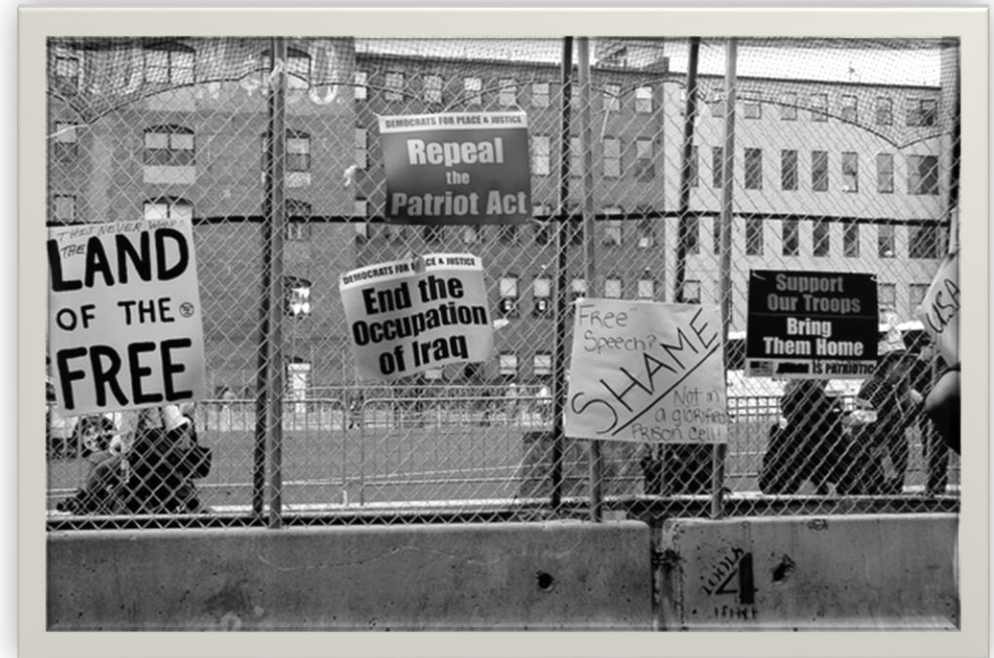
“The University supports and encourages freedom of inquiry for faculty members and students, to the end that they may responsibly pursue these goals through teaching, learning, research, discussion, and publication, free from internal or external restraints that would unreasonably restrict their academic endeavors.”



“It is not the proper role of any constituent institution to shield individuals from speech protected by the First Amendment, including, without limitation, ideas and opinions they find unwelcome, disagreeable, or even deeply offensive.”

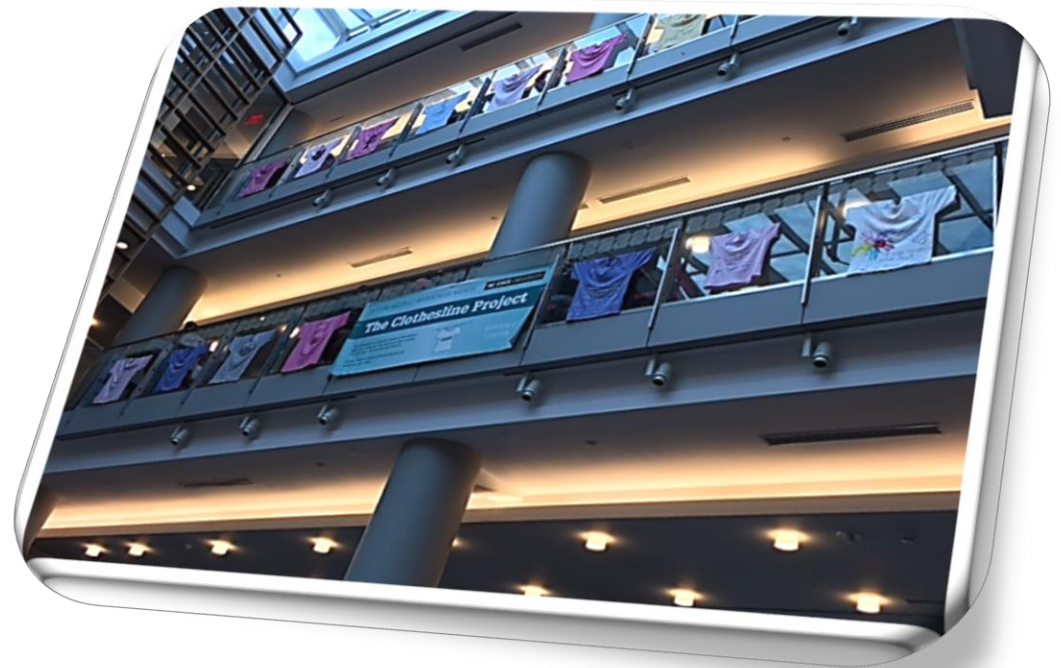
University's Role in Public Policy Controversies

- Institutions cannot take action require students, faculty, or administrators to publicly express a given view of social policy.



