

SLIDE 1: Introduction

Title: The Power of Speech: Rights and Responsibilities at the University of Utah

Description: This training has been developed in response to state legislation, Utah House Bill 261 (2024) and (Utah Code Section 53B-1-118(3)(c)), which require public institutions of higher education to annually train employees on the separation of personal political advocacy from an institution's business and employment activities.

AI Voiceover: Owen C.

INSTRUCTIONS: To receive all information in this training turn on audio or closed captions. Use the NEXT button to navigate through the course.

SLIDE 2: Welcome

At the University of Utah, people from different backgrounds and perspectives come together to exchange ideas. This exchange is designed to develop new and innovative concepts and to always pursue deeper understanding in collaboration with others. This course will help you know best practices and legal requirements for engaging in the exchange of ideas.

SLIDE 3: Course Objectives

In this course, you will learn about the key differences between freedom of expression, academic freedom, and political advocacy as required by state law. You'll discover how to recognize when you are speaking in a personal capacity versus representing the university and understand the proper guidelines for engaging in advocacy while staying compliant with university policies.

Helpful Tip:

Utah House Bill 261 (2024) created a new law (Utah Code Section 53B-1-118(3)(c)), which requires public institutions of higher education to annually train employees on the separation of personal political advocacy from an institution's business and employment activities. This course serves as that training for University of Utah employees.

SLIDE 4: Understand the Difference

Click each icon to learn the difference between freedom of expression, academic freedom, and political advocacy.

Freedom of Expression: The university values and protects your freedom of speech and assembly without prior restraint or censorship. As a general rule, faculty, staff, and students can speak on matters of public concern as long as they do so in their role as private citizens and not in their role as university employee or representative of the university, and their speech does not disrupt university workplace operations.

Academic Freedom: The University recognizes and maintains academic freedom for faculty members in the pursuit and dissemination of knowledge. Faculty have the right to explore ideas and share expertise through any lawful means, including media interviews, legislative testimony, podcasts, and op-eds. When engaging in these activities, they must clarify that they are speaking in a personal capacity and not on behalf of the university. Academic freedom is a cornerstone of our institution, ensuring that ideas can be freely examined, communicated, and debated in both the classroom and research.

Political Advocacy: All members of the university community have the right to participate in political advocacy but must do so as private citizens. Political advocacy includes efforts to influence laws, regulations, or government policies. Engagement should occur on personal time, without using university resources such as letterhead, telephones, or Umail.

HELPFUL TIP: Those wishing to participate during scheduled work hours should consult with their leadership. If unsure about their role in political advocacy, individuals are encouraged to seek guidance from their leadership.

SLIDE 5: University Positions

While employees can engage in political advocacy as private citizens, only the university president, senior vice presidents, or their designees can take an official position on behalf of the university or a unit of the university.

SLIDE 6: Institutional Speech

The Utah Board of Higher Education requires the university, as an institution, to remain neutral on political, social, or unsettled issues that are not directly related to our mission, role, research, or pedagogical objectives.

In addition, state law prohibits the university from taking positions on topics like anti-racism, bias, and critical race theory. These requirements do not limit academic freedom.

Employees may advocate for policies in their personal capacity.

Employees may not imply that their personal views reflect the university's stance.

The university may host discussions and invite speakers on political and social issues, ensuring a range of viewpoints are represented.

University units may not issue statements, publish web pages, or broadly distribute messages (such as: emails, newsletters, and media) that suggest the university supports a particular stance.

Faculty may engage in academic research and speak publicly as subject matter experts in their field.

Faculty may not require students to adopt their personal beliefs and should maintain a classroom environment that fosters open thinking and learning.

HELPFUL TIP:

If you have questions about political advocacy, testifying before a legislative committee, or speaking to the media, contact your supervisor. If additional guidance is needed, reach out to the university's Office of Government Relations. They can guide you on best practices and ensure compliance with university policies.

SLIDE 7: Knowledge Check

Let's test your understanding with a few questions:

A university employee wants to send an email to local legislators urging them to oppose a bill related to education funding. As a best practice, the employee should send the email using their personal email account rather than their university account. Is that correct?

- Yes (CORRECT)
- No
 - Explanation: Employees must not use university resources—including email—for political advocacy. To avoid misrepresentation, employees should use their personal email and explicitly state they are speaking in their personal capacity.

SLIDE 8: Knowledge Check

A faculty member publicly supports a candidate on their personal social media account. Are they violating university policy?

- No, but if their personal social media account identifies them as a university employee, they should be clear that they are not speaking on behalf of the university. (CORRECT)
- Yes, faculty should not engage in political speech at all.
 - EXPLANATION: Employees can engage in free speech as private individuals. However, they cannot imply or say that their views represent the university.

SLIDE 9: Knowledge Check

Dr. Garcia, a faculty member in health sciences, opposes a bill on medical licensure and wants to testify at a legislative hearing. How should they proceed?

-  Dr. Garcia testifies **as a private citizen**, clarifies they are speaking in a personal capacity, and notifies their department chair if the hearing occurs during work hours.
-  Dr. Garcia testifies and uses university letterhead for written comments.
-  Dr. Garcia claims to speak on behalf of their college without authorization.
 - EXPLANATION: Faculty can engage in policy discussions but should make it clear that they are speaking as individuals and not on behalf of the university.

SLIDE 10: Knowledge Check

Jordan, a staff member in the College of Education, supports a charter school bill. What email account should Jordan use to email lawmakers about the bill?

-  Personal email account
-  University email account
 - EXPLANATION: That's right! Employees should not use university resources for political advocacy.

SLIDE 11: Thank you & Resources

Thank you for completing this course. Your awareness about these concepts helps foster a campus that values open dialogue while maintaining clear guidelines.

Button: HB 261 (2024) <https://le.utah.gov/~2024/bills/static/HB0261.html>

Button: Utah Code § 53B-1-118(3)(c)

https://le.utah.gov/xcode/Title53B/Chapter1/53B-1-S118.html?v=C53B-1-S118_2024070120240501

Button: Institutional Guideline

<https://regulations.utah.edu/general/guidelines/g1-007c.php>