



GENERAL COUNSEL
Amber Fite-Morgan, J.D.

August 9, 2022

Dr. Jim Purcell
Executive Director
Alabama Commission on Higher Education
P.O. Box 302000
Montgomery, AL 36130-2000

Re: Annual Compliance Report, Code of Alabama, Section 16-Education, Chapter 68
Free Speech for Students, Faculty, and Staff

Dear Dr. Purcell,

The University of North Alabama Board of Trustees approved the attached report on Friday, June 10, 2022, during its annual board meeting. Because the Board was not scheduled to convene again until after September 1, 2022 and there were still several weeks remaining until July 31, 2022, the Board also approved the attached resolution. The resolution granted both President Kitts and me the authority to amend this report, if need be, prior to final submission. However, revisions were not necessary.

Please accept my submission of the University of North Alabama's 2022 Free Speech Compliance Report on behalf of the University's Board of Trustees.

Sincerely,

Amber Fite-Morgan
General Counsel

cc: Dr. Kenneth D. Kitts, UNA President
Mr. Will Trapp, President Pro Tempore, UNA Board of Trustees



GENERAL COUNSEL
Amber Fite-Morgan, J.D.

TO: Dr. Jim Purcell
Executive Director, Alabama Commission on Higher Education

FROM: Amber Fite-Morgan *AFM*
General Counsel, University of North Alabama

DATE: August 1, 2022

SUBJECT: Free Speech Annual Report

Consistent with *Code of Alabama* Section 16-68-5, the University of North Alabama issues this report on behalf of its Board of Trustees, which covers the 12-month period from August 1, 2021, through July 31, 2022:

1. The date and description of each violation of the policy adopted pursuant to this act.
No violations
2. A description of the administrative handling and discipline relating to each violation described.
Not applicable – no violations
3. A description of substantial difficulties, controversies, or successes in maintaining a posture of administrative and institutional neutrality.
There have been no difficulties or controversies.
4. Any assessments, criticism, commendations, or recommendations the board of trustees sees fit to include.
Over the past academic year, the University of North Alabama has unequivocally affirmed its commitment to freedom of expression and respect for the First Amendment rights of its campus community.

I recommend to the Board of Trustees for approval.


Kenneth D. Kitts, President

**RESOLUTION ENDORSING THE UNIVERSITY OF NORTH ALABAMA'S
FREE SPEECH COMPLIANCE REPORT FOR ACADEMIC YEAR 2021-2022
PURSUANT TO SECTION 16-68-5 OF THE CODE OF ALABAMA**

WHEREAS, Section 16-68-5 of the *Code of Alabama* directs as follows:

(a) *By September 1 of each year, the board of trustees of each public institution of higher education shall prepare and disseminate a report for the prior 12-month period ending July 31, that includes all of the following:*

- (1) *The date and description of each violation of the policy adopted pursuant to this chapter.*
- (2) *A description of the administrative handling and discipline relating to each violation described.*
- (3) *A description of substantial difficulties, controversies, or successes in maintaining a posture of administrative and institutional neutrality.*
- (4) *Any assessments, criticism, commendations, or recommendations the board of trustees sees fit to include.*

(b) *Each board of trustees shall cause the report to be published in a prominent location on its institution's website. In addition, each board of trustees shall submit a copy of the report to the Alabama Commission on Higher Education, which shall publish the report in a prominent location on its website and notify the Governor and the Legislature of its receipt of the report.*

WHEREAS, upon adoption of the University's "Free Speech and Assembly Policy" in June 2020, the Board of Trustees directed the President (or his designee) and the General Counsel of the University to bring forward to the attention of the Board's Academic Affairs and Enrollment Management Committee at its meeting each June a draft-to-date of the annual compliance report that will be submitted after July 31 but before September 1 in accordance with *Code of Alabama* Section 16-68-5; and

WHEREAS, the compliance report as it stands to date for academic year 2021-2022 (i.e., August 1, 2021 – July 31, 2022) has been reviewed by the Board's Academic Affairs and Enrollment Management Committee as agreed and directed, and the Committee endorses the same;

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees for the University of North Alabama that it does hereby give its approval to the institution's annual free speech report for compliance with *Code of Alabama* Section 16-68-5 as said document (post-dated to August 1, 2022) currently stands as of the date of this Board meeting, June 10, 2022.

BE IT FURTHER RESOLVED that, with the understanding that the Board of Trustees is not scheduled to convene again until after September 1 and that there are still several weeks remaining until the July 31 end of this academic year reporting period, the Board of Trustees does hereby grant to the President and General Counsel the authority to modify the report as needed prior to final submittal should any Free Speech and Assembly Policy violations occur following this Trustees meeting but before July 31, 2022.