



THE UNIVERSITY OF NORTH CAROLINA SYSTEM

REPORT:
2017-2018 Report on Free Speech and Free Expression Within the University

September 12, 2018

University of North Carolina System
Chapel Hill, North Carolina

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2017-2018 Report on Free Speech and Free Expression Within the University

I. Executive Summary

This report addresses free speech and free expression at the constituent institutions¹ of The University of North Carolina (“UNC” or “the University”) for the period of time between August 1, 2017 and June 30, 2018, as required by the [Restore/Preserve Campus Free Speech Act](#) (“the Act”).² In preparing and publishing this report, the UNC Board of Governors Committee on University Governance (“committee”), as the designated Committee on Free Expression³, was guided primarily on the elements required by the Act.⁴ Additionally, the committee relied on information provided by the constituent institutions, information shared with the president and/or members of the Board of Governors, and on relevant articles and media stories published in the past year.⁵

With the requirements of the Act in mind, this report provides background on and context for free speech and free expression at UNC constituent institutions, highlights experiences at our institutions over the past year, identifies some key findings by the committee, and offers recommendations that are aimed at providing more awareness and transparency on issues related to free speech and free expression. Specifically, as will be further detailed in the report, the committee found that:

¹ Because of the additional protections afforded to K-12 institutions under the First Amendment, the North Carolina School for Science and Math, the University of North Carolina School of the Arts for its high school students, and any lab schools operated by a constituent institution are not included within the scope of the report. Even so, these institutions are expected to comply with Article 36 of Chapter 116 to the extent there is not a conflict with relevant First Amendment jurisprudence applicable to K-12 institutions.

² The Restore/Preserve Campus Free Speech Act was enacted in 2017 as [S.L. 2017-196](#) and is codified in the North Carolina General Statutes as Article 36 of Chapter 116.

³ The Act requires the Board of Governors to establish a Committee on Free Expression. N.C. Gen. Stat. §116-301. Section 10.3 of S.L. 2018-5 (“Current Operations Appropriations Act of 2018”) amended G.S. §116-301 to allow the Chair of the Board of Governors to designate a standing or special committee of the Board as the Committee on Free Expression.

⁴ G.S. §116-301(c) articulates specific information to be provided in the annual report. See Section IV., herein, for more information.

⁵ See, e.g., Stanley Kurtz, *North Carolina Campus Free-Speech Act: First Goldwater-Based Law*, National Review (July 31, 2017), <https://www.nationalreview.com/corner/north-carolina-campus-free-speech-act-goldwater-proposal/>; *UNC Wilmington, Appalachian State Earn FIRE’s Highest Rating for Free Speech*, Foundation for Individual Rights in Education (August 29, 2017), <https://www.thefire.org/unc-wilmington-appalachian-state-earn-fires-highest-rating-for-free-speech/>; Kari Travis, *N.C. a National Leader in Protecting Free Speech on Campus, Report Says*, Carolina Journal (January 8, 2018), <https://www.carolinajournal.com/news-article/n-c-a-national-leader-in-protecting-free-speech-on-campus-report-says/>; Kari Travis, *UNC-Chapel Hill Faculty Gives Free Speech a Boost*, Carolina Journal (April 17, 2018), <https://www.carolinajournal.com/news-article/unc-chapel-hill-faculty-gives-free-speech-a-boost/>.

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1. The constituent institutions are committed to promoting and protecting free speech and free expression;
2. Disruptions and interference at scheduled speaking or expressive events have been minimal over the past year;
3. The constituent institutions are working to provide information to various campus constituencies about rights and responsibilities associated with speech and expression on campus through policies, training, and other outreach;
4. The Foundation for Individual Rights in Education (FIRE), which rates college and university speech policies, has awarded its highest rating (“green light”) to 7 UNC constituent institutions, more than any other state;⁶
5. Some constituent institutions have incurred additional costs related to security surrounding speakers or expressive events on campus; and
6. There is still room to improve, such as:
 - a. providing both a central way for people to ask questions or raise concerns about speech and expression at the constituent institutions, and an easily accessed institutional complaint process;
 - b. offering a consistent and user-friendly way to access campus speaker/event information; and
 - c. providing user-friendly resources for internal groups and/or outside individuals on UNC’s commitment to free expression and information about holding events on campus.