Free Expression and Access to Campus

- Expresses students, faculty, and staff have the freedom to discuss problems, assemble, and engage in spontaneous expressive activity
- However, cannot materially and substantially disrupt University operations



Free Expression and Access to Campus

Material and Substantial Disruption Examples

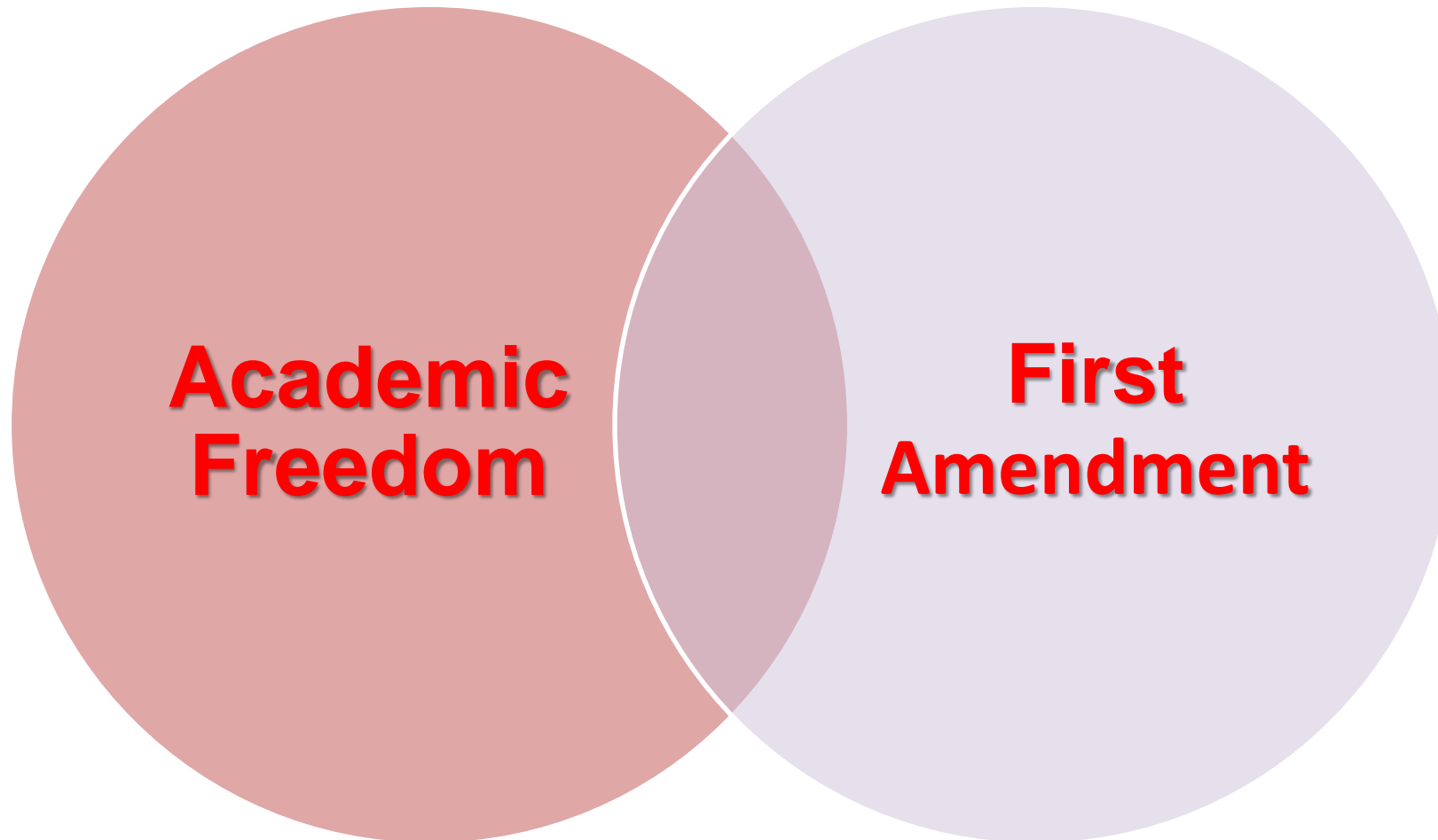
- Actions defined by statutory law:
 - Disorderly Conduct (GS 14-288.4)
 - Disruption under GS 143-318.17 (Disruption of Official Meeting)
 - Violation of Curfew Period (GS 116-212)
- Action that results in the individual receiving a trespass notice

POL 04.25.02—Freedom of Speech and Expression

“Academic freedom, free speech and free expression are fundamental to the mission and purposes of NC State University. NC State supports, encourages and upholds the freedom of inquiry for students, faculty and staff, to the end that they may pursue these goals responsibly through teaching, learning, research, discussion and publication without restraints that would unreasonably restrict their academic endeavors. Furthermore, students, faculty and staff share the responsibility for maintaining an environment in which free speech flourishes and in which the rights of each member of the University community are respected.”



Academic Freedom v. First Amendment



University Employee Speech

