

## **REPORT:**

2018-19 Report on Free Speech and Free Expression Within the University

**September 19, 2019** 

University of North Carolina System Chapel Hill, North Carolina

#### **UNC Board of Governors**

Committee on University Governance, acting as the designated Board Committee on Free Expression 2018-19 Report on Free Speech and Free Expression Within the University

#### I. Executive Summary

This report addresses free speech and free expression at the constituent institutions<sup>1</sup> of the University of North Carolina System ("UNC System" or "the University") for the period of time between July 1, 2018, and June 30, 2019, as required by the Restore/Preserve Campus Free Speech Act ("the Act").<sup>2</sup> In preparing and publishing this report, the UNC Board of Governors Committee on University Governance ("committee"), as the designated Committee on Free Expression,<sup>3</sup> was guided primarily on the elements required by the Act.<sup>4</sup> 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.<sup>5</sup>

The committee's intent in issuing this annual free expression report is to address the specific categories of information identified in the Act, assess institutional compliance with Section 1300.8 of the UNC Policy Manual, survey the expressive events that took place at the UNC System constituent institutions during the relevant time period, review progress since last year's report, and provide recommendations for the upcoming academic year.

<sup>&</sup>lt;sup>1</sup> 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.

<sup>&</sup>lt;sup>2</sup> The Restore/Preserve Campus Free Speech Act was enacted in 2017 as <u>S.L. 2017-196</u> and is codified in the North Carolina General Statutes as Article 36 of Chapter 116.

<sup>&</sup>lt;sup>3</sup> The Act requires the Board of Governors to establish a Committee on Free Expression. N.C. Gen. Stat. § 116-301 (hereinafter G.S.). 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.

<sup>&</sup>lt;sup>4</sup> G.S. 116-301(c) articulates specific information to be provided in the annual report. *See* Section IV., herein, for more information.

<sup>&</sup>lt;sup>5</sup> See, e.g., Jane Stancill, UNC faculty pushes importance of free speech by adopting "Chicago principles"
News & Observer (April 13, 2018), <a href="https://www.newsobserver.com/news/local/article208845484.html">https://www.newsobserver.com/news/local/article208845484.html</a>; REPORT:
North Carolina is home to some of America's best colleges for free speech (September 24, 2018),
<a href="https://www.thefire.org/report-north-carolina-is-home-to-some-of-americas-best-colleges-for-free-speech/">https://www.thefire.org/report-north-carolina-is-home-to-some-of-americas-best-colleges-for-free-speech/</a>;
Dillon Davis, UNCA responds to anti-Semitism concerns over MLK Day speaker Tamika Mallory, Asheville Citizen Times (January 5, 2019), <a href="https://www.citizen-times.com/story/news/local/2019/01/05/unca-tamika-mallory-speaker-event-anti-semitism-louis-farrakha-asheville-mlk/2489916002/">https://www.citizen-times.com/story/news/local/2019/01/05/unca-tamika-mallory-speaker-event-anti-semitism-louis-farrakha-asheville-mlk/2489916002/</a>;

The committee's role in compiling and publishing this report is to describe constituent institutions' efforts in fulfilling the University's commitment to free speech and expression that is detailed in University policy. The Board of Governors' role with regard to free expression on UNC System campuses is primarily confined to setting System-wide policy and providing support to constituent institutions in complying with those statements of policy. Responsibility for policy administration, including ensuring appropriate protection for free speech and expression, resides with each constituent institutions' administrators and board of trustees. Constituent institutions generally fulfill their statutory and policy obligations regarding free expression by adopting, communicating, and enforcing institutional policies, which are tailored to their unique campus environments, and by working collaboratively with members of their campus communities.

With the requirements of the Act in mind, this report provides background on and context for free speech and free expression at UNC System 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. The constituent institutions are committed to promoting and protecting free speech and free expression;
- Disruptions and interference at scheduled expressive events have been minimal;
- 3. Constituent institutions have developed and utilized mechanisms for receiving, investigating, and resolving complaints regarding alleged free expression policy violations;
- 4. The constituent institutions are regularly providing information to campus constituencies about rights and responsibilities associated with expression on campus through policies, training, and other outreach;
- 5. The Foundation for Individual Rights in Education (FIRE), which rates college and university speech policies, has awarded its highest rating ("green light") to 10 UNC System constituent institutions. Three constituent institutions have attained green light status since the

<sup>&</sup>lt;sup>6</sup> See Foundation for Individual Rights in Education's Speech Code Rating Database, <a href="https://www.thefire.org/spotlight/?x=&y=North+Carolina&speech code=Green&submit=GO">https://www.thefire.org/spotlight/?x=&y=North+Carolina&speech code=Green&submit=GO</a>. UNC constituent institutions that have been awarded a "green light" rating are Appalachian State University, East Carolina

preparation of the 2017-18 report,<sup>7</sup> and multiple other institutions are actively revising policies to attain green light status;

- 6. No constituent institution holds a "red light" rating from FIRE;8
- 7. Some constituent institutions have incurred expected and unexpected financial costs related to security surrounding speakers or expressive events on campus; and
- 8. Constituent institutions have accepted the recommendations for improvement contained in last year's report by taking actions, 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;
  - Offering a consistent and user-friendly way to access campus speaker/event information;
     and
  - Providing user-friendly resources for internal groups and/or outside individuals on UNC
     System's commitment to free expression and information about holding events on campus.

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

In addition to work happening on each individual campus, the University's collection of Responsible Officers, which are designated to ensure compliance with Section 1300.8 of the UNC Policy Manual, have also engaged cooperatively to create and improve resources regarding free expression within the University system. The UNC System Office convened regular Responsible Officer conference calls during the past academic year to analyze emerging free expression issues, discuss questions or concerns, and share policies and practices that campuses have found successful. The UNC System Office also

University, North Carolina Central University, NC State University, UNC-Chapel Hill, UNC Charlotte, UNC Greensboro, UNC Pembroke, UNC Wilmington, and Western Carolina University.