The committee also acknowledges that UNC’s constituent institutions have a long record of holding speech or expressive events without significant disruption or interference, and that many successful events tend to not garner significant publicity or public attention. This past year was no exception.

⁶ See Foundation for Individual Rights in Education’s Speech Code Rating Database, https://www.thefire.org/spotlight/?x=&y=North+Carolina&speech_code=Green&submit=GO. UNC constituent institutions that have been awarded a “green light” rating are Appalachian State University, East Carolina University, North Carolina Central University, UNC-Chapel Hill, UNC Charlotte, UNC Greensboro, and UNC Wilmington. The next closest states have no more than 3 public institutions with “green light” ratings. See https://www.thefire.org/spotlight/?y=&speech_code=Green&institution_type=Public&type=advanced&submit=Search.

The other 9 UNC constituent institutions currently have “yellow light” ratings. See https://www.thefire.org/spotlight/?x=&y=North+Carolina&speech_code=Yellow&submit=GO. No UNC constituent institution has received a “red light” rating. NCSSM is not rated by FIRE.

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In light of its findings, the committee recommends the following specific actions be considered for implementation by the UNC System Office during the upcoming academic year:

1. Implementing campus hotlines for questions or complaints related to free speech or free expression at the constituent institution (which could be part of a broader institutional hotline program for questions or complaints).
2. Assuring each constituent institution has an easily accessed process for filing complaints related to speech or expression (which may be part of an existing complaint or grievance process).
3. Encouraging each constituent institution to provide an easily accessible website with information on scheduled speakers and events on campus. While this would not capture spontaneous speakers and events, it could provide a more comprehensive and easily referenced website for campus constituencies.
4. Encouraging each constituent institution to develop a standard set of resources for potential speakers describing in a user-friendly way how to access or reserve campus spaces, applicable time, place, and manner restrictions, any information about costs that may be assessed; campus resources for answering questions or providing additional assistance; and UNC's commitment to free speech and free expression.
5. Encouraging constituent institutions to regularly review and, as necessary, revise policies impacting free expression to improve clarity and ensure protection of rights to free expression.
6. Continuing to provide periodic training, education, and support for Responsible Officers.
7. Partnering with the constituent institutions to provide training on the Act and free speech/free expression to members of the Boards of Trustees as part of their orientation process or in other ways that would be helpful.

Taken together, these recommendations are designed to provide more visibility and understanding about the ongoing good work and commitment to protecting and promoting free speech and free expression at our constituent institutions; to assure that there are common definitions of certain issues and clear avenues for addressing questions, issues, or concerns; and to build skills and expertise of campus administrators and other constituencies in this important area.

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II. Background

A. University Commitment to Free Speech and Free Expression

As the nation's first public university, the University of North Carolina affirms its long-standing commitment to free speech and free expression for its students, faculty members, staff employees, and visitors under the First Amendment of the U.S. Constitution and Article 1, Section 14 of the North Carolina Constitution. The University and its constituent institutions protect and promote these freedoms, consistent with First Amendment jurisprudence.⁷ Through its policies, the University has expressly established that no employment decision or academic decision shall be based on the exercise of these constitutional rights.⁸

The University's mission includes the transmission and advancement of knowledge and understanding, the pursuit of which is dependent upon the ability of our faculty and students to remain free to inquire, to study and to evaluate, to gain new maturity and understanding.⁹ 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.¹⁰ The University has explicitly stated that faculty and students of the University share the responsibility for maintaining an environment in which academic freedom flourishes and in which the rights of each member of the academic community are respected.¹¹ Academic freedom has indeed been acknowledged by the Supreme Court as "of transcendent value to all of us" and "a special concern of the First Amendment, which does not tolerate laws that cast a pall of orthodoxy over the classroom."¹²

⁷ See, e.g., Sections 601, 604, and 608 of *The Code of the University of North Carolina* ("The Code"). See also Sections 101.3.1, 300.1.1., 300.2.1, 700.4.2, and 1300.8 of the UNC Policy Manual.

⁸ See Sections 601, 604, and 608 of *The Code*. See also Sections 101.3.1, 300.1.1, 300.2.1, 700.4.2 of the UNC Policy Manual.

⁹ See *Sweezy v. New Hampshire*, 354 U.S. 234, 250 (1957).

¹⁰ Section 600(1) of *The Code*. See also Section 700.4.2 of the UNC Policy Manual.

¹¹ Section 600(3) of *The Code*. See also Section 700.4.2 of the UNC Policy Manual.

