**UVA Wise Free Speech Policy**

The University of Virginia’s College at Wise is committed to respecting and protecting the constitutional right of free speech. The College recognizes the centrality to its academic mission of an environment that protects the open exchange of ideas and the freedom of individual expression.

Like the University of Virginia, whose [statements on free speech the College has adopted](https://freespeech.virginia.edu/), UVA Wise is a community in which the ideals of freedom of inquiry, thought, and expression are respected and sustained. The College is committed to supporting the exercise of constitutionally protected expression in College-controlled facilities and property while maintaining a safe atmosphere free from disruption.

The University has established requirements for use of its facilities and property in order to focus on its mission, provide a safe environment, and preserve the aesthetics of the Grounds. These statements also extend to our campus here in Wise.

The use of University and College facilities and property must:

* not impede student education, academic activities, research, patient care, scheduled events, University functions, residences, or the faculty/staff work environment;
* be safe for participants and not generate security issues; and
* and preserve the integrity and aesthetics of the University’s property.

 UVA Wise also upholds the [statement on Free Expression and Free Inquiry](https://freespeech.virginia.edu/statement-free-expression-and-free-inquiry) which was adopted by the University's Board of Visitors in 2021.

**College Catalog & Student Handbook**

“The University of Virginia’s College at Wise is a community of scholars in which the ideals of freedom of inquiry, freedom of thought, freedom of expression, and freedom of the individual are sustained. The College is committed to preserving the rights guaranteed to individuals by the Constitution. However, the exercise and preservation of these freedoms and rights require a respect for the rights of all in the academic community to enjoy them to the same extent. It is clear that in a community of learning, willful disruption of the educational process, destruction of property, and interference with the orderly process of the College or with the rights of other members of the College cannot be condoned. Students enrolling in the College assume an obligation to conduct themselves in a manner compatible with the College’s function as an educational institution. To fulﬁll its functions of imparting and gaining knowledge, the College retains the authority to maintain order within the College and to exclude those who are disruptive of the educational process.”

UVA Statement on Free Speech

(from link above)

The University of Virginia is a community in which the ideals of freedom of inquiry, thought, and expression are respected and sustained. The University is committed to supporting the exercise of constitutionally protected expression in University-controlled facilities and property while maintaining a safe atmosphere free from disruption. The University has issued a "Statement on Free Expression and Free Inquiry," available [here](https://freespeech.virginia.edu/statement-free-expression-and-free-inquiry).

The University has established requirements for use of its facilities and property in order to focus on its mission, provide a safe environment, and preserve the aesthetics of the Grounds.

The use of University facilities and property must

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# **Statement on Free Expression and Free Inquiry** (from link above)

The University of Virginia unequivocally affirms its commitment to free expression and free inquiry. All views, beliefs, and perspectives deserve to be articulated and heard free from interference. This commitment underpins every part of the university’s mission. Free and open inquiry is the basis for the scientific method and all other modes of investigation that produce, expand, and refine knowledge. It is at the heart of the principles of academic freedom that protect faculty from interference with their research and their views. Likewise, the educational endeavor for students requires freedom to speak, write, inquire, listen, challenge, and learn, including through exposure to a range of ideas and cultivation of the tools of critical thinking and engagement. These tools are vital not only to students’ personal intellectual development but also to their futures as citizen leaders equipped to assess contending arguments and to contribute to societal progress. For all of these reasons, expression of ideas should be given the widest possible latitude.

We endorse principles of free expression and free inquiry not because every idea is equally good. To the contrary, universities test and assess ideas every day, through myriad processes of research and inquiry. These processes identify errors and generate breakthroughs of immense value for local, national, and global communities. Indeed, the University has endeavored to acknowledge its own complex legacy while promoting the free exchange of ideas that creates future advances and progress. Academic commitment to free inquiry reflects the view that every idea must be heard so that it may be subjected to the rigorous scrutiny necessary to advance knowledge. This process requires deep critical engagement, as well as humility in the recognition that many commonly accepted views have proved mistaken, while many ostracized views have illuminated the path toward truth.

The University of Virginia has a unique connection to principles of free expression and inquiry. James Madison introduced the Bill of Rights, including what is now the First Amendment, as a member of Congress representing the district that would become home to the University. James Madison and Thomas Jefferson’s Virginia and Kentucky Resolutions were among the earliest extended interpretations of the First Amendment, which, as the Supreme Court observed years later, **“**carried the day in the court of history” and **“**first crystallized a national awareness of the central meaning of the First Amendment.”**1**Jefferson’s vision for the University included the aspiration that “here we are not afraid to follow truth wherever it may lead, nor to tolerate any error so long as reason is left free to combat it.”**2**

At the same time, the University has not always fulfilled its aspirations, exploiting enslaved laborers and excluding Black Americans, women, and groups and viewpoints disfavored by the majority. Principles of academic freedom have not always withstood the pressures and fashions of the day, which remains an ongoing challenge. But freedom of speech is among the most powerful tools by which wrongs are righted and institutions are improved or abolished. Principles of free inquiry extend to robust discussion and critical examination of the past. Equally importantly, they live in the present and extend to the future, in a shared commitment to free expression for all speakers and all views.

The University’s commitment to free expression and free inquiry arises not only from its role as an academic institution but also from its status as a public university. State institutions are bound by the Constitution, including the First Amendment. As Justice Thurgood Marshall wrote for the Supreme Court, “To permit the continued building of our politics and culture, and to assure self- fulfillment for each individual, our people are guaranteed the right to express any thought, free from government censorship.”[**3**](https://freespeech.virginia.edu/statement-free-expression-and-free-inquiry#bookmark0)Actions by the University implicate not only academic values but also this legal principle and the ideals behind it.

Under American law, principles of free expression have important limits. The University may regulate the time, place, and manner of expression for reasons unrelated to its content, including maintaining the normal operations of the University. Free expression also does not protect speech that violates the law, including legally defined categories of incitement, defamation, threats, privacy violation, and intellectual property infringement. In addition, various types of prohibited conduct can be partially or entirely composed of speech, including stalking, harassment, and unlawful discrimination. These exceptions are defined by law and represent narrow and necessary limits to an otherwise expansive commitment.

Free and open inquiry inevitably involves conflicting views and strong disagreements. Indeed, some ideas may be offensive, noxious, and even harmful. We act as responsible members of a shared community when we engage as empathetic speakers and generous listeners. We further our common project of academic inquiry with mutual respect and intellectual openness. Even as the University affirms values of mutual respect, however, both the First Amendment and principles of free inquiry forbid these values from becoming a basis for closing off discussion. The University must not stifle protected expression, permit others to obstruct or shut down such expression, or regulate the tone or content of responses that stop short of interfering with others’ speech or violating the law. Rather than seek to control speech or countenance its silencing, the University must promote values of mutual respect, while emphasizing that their vitality rests with the self- governance of speakers and listeners.

The University’s commitment to free expression and free inquiry represents a living ideal, reflected in policy and embodied in the actions of community members every day. We rearticulate and reaffirm it here, as a foundation for the University’s third century and beyond.

[*Formally adopted*](https://news.virginia.edu/content/board-visitors-unequivocally-endorses-statement-free-expression-and-inquiry) by the University of Virginia Board of Visitors in June 2021.

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1 New York Times v. Sullivan, 376 U.S. 254, 273, 276 (1964).

2 Thomas Jefferson to William Roscoe, December 27, 1820.

3  Police Dep’t of City of Chicago v. Mosley, 408 U.S. 92, 95-96 (1972).

UVA Wise Academic Freedom Policy

The College endorses fully the statement on Academic Freedom in the 1940 Statement of Principles of the American Association of University Professors (AAUP), and the following specifically: (a) Teachers are entitled to freedom in research and in the publication of the results, subject to the adequate performance of their other academic duties; but research for pecuniary return should be in compliance with College policy. (b) Teachers are entitled to freedom in the classroom in discussing their subject, but they should be careful not to introduce into their teaching controversial matter which has no relation to their subject or which would violate College policy. Limitations of academic freedom because of religious or other aims of the institution should be clearly stated in writing at the time of the appointment. (c) College or university teachers are citizens, members of a learned profession, and officers of an educational institution. When they speak or write as citizens, they should be free from institutional censorship or discipline, but their special position in the community imposes special obligations. As scholars and educational officers, they should remember that the public may judge their profession and institution by their utterances. Hence they should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that they are not speaking for the institution. Faculty members must avoid expressing their personal views on College letterhead. (d) Any events or issues involving academic freedom shall be addressed by the Faculty Relations Committee, which is the principal organization of the College charged with protecting academic freedom. Please see Appendix A: Faculty Relations Committee for further information.”

The following resolution affirming the importance of the freedom of speech was passed by the UVA Wise Faculty Senate on November 4, 2015:

Whereas, the Founder of our University, Thomas Jefferson, made the classic statement on Academic Freedom when he wrote: “here we are not afraid to follow the truth wherever it may lead, nor to tolerate any error, so long as reason is left to combat it”;

and whereas, the free, open, and tolerant expression of all ideas, thoughts, feelings, and opinions is essential to learning, progress, democracy and knowledge;

and whereas, the proper answer to unpopular, controversial or offensive speech is not censorship and prosecution but the refutation of bad ideas by good ideas;

and whereas, such an open, free  university atmosphere allows the greatest possible latitude to speak, write, inquire, listen, challenge and learn, develops the mind and intellect;

and whereas, such free discussion and debate of all sides of every issue or topic is continually threatened by political ideologies of all types, religious bigotry, and social and economic pressures;

and whereas, the