<sup>&</sup>lt;sup>7</sup> See North Carolina's largest university scraps unconstitutional speech policies, earns top free speech rating <a href="https://www.thefire.org/north-carolinas-largest-university-scraps-unconstitutional-speech-policies-earns-top-free-speech-rating/">https://www.thefire.org/north-carolinas-largest-university-scraps-unconstitutional-speech-policies-earns-top-free-speech-rating/</a>; WCU, UNC Pembroke bring speech policies in line with the Constitution, earn 'green light' rating <a href="https://www.thefire.org/wcu-unc-pembroke-bring-speech-policies-in-line-with-the-constitution-earn-green-light-rating/">https://www.thefire.org/wcu-unc-pembroke-bring-speech-policies-in-line-with-the-constitution-earn-green-light-rating/</a>

<sup>&</sup>lt;sup>8</sup> The other six UNC constituent institutions currently have "yellow light" ratings. *See* <a href="https://www.thefire.org/spotlight/?x=&y=North+Carolina&speech code=Yellow&submit=GO">https://www.thefire.org/spotlight/?x=&y=North+Carolina&speech code=Yellow&submit=GO</a>. NCSSM is not rated by FIRE.

established a webpage dedicated to providing information and resources related to free speech and free expression at UNC. The webpage allows members of the University community and broader public to access information about laws and policies affecting free expression, find contact information for each constituent institution's Responsible Officer, and access annual editions of the Report on Free Expression.

#### II. Background

A. University Commitment to Free Speech and Free Expression

As the nation's first public university, the University of North Carolina System 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. <sup>10</sup> 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. <sup>11</sup>

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. <sup>12</sup> 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. <sup>13</sup> 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. <sup>14</sup> Academic freedom has indeed been acknowledged by the

<sup>&</sup>lt;sup>9</sup> See UNC System Office "Campus Speech and Free Expression" website <a href="https://www.northcarolina.edu/campus-free-speech">https://www.northcarolina.edu/campus-free-speech</a>.

<sup>&</sup>lt;sup>10</sup> 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.

<sup>&</sup>lt;sup>11</sup> 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.

<sup>&</sup>lt;sup>12</sup> See Sweezy v. New Hampshire, 354 U.S. 234, 250 (1957).

<sup>&</sup>lt;sup>13</sup> Section 600(1) of *The Code. See also* Section 700.4.2 of the UNC Policy Manual.

<sup>&</sup>lt;sup>14</sup> Section 600(3) of *The Code. See also* Section 700.4.2 of the UNC Policy Manual.

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." <sup>15</sup>

## B. Restore/Preserve Campus Free Speech Act

Through statute, the North Carolina General Assembly has affirmed that the primary function of the University of North Carolina System 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. According to G.S. 116-300(2), "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.<sup>16</sup>"

The General Assembly has also established a number of requirements for the Board of Governors, the University of North Carolina System, and its constituent institutions regarding free expression. In response, the Board of Governors has designated a Committee on Free Expression<sup>17</sup> and adopted a University-wide free expression policy which, among other elements, maintains institutional neutrality. A copy of the policy is included with this report as Attachment A. Additionally, the University meets its statutory obligations by providing training for institutional officers and administrators charged with responsibilities for compliance with the Act and coordinating campus-based training ("Responsible Officers") and publishing this annual report. A list of the 2018-19 Responsible Officers is included with this report as Attachment B.

<sup>&</sup>lt;sup>15</sup> Keyishian v. Board of Regents, State Univ. of N.Y., 385 U.S. 589, 603 (1967).

<sup>&</sup>lt;sup>16</sup> G.S. 116-300(2).

<sup>&</sup>lt;sup>17</sup> 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* <a href="https://www.ncleg.net/Sessions/2017/Bills/Senate/PDF/S99v6.pdf">https://www.ncleg.net/Sessions/2017/Bills/Senate/PDF/S99v6.pdf</a>. The chair of the Board of Governors has designated the Committee on University Governance as the statutorily mandated Committee on Free Expression. <sup>18</sup> 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).

# III. <u>Discussion of Free Speech and Free Expression at the University During the 2018-19 Academic Year and Committee Findings</u>

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

	QUESTIONS SENT TO THE		SUMMARY OF INSTITUTIONAL RESPONSES
	CONSTITUENT INSTITUTIONS		
(1)	A description of any barriers to or	•	12 of 16 institutions indicated no barriers or disruptions
	disruptions of free expression		of free expression within the academic year.
	within the constituent institution,	•	Four institutions (UNC Asheville, UNC-Chapel Hill,
	including specific incidents		Appalachian, and Western Carolina) provided substantive
	and/or particularized		responses and examples: disruption of a registered
	complaints. 19		student group's materials while group members were
			distributing information in the campus student union; an
			alleged assault of a demonstrator; a faculty member
			complaint regarding Section 1300.8 of the UNC Policy
			Manual; and an aggressive student at a speaker
			presentation.
(2)	A description of the	•	12 institutions had no administrative action to report.
	administrative handling and	•	After unsuccessful attempts to identify the student who
	discipline relating to disruption or		disrupted the group's materials, the student group was
	barriers identified in response to		offered staff support and no further incidents occurred.
	<b>(1)</b> . <sup>20</sup>	•	28 criminal citations or trespass orders were issued for
			incidents stemming from five protests and
			demonstrations centered on a confederate monument at
		]	UNC-Chapel Hill.
		•	The above-referenced faculty complaint was handled
			informally and withdrawn.

<sup>&</sup>lt;sup>19</sup> G.S. 116-301(c)(1) and Section 1300.8, VIII.C.1 of the UNC Policy Manual.

 $<sup>^{\</sup>rm 20}$  G.S. 116-301(c)(2) and Section 1300.8, VIII.C.2 of the UNC Policy Manual.

QUESTIONS SENT TO THE	SUMMARY OF INSTITUTIONAL RESPONSES
CONSTITUENT INSTITUTIONS	
	Disciplinary action was taken against the above-
	referenced aggressive student and all sanctions were
	completed in a timely manner.
	Some institutions made amendments to policies, training,
	counselling, and practices regarding imposing sanctions
	or criminal citations.
(3) Identification and description of	Among the 10 constituent institutions that had
any difficulties, controversies,	substantive findings to report:
and successes in maintaining a	Successes included expanded training and outreach,
posture of administrative and	additional organized extracurricular lectures, and
institutional neutrality with	introduction of comprehensive event planning protocols
regard to political or social	Some institutions reported that members of their
issues. <sup>21</sup>	university community questioned or expressed differing
	expectations regarding university responses on political
	and social issues
	Multiple institutions reported negative reactions and
	acute media coverage regarding scheduled expressive
	events on campus. In these situations, no institutions
	reported cancelling or prohibiting these events.
(4) Any assessments, criticisms,	Multiple institutions reported maintaining or improving
commendations, or	their speech rating status with FIRE.
recommendation the constituent	Institutions expressed appreciation for the UNC System
institution would like the	Office facilitation of Responsible Officer meetings and
committee to consider in	training. It was suggested that the UNC System Office
preparing the annual report. <sup>22</sup>	develop model training materials.

 $<sup>^{21}</sup>$  G.S. 116-301(c)(3) and Section 1300.8, III and VIII.C.3 of the UNC Policy Manual.  $^{22}$  G.S. 116-301(c)(4) and Section 1300.8, VIII.C.4 of the UNC Policy Manual.

QUESTIONS SENT TO THE	SUMMARY OF INSTITUTIONAL RESPONSES
CONSTITUENT INSTITUTIONS	
	Institutions that faced criticism for scheduled events on
	campus reported that these events were not cancelled or
	otherwise hindered.
(5) Confirmation of whether the	All 16 institutions indicated that they had disseminated
institution fulfilled the University	information as required by policy.
policy requirements to	
disseminate information about	
institutional policies during the	
2018-19 academic year.	
(6) Identification of representative	In addition to constituent institution policies specifically
institutional policies that	addressing free speech on campus, the most commonly
reinforce commitment to free	identified policies relate to use of facilities, student
speech and free expression (e.g.,	conduct, faculty conduct, and tenure and employment.
academic freedom, tenure	Institutional policies reinforcing the University's
regulations, facilities use, etc.).	commitment to free speech also relate to harassment
	and non-discrimination, campus events, solicitation, and
	advertising.
	Several institutions reported amending or adopting
	policies, including facilities use policies, student codes of
	conduct, and student organization policies.
	One institution reported initiating a review of all
	institutional policies.
	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. <sup>23</sup>

<sup>&</sup>lt;sup>23</sup> See <a href="https://www.carolinajournal.com/news-article/n-c-a-national-leader-in-protecting-free-speech-on-campus-report-says/">https://www.carolinajournal.com/news-article/n-c-a-national-leader-in-protecting-free-speech-on-campus-report-says/</a>.

QUESTIONS SENT TO THE		SUMMARY OF INSTITUTIONAL RESPONSES	
CONSTITUENT INSTITUTIONS			
(7) Examples of speakers or other	•	Institutions provided representative samplings of events	
events that have been held at the		and all institutions reported multiple speakers or free	
institution during the 2018-19		expression events during the academic year. A complete	
academic year.		listing of the institutions' event submissions is included as	
		Attachment C to this report.	
	•	Several institutions reported instances of speakers	
		engaging in free expression on campus without invitation	
		or registration.	
(8) Identification of communications,	•	All 16 institutions identified types of communications,	
trainings, or other educational		trainings, and/or outreach that had taken place.	
outreach regarding free speech	•	Many institutions reported that relevant information is	
and free expression that have		readily available in the handbooks and accessible on	
been provided during the 2018-		campus.	
19 academic year.			
(9) Information about security and	•	Five institutions did not report additional costs.	
other costs associated with	•	Other institutions provided some information (overtime	
protecting and affirming free		costs for security and law enforcement officers, security	
expression on campus.		fees, potential to cause great financial burden on campus	
		if a major disruption occurred, etc.).	
	•	Many institutions utilize on-campus police resources or	
		cooperation with local police departments in protecting	
		and affirming free expression on campus.	

As a result of the information gathered, it appears 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 10 UNC System constituent institutions, more than any

other state; and (5) some constituent institutions have incurred additional costs related to security surrounding speakers or expressive events on campus.

## **IV. Implementation of Past Report Recommendations**

Constituent institutions reported a variety of processes and resources that have been introduced or improved to implement recommendations from the committee's 2017-18 free expression annual report. For instance, several institutions reported introducing or improving institutional question and complaint processes, including receiving reports or complaints through an institutional hotline. Most institutions have developed or improved user-friendly mechanisms for accessing campus speaker and event information. These resources include dedicated webpages listing events on campus and providing prospective speakers with information about relevant campus policies, facility reservation information, and contact information for relevant campus units or individuals. Most institutions report improvements or increases in their free expression training for responsible officers, and some institutions have undertaken free speech and free expression training for their boards of trustees.

#### V. Committee Recommendations for 2019-20

The committee recognizes that there are always opportunities for improving the University's commitment to free speech and free expression. 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 Office, aimed at providing more awareness, consistency, and transparency on issues related to free speech and free expression starting with the upcoming academic year:

- Provide training to constituent institution administrators who have transitioned into the Responsible Officer title.
- 2. Provide training to Responsible Officers regarding topics of institutional neutrality and political speech on campus.
- Promote and refine constituent institution processes for receiving and resolving complaints
  related to speech or expression (which may be part of an existing complaint or grievance
  process).
- Continue to encourage constituent institutions to further develop accessible resources to publicize information on scheduled speakers and events on campus.

- 5. Continue to encourage each constituent institution to develop standard 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.
- 6. Continue to encourage constituent institutions to regularly review and, as necessary, revise policies impacting free expression to improve clarity and ensure protection of rights to free expression.
- 7. Develop free speech and free expression training materials that may be shared among the constituent institutions.
- 8. Expand Boards of Trustees training on the Act and free speech/free expression as part of the board member 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.

#### V. 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 on September 19, 2019.

The UNC Policy Manual

1300.8
Adopted 12/15/17
Technical Corrections 08/19/19

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

## I. Purpose

Consistent with Article 36 of Chapter 116 of the North Carolina General Statutes, the Board of Governors adopts this policy to support and assist the constituent institutions of the University of North Carolina System<sup>1</sup> in their continuing efforts to embrace the free speech and free expression rights of the members of their campus communities, and balance those rights with protections against unlawful activity. This policy supplements other University policies, regulations, and guidelines related to free speech and free expression.<sup>2</sup>

## II. Statement of Commitment

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.