¹² *Keyishian v. Board of Regents, State Univ. of N.Y.*, 385 U.S. 589, 603 (1967).

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B. Enactment of the Restore/Preserve Campus Free Speech Act in 2017

In Fall 2016 and Spring 2017, there were a few highly visible protest events on campuses of public and private universities and colleges outside of North Carolina related to invited speakers or planned events.¹³ These protests focused national attention on speech at college campuses.¹⁴ None of these occurred at UNC constituent institutions; however, these actions garnered national attention, and occurred contemporaneously with the publication of the Goldwater Institute's report on campus free speech and accompanying model legislation.¹⁵

The Goldwater Institute's model legislation served as the template for the Restore/Preserve Free Speech bill that was ultimately passed and ratified by the General Assembly on June 29, 2017.¹⁶ The bill became law without Governor Cooper's signature on July 31, 2017.¹⁷ The Act recognizes the University's commitment to upholding free speech and free expression, and reinforces the importance of these rights as well.¹⁸ Through language now incorporated in N.C.G.S. §116-300(1), the North Carolina General Assembly has also affirmed that the primary function of the University of North Carolina and each of its constituent institutions is the discovery, improvement, transmission, and dissemination of knowledge by means of research, teaching, discussion, and debate. To fulfill this function, each constituent institution must strive to ensure the fullest degree of intellectual freedom and free expression. It is not the proper

¹³ See, e.g., Madison Park and Kyung Lah, *Berkeley protests of Yiannopoulos caused \$100,000 in damage*, CNN (February 2, 2017), <https://www.cnn.com/2017/02/01/us/milo-yiannopoulos-berkeley/index.html>; Katharine Q. Seelye, *Protesters Disrupt Speech by 'Bell Curve' Author at Vermont College*, The New York Times (March 3, 2017), https://www.nytimes.com/2017/03/03/us/middlebury-college-charles-murray-bell-curve-protest.html?_r=0; Amy B. Wang, *Pro-Trump rally in Berkeley turns violent as protesters clash with the president's supporters*, The Washington Post (March 5, 2017), https://www.washingtonpost.com/news/post-nation/wp/2017/03/05/pro-trump-rally-in-berkeley-turns-violent-as-protesters-clash-with-the-presidents-supporters/?noredirect=on&utm_term=.3bdb0bb21c8e; Susan Svrluga, William Wan, and Elizabeth Dwoskin, *Ann Coulter speech at UNC Berkeley canceled, again, amid fears for safety*, The Washington Post (April 26, 2017), https://www.washingtonpost.com/news/grade-point/wp/2017/04/26/ann-coulter-speech-canceled-at-uc-berkeley-amid-fears-for-safety/?utm_term=.3b1fa4e2b998; Emanuella Grinberg and Elliott C. McLaughlin, *Against its wishes, Auburn hosts white nationalist Richard Spencer*, CNN politics (April 19, 2017), <https://www.cnn.com/2017/04/18/politics/auburn-richard-spencer-protests/index.html>.

¹⁴ *Id.*

¹⁵ See "Campus Free Speech: A Legislative Proposal", Goldwater Institute (January 30, 2017), <https://goldwaterinstitute.org/article/campus-free-speech-a-legislative-proposal/>; Stanley Kurtz, *North Carolina Campus Free-Speech Act: First Goldwater-Based Law*, National Review (July 31, 2017), <https://www.nationalreview.com/corner/north-carolina-campus-free-speech-act-goldwater-proposal/>.

¹⁶ <https://www.ncleg.net/Sessions/2017/Bills/House/PDF/H527v5.pdf>

¹⁷ <https://www.ncleg.net/Sessions/2017/Bills/House/PDF/H527v6.pdf>.

¹⁸ S. L. 2017-196, codified as Article 36 of Chapter 116 of the North Carolina General Statutes.

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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.¹⁹

The Act established a number of requirements for the Board of Governors, the University of North Carolina, and its constituent institutions, including adopting a university-wide policy with certain elements; creating a Committee on Free Expression²⁰; maintaining institutional neutrality²¹; publishing an annual report; and providing training for institutional officers and administrators charged with responsibilities for compliance with the Act and coordinating campus-based training (“Responsible Officers”).

