



The American University of Kurdistan Freedom of Expression Policy

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I. INTRODUCTION

- a. **Authority:** The Board of Trustees (herein referred to as “Board”) at The American University of Kurdistan (herein referred to as “AUK” or “University”) is authorized to establish rules and regulations to govern and operate the University and its programs.
- b. **Purpose:** Freedom of expression is a tenet of higher education; is integral to the mission of AUK and to its students, staff, and faculty; is central and inviolate freedom to learn and teach. AUK encourages, protects, and sustains the freedom of expression, offering the broadest possible latitude to both internal and external speakers. Hate speech is antithetical to AUK’s core values, its prohibition extends to all forms of communication, including online speech.
- c. **Scope:** This policy applies to students, faculty, staff, and the general public.

II. ROLES AND RESPONSIBILITIES

- a. **Responsible Executive:** Provost
- b. **Responsible Administrator:** Provost Office
- c. **Responsible Office:** Provost Office
- d. **Policy Contact:** Provost

III. DEFINITIONS

- Freedom of expression: Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive, and impart information and ideas through any media and regardless of frontiers. (Article 19 of the Universal Declaration of Human Rights)
- Free speech: The right of people to express their opinions publicly without interference, subject to the laws against libel, incitement to violence or rebellion, etc.
- Hate speech: speech that attacks, threatens, or insults a person or a group of people on the grounds of their national origin, ethnicity, color, religion, gender or disability.
- Academic Freedom is the right of every faculty member, to freely teach, both in and outside the classroom; to conduct research, and to publish, display, or perform the results of those investigations.

IV. POLICY STATEMENT

- AUK's Campus is open to expressive activities and noncommercial speech, subject to appropriate time, place, and manner regulations. Regulations may be created to ensure that the University's mission of instruction, research, and creative activity is not disrupted and that Campus safety and security are not compromised.
- AUK values the freedoms of speech, thought, expression, and assembly as part of the core educational and intellectual mission of all members of the AUK community. The University is a place where ideas may be expressed freely both inside and outside the classroom. The only limits on these freedoms are those dictated by applicable law and those necessary to protect the rights of other members of the University community and to ensure the normal functioning of the University. Members of the AUK community who exercise their freedom of expression shall not be subject to discipline or retaliation.
- The right to freedom of expression in a University community sits alongside the related principle of academic freedom. Academic freedom means academics can express their opinions, question established ideas and develop new ones, and present controversial or unpopular points of view, without placing their employment at risk.
- While exercising rights to freedom of expression, AUK expects staff and students to do so in a manner that treats others with dignity and respect. It is only through a community that engages freely in the study, debate, and open inquiry, supported by a culture of mutual respect, that AUK can achieve its vision of being a place of transformation and self-improvement, driven to achieve benefit for individuals, communities, societies and our world.

POLICY- Freedom of Expression

- AUK also recognizes the right of protest, so long as it occurs in a spirit of thoughtful and open inquiry. Students, faculty, and staff are free to assemble on campus, voice opinions, distribute pamphlets, and invite guest speakers so long as their actions do not interfere with the normal processes of the University or infringe on the rights of others.

V. RIGHTS AND RESPONSIBILITIES

- Freedom of expression must be at once fiercely guarded and genuinely embraced. This freedom should not be misunderstood to allow slander, libel, and incitement of hate or threatening or abusive expression. Defending that right is a fundamental obligation of the University. Controversy cannot be permitted to abridge the freedoms of speech, thought, expression, or assembly. They are not matters of convenience but of necessity.
- On the AUK campus, members of the AUK community may distribute printed material, offer petitions for signature, and make speeches. Protests and demonstrations are also permitted but require prior approval and notification to the University. All such activities must be peaceful and avoid acts or credible threats of violence. No event shall infringe upon the rights or privileges of anyone not in sympathy with it, and no one will be permitted to harm others, damage or deface property, block access to the University buildings or disrupt classes. University departments/units that sponsor invited guests to campus are expected to uphold AUK's educational mission by planning carefully to create safe and thoughtful experiences for those involved.
- Guest speakers are to be invited through a University department/unit, which is also responsible for notifying the appropriate offices. If government officials will be invited, AUK's Office of the President should be notified. Hosts are responsible for the behavior of their guests and should exercise due care to ensure that all participants abide by relevant University policies. Individuals are responsible for educating themselves on applicable laws relating to free expression.
- Consistent with the rights and responsibilities outlined in the University's policy on freedom of expression, University hosts must follow all applicable policies related to space reservation, use, safety, and security.

