



**BOARD OF REGENTS OF
THE UNIVERSITY SYSTEM OF GEORGIA**

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Presidents
University System of Georgia
sent via email

Dear Presidents:

The Board of Regents (BOR) of the University System of Georgia (USG) met on March 15, 2017 in Atlanta, Georgia. During this meeting, the following BOR policy was approved:

Board Policy 12.10 Freedom of Expression

Attached as an Exhibit is a document that shows the text of the new policy and also provides the effective date and helpful information regarding this new policy.

Please share widely with the appropriate offices on your campus to include academic affairs, student affairs, human resources, legal affairs, and internal audit.

Sincerely,

Dr. Steve Wrigley
Chancellor

Enclosure

cc: Tricia Chastain, Executive Vice Chancellor for Administration
Dr. Rob Anderson, Interim Chief Academic Officer
Shelley Nickel, Executive Vice Chancellor for Strategy and Fiscal Affairs
Sam Burch, Vice Chancellor for Legal Affairs and Secretary to the Board
Marion Fedrick, Vice Chancellor for Human Resources
John Fuchko, III, Vice Chancellor for Organizational Effectiveness
Dr. Joyce Jones, Vice Chancellor for Student Affairs
Dr. Bobby Laurine, Vice Chancellor and Chief Information Officer
Charlie Sutlive, Vice Chancellor for Communications
Terry Thompson, Vice Chancellor for Internal Audit
Dr. Martha Venn, Deputy Vice Chancellor for Academic Affairs
Brooke Bowen, Legal Counsel
Wesley Horne, Director of Ethics and Compliance

Exhibit
BOARD OF REGENTS POLICY MANUAL
Revised Policy and Background Information
Meeting of March 15, 2017

Addition of Board Policy 12.10 Freedom of Expression

A. Background:

The free expression rights guaranteed by the First Amendment are of the utmost importance. The USG is committed to protecting these rights. To that end, last year the USG Office of Legal Affairs initiated a review of our campus speech policies to ensure that those policies emphasize our dedication to the First Amendment and do not improperly restrict the free expression rights of our students, faculty and staff.

As part of that review, the USG Office of Legal Affairs issued guidance to all institution presidents outlining core principles that every speech policy must reflect. To formalize the guidance and to provide clear instruction to each institution, the BOR has approved this policy addition. Though campuses may continue to have speech policies specific to their institutions that detail the location of the designated public forum area and processes for reserving the area, having a System-wide policy in place that sets forth the comprehensive guidelines for all campus speech policies will help to ensure that our students, faculty, and staff are aware of our dedication to protecting their First Amendment rights.

Questions regarding this policy change should be directed to Mr. Sam Burch, Vice Chancellor for Legal Affairs, at (404) 962-2363 or sam.burch@usg.edu.

B. Effective Date:

The effective date of this policy change is March 31, 2017

C. Changes to Board Policy 212.10 Shown with Markup

12.10 Freedom of Expression

The rights guaranteed by the First Amendment, including the right to free speech, free expression, free exercise of religion, and the right to assemble peaceably are of the utmost importance, and the University System of Georgia is committed to protecting those rights.

As public institutions of higher education, USG institutions must promote open ideas and academic freedom on their campuses. While institutions may need to enact policies to promote campus safety, to ensure the proper functioning of the academic environment and institution activities, or to further other important institution objectives, those policies should not unduly burden the free expression rights of students, faculty, and staff. Any parameters placed on the time, place, and manner of expression must not be based on the content of the expression.

To facilitate the free exchange of ideas, institutions may designate accessible, high-traffic locations on campus as public forum areas. The designation of public forum areas may not be used to prohibit individual students, faculty, or staff from engaging in communication elsewhere on campus. Reservation and use of designated public forum areas may only be required in the following limited circumstances: (1) speakers who are not enrolled at or employed by the institution; and (2) students, faculty, or staff who engage in large group demonstrations. Institutions may not consider the content or viewpoint of expression when requiring or assigning use of public forum areas.