

ARIZONA BOARD OF REGENTS
Minutes of the Committee on Free Expression
July 31, 2023

The Arizona Board of Regents Committee on Free Expression held a virtual meeting on Monday, July 31, 2023.

Committee Members present via video: Executive Director John Arnold (Chair); from ASU: Lisa Loo, Patrick Kenney, Anne Jones, Joanne Vogel, and Andrew Kalthoff (joined at 1:09 p.m.); from NAU: Margot Saltonstall, Kimberly Ott, Marco Cabrera Geserick, Maria Machelor, and Michelle Parker; from UArizona: Tessa Dysart, Art Lee, Steve Patterson, and Kendal Washington White.

Committee Members absent: from UArizona: Alyssa Sanchez.

Also present via video from the ABOR office Jennifer Pollock, Samantha Blevins, Kevin Smith, Rachel Malefors, Suzanne Templin, and Tom Merriam; from Arizona State University: Kim Demarchi; from Northern Arizona University: Laurie Dickson; from the University of Arizona: Kody Kelleher and Jon Dudas.

Chair John Arnold called the meeting to order at 1:01 p.m.

All lists, reports, summaries, background material and other documents referred to in the minutes can be found in the July 31, 2023, Document File and on the board's website.

APPROVAL OF MINUTES (Item 1)

Upon motion by Chair Arnold, seconded by member Lee, the committee approved the public session minutes of the August 3, 2022, Committee on Free Expression meeting. Committee members Arnold, Loo, Kenney, Jones, Vogel, Saltonstall, Ott, Cabrera Geserick, Machelor, Parker, Lee, Patterson and Washington White voted in favor. None opposed. Member Dysart abstained. The motion carried.

REVIEW OF OPEN MEETING LAW (Item 2)

Samantha Blevins, ABOR Senior Associate General Counsel, provided an overview of the Open Meeting Law, she noted that the Committee on Free Expression is a statutorily required committee of the Arizona Board of Regents, which is a public body, therefore the committee is also a public body subject to the Open Meeting Law.

Ms. Blevins asked the committee if they had any questions, there were none.

REVIEW THE STATUTORY CHARGE TO THE COMMITTEE ON FREE EXPRESSION TO SUBMIT AN ANNUAL REPORT (Item 3)

Samantha Blevins provided an overview of the A.R.S §15-1867 statutory charge.

REVIEW OF AND POSSIBLE ACTION TO APPROVE AND FORWARD THE STATUTORY ANNUAL REPORT ON FREE EXPRESSION FOR FY 2023 (Item 4)

Ms. Blevins noted that the 2023 report discusses how protecting free speech and intellectual freedom is a bedrock principle. All three of Arizona's public universities maintain the highest green light rating from the Foundation for Individual Rights in Education (FIRE) and have adopted the "Chicago Statement," the free speech policy statement produced by the Committee on Freedom of Expression at the University of Chicago. Each university has policies and procedures to encourage and protect all lawful speech. All expressive activities are subject to reasonable time, place and manner restrictions as permitted by law. The report contains links to all of those policies. The report then highlights how each university promptly responds to allegations of barriers to disruptions of protected speech in manners that comply with applicable law. The report emphasizes that implementing free speech in communities of thousands of students, faculty, and community members can sometimes produce strong and varied emotions. The universities did experience several of those interactions that the report goes through, but it highlights that even in moments of heightened conflict, the universities encouraged free expression of all viewpoints within established restrictions. Ms. Blevins noted that before the report goes to the board there will be technical corrections to formatting, grammar, and styling.

Chair Arnold thanked Ms. Blevins and staff from each of the universities, who contributed to the report.

Upon motion by Chair Arnold, seconded by member Lee, the committee approved the proposed report, with changes as discussed in this meeting and authorized Samantha Blevins to make non-