



Compelled Speech Prohibition

At its February 2023 meeting, the UNC Board of Governors passed revisions to the UNC Policy [300.5.1, Political Activities of Employees \(policy\)](#). The North Carolina General Assembly also passed, [N.C. Gen. Stat. § 126-14.5](#) (forthcoming). Both the policy and law include prohibitions on compelling speech in academic admissions, employment, and professional advancement, including faculty promotion and tenure processes. The following guidance is provided to assist HR campus partners, hiring officials, and search committees in understanding how to comply with and apply the policy and state law in recruitment, selection, and professional advancement.

As stated in Chancellor Rogers' message of March 27, 2023, in "no way does compliance with the policy diminish our ability to actively engage potential candidates on how they support students; how they create campus environments where all individuals can thrive; and how we shape a university climate that is built around the vigorous exploration and debate of ideas." As evidenced by our new strategic plan, [Future focused. Innovation driven.](#), we remain committed to sustaining an inclusive environment and cultivating a culture of care, belonging and opportunity for all faculty, staff, and learners.

What is compelled speech?

The UNC System policy prohibits compelled speech in hiring, admission, or promotion/tenure. University representatives will not solicit or require an applicant, candidate, or faculty member to make statements that require attesting to or affirming beliefs about matters of contemporary political debate or social action as part of these processes.

It is important to note that this policy does not prohibit value statements or expressions made by schools, units or departments regarding our commitment to providing a welcoming and inclusive environment to the diverse populations we serve as long as they do not compel. These statements can remain on websites and other materials as long as they do not compel employees or applicants to attest to or affirm any statements of political belief or social action.

How do I identify compelled speech?

When reviewing the application for a search, avoid any required or supplemental questions that solicit or require the applicant to attest to viewpoints or beliefs, such as a DEI statement or political perspective, or general questions that point the applicant toward attesting to beliefs or a specific point of view in their answer.

Additionally, avoid any questions that could signal to the interviewee or candidate that the questioner prefers a particular answer.



How can I ask questions in compliance with the new policy?

Questions in the application process can ask about the person's experience, job competencies, and skills in a certain area that can be measured and are applicable to the position they are applying for. Information included in resumes, cover letters and publicly available information may be used to formulate questions. For more information on this subject, please refer to EEO and HR Best Practices in Recruitment and Selection search committee training modules available in Cornerstone.

Who do I contact with questions related to recruitment and selection?

If you have questions about the policy related to recruitment and selection, please contact Michelle Morris, Director of Employment and Clinical Support Services, at morrismar@ecu.edu, or (252) 328-9897.

Who do I contact with questions related to faculty promotion and tenure?

It is important that all unit codes comply with the UNC System policy and the law. Faculty being evaluated this year should not be compelled to submit statements or documents that are in violation of UNC Policy 300.5.1 or N.C. Gen. Stat. § 126-14.5 (forthcoming). If you have questions about the policy related to faculty promotion and tenure issues, please contact the relevant department chair and/or dean.

Who do I contact with questions related to academic admissions?

If you have questions about the policy related to academic admissions, please contact Allen Guidry, Interim Associate Vice Chancellor for Academic Operations, at guidrya@ecu.edu or (252) 737-5898.