

SOUTH DAKOTA BOARD OF REGENTS

Academic and Student Affairs

AGENDA ITEM: 7 – C
DATE: August 7-9, 2018

SUBJECT

Institutional Updates on Free Speech Policy Revisions

CONTROLLING STATUTE, RULE, OR POLICY

[U.S. Constitution Amendment I](#)

[SD Constitution Art. VI § 5](#) – Freedom of Speech

[SDCL § 3-6C-19](#) – Freedom of Speech of Officers and Employees

[BOR Policy 3:3](#) – Freedom of Speech

[BOR Policy 3:4](#) – Student Code of Conduct

[BOR Policy 6:13](#) – Facilities Use By Private Parties

BACKGROUND / DISCUSSION

During the [June 2018](#) Board meeting, a Free Speech Roundtable was scheduled with a number of invitees who provided both written and oral comments on a variety of system and institutional policies affecting free speech. Board of Regents staff are working to make necessary revisions to BOR Policies 3:3, 3:4, and 6:13 with a goal of having a first reading at the October 2018 meeting. In advance of the roundtable discussion, institutional presidents were asked to identify campus level policies that may warrant revisions, and the identified list can be found in Attachment I.

IMPACT AND RECOMMENDATION

Institutional presidents will provide an update to the Board regarding the status of campus level policy revisions underway and the expected timeline for completing this work prior to the December 2018 Board meeting.

ATTACHMENTS

Attachment I – Campus Level Free Speech Policies Under Review

INFORMATIONAL ITEM

Institutional Policies That Have Freedom of Expression Implications

Black Hills State University

- x [Student Organization Manual](#)
- x [Email User Account Policy](#)
- x [Title IX – Sexual Misconduct](#)

Dakota State University

- x [Sponsorship of Non-University Speakers by Student Organizations](#)
- x [Student Organizations & Activities](#)

Northern State University

- x [Guest Speakers and Performers](#)
- x [Posting Policy](#)
- x [Scheduling of University Events](#)
- x [Facilities Use Agreement Template](#)
- x [Student Activities Rubric](#)
- x [Student Budget Appropriations Committee Guidelines](#)

South Dakota School of Mines & Technology

- x [Policy I-05: Free Speech and Assembly on Campus Grounds for non-SDSM&T Personnel](#)
- x [Policy III-7-1: Solicitation](#)
- x [Policy III-10-1: On-Campus Advertising/Campus Posting](#)
- x [Policy VI-11: Assessing User Fees: Scheduling, Events, and Conferences](#)
- x [Policy VI-A-07: Scheduling and Coordinating Use of Campus Resources](#)

South Dakota State University

- x [Student Conduct Code Policy](#)
- x [Harassment Policy](#)
- x [Housing Handbook – Harassment Policy \(Page 33\)](#)
- x [Housing Handbook – Roommate Bill of Rights \(Page 3\)](#)

University of South Dakota

- x [Student Handbook – Freedom of Speech \(Page 53\)](#)
- x [Policy 7.005 – Sales and Solicitation](#)