

164.348 Governing boards shall protect students' rights to free expression of religious and political viewpoints inside and outside of classrooms, equal access to public forums, and freedom from interference in the organization and functions of religious and political organization.

Consistent with its obligations to respect the rights secured by the Constitutions of the United States and the Commonwealth of Kentucky, a governing board of a public postsecondary education institution shall ensure that:

- (1) The expression of a student's religious or political viewpoints in classroom, homework, artwork, and other written and oral assignments is free from discrimination or penalty based on the religious or political content of the submissions;
- (2)
 - (a) The selection of students to speak at official events is made in a viewpoint-neutral manner;
 - (b) The prepared remarks of the student are not altered before delivery, except in a viewpoint-neutral manner, unless requested by the student. However, student speakers shall not engage in speech that is obscene, vulgar, offensively lewd, or indecent; and
 - (c) If the content of the student's speech is such that a reasonable observer may perceive affirmative institutional sponsorship or endorsement of the student speaker's religious or political viewpoint, the institution shall communicate, in writing, orally, or both, that the student's speech does not reflect the endorsement, sponsorship, position, or expression of the institution;
- (3) Religious and political organizations are allowed equal access to public forums on the same basis as nonreligious and nonpolitical organizations;
- (4) No recognized religious or political student organization is hindered or discriminated against in the ordering of its internal affairs, selection of leaders and members, defining of doctrines and principles, and resolving of organizational disputes in the furtherance of its mission, or in its determination that only persons committed to its mission should conduct such activities; and
- (5) There shall be no restrictions on the time, place, and manner of student speech that occurs in the outdoor areas of campus or is protected by the First Amendment of the United States Constitution, except for restrictions that are:
 - (a) Reasonable;
 - (b) Justified without reference to the content of the regulated speech;
 - (c) Narrowly tailored to serve a compelling governmental interest; and
 - (d) Limited to provide ample alternative options for the communication of the information.

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