

STATEMENT ON FREEDOM OF EXPRESSION

The Faculty Senate of the University of Toledo adopted the following statement,¹ April 23rd, 2019, affirming the University of Toledo's commitment to the principles of academic freedom and freedom of expression as essential to the University's mission:

Because the University is committed to free and open inquiry in all matters, it guarantees all members of the University community the broadest possible latitude to speak, write, listen, challenge, and learn. This free and open inquiry is fundamental to the University's educational mission of creating new knowledge, promoting educational excellence, improving the human condition, and advancing the common good.² Except insofar as limitations on that freedom are necessary to the functioning of the University, the University fully respects and supports the freedom of all members of the University community "to discuss any problem that presents itself."³

Of course, the ideas of different members of the University community will often and quite naturally conflict. But it is not the proper role of the University to attempt to shield individuals from ideas and opinions they find unwelcome, disagreeable, or even deeply offensive. Although the University greatly values civility, and although all members of the 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. The 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 interests, or that is otherwise directly incompatible with the functioning of the University. In addition, the University may reasonably regulate the time, place, and manner of expression to ensure that it does not disrupt the ordinary activities of the University.⁴ 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 the University's commitment to a completely free and open discussion of ideas.

¹ This Statement is based on the University of Chicago [Statement on Freedom of Expression](#).

² See American Association of University Professors, *1940 Statement of Principles on Academic Freedom and Tenure with 1970 Interpretative Comments* (1970) ("The common good depends upon the free search for truth and its free exposition.").

³ See, e.g., University of Toledo Faculty Senate, *Endorsed Optional Syllabi Free Speech Statement* (adopted Oct. 9, 2018) ("The University of Toledo is committed to free speech and providing an environment where students are encouraged to exchange ideas and viewpoints. The University urges every student, faculty member and staff member to respect others in the campus community while allowing for differing opinions to be shared.").

⁴ See University of Toledo, *Expression on Campus*, Policy 3364-5-14 (rev. date March 6, 2018) (providing for the reasonable use of outdoor campus areas for free expression).

In a word, the 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 University community to be offensive, unwise, immoral, or wrong-headed. It is for the individual members of the University community, not for the 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 University community to engage in such debate and deliberation in an effective and responsible manner is an essential part of the University's educational mission.

As a corollary to the University's commitment to protect and promote free expression, members of the University community must also act in conformity with the principle of free expression. Although members of the University community are free to criticize and contest the views expressed on campus, and to criticize and contest 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, the 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.