

Administrative Regulation — Academic Freedom and Freedom of Speech

I. Academic Freedom

As set out in *Governing Regulation I — Declaration of Principles*, the University is committed to academic freedom for all members of the University community.

A. Faculty Academic Freedom

As set out in *Governing Regulation I — Declaration of Principles*, faculty academic freedom covers all speech in a formal instructional setting related to the subject of the course and all scholarly speech related to the faculty member's area or expertise. This same freedom applies to all staff employees who are engaged in teaching.

As set out in *Governing Regulation I — Declaration of Principles*, faculty members are free to express their views and perspectives on issues relating to their academic expertise. Formal instruction does not allow for faculty members to impose their personal viewpoints on students or engage in promotion of ideas outside their domains of expertise.

B. Staff Academic Freedom

When pursuing scholarly research, those staff employees whose duties explicitly include scholarly research have the same academic freedom as faculty members, which are set out in Section I.A.

C. Student Academic Freedom

All students — regardless of status as undergraduate, graduate, professional or non-degree seeking — are free to inquire regarding subjects of their choice. However, students must adhere to academic standards established by the University.

D. Reporting Violations of Academic Freedom

Any individual who believes that their academic freedom has been violated may file a request for review. This request for review shall include appropriate supporting documentation and be submitted to the Office of the Provost (for faculty), Office of the Executive Vice President for Finance and Administration (for staff) or Office of the Vice President for Student Success (for students). This process is not a substitute for a student grade appeal, an unsatisfactory performance evaluation, a faculty appeal of a denial of promotion or tenure or contract renewal.

The respective leader's resolution of the complaint represents the University's final action on the matter. The decision may not be appealed.

II. No Compelled Speech

The University will not require any person to profess the truth or falsity of any concept or idea as a condition of admission, enrollment, employment, promotion, tenure or receiving any benefit. However, students may be required in a course to demonstrate an understanding of a concept or idea without professing its truth or falsity.

III. Time, Place and Manner of Meetings, Demonstrations and Other Assemblies

A. University's Commitment to Free Expression, Assembly and Advocacy

Consistent with the federal and state Constitutions, all members of the University community have a right to free expression, assembly and advocacy in a peaceful manner. The University does not impose restrictions on speech except where such restrictions are reasonable, justified without reference to the content of the speech, narrowly tailored to serve a significant governmental interest and leave open ample alternative channels for communication of the information. This *Administrative Regulation* is established to define and facilitate the effective use and enjoyment of University facilities for the exercise of such rights and to minimize conflict between the form of their exercise and the rights of others in the use of University facilities.

B. Reservation of Facilities

Certain organizations and/or individuals may reserve appropriate University grounds, areas, facilities or other University property for the purpose of conducting a demonstration, meeting or other assembly. In all instances, the organization's representative or the individual must be present when the facility or area is being utilized pursuant to the reservation. The following University organizations, groups and individuals may reserve space:

- Registered student organizations and sponsored student organizations, in accordance with policies adopted by the Vice President for Student Success;
- Members of the University faculty and staff, for extracurricular events related to their University duties; and,
- Official alumni groups and similar University-related organizations, and colleges, schools, departments and other units of the University, for events related to the University's mission.

If an outside group wishes to reserve space, the outside group must have a University organization as a sponsor and it is the responsibility of the University organization to make the reservation as outlined in this *Administrative Regulation*.

C. Outdoor Spaces

The University does not impose restrictions on the time, place and manner of speech that occurs peacefully in the outdoor areas of the University's campus and that is protected by the federal and state Constitutions unless the restrictions are reasonable, are justified without reference to the content of the regulated speech, are narrowly tailored to serve a significant governmental interest and leave open ample alternative channels for communication of the information.

Speech in the outdoor areas between University buildings is subject to the following reasonable content-neutral restrictions:

- Expressive activities must be conducted in a lawful and peaceful manner.
- Expressive activities must not inhibit vehicular or pedestrian traffic. Specifically, participants may not be in the streets, parking lots, areas adjacent to or near parking lots, on sidewalks or in areas designated by the University as a construction zone. Participants may be in areas adjacent to sidewalks provided the speaker and audience do not block pedestrian traffic.
- Expressive activities must not interfere with the normal operations of the University (classes, other scheduled meetings, events, ceremonies and other educational processes).
- Expressive activities must not involve the possession of firearms, weapons, torches, sticks, poles or other items that may be used as weapons (participants may carry signs or flags if those signs or flags are not attached to a stick, pole or other object).
- Except with an approved reservation made at least three (3) business days in advance, expressive activities may not take place in the Patterson Plaza (the area south of the Patterson Office Tower, north of Miller Hall, east of the Main Building and west of the White Hall Classroom Building).
- Expressive activities are prohibited on pedestrian bridges, in the area within the fence and boundaries at Maxwell Place, in the Arboretum and in outdoor areas immediately adjacent to the University of Kentucky HealthCare facilities.
- Except in outdoor areas designated by the Vice President for Student Success and with a reservation made at least three (3) business days before the event, expressive activities may not involve the use of tables, stationary displays, the erection of structures including tents, the exhibition of images or the amplification of sound.

- Except in outdoor areas designated by the Vice President for Student Success and with a reservation made at least three (3) business days before the event, expressive activities after 7 P.M. and before 7 A.M. are prohibited.
- Except at locations and at times designated by the Executive Vice President for Finance and Administration, camping is prohibited. Individuals who engage in camping may be charged under Kentucky's unlawful camping statute.¹
- Without any advance notice, the University may temporarily restrict expressive activities in areas that are otherwise open for expressive activities when those areas have been reserved for a University-approved function.

D. Areas Requiring a Reservation

Except with a reservation made at least three (3) business days before the event, expressive activities are prohibited in the following locations:

- All areas within any building;
- All areas within or adjacent to the University's athletics facilities;
- Intramural fields and other recreational areas;
- Amphitheatres, including the amphitheater behind Memorial Hall;
- The bowl in front of the William T. Young Library;
- Parking lots, grassy areas adjacent to or near parking lots and parking structures;
- Courtyards and areas immediately adjacent to residence halls;
- Main Building Lawn; and
- The Patterson Plaza (the area south of the Patterson Office Tower, north of Miller Hall, east of the Main Building and west of the White Hall Classroom Building).

E. Enforcement

Individuals and/or organizations violating this *Administrative Regulation* may be subject to student conduct proceedings, employee discipline proceedings and/or criminal prosecution.

¹ KRS. § 511.110.