

University of Wisconsin System: Board of Regents approves Academic Freedom and Freedom of Expression Policy

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Today, the Board of Regents approved a Commitment to Academic Freedom and Freedom of Expression policy for the UW System. The purpose of the policy is to communicate the Board's commitment to academic freedom and freedom of expression, as well as set expectations for those who violate those freedoms. The policy builds upon the resolutions the Board passed in December 2015 and July 2017.

"Campuses across the country are wrestling with the question of appropriate behavior of students. The University of Wisconsin is a large system and I believe we need consistent learning environments at all of our institutions," said Regent President John Robert Behling. "Through this policy, we inform students and taxpayers that we can provide a world-class education in an atmosphere where civility, respect, and safety is required and expected."

"I came to this country from Cuba when I was 14 years old. I lived under a government that tightened the grip on public opinion, which ultimately led to violence. We must open our mind to rational discourse. I feel the pain when I hear an opinion I vehemently disagree with, but any limitation to this type of conversation cannot be accepted. And it would be a scandal to do so at our university, which is why I support this policy," said Regent José Delgado.

“I instructed System staff to analyze existing campus policies and practices, and we soon discovered they were in multiple places – from housing policies to student handbooks to discipline guidelines,” said UW System President Ray Cross. “It became apparent it was wiser to create an overriding policy based upon the Board’s previous actions, what other states have done, the Assembly bill, and our own Administrative Rules. This policy is a result of that process.”

As outlined in UWS Administrative Code 17, chancellors currently have the ability to impose disciplinary sanctions, including suspension and expulsion (see 17.10 and 17.11). The Administrative Code outlines the various actions that could be considered disruptive. The Board policy is intended to keep the definition flexible to allow an institution to determine severity of any action since no two disruptions are alike. The sanctions outlined in the Board policy will not take effect until UWS Administrative Code 17 has been updated through the normal administrative rule-making process. The new policy:

- (1) Codifies the UW System’s current practice that a university cannot compel a student or employee to take a certain position on a public policy issue.
- (2) Requires UW institutions to address the issue of freedom of expression during freshman and transfer student orientation, and provide regular communication to all students and employees of the policy.
- (3) Requires suspension for a student who has twice been found responsible and expulsion for a student who has thrice been found responsible for disruption of freedom of expression.
- (4) Requires chancellors to report on this topic annually to the Board of Regents to ensure accountability and transparency.

The policy is similar to proposals developed by the Wisconsin Legislature. As outlined in state law, the Board of Regents is the oversight body of the UW System, and the Board develops policy to govern institutions.