

**REGENTS COMMUNICATION
REQUEST FOR ACTION**

SUBJECT: Institutional Neutrality
ACTION: Approval of Institutional Neutrality Bylaw
EFFECTIVE DATE: October 17, 2024

During the fall semester of 2023, draft principles in support of diversity of thought and freedom of expression were developed by a distinguished faculty committee with input from university leaders and members of our academic community. At a special formal meeting in January 2024, the Board of Regents formally adopted the University of Michigan Principles on Diversity of Thought and Freedom of Expression. Immediately following adoption of the Principles, the President directed Vice President and General Counsel Timothy G. Lynch to convene and chair a faculty, staff, student committee to examine how the university was doing in terms of living up to the aspirations embodied in the Principles; what the university could do better; and whether the university should adopt a version of the Kalven Report, which creates a strong presumption that universities do not issue statements on social or political matters not directly relating to their internal governance.

The Principles Advisory Committee, which included representatives from all three campuses and our academic medical center began its work in March and continued its efforts throughout the summer. Subcommittee III was charged with recommending whether the University should adopt a version of the Kalven Report. In September, the university published its Advisory Committee report, which included Subcommittee III's strong recommendation that the university "refrain from taking institutional positions on contested political and social issues of the day," except as to "matters of internal governance, that is, on policies and decisions related to running the University."

At their September 2024 formal meeting, after reviewing the Principles Committee Report, the regents directed the administration to draft a new potential bylaw that reflected Subcommittee III's recommendation. The following proposed addition to the University of Michigan Regents Bylaws was posted in the *University Record* for public comment. The regents reviewed all comments received and had further discussion on this proposed bylaw.

Accordingly, I now recommend for approval the attached University of Michigan Regents' Bylaw 14.08 Institutional Neutrality for approval.

Respectfully submitted,


Jon Kinsey

Vice President and Secretary

October 2024

Attachment

Regents' Bylaw 14.08 Institutional Neutrality

The mission of the University of Michigan is to serve the people of Michigan and the world through preeminence in creating, communicating, preserving and applying knowledge, art, and academic values, and in developing leaders and citizens who will challenge the present and enrich the future. To advance the University's mission and protect its longstanding commitment to diversity of thought and freedom of expression; preserve an environment where members of our academic community are free to engage in open inquiry, dialogue, and disagreement; and avoid any suggestion that the University community must conform to a particular side of a contested issue, the University will maintain a position of institutional neutrality on political or social issues and events not directly related to its internal governance.

Therefore, University leaders, including Regents, the president, executive officers, chancellors, deans, directors, chairs, and others in similar positions, will not issue statements on behalf of the University or the unit, campus, school, college, department, division, board, or executive committee under their authority, unless such statements directly relate to matters of internal governance. University leaders may issue statements in their individual or scholarly capacity, provided they indicate that they are not speaking on behalf of the University.

October 2024