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.<sup>3</sup> 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.<sup>4</sup> 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.<sup>5</sup> 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." 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.<sup>7</sup>

The General Assembly has recognized the University's commitment to upholding free speech and free expression, and has reinforced the importance of these rights as well. Through G.S. 116-300, the General Assembly has 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 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.

## III. University's Role in Public Policy Controversies

The University's role in supporting and encouraging freedom of inquiry requires assuring opportunities for the expression of differing views regarding many issues in multiple areas of study, research, and debate, including current political and social issues. The constituent institutions serve an essential role in encouraging and broadly protecting freedom of thought and expression. In support of the essential role universities hold, the constituent institutions 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.

## IV. Free Expression at UNC System Constituent Institutions, Including Access to Campus

Students, staff, and faculty have the freedom to discuss any problem that presents itself, as the First Amendment permits and within the limits of viewpoint- and content-neutral restrictions on time, place, and manner of expression that are necessary to achieve a significant institutional interest. The constituent institutions must assure that any such restrictions are clear, published, and provide ample alternative means of expression.

Students, staff, and faculty shall be permitted to assemble and engage in spontaneous expressive activity as long as such activity is lawful and does not materially and substantially disrupt the functioning of the constituent institution, subject to the requirements of this policy. A "material and substantial disruption" includes, but is not limited to, any or all of the following:

- A. Any action that qualifies as disorderly conduct under G.S. 14-288.4;
- B. Any action that qualifies as a disruption under G.S. 143-318.17;
- C. Any action in violation of a chancellor's designation of a curfew period pursuant to G.S. 116-212;
- D. Any action that results in the individual receiving a trespass notice from law enforcement.

Access to campus for purposes of free speech and expression shall be consistent with First Amendment jurisprudence regarding traditional public forums, designated public forums, and nonpublic forums. Consistent with First Amendment jurisprudence, including any reasonable time, place, and manner restrictions adopted by a constituent institution, campuses of the constituent institutions are open to any speaker whom students, student groups, or members of the faculty have invited.

Even so, all real property on the campus of any constituent institution or the UNC System Office, including without limitation all campus grounds, buildings, facilities, stadiums, or other improvements, that is owned, leased, used, or otherwise controlled by the University or one of its constituent institutions ("University Property"), is dedicated for the specific purpose of furthering the educational, research, and/or service missions of the institution. Consistent with the First Amendment, many areas of University Property are not open for general public use. University Property is routinely utilized for institutional activities and events which can present safety and security issues for the institution. Therefore, all persons on University Property must abide by all applicable laws and regulations as well as policies of the constituent institution and the Board in order to further the missions of the institution and for the protection of the students, faculty members, staff employees and guests of the institution. Thus, a

constituent institution may deny or condition entrance onto or into University Property or remove from the same, any person whose presence substantially interferes with or materially and substantially disrupts the institution's missions, including interfering with or disrupting the classroom environment, laboratory or research environments, or patient care environments, or any person who violates or refuses to comply with any Board or institutional policy or applicable law or regulation. Under no circumstances shall University Property be utilized to carry out unlawful activity.

#### V. Speech and Expression Not Protected by Policy

Except as further limited by this policy, constituent institutions shall be allowed to restrict speech and expression for activity not protected by the First Amendment under State or federal law, including but not limited to, all of the following:

- A. Expression that a court has deemed unprotected defamation.
- B. Unlawful harassment.
- C. True threats, which are defined as statements meant by the speaker to communicate a serious expression of intent to commit an act of unlawful violence to a particular individual or group of individuals.
- D. An unjustifiable invasion of privacy or confidentiality not involving a matter of public concern.
- E. An action that materially and substantially disrupts the functioning of the UNC System Office, a constituent institution, or any other unit or entity of the University, or that substantially interferes with the protected free expression rights of others.
- F. Reasonable time, place, and manner restrictions on expressive activities, consistent with G.S. 116-300(4).
- G. Speech that interferes with the treatment of patients.

## VI. Dissemination of Information About Institutional Policies

A. Information for Students. All constituent institutions of the University of North Carolina System shall include in any new student orientation programs a section describing their institutional policies regarding free speech and free expression consistent with this policy and with Article 36 of Chapter 116 of the North Carolina General Statutes. Any information provided also should include the name and contact information of the institutional officer, office, or department with responsibility for ensuring compliance with this policy and for answering any related questions or concerns.<sup>9</sup>

The constituent institutions are required to periodically provide this same information to all students, including returning undergraduate students, transfer students, and graduate and professional students.

- B. Information for Faculty and Staff. All constituent institutions of the University of North Carolina System are required to periodically provide to faculty and staff information describing their institutional policies regarding free speech and free expression consistent with this policy and with Article 36 of Chapter 116 of the North Carolina General Statutes. Any information provided should also include the name and contact information of the institutional officer, office or department with responsibility for ensuring compliance with this policy and for answering any related questions or concerns.
- C. Information for Outside Parties. All constituent institutions of the University of North Carolina System are encouraged to make available to outside parties information describing their institutional policies regarding free speech and free expression consistent with this policy and with Article 36 of Chapter 116 of the North Carolina General Statutes. Any information provided should also include the name and contact information of the institutional officer, office, or department with responsibility for ensuring compliance with this policy and for answering any related questions or concerns.

## VII. Consequences for Violation of Policy

The right to dissent is the complement of the right to participate in expressive activity, but these rights need not occupy the same forum at the same time. The constituent institutions are encouraged to work with students, faculty members, and staff employees to develop alternative approaches so as to minimize the possibility of disruptions and support the right to dissent.

A. Disciplinary Sanctions. The UNC System Office and each constituent institution shall implement and enforce a range of disciplinary sanctions, up to and including dismissal or expulsion, for anyone under the jurisdiction of the UNC System Office or the constituent institution who materially and substantially disrupts the functioning of the UNC System Office, a constituent institution, or any other entity or unit of the University, or substantially interferes with the protected free expression rights of others.<sup>10</sup>

A "material and substantial disruption" or "substantial interference" is any action that qualifies under section IV of this policy. Such actions include protests and demonstrations that materially infringe upon the rights of others to engage in and listen to expressive activity when the expressive activity (1) has been scheduled pursuant to this policy or other relevant institutional policy, and (2) is located in a nonpublic forum. In determining whether an action is a "material and substantial disruption" or "substantial interference," the UNC System Office or the constituent institution should consider the degree to which the disruptive activity impedes access to or from any scheduled institution events or the degree to which the activity impedes an audience's ability to see and hear the expressive activity.

For example, when an expressive activity event is closed to the public, dissent by non-attendees should be limited to activity outside the event that does not impede access or departure from the meeting or substantially interfere with communication inside. When the event is open to the public, whether the dissenters' actions constitute a substantial disruption or interference will depend upon whether the dissenter is inside or outside the event, and on whether the dissenter is acting before or after the event or during the event. However, it is a substantial disruption or interference for such dissent to interfere substantially with the free flow of traffic into or out of the event or to interfere substantially with the expressive activity.

Anyone who substantially interferes with acceptable forms of dissent is also considered in violation of this policy in the same way as a dissenter who violates the rights of the speaker or the audience.

- 1. Any University student, faculty member, or staff employee who is found to have materially and substantially disrupted the functioning of the UNC System Office, a constituent institution, or any other unit or entity of the University, or substantially interfered with the protected free expression rights of others shall be subject to a full range of disciplinary sanctions according to the appropriate disciplinary procedures for misconduct, including suspension, or, as appropriate, expulsion or dismissal. Any second finding of a material and substantial disruption or substantial interference shall presumptively result in at least a suspension as provided by the appropriate disciplinary procedures; however, the institution may impose a different sanction if warranted. Any third finding of a material and substantial disruption or substantial interference shall presumptively result in an expulsion of the student or dismissal from employment of the faculty member or staff employee; however, the institution may impose a different sanction if warranted.
- 2. Any guest or other individual on the campus who is alleged to have substantially disrupted the functioning of the UNC System Office or the constituent institution or substantially interfered with the protected free expression rights of others may be temporarily or permanently barred from all or part of the campus along with facing any other criminal charges, as determined by appropriate law enforcement authorities.
- 3. Any individual who disrupts a meeting of a public body, including University boards, may be temporarily or permanently barred from all or part of the campus or from future meetings of that public body, and/or may face criminal charges. If such individual is a student or faculty member or staff employee of the University, he or she shall also be subject to discipline according to the appropriate disciplinary procedures for misconduct by his or her constituent institution even if the disruption occurs at a meeting of a public body of a constituent institutions other than the institution which the individual is affiliated.<sup>11</sup>
- B. Procedural Safeguards for Students Involved in Expressive Speech or Conduct Disciplinary Cases. In all student disciplinary cases where disciplinary action is proposed for materially and substantially disrupting the functioning of the UNC System Office, a constituent institution, or any other entity or unit of the University, or substantially interfering with the protected free expression rights of others, students are entitled to a disciplinary hearing under published procedures and Section 700.4.1 of the UNC Policy Manual, including, at a minimum:
  - 1. The right to receive advance written notice of the charges;
  - 2. The right to review the evidence in support of the charges;
  - 3. The right to confront witnesses against them;
  - 4. The right to present a defense;

- 5. The right to call witnesses;
- 6. A decision by an impartial arbiter or panel;
- 7. The right of appeal; and
- 8. The right to active assistance of counsel, consistent with G.S. 116-40.11.
- C. Procedural Safeguards for Faculty Members Involved in Expressive Speech or Conduct Disciplinary Cases. In all faculty disciplinary cases where a demotion, suspension, or dismissal is proposed for materially and substantially disrupting the functioning of the UNC System Office, a constituent institution, or any other entity or unit of the University, or substantially interfering with the protected free expression rights of others, faculty members are entitled to the procedural protections provided by Sections 603, 604, and 609 of *The Code*.
- D. Procedural Safeguards for EHRA Non-Faculty Employees Involved in Expressive Speech or Conduct Disciplinary Cases. <sup>13</sup> In all EHRA non-faculty disciplinary cases where a demotion, suspension, or dismissal is proposed for disrupting the functioning of UNC General Administration, a constituent institution, or any other entity or unit of the University, or substantially interfering with the protected free expression rights of others, EHRA non-faculty employees are entitled to the procedural protections provided by Sections 300.1.1 and 300.2.1 of the UNC Policy Manual and any additional protections established by the UNC System Office or the constituent institution's relevant disciplinary and grievance policies.
- E. Procedural Safeguards for SHRA Employees Involved in Expressive Speech or Conduct Disciplinary Cases. In all SHRA employee disciplinary cases where a demotion, suspension or dismissal is proposed for materially and substantially disrupting the functioning of the UNC System Office, a constituent institution, or any other entity or unit of the University, or substantially interfering with the protected free expression rights of others, SHRA employees are entitled to the procedural protections provided by the University SHRA Employee Grievance Policy and any state or institutional disciplinary policies.
- VIII. Designation and Duties of Responsible Officer and/or Office or Department
  - A. Designation. Each constituent institution must identify the officer(s), office, or department with responsibilities for ensuring compliance with this policy and Article 36 of Chapter 116 of the North Carolina General Statutes ("Responsible Officer" or "Responsible Officers"), and for answering any related questions or concerns from students, faculty members, staff employees, or others. The president or a chancellor of a constituent institution may choose to designate more than one Responsible Officer or to designate a Responsible Officer with Deputy Responsible Officers in other offices or departments as may best assist the constituent institution.
  - B. Training. Any officer(s) with these responsibilities will receive training on ensuring compliance. Such training will be developed and provided by the UNC School of Government.
  - C. Duties. Any officer(s) with these responsibilities shall be the primary point of contact for any student, faculty member, staff employee, or other individual's questions or concerns about

compliance with the law or policy or to assist with interpretation of the law or policy. The Responsible Officer(s) shall also coordinate any additional campus-based training or educational opportunities for students, faculty members, staff employees, or others on issues related to free speech and free expression.

In addition, the Responsible Officer(s) and/or appropriate office or department also may be designated by the chancellor to be the primary point of contact for any institutional information requested by the UNC Board of Governors Committee on Free Expression (Committee on University Governance) to meet its annual reporting requirements, including information related to:

- 1. Any barriers to or disruptions of free expression within the constituent institution;
- 2. The administrative handling and discipline relating to these disruptions or barriers, consistent with the federal and state confidentiality protections for personnel information and student education records;<sup>14</sup>
- 3. Any substantial difficulties, controversies, or successes in meeting the requirements of this policy, as described in section III, above; and
- 4. Any assessments, criticisms, commendations, or recommendations the committee sees fit to include.

Each chancellor or chancellor's designee shall notify the senior vice president and general counsel of the Responsible Officer(s) and/or appropriate office or department and provide prompt notification of any changes in this designation.

#### IX. Other Matters

A. Effective Date. The requirements of this policy shall be effective on the date of adoption by the Board of Governors.

- B. Relation to State Laws. The foregoing policies as adopted by the Board of Governors are meant to supplement, and do not purport to supplant or modify, those statutory enactments which may govern the activities of public officials.
- C. Regulations and Guidelines. These policies shall be implemented and applied in accordance with such regulations and guidelines as may be adopted from time to time by the president.

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<sup>&</sup>lt;sup>1</sup> Because of the additional protections afforded to K-12 institutions under the First Amendment, the policy does not apply to the North Carolina School for Science and Math or to the University of North Carolina School of the Arts for its high school students or to any lab schools operated by a constituent institution. 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.

<sup>10</sup> Any complaint about an outside disruption or interference should be communicated to the relevant UNC System Office or campus administrator or disciplinary panel for review by the chair of the Board of Governors, the chair of the board of trustees, or the presiding or sponsoring officer of the meeting or event, as appropriate. This expectation does not limit or supersede the UNC System Office's or the constituent institution's ability to independently initiate any disciplinary review for a person under their jurisdiction.

<sup>11</sup> Any complaint about an outside disruption or interference should be communicated to the relevant UNC System Office or campus administrator or disciplinary panel for review by the chair of the Board of Governors, the chair of the board of trustees, or the presiding officer of the meeting, as appropriate. This expectation does not limit or supersede the UNC System Office's or the constituent institution's ability to independently initiate any disciplinary review.

<sup>&</sup>lt;sup>2</sup> See, e.g., Sections 101.3.1, 300.1.1, 300.2.1, 700.4.2 of the UNC Policy Manual. See also Sections 601, 604, and 608 of *The Code*.

<sup>&</sup>lt;sup>3</sup> See Sweezy v. New Hampshire, 354 U.S. 234, 250 (1957).

<sup>&</sup>lt;sup>4</sup> Section 600(1) of *The Code. See also* Section 700.4.2 of the UNC Policy Manual.

<sup>&</sup>lt;sup>5</sup> Section 600(3) of *The Code. See also* Section 700.4.2 of the UNC Policy Manual.

<sup>&</sup>lt;sup>6</sup> Keyishian v. Board of Regents, State Univ. of N.Y., 385 U.S. 589, 603 (1967).

 $<sup>^7</sup>$  See Sections 101.3.1, 300.1.1, 300.2.1, 700.4.2 of the UNC Policy Manual. See also Sections 601, 604, and 608 of The Code.

<sup>&</sup>lt;sup>8</sup> Article 36 of Chapter 116 of the North Carolina General Statutes.

<sup>&</sup>lt;sup>9</sup> The additional duties of the identified responsible officer, office, or department are set forth in section VIII of this policy.

<sup>&</sup>lt;sup>12</sup> See also Sections 700.4.1 and 700.4.1.1[R] of the UNC Policy Manual.

<sup>&</sup>lt;sup>13</sup> Discontinuation of an at-will position is not considered disciplinary action under this policy, but may separately be covered by a constituent institution's grievance policy.

<sup>&</sup>lt;sup>14</sup> See 20 U.S.C. § 1232g, 34 C.F.R. pt. 99, and Article 7 of Chapter 126 of the North Carolina General Statutes.

INSTITUTION	RESPONSIBLE OFFICER(S)	TITLE
APP STATE	Jacqui Bergman	Interim Vice Provost for Faculty Affairs
APP STATE	Jonathon Hyde	AVC and Dean of Students
ECU	Donna Payne	University Counsel and Vice Chancellor for Legal Affairs
50011	Alyn Goodson	General Counsel
ECSU	Tiffany Hinton	Director of Community Standards
	Wanda Jenkins	General Counsel
FSU	Angel Powell	Assistant General Counsel
	Regina Rudisill	Director of Student Conduct
NC A&T	Melissa Jackson Holloway	General Counsel
NCCU	Toya Corbett	Assistant Vice Chancellor and Dean of Students
	Warwick Arden	Executive Vice Chancellor and Provost
NCSU	Brent McConkey	Assistant General Counsel
	Lisa Zapata	Senior Associate Vice Chancellor
	Dr. Bill Haggard	Vice Chancellor for Student Affairs
UNCA	Dr. Karin Peterson	Acting Provost and Vice Chancellor for Academic Affairs
	Jean Elia	Associate Provost for Strategy and Special Projects
	Becci Menghini	Senior Associate Vice Chancellor, Equal Opportunity/Compliance
UNC-CH	Jonathan Sauls	Associate Vice Chancellor for Student Affairs
	Kim Strom-Gottfried	Director, Ethics Education and Policy Management, and Smith P. Theimann Distinguished Professor, School of Social Work
	Jesh Humphrey	Vice Chancellor for Institutional Intergrity and General Counsel
UNCC	Samantha Sears	Deputy General Counsel
UNCG	Alan Boyette	Senior Vice Provost
UNCP	R. Travis Bryant	Assoc. VC for Campus Safety and Emergency Operations
UNCSA	David Harrison	General Counsel
GNCSA	Ward Caldwell	Vice Provost & Dean of Student Affairs
UNCW	John Scherer	General Counsel
wcu	Shea Browning	General Counsel
wssu	Cornelius Graves	Director of Government & Community Relations
UNC SYSTEM	John Dougherty	Assistant General Counsel

Institution	Representative sampling of free expression events, including invited speakers, during the 2018-2019 academic year.
Appalachian State	Invited speakers included Toussaint Romain and Stewart Harris
University	
Western Carolina University	•Women with Vision •An Evening with Denice Frohman •Reception for Greg Howard reading and book signing •Rae Senarighi campus residency •E. Patrick Johnson "Put a Little Honey in my Sweet Tea" •Eve Ensler's THE VAGINA MONOLOGUES •National Coming Out Day •True Colors 2018: We are the Change •Bisexual Awareness Week •Gay? Fine by Me •Drunk Sex Problem: Sexual Assualt Training &Keynote •National Hazing Prevention Week Speaker •Civility Summit 2019 •Culture Fest 2019 •2019 MLK Celebration •It's a Privilege Workshop •It's C.U.L.T.U.R.E. Series: Women Living in Color •Sister 2 Sister (Spring) •Artful Identity: A Futuristic View on Culture & Gender (SPRING) •Artful Identity: A Futuristic View on Culture & Gender (FALL) •LWCC Coffee Chat •2019 API Heritage Month Speaker: Kimberly Ming •2019 Pleasure Principle Speaker Series •The Hate U Give-Movie viewing •Dancing Through the Cultures •Sister 2 Sister (Fall) •Susan Bro-Peaceful Unity: A Dream That Lives On •What's the Tea Fall 2018 •Coffee Chat Fall 2018 •TEDxECU at RCAW •Women in Comics Panel Discussion •The Hate U Give •S.P.A.R.K. Series Speakers •NAACP Unity March •Pledge Purple •Chancellor's Student Leadership Academy Spring 2019 SAMPLE OF FREE SPEECH EVENTS AT EAST
	CAROLINA UNIVERSITY •Campus Witness-30 occurrences •Campus Witness: Howard Humichen-16 occurrences •Get a Clue •SAO Cannonball •Gideon Distribution (Bibles) •National Coming Out Day •Free Hugs •Prayer Vigil for Tree of Life •Veteran's Week Flag Display-16 occurrences •SHOES •Holocaust Memorial Vigil •CCF Overflow •Annual Easter Egg Hunt •Greek Life Vigil •Barefoot on the Mall •Vegan Outreach Info Table •MFT Exit Experience •Campus Ministry-8 occurrences •"Preaching" on campus by various religious organization representatives
-	October 12, 2018   Gender & Sexual Orientation Forum
University	• Expert Speakers on Sexual Assault, LGBTQ, Prevention & Awareness topics during Consent Week, and Cupcakes & Conversations and Canvas & Conversations as previously mentioned.
	December 4, 2018   LBTQ Safe Zone Training   Hosted by the Division of Student Affairs
	• February 11-12, 2019   Surviving R. Kelly Documentary Series   Sexual Abuse, Communication & Counseling
	April 1, 2019   Vikings & Verses (Open Mic & Poetry Slam)
	• April 3, 2019   Cupcakes, Conversations 7 Consent   Consent Week Conversations
	Office of Venue Reservations (Reservation made through this office)
	March 23, 2019   Senator Erica Smith   Speaker for the NEAAAT School
	Northeast Academy of Aerospace and Advanced Technologies (Charter School housed on the campus of Elizabeth City State University)
	*Division of Business and Finance (Auxiliary Services)
Fayetteville State	Attorney Ben Crump, Civil Rights Attorney - Chancellor's Distinguished Speaker Series; John Lewis, Civil Rights leader - Get Out to Vote Rally;
University	Amiyah Scott, Actress, Speaker, LGBTQ Advocate - Pride Week speaker.
North Carolina	•Angelique Graves, Motivational speaker •LaWanna Brown, L.P.C. •Jamele Hill, Television personality •T.D. Jakes, Motivational speaker and pastor
A&T State	•Ericka Armstrong Dunbar, Author •Daymond Milam, Accountant/consultant •MD Motaleb, Professor •Gilbert Min, Professor •Rutina Wilson,
University	Actress •Jamilah Lemiux, Columnist •Drennan Paylor, School Counselor •April Herring, Community Education and Outreach Coordinator •Billy Weeks, Director of Operations •Leoton Harris, Vice-President for Career Development •Alysia Green, General Manager •Langston Clark, Professor

North Carolina Central University	Rock the Lyceum Lecture Series: April Ryan, Michael Vick, Clifford T.I. Harris, Angela Rya, Tarana Burke, Amara La Negra, and Roland Martin.
North Carolina State University	<ul> <li>Poole College of Management Executive Speaker Series – Gary Stokan (Peach Bowl, Inc.); DeLisa Alexander (Red Hat); Matt King (FanDuel Group)</li> <li>Shelton Leadership Forum – Dr. Dario Gil (Al and IBM Q); Terry Jones (Travelocity and KAYAK); Jack Uldrich (Global futurist and author); Jean Davis (MCNC); Janet Ramey (Cisco); Sepi Saidi (SEPI Engineering &amp; Construction); Pam Townsend (WSP USA)</li> <li>Emerging Issues Forums – Jack Cecil (Biltmore Farms LLC); David Brooks (New York Times columnist); Lieutenant Governor Dan Forest; Tracy Greene-Washington (Kate B. Reynolds Foundation &amp; CoThinkk); Karl Stauber (Danville Regional Foundation); Leah Brown (Community-Centric Opioid Research and Data Services)</li> <li>Homecoming Speaker – Jess Ekstrom (Headbands of Hope)</li> <li>Yesenia Polanco – Immigration lawyer</li> <li>Town Hall on mental health</li> <li>Town Hall on abledness</li> <li>Remembering Kristallnact – Q&amp;A with Holocaust survivor, Dr. Peter Stein</li> <li>Respect the Pack welcome event</li> <li>Fidelity Investments Leadership in Technology Speakers Series – Erik Troan (Pendo); Larry Weber (Amazon); Jamie Thomas (IBM); Lance Berberian (LabCorp); Devin Shackle (Advance Auto Parts); Steve Grobman (McAfee)</li> </ul>
UNC Asheville	Supported and protected those who came to campus for the purpose of a variety of free expressions including traveling preachers, those who wish to pass out Bibles or other print material, and student protests on the campus quad. There were no incidents as a result of any of these spontaneous or planned events.
UNC Charlotte	Ryan Crocker - International Speaker Series (September 2018) U.S. ambassador to Afghanistan, Iraq, Pakistan, Syria, Kuwait, and Lebanon Kirsti Kauppi - International Speaker Series (October 2018) Ambassador of Finland to the United States Dr. Michio Kaku - Chancellor's Speaker Series (October 2018) Theoretical physicist, bestselling author, acclaimed public speaker, renowned futurist and popularizer of science Manual Zapata - CEO Speaker Series (October 2018) President of Zapata, Inc. Daniel Mulhall - International Speaker Series (January 2019) Ambassador of Ireland to the United States James A. Walsh - International Speaker Series (February 2019) Principal Deputy Assistant Secretary of State Sex Week at UNC Charlotte (February 2019) Informational sessions pertaining to sexual education and health sponsored by student organization (Sex Week UNCC) Ruth G. Shaw - Barnhardt Seminar on Ethics and the World of Business (February 2019) Leader in higher education, business, the corporate boardroom, and in the community; served as second president of Central Piedmont Community College; served as President and CEO of Duke Power H.E. Audrey Marks - International Women's Day speaker (March 2019) Ambassador of Jamaica to the United States Scott Price - CEO Speaker Series (April 2019) Chief Strategy and Transformation Officer of UPS Tayari Jones - TIAA Lecture Series (April 2019) Author of four novels, including An American Marriage, which was named a 2018 Oprah's Book Club Selection Denial: The Final Stage of Genocide, Genocide Awareness conference (April 2019)

## **UNC Greensboro**

Student Organizations: 1. Ratio Christi invited Adam Tucker, Southern Evangelical Seminary to campus to discuss analyzing the common rhetoric used for promoting homosexual behavior and highlighting the flaws in this reasoning, titled "What is love? Responding to Popular arguments for homosexual behavior and same sex 'marriage'."

2. Students for Greensboro Pregnancy Care Center invited two speakers (Dr. Neil C. Stewart, Cameron Hodge) and a UNCG student to serve on a panel to discuss biblical sexuality.

UNCG School of Education: 1. Dr. Sandra Crespo, Professor of Mathematics Education from Michigan State University. "Against All Odds: Teaching Collaborative Learning in the Elementary Mathematics Classroom."

- 2. Laura Rendón, Professor Emerita at the University of Texas at San Antonio. "Educating for Wholeness, Social Justice and Liberation."
- 3. Dr. Barry Houlihan, Archivist at the Hardiman Library, National University of Ireland, Galway. "Information and Empathy: Curating, Connecting, and the Protest of Social Memory"

Bryan School of Business: Speakers invited to the Bryan School during 2018-19 academic year included: Marc L. Witorsch, Executive Search Consultant Vice President BB&T, Recruitment and Talent Acquisition; Karen Royster, Senior Director Information Technology Global Brands; Barry Utesch, President Total Computer Solutions; Karen McKeithen Schaede, Attorney Connors Morgan, PLLC; Tim Ward, Executive Vice President Marsh & Mclennan Insurance; Thomas Nelson, Executive Vice President-Credit Administration IBERIABANK; Brian Dumbill, VP Finance for the Americas Volvo Financial Services; Roian Atwood, Director of Sustainability VF Jeanswear, Workwear, CASA; Charlie Schwarze, Director Repreve Recycled Business Unifi Manufacturing, Inc.

#### **UNC Pembroke**

•September 11, 2018: Social Justice Symposium – Dismantling Racism and Discrimination •October 3, 2018: Campus Voter Registration – UNCP Votes student leaders set up in residence halls to register voters •October 16, 2018: Popcorn & Politics, Candidates for the fall 2018 elections set up tables and provided a Q & A session with students and visitors •October 20, 2019: Early Voting Shuttle: Non-partisan student led program taking students to polling location and sharing educational materials regarding candidates •November 6, 2018: Party to the Polls – Students shuttle to the polling locations where connection was made with various student organizations sharing issue-based materials at various booth locations •November 7, 2018: Freedom of Expression in Business Organizations – Dr. Thomas Cushman, Speaker •November 20, 2018: Trans Day of Remembrance Candlelight Vigil •January 16, 2019: The Immigration Debate – Davide J. Bier (Cato Institute) and Jessica M. Vaughan (Center for Immigration Studies), Speakers •February 13, 2019: Where Criminal Justice Reformers Go Wrong: Rafael Mangual, Fellow and Deputy Director, Manhanttan Institute, Speaker •April 18, 2019: Controversial Issues Fair – Student organization program that allowed participants to cast a vote to highlight the top 10 topics in politics

## UNC School of the Arts

Because UNCSA is a conservatory, we do not have invited speakers. However, we have hundreds of performances every year that celebrate free speech and free expression in artistic forms -- from film to drama.

#### **UNC Wilmington**

https://uncw.edu/studentmedia/freedom-of-expression-week-student-media-uncw.html

Our university Student Affairs Division sponsored w/ the support of several student organizations a Freedom of Expression Week in mid November 2018.

Besides some student events, we hosted two main speakers, Greg Lukianoff, President of FIRE, and Ken Paulson, dean of the College of Media and Entertainment and president of the Newseum Institute's First Amendment Center. Besides this event, the campus hosted various speakers on multiple topics throughout the year, including hosting an abortion debate b/w Mike Adams (a UNCW faculty member) and an external supporter of pro-choice.

UNC-Chapel Hill	Speakers at Carolina included Linda Sarsour, General H.R. McMaster, Stephen Friedman, Ken Klukowski, and John Grisham, to name a few.
Western Carolina University	Rosa Clemente, Ken Langone, and multiple religious and political speakers
Winston Salom	Hance Lecture Series: A lecture series spansored by the WSSII College of Arts. Sciences. Business and Education featured three guest lecturers
Winston Salem State University	Hanes Lecture Series: A lecture series sponsored by the WSSU College of Arts, Sciences, Business and Education featured three guest lecturers. They were:  • "Tuskegee and Obamacare: Fulfilling America's Promise of Healthcare Justice," at 6:30 p.m. on Jan. 15 and presented by Dr. Darryl Scriven, CASBE dean. Scriven argues that the Affordable Care Act (Obamacare) embodies the kind of substantive policy that begins to atone for past healthcare injustice and is necessary to protect vulnerable populations from future abuses.  • "The Man-Not," at 6:30 p.m. on Feb. 12 and presented by Dr. Tommy J. Curry, a professor of philosophy at Texas A&M University and a winner of a 2018 American Book Awards for his work "The Man-Not: Race, Class, Genre, and Dilemmas of Black Manhood."  • "The Very Idea of the Police," at 6:30 p.m. on March 26 and presented by Dr. Scriven.  In addition the Hanes Series which is free and open to the public and has an open forum Q&A period at the end of each lecture, there were numerous events and speakers who visited the campus.