



University Free Speech Policy	
Responsible Official: Vice President of Student Life and Enrollment	Responsible Office: Student Affairs

Policy Purpose

This policy specifies ETSU's compliance with the Tennessee Campus Free Speech Protection Act and federal law related to free speech on campus.

Policy Statement

Students have a fundamental constitutional right to free speech. ETSU is committed to giving students the broadest possible latitude to speak, write, listen, challenge, learn, and discuss any issue, subject to measures that do not violate the First Amendment of the United States Constitution or Article I, Section 19 of the Tennessee Constitution, such as constitutional time, place, and manner restrictions or reasonable and viewpoint-neutral restrictions in nonpublic forums.

ETSU is committed to maintaining a campus as a marketplace of ideas for all students and all faculty in which the free exchange of ideas is not to be suppressed because the ideas put forth are thought by some or even by most members of the institution's community to be offensive, unwise, immoral, indecent, disagreeable, conservative, liberal, traditional, radical, or wrong-headed.

It is for ETSU students and faculty to make judgments about ideas for themselves, and to act on those judgments not by seeking to suppress free speech, but by openly and vigorously contesting the ideas that they oppose.

It is not ETSU's duty to attempt to shield individuals from free speech, including ideas and opinions they find offensive, unwise, immoral, indecent, disagreeable, conservative, liberal, traditional, radical, or wrong-headed.

Although ETSU greatly values civility and mutual respect, concerns about civility and mutual respect shall never be used as a justification for closing off the discussion of ideas, however offensive, unwise, immoral, indecent, disagreeable, conservative, liberal, traditional, radical, or wrong-headed those ideas may be to some.

Although all are free to state their own views about and contest the views expressed on campus, and to state their own views about and contest speakers who are invited to express their views on the ETSU campus, they may not substantially obstruct or otherwise substantially interfere with the

freedom of others to express views they reject or even loathe. To this end, ETSU has a responsibility to promote a lively and fearless freedom of debate and deliberation and protect that freedom.

ETSU is committed to providing an atmosphere that is most conducive to speculation, experimentation, and creation by all, who must always remain free to inquire, to study and to evaluate, and to gain new understanding.

The primary responsibility of faculty is to engage in an honest, courageous, and persistent effort to search out and communicate the truth that lies in the areas of their competence.

Although faculty are free in the classroom to discuss subjects within areas of their competence, faculty shall be cautious in expressing personal views in the classroom and shall be careful not to introduce controversial matters that have no relationship to the subject taught, and especially matters in which they have no special competence or training and in which, therefore, faculty's views cannot claim the authority accorded statements they make about subjects within areas of their competence; provided that no faculty will face adverse employment action for classroom speech, unless it is not reasonably germane to the subject matter of the class as broadly construed, and compromises a substantial portion of classroom instruction.

ETSU maintains the generally accessible open, outdoor areas of its campus as traditional public forums for free speech by students. ETSU does not restrict students' free speech only to particular areas of the campus. ETSU does not deny student activity fee funding to a student organization based on the viewpoints that the student organization advocates. ETSU does not impose requirements that prohibit spontaneous outdoor assemblies or outdoor distribution of literature, though ETSU may maintain a policy that grants members of the college or university community the right to reserve certain outdoor spaces in advance.

ETSU must not charge students security fees based on the content of their speech, the content of the speech of guest speakers invited by students, or the anticipated reaction or opposition of listeners to speech.

ETSU allows all students and all faculty to invite guest speakers to campus to engage in free speech regardless of the views of guest speakers.

ETSU does not disinvite a speaker invited by a student organization, or faculty member because the speaker's anticipated speech may be considered offensive, unwise, immoral, indecent, disagreeable, conservative, liberal, traditional, radical, or wrong-headed by students, faculty, staff, administrators, government officials, or members of the public.

Authority: Focus Act § 49-8-203, et seq; Campus Free Speech Protection Act § 49-7-2, et. seq.

Previous Policy:

Defined Terms

N/A

Policy History

Effective Date: 4/27/2018

Revision Date:

Procedure

Effective Date:

Revision Date:

Related Form(s)

Scope and Applicability

Primary:

Secondary: