

Special Meeting of the
Oklahoma Free Speech Committee

MINUTES

Tuesday, August 8, 2023, 12:00 p.m.

Notice. The meeting notice was posted with the Secretary of State on Monday, July 3, 2023 at 11:08 a.m. The meeting agenda was posted on the State Regents' website on Friday, August 4, 2023 at 10:32 a.m.

- 1. Call to order.** Special Meeting called to order at 12:05 p.m. The following members were in attendance: Andy Lester (Chair), Rep. Caldwell, Valerie Couch, Mariana Pitts, Regent Jeff Hickman, Sen. Floyd, Dr. Raúl Font, and Tesia Zientek. Dr. Rick Hall was unable to attend.
- 2. Minutes of Previous Meeting.** Ms. Zientek moved to approve the February meeting minutes. Judge Couch seconded the motion. The motion passed unanimously.
- 3. Comments from the Chair.** Chairman Lester spoke about the Bipartisan Policy Center's Campus Free Expression project. He mentioned this to emphasize that free speech is a bipartisan issue.
- 4. Task Force Reports.**
 - a. Institutional Policies Task Force Report (Valerie Couch). The task force has created three documents: a Summary of the work going forward, the Review Plan, and the Site Visit Checklist.
 - The task force is envisioning a process that will last approximately three years in order to give the task force members time to visit each institution before any recommendations are made. Site visits will give the institution an opportunity to express any concerns, and allow the committee to learn the history and culture on campus. Each institution would be assigned a review team to visit and work on creating the Recommendations Memorandum. Once a Recommendations Memorandum has been prepared, the committee would approve, reject, or modify the Memorandum. The Review Plan goes into detail on what the review team will do once assigned an institution. The Site Visit Checklist will serve as a consistent guide during the visit. The task force invites any member of the committee to be involved in the site visits, as these visits will be great opportunities to talk about trainings and previous free speech incidents. Potential conflicts of interest for committee members performing the reviews was discussed. It was mentioned that almost every member has a relationship with at least one of the institutions and that the reviews were advisory only. Also, geography and physically traveling to each institution was a potential concern and that it is not unusual for groups to come to Oklahoma City and stack meetings on one day to reduce travel. Judge Couch moved for the committee to approve the report. Dr. Font seconded the motion. The motion passed unanimously.

b. Complaints Task Force Report (Tesia Zientek). Ms. Zientek explained that the complaints task force met and created two new documents.

- Based on the committee's feedback, the task force removed the stated option for anonymous complaints and added a confidentiality disclaimer to the complaints form. Judge Couch suggested amended language inclusive of faculty and campus visitors who might submit complaints. Because every campus may have different due process protections, standardized initial responses may differ. A concern was mentioned regarding whether complainants should have some connection to the institution in order to file a complaint. An official rule clarifying that the complainant must be connected to the incident was suggested. It was mentioned that the definition of "campus community" at 70 O.S. § 2120 might be useful. Ms. Zientek moved to approve the updated complaint form with the suggested amendments from Judge Couch. Sen. Floyd seconded the motion. The motion passed unanimously. Ms. Zientek moved to adopt, as an internal document, the complaint procedures with the suggested amendments from Judge Couch. Dr. Font seconded the motion. The motion passed unanimously. Ms. Zientek moved to grant the task force the power to update the complaints form as needed. Judge Couch seconded the motion. The motion passed unanimously. Ms. Zientek moved to recommend to the State Regents publication of the complaint form on the State Regents website. Dr. Font seconded the motion. The motion passed unanimously.

c. Training Task Force Report (Mariana Pitts). Ms. Pitts gave an overview of what the task force has discussed since the full committee last met.

- The task force created a mock-up agenda. The training is divided into three parts, the first introducing the committee, the second being a first amendment expert talking about the basics and recent developments of free speech issues in higher education, and the third portion being a panel discussion and case study analysis. For the third portion, they would like to invite people who hold leadership positions in higher education in Oklahoma. Going forward, the work of the committee is to determine where to hold the training, who to invite as speakers, and specific times. The task force also discussed reaching out to the journalism school at UCO to produce recordings of the training. Ms. Pitts made a motion to approve her report and refer the agenda to the Regents for approval. Dr. Font seconded the motion. The motion passed unanimously.

5. Other Business or Discussion. Chairman Lester thanked the committee and task force chairs for their work. The committee has made great progress since the first meeting in November.

6. Meeting Adjourned: 1:15 p.m.