III. Appointment, Charge, and Work of the Committee and Implementation of the Act’s Requirements

The Chair of the Board of Governors has designated the Committee on University Governance as the statutorily mandated Committee on Free Expression. Last year, following the passage of the Act, that committee was charged with developing the required university policy. The policy was adopted by the full Board of Governors at its December 15, 2017 meeting and codified as Section 1300.8 of the UNC Policy Manual. A copy of the policy is included with this report as Attachment A.

Chancellors of the constituent institutions promptly appointed Responsible Officers, as required by law and policy. These individuals primarily represented each institution’s offices of student affairs, academic affairs, equal opportunity and diversity, and university counsel, but other offices were included as well. In Spring 2018, through the UNC School of Government, the UNC System Office provided training for Responsible Officers on the First Amendment and provisions of the Act. At least one Responsible Officer from each covered constituent institution participated in the training. A list of the 2017-2018 Responsible Officers is included with this report as Attachment B.

¹⁹ G.S. §116-300(2).

²⁰ Section 10.3 of S.L. 2018-5 (“Current Operations Appropriations Act of 2018”), which became law on June 12, 2018, amended the requirements for the Committee to allow the Chair of the Board of Governors to designate a standing or special committee of the Board as the Committee on Free Expression. See <https://www.ncleg.net/Sessions/2017/Bills/Senate/PDF/S99v6.pdf>.

²¹ In this context, “institutional neutrality” specifically means only that “the constituent institution may not take action, as an institution, on the public policy controversies of the day in such a way as to require students, faculty, or administrators to publicly express a given view of social policy.” G.S. §116-300(3).

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In issuing this first annual free expression report, the committee’s intent is to address the specific elements identified in the Act, further focus on scheduled speaking and expressive events held at the UNC constituent institutions during the relevant time period, and to provide recommendations for the upcoming year.

IV. Discussion of Free Speech and Free Expression at the University During the 2017-2018 Academic Year and Committee Findings

Pursuant to the Act, the University’s policy, and Board of Governors’ interest in a broad review of free expression across the University, the committee requested information from the constituent institutions in 10 areas. The questions and summaries of the institutional responses are provided below.

QUESTIONS SENT TO THE CONSTITUENT INSTITUTIONS	SUMMARY OF INSTITUTIONAL RESPONSES
(1) A description of any barriers to or disruptions of free expression within the constituent institution, including specific incidents and/or particularized complaints. ²²	<ul style="list-style-type: none"> • 13 of 16 institutions indicated no barriers or disruptions of free expression within the academic year. • 3 institutions (UNC Asheville, UNC-Chapel Hill, and UNCSCA) provided substantive responses and examples – dealing with unannounced speakers that provoked the campus audience (UNC Asheville), concerns about maintaining safety by controlling imminent security risks (request from Richard Spencer at UNC-Chapel Hill), and internal policies themselves creating an unnecessary barrier to protected speech/expression (UNCSCA).
(2) A description of the administrative handling and discipline relating to disruption or barriers identified in response to (1). ²³	<ul style="list-style-type: none"> • 13 institutions had no administrative action to report. • 3 institutions (UNC Asheville, UNC-Chapel Hill, and UNCSCA) provided substantive responses – UNC Asheville referenced its handling of a disruptive speaker, in which it allowed the event to continue and explained expectations to the speaker and audience; UNC-Chapel Hill did not allow Richard Spencer on campus due to proximity in time to Charlottesville riot and concern for potential violence; and UNCSCA changed its campus policies

²² G.S. §116-301(c)(1) and Section 1300.8 (VIII.C.1) of the UNC Policy Manual.

²³ G.S. §116-301(c)(2) and Section 1300.8 (VIII.C.2) of the UNC Policy Manual.

