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Resolution Affirming Free Speech At Winthrop University

WHEREAS, the Board of Trustees of Winthrop University seeks to reaffirm its commitment to the First Amendment right of free speech and expression and to document our dedication to the University where the open exchange of knowledge and ideas furthers our mission; and

WHEREAS, the Board is committed to free and open inquiry and expression for members of its campus community except as limitations on that freedom are appropriate to the functioning of the campus and permissible under the First Amendment to the Constitution of the United States, the Board respects and supports the freedom of all members of its campus community "to discuss any problem that presents itself;" and

WHEREAS, the ideas of different members of a campus community will often and quite naturally conflict but it is not the proper role of an institution to shield or attempt to shield individuals from ideas and opinions they find unwelcome, disagreeable, or even deeply offensive. While all members of the campus community share in the responsibility for maintaining a climate of mutual respect, concerns about civility and mutual respect should not be used to justify closing off the otherwise lawful discussion of ideas among members of the campus community, however offensive or disagreeable those ideas may be to some; and

WHEREAS, the freedom to debate and discuss the merits of competing ideas does not mean that individuals may say whatever they wish, wherever they wish. The Board may restrict expression that violates the law, falsely defames a specific individual, constitutes a genuine threat or harassment, unjustifiably invades substantial privacy or confidentiality interests, or that is otherwise incompatible with the functioning of the institution; and

WHEREAS, the Board must protect the educational experience of its students, in ensuring health, safety, and order on its campus, in regulating competing uses of its facilities and grounds, and in protecting the safety and wellbeing of those with the right to use its facilities and grounds to engage in protected speech, among other significant interests; and

WHEREAS, the Board'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 campus community to be offensive, unwise, immoral, or insulting. It is for the individual members of the campus community, not for the Board or administrators, to make those judgments for themselves, and to act on those judgments not by seeking to suppress speech, but by openly debating the ideas that they oppose; and

WHEREAS, members of the campus community are free to criticize and intellectually challenge those with opposing views, they may not obstruct or otherwise significantly interfere with the freedom of others to express views they reject or even loathe. When engaging in public commentary, all Winthrop employees must clearly state that their opinions are their own and not those of Winthrop University.

THEREFORE BE IT RESOLVED, the Board 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.

APPROVED, this 25th day of August, 2020

