

Regents' Policy Manual - Section 2.1: Free Expression and Advocacy

Adopted Date: 09-12-1996

Applicability

This policy applies to ~~all members of the University community~~: Regents, faculty, students, staff, and visitors.

University Principles

Freedom of inquiry and freedom of expression, both advocacy and dissent, are indispensable elements of a university. The freedom to engage in advocacy and to express dissent by lawful means, including peaceable assembly and the right of petition, is as important on a university campus as elsewhere in our society. The Regents have protected and defended and will continue to protect and defend the academic freedom of all members of the University community.

The exercise of the freedom of expression, however, must be balanced with the rights of others to learn, work, conduct business, and engage in other legitimate University functions and activities.

Policy

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The Regents recognize ~~and approve~~ the right of free speech and ~~honest~~ expression of opinion on any subject by any member of the University community, subject only to reasonable ~~viewpoint-neutral~~ rules that apply uniformly and do not discriminate among content or points of view.

The University's commitment to free expression and advocacy does not extend to speech or conduct that violates the law or University policy, including targeted speech that constitutes prohibited conduct such as bullying or harassment¹, defamation, destruction of or damage to property, discrimination, violence or threats. More specifically, the Regents, with this Policy,

¹ Bullying or harassing do not include constitutionally protected activity or conduct that serves a legitimate purpose.

condemn such prohibited conduct and condemn conduct that includes discriminatory, stereotypical, and derogatory speech targeted at one or more ~~students an individuals~~ based upon their actual or perceived shared ancestry or ethnic characteristics, citizenship, or residency in a country with a dominant religion or distinct religious identity.

Those who speak or act shall not do so in the name of the University or any of its organizations unless authorized ~~there has been specific authorization~~ to do so. The ~~President of the University~~ President, as its ~~Chief chief Executive executive Officer officer~~, is authorized by the Board of Regents to be the primary spokesperson for the University. The ~~President of the Board of Regents~~ President is authorized to speak officially on behalf of the Board.

Implementation

The University ~~of the University~~ shall develop content and viewpoint-neutral administrative policies and procedures for free expression and advocacy ~~on University grounds~~.

References

- United States U.S. Const., ~~itution~~, First Amendment;
- New Mexico NM Const., ~~art~~ Art. II, § 17 (“Freedom of speech and press; libel”);
- see, Policy on Mall Use/Time, Place, and Manner of Public Expression; Mall Amplification Policy; Policy on Demonstrations and Assemblies; published annually in the Pathfinder.
- RPM 2.8: Visitors to the University
- RPM 6.5: Political Activity by Employees
- UAP 2060: Political Activity
- UAP 2210: Campus Violence
- UAP 2220 (“Freedom of Expression and Dissent”)
- UAP 2230: Police and Security Services
- UAP 2240: Respectful Campus