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QUESTIONS SENT TO THE CONSTITUENT INSTITUTIONS	SUMMARY OF INSTITUTIONAL RESPONSES
	regarding speech and expression to remove potential unintended barriers.
(3) Identification and description of any difficulties, controversies, and successes in maintaining a posture of administrative and institutional neutrality with regard to political or social issues. ²⁴	<ul style="list-style-type: none"> • 6 institutions (Appalachian, ECU, ECSU, FSU, N.C. A&T, UNCW) reported no difficulties, controversies, and/or successes related to maintaining institutional neutrality. • 10 institutions provided feedback and examples of how they are maintaining a posture of institutional neutrality and/or challenges in explaining this expectation to campus constituencies.
(4) Any assessments, criticisms, commendations, or recommendation the constituent institution would like the committee to consider in preparing the annual report. ²⁵	<ul style="list-style-type: none"> • 5 institutions provided no response. • 11 institutions commented – some with ideas for resources (e.g., a system-wide toolkit or continuing interactions with Responsible Officers), some with reinforcement of commitment to free speech and free expression, some referencing green-light status with FIRE, and related points.
(5) Confirmation of whether the institution fulfilled the UNC policy requirements to disseminate information about institutional policies during the 2017-2018 academic year.	<ul style="list-style-type: none"> • All 16 institutions indicated that they had disseminated information as required by policy.
(6) Identification of representative institutional policies that reinforce commitment to free speech and free expression (e.g., academic freedom, tenure regulations, facilities use, etc.).	<ul style="list-style-type: none"> • All 16 institutions provided examples of policies that reinforce their commitment to free speech and free expression. • In addition to constituent institution policies specifically addressing free speech on campus, the most commonly identified policies relate to use of facilities, student conduct, faculty conduct, and tenure and employment. Institutional policies reinforcing the University’s commitment to free speech also relate to harassment and non-discrimination, campus events, solicitation, and advertising.

²⁴ G.S. §116-301(c)(3) and Section 1300.8 (III and VIII.C.3) of the UNC Policy Manual.

²⁵ G.S. §116-301(c)(4) and Section 1300.8 (VIII.C.4) of the UNC Policy Manual.

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QUESTIONS SENT TO THE CONSTITUENT INSTITUTIONS	SUMMARY OF INSTITUTIONAL RESPONSES
	<ul style="list-style-type: none"> North Carolina leads the nation in the number of public higher education institutions with free speech and free expression policies receiving the Foundation for Individual Rights in Education’s highest rating.²⁶
(7) Examples of speakers or other events that have been held at the institution during the 2017-2018 academic year.	<ul style="list-style-type: none"> ECSU reported no campus wide speakers for the relevant time period. Among the 15 other institutions, the range of examples was generally between 7-15 speakers. Most institutions also referenced the ability of people to speak at certain locations on campus without invitation.
(8) Identification of communications, trainings, or other educational outreach regarding free speech and free expression that have been provided during the 2017-2018 academic year.	<ul style="list-style-type: none"> All 16 institutions identified types of communications, trainings, and/or outreach that had taken place.
(9) Information about security and other costs associated with protecting and affirming free expression on campus.	<ul style="list-style-type: none"> 7 institutions affirmatively stated no additional costs. 9 institutions provided some information (overtime costs for security and law enforcement officers, security fees, potential to cause great financial burden on campus if a major disruption occurred, etc.).
(10) Any other information related to free speech or free expression that the constituent institution wishes to provide to the committee.	<ul style="list-style-type: none"> 10 institutions had no additional information. 6 institutions (ECU, FSU, NCCU, NC State, UNC-Chapel Hill, UNCSA) provided responses – reinforcing their commitment to free speech, noting a faculty resolution in support of free speech via the University of Chicago

²⁶ Foundation for Individual Rights in Education’s Speech Code Rating Database, https://www.thefire.org/spotlight/?x=&y=North+Carolina&speech_code=Green&submit=GO. UNC constituent institutions that have been awarded a “green light” rating are Appalachian State University, East Carolina University, North Carolina Central University, UNC-Chapel Hill, UNC Charlotte, UNC Greensboro, and UNC Wilmington. The next closest states have no more than 3 public institutions with “green light” ratings. See https://www.thefire.org/spotlight/?y=&speech_code=Green&institution_type=Public&type=advanced&submit=Se arch. See also Kari Travis, *N.C. a National Leader in Protecting Free Speech on Campus, Report Says*, Carolina Journal (January 8, 2018), <https://www.carolinajournal.com/news-article/n-c-a-national-leader-in-protecting-free-speech-on-campus-report-says/>.

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QUESTIONS SENT TO THE CONSTITUENT INSTITUTIONS	SUMMARY OF INSTITUTIONAL RESPONSES
	principles, affirming the integral part that freedom of speech and expression play at our conservatory institution, and confirming an ongoing review of policies, as examples.