VI. RESTRICTION OF EXPRESSION

AUK may restrict expressive activity not protected by the applicable laws, including any of the following:

- Violations of applicable laws.
- Discriminatory harassment.
- Sexual harassment.
- True threats.
- An unjustifiable invasion of privacy or confidentiality.
- An action that materially and substantially disrupts the function of the University.
- A violation of a reasonable time, place, and manner restriction on expressive activities.

Nothing in this policy shall be construed to prevent AUK from regulating speech or activity as allowed by law.

VII. EXPRESSION BECOMES UNLAWFUL HARASSMENT

The precise legal standards for unlawful harassment vary depending on who the harasser and who the victim of the harasser are. In general, harassment refers to a severe, pervasive, and objectively offensive course of conduct directed at an individual and based on the individual's protected characteristic(s), which unreasonably interfere with the individual's work, academic performance, or living environment, or creates an intimidating, hostile or offensive working, learning or living environment. Hostile environment harassment is determined by looking at all of the circumstances, including the frequency of the allegedly harassing conduct and its severity. A single, serious incident may be sufficient to constitute hostile environment harassment.

VIII. PUBLIC AND CAMPUS EVENTS

The event organizer is responsible for taking steps to gain knowledge of the speaker and topics under discussion to ensure the educational value of the event and that there is no risk to the order and safety of the AUK community. If any questions arise, the event organizer must notify the Provost, who will review the program and decide whether to approve the event. Conditional approval may be granted, subject to the organizer putting in place mitigating measures. The guiding principle is to permit events in line with the University's mission and firm commitment to the freedom of speech along with the applicable law/s.

IX. PUBLIC ASSEMBLY

- Organizers must send an e-mail notification to the Provost Office at least 72 hours prior to the planned assembly, rally, or demonstration. The e-mail must include a) the time the event is expected to start b) the location on campus where it will be held c) the expected duration and d) whether sound amplifiers will be used. The Provost may request a change in the location or timing of the event if sound amplification or the proposed location will either disrupt class or block access to other University functions.
- All demonstrations or protests must be peaceful, avoiding acts or threats of violence. At the first indication of violence, security personnel will request an immediate end to the event.
- Any member of the AUK community is free to join any assembly on campus. The members of the AUK community who wish to participate must comply with all relevant staff policies including, but not limited, to applicable policies and procedures governing working hours and appropriate use of resources.

X. DISTRIBUTING PUBLICATIONS

- All members of the AUK community are free to distribute publications on campus.
- Publications produced by student organizations should be shared with the faculty adviser and the Office of Student Affairs.
- Hanging any posters or banners on AUK property must comply with the policies set by AUK. Any publications or banners that are affixed to University property without the appropriate space reservation will be subject to immediate removal.

XI. DISPUTE PROCEDURE

To ensure compliance, the Provost can review complaints filed by faculty, staff, and students as well as decide the appropriate course of action at her/his discretion.

1. Dispute Procedure for Students
 1. If students have complaints regarding the speech of another student or member of staff, they may speak to the Office of Student Affairs.
 2. If students have complaints regarding the speech of a faculty, they are to speak first to the faculty. They may also speak to their academic advisor or to the department chair/dean.
 3. At any point in the procedure, students may seek guidance from the Office of Student Affairs.
 4. If any student is found to have violated the Freedom of Expression Policy, then that student will be subject to disciplinary action according to the Student Code of Conduct.

2. Dispute Procedure for Faculty and Staff
 1. Faculty or staff members who have complaints regarding a colleague's speech are encouraged to speak to their department chair/supervisor or directly to the Legal Office and/or the Office of Human Resources.
 2. The Provost can review controversial events, evaluate their alignment with the applicable laws and the University's mission and commitment to freedom of speech, and decide whether to approve. The Provost also act as final recourse for complaints relating to freedom of speech.
 3. If any faculty or staff is found to have violated the Freedom of Expression Policy, then that employee will be subject to disciplinary action according to the Employee Code of Conduct.

VI. POLICY HISTORY

- a. **Approved by:** Board of Trustees
- b. **Adopted:** June 2, 2024