

FACULTY AGENDA ITEM

Date: November 16, 2020

Submitted by: Paul Byrne x1597

SUBJECT: Proposed Faculty Statement on Support for Freedom of Expression

Description: The proposal is that the General Faculty formally pass a statement of its support of the Freedom of Expression statement (below) passed by the Freedom of Expression Taskforce in the Fall of 2018.

Rationale: In 2018, the Freedom of Expression Taskforce met throughout the spring semester to draft a Freedom of Expression Statement for Washburn University. The taskforce was made up of faculty representing schools and units across the Washburn campus, as well as, administrators and a representative from Washburn Tech. The task force voted in favor of the attached statement and passed it on to the administration.¹ Aside from a brief reconstitution of the task force in the fall of 2019, Washburn University has yet to support a statement of support of free expression. While this is their prerogative, the Faculty Senate represents the voice of the faculty. Without the unequivocal knowledge that Washburn University is a community which values the free expression of ideas, many faculty and students may be hesitant to participate in the process by which the advancement of knowledge takes place. For students, this hesitancy is a trait they may take with them throughout their careers. Washburn faculty should voice their commitment to promote and support the free expression of ideas.

Financial Implications: None

Proposed Effective Date: N/A

Request for Action: *Approval by AAC, FS and General Faculty*

Approved by: AAC 11/16/2020

Faculty Senate on date

General Faculty on date

Attachments Yes No

¹ I only added the title and first paragraph to clarify that this is a statement of the faculty.

Washburn University Faculty Statement on Freedom of Expression

Washburn University General Faculty supports the following statement on freedom of expression drafted by the Freedom of Expression Task Force in Spring 2018.²

From its inception, Washburn University has been an institution dedicated to the rights of all people to an education. In the Articles of Association for then-Lincoln College in 1865, the Founders professed their purpose “to promote the diffusion of knowledge,” “to afford all classes, without distinction of color, the advantages of a liberal education,” and “to make [the institution] an engine for the furtherance of those ideas of civil . . . liberty.” At the announcement of its opening, President of the Board of trustees Peter McVicar declared the intention and purpose of the college to “prepare young men and women . . . for the earnest duties and practical relations of life.”

It is the belief of Washburn University that a part of the preparation includes the preservation of freedom of expression and open discussion.

Because Washburn University is committed to free and open inquiry in all matters, it guarantees all members of the Washburn University community the broadest possible latitude to speak, write, listen, challenge, and learn. Except insofar as limitations on that freedom are necessary to the functioning of Washburn University, Washburn University fully respects and supports the freedom of all members of the Washburn University community “to discuss any problem that presents itself.”

Of course, the ideas of different members of the Washburn University community will often and quite naturally conflict, and some individuals’ ideas will even conflict with the University’s values and principles. But it is not the proper role of Washburn University to attempt to shield individuals from ideas and opinions they find unwelcome, disagreeable, or even deeply offensive.

Although Washburn University greatly values civility and inclusion, and although all members of the Washburn University community share in the responsibility for maintaining a climate of mutual respect, concerns about civility and mutual respect can never be used as a justification for closing off discussion of ideas, however offensive or disagreeable those ideas may be to some members of our community.

The freedom to debate and discuss the merits of competing ideas does not, of course, mean that individuals may say whatever they wish, wherever they wish. Washburn University may restrict expression that violates the law, that falsely defames a specific individual, that constitutes a genuine threat or harassment, that unjustifiably invades substantial privacy or confidentiality

² This statement was adapted from the University of Chicago [Statement on Freedom of Expression and the FIRE Model Freedom of Expression Resolution](#).

interests, or that is otherwise directly incompatible with the functioning of Washburn University. In addition, Washburn University may reasonably regulate the time, place, and manner of expression to ensure that it does not disrupt the ordinary activities of Washburn University. But these are narrow exceptions to the general principle of freedom of expression, and it is vitally important that these exceptions never be used in a manner that is inconsistent with Washburn University's commitment to a completely free and open discussion of ideas.

In a word, Washburn University's fundamental commitment is to the principle that debate or deliberation may not be suppressed because the ideas put forth are thought by some or even by most members of the Washburn University community to be offensive, unwise, immoral, or wrong-headed. Controversial speech and robust debate are expected and valued on college campuses and in our society. It is for the individual members of the Washburn University community, not for Washburn University as an institution, to make those judgments for themselves, and to act on those judgments not by seeking to suppress speech, but by openly and vigorously contesting the ideas that they oppose. Indeed, fostering the ability of members of the Washburn University community to engage in such debate and deliberation in an effective and responsible manner is an essential part of Washburn University's educational mission. With this in mind, no administrative or academic unit or committee shall implement a policy or undertake any action that infringes on any member of the Washburn community's freedom of speech or expression, nor shall the Washburn Student Government Association, or any of its committees.

As a corollary to Washburn University's commitment to protect and promote free expression, members of the Washburn University community must also act in conformity with the principle of free expression. Although members of the Washburn University community are free to criticize, contest, or lawfully protest the views expressed on campus, and to criticize, contest, or lawfully protest speakers who are invited to express their views on campus, they may not obstruct or otherwise interfere with the freedom of others to express views they reject or even loathe. To this end, Washburn University has a solemn responsibility not only to promote a lively and fearless freedom of debate and deliberation, but also to protect that freedom when others attempt to restrict it.