

Freedom of Expression Policy

A. POLICY STATEMENT/PURPOSE

As an institution of higher education, Sonoran University promotes the pursuit and dissemination of knowledge, critical inquiry, the open discussion of ideas, and the advancement of education and learning. The University also commits to supporting students as they train to excel as healthcare professionals. To achieve these goals, Sonoran is committed to protecting freedom of expression including freedom of speech which refers to the ability to examine, comment, critique, contest, investigate, and communicate topics and ideas including those that may be deemed difficult, disagreeable, offensive, or controversial. At the same time, it is the responsibility of each member of the Sonoran University community to ensure their expression is accompanied by civility and respect and does not demean, defame, threaten, or unduly obstruct, nor interfere with the freedom of others.

Freedom of expression and speech at Sonoran is protected by the First Amendment as well as by state and federal laws, is balanced by our institutional Values and policies, and by our commitment to cultivating a community in which every member feels supported, respected, and welcomed. Sonoran University strives to promote expression that is communicated professionally and supported by evidence.

Expression may occur in various forms including written, oral, or other media, may occur in person or online, within public and designated public forums, and may include verbal and non-verbal expression.

Sonoran University asserts that the First Amendment and rights of free speech come with responsibility. The purpose of this policy is to respect the Sonoran University Community's rights to free speech and expressive activity within public and designated public forums, while preserving public health, safety, research, and welfare; the normal business uses of the campus; and the rights of others to properly use and enjoy the campus under the U.S. and Arizona Constitutions and all applicable federal and state laws.

B. HISTORY/BACKGROUND

C. DEFINITION(S)

- a. **Academic Freedom:** While freedom of expression applies to all, faculty and researchers are also protected by academic freedom. Academic freedom is the freedom of a teacher or researcher in higher education to investigate and discuss the issues in (their) academic field, and to teach or publish findings without interference from political figures, Boards of Trustees, donors, or other entities. Academic freedom means that faculty are free to engage in the professionally competent forms of inquiry and teaching that are necessary for the purposes of the university. It does not mean that individual faculty members are free to teach or publish whatever they want without repercussions.
- b. **Designated Public Forums:** The Sonoran University campus contains buildings, property, and online environments whose primary purpose is to provide education, research, and outreach. At times, the University designates areas to

allow access by the Sonoran Community or to create limited forums for the discussion of certain topics or subject matter by certain speakers, each at times when the property is not being used for its devoted purposes.

- c. **Open Public Forums:** consist of the streets and sidewalks generally open to the public during the times Sonoran University is open or online environments such as social media and other virtual spaces whose primary purposes are *not* related to providing education and research. Open Public Forums do not include, among other places defined in this policy, the interiors of Sonoran University structures or Designated Public Forums.
- d. **Sonoran Community:** means all university employees, students, candidates, Trustees and Advisory Council members, invited guests, patients, clients, alumni, and members of the public present on the Sonoran University campus for legitimate and lawful purposes.
- e. **Hate Speech:** Speech that is insulting or demeans a person or group of people based on attributes such as race, religion, ethnic origin, sexual orientation, disability, political affiliation, or gender.
- f. **Defamation:** A deliberate and untrue statement about an individual that is publicly communicated in writing (called “libel”) or spoken (called “slander”) form, causing harm to the individual.
- g. **Incitements of violence or lawless action:** Speech that is intended to provoke violence or imminent unlawful action, and the disruption that occurs from fear that such actions will occur.
- h. **True threats:** Speech meant to communicate a serious expression of an intent to commit an act of unlawful violence to an individual or group.
- i. **Obscenity:** Speech or materials may be considered obscene (and therefore unprotected) if the speech meets the following (extremely high) threshold: It (1) is blatantly offensive by community standards and/or (2) lacks literary, scientific, or artistic value.

D. SCOPE/KEY STAKEHOLDERS

This policy applies to the Sonoran Community which includes University employees, students, candidates, Trustees and Advisory Council members, invited guests, patients, clients, alumni, and members of the public.

E. POLICY ITEMS

Sonoran University encourages and supports diverse points of view, though they may sometimes seem objectionable or distasteful, as this is the nature of the University’s scholastic duty and is protected by freedom of expression. The acceptance of diversity is essential and is instrumental to the formation of new discussions and the consideration of different opinions.

- a. Sonoran recognizes the First Amendment rights to free speech. These rights include Individual and group expression activities including but not limited to
 - i. Speaking,
 - ii. Gathering,
 - iii. Demonstrating,
 - iv. Displaying signs,
 - v. Pamphleteering, and
 - vi. Political activism.

- b. The following types of expression are not protected forms of speech and may lead to individuals or groups being subject to disciplinary, administrative, or legal action:
 - i. True threats, including speech and other conduct that conveys a serious intent to commit an act of unlawful violence to an individual or group of individuals;
 - ii. Harassment, including speech and other conduct, targeted at an individual, that effectively denies educational access, research, medical care, opportunities, or rights;
 - iii. Harassment, including sexual harassment;
 - iv. Defamation;
 - v. Demeaning statements;
 - vi. Expression that unduly obstructs or interfere with the freedom of others;
 - vii. Violation of institutional Values, Student Code of Conduct, or Employee Standards of Conduct & Discipline;
 - viii. Plagiarism or other forms of academic and scientific misconduct;
 - ix. Breach of confidentiality obligations;
 - x. Disruption of operations of the University;
 - xi. Incitement of illegal action;
 - xii. Incitement of violence;
 - xiii. Invasion of privacy and confidentiality, as protected by federal and state law;
 - xiv. Pornography, Child pornography; and
 - xv. Obscenity.
- c. Sanctions for Violations of the Freedom of Expression Policy may include disciplinary action leading up to dismissal/ expulsion or termination of employment.
 - i. A full description of the Student Code of Conduct can be found in the Sonoran University of Health Sciences' Student Handbook.
http://my.scnm.edu/ICS/Campus_Life/College_Publications/
 - ii. A full description of the Employee Standards of Conduct & Discipline can be found in the Sonoran University of Health Sciences' Employee Handbook Section 4.1 & 4.2,
https://my.scnm.edu/ICS/Campus_Life/Campus_Publications/

F. RESONSIBILITY FOR IMPLEMENTATION

President's Office

G. RELATED DOCUMENTS/Policies

Diversity and Inclusion Policy
Employee Handbook
Faculty Handbook
Student Handbook

H. NEXT REVIEW DATE

One year from Effective Date unless amended.

I. POLICY AUTHOR/CONTACT

Sonoran University President's Office.

J. VERSION CONTROL AND CHANGE HISTORY

Version	Approved by	Date Approved	Date Effective	Amendment Information
1	President's Council	05/24/23	05/24/23	
2				
3				