As a result of the information gathered, the committee found that (1) the constituent institutions are committed to promoting and protecting free speech and free expression; (2) disruptions and interference at scheduled speaking or expressive events have been minimal over the past year; (3) the constituent institutions are working to provide information to various campus constituencies about rights and responsibilities associated with speech and expression on campus through policies, training, and other outreach; (4) the Foundation for Individual Rights in Education (FIRE), which rates college and university speech policies, has awarded its highest rating (“green light”) to 7 UNC constituent institutions, more than any other state; (5) some constituent institutions have incurred additional costs related to security surrounding speakers or expressive events on campus; and (6) there is still room to improve, such as, (a) providing both a central way for people to ask questions or raise concerns about speech and expression at the constituent institutions, and an easily accessed institutional complaint process; (b) offering a consistent and user-friendly way to access campus speaker/event information; and (c) providing user-friendly resources for internal groups and/or outside individuals on UNC’s commitment to free expression and information about holding events on campus.

The committee also acknowledges that UNC’s constituent institutions have a long record of holding speech or expressive events without significant disruption or interference, and that many successful events tend to not garner significant publicity or public attention. This past year was no exception.

V. Committee Recommendations

Even with all the policies, trainings and outreach, and continuing commitment to free speech and free expression in place, the committee recognizes that there are always opportunities for improvement. This annual report provides a welcome opportunity to consider options that will demonstrate our system-wide leadership and action in support of free speech and free expression. The committee therefore offers these recommendations for consideration for implementation by the UNC System

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Office, aimed at providing more awareness, consistency and transparency on issues related to free speech and free expression starting with the upcoming academic year:

1. Implementing campus hotlines for questions or complaints related to free speech or free expression at the constituent institution (which could be part of a broader institutional hotline program for questions or complaints).
2. Assuring each constituent institution has an easily accessed process for filing complaints related to speech or expression (which may be part of an existing complaint or grievance process).
3. Encouraging each constituent institution to provide an easily accessible website with information on scheduled speakers and events on campus. While this would not capture spontaneous speakers and events, it could provide a more comprehensive and easily referenced website for campus constituencies.
4. Encouraging each constituent institution to develop a standard set of resources for potential speakers describing in a user-friendly way how to access or reserve campus spaces, applicable time, place, and manner restrictions, any information about costs that may be assessed; campus resources for answering questions or providing additional assistance; and UNC's commitment to free speech and free expression.
5. Encouraging constituent institutions to regularly review and, as necessary, revise policies impacting free expression to improve clarity and ensure protection of rights to free expression.
6. Continuing to provide periodic training, education, and support for Responsible Officers.
7. Partnering with the constituent institutions to provide training on the Act and free speech/free expression to members of the Boards of Trustees as part of their orientation process or in other ways that would be helpful.

Taken together, these recommendations are designed to provide more visibility and understanding about the ongoing good work and commitment to protecting and promoting free speech and free expression at our constituent institutions; to assure that there are common definitions of certain issues and clear avenues for addressing questions, issues, or concerns; and to build skills and expertise of campus administrators and other constituencies in this important area. The committee looks forward to periodic briefings on the progress of implementing these recommendations.

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VI. Conclusion

The committee unanimously supports the UNC System Office's and the constituent institutions' work and efforts in promoting and protecting free speech and free expression, increasing awareness and understanding of the broad protections for speech and expressive activities on campus, and taking action, when needed, to prevent substantial disruption or interference in scheduled events. Our constituent institutions offer a range of speakers, topics, and outreach and we recognize the efforts of our faculty, administrators, and students to invite different, and even unpopular, views and opinions on important issues. We further recognize their efforts to allow (or participate in) protests without undue disruption to or interference with scheduled events, consistent with the constitutional protections of free speech and expression.

We encourage each institution to continue offering a broad range of perspectives in various speech and expressive activities, and we strongly encourage members of the Board of Governors and Boards of Trustees to attend these events. We affirm that the right to speak and the right to protest are values we share and cultivate across the UNC System, consistent with federal and state law. Among the important responsibilities we have in public higher education are clearly explaining the free expression rights and responsibilities held by students, faculty, staff, and University visitors, and upholding the rights of individuals and groups on our University campuses. We are grateful for the work being done, and acknowledge the UNC System's role in serving as an exemplar in this area for other higher education institutions and systems. With the recommendations we have provided, we look forward to an even more successful year ahead.

Accepted by the Board of Governors Committee on University Governance, the designated Board Committee on Free Expression, and recommended for approval by the Board of Governors on September 12, 2018.

Approved by the Board of Governors on September 12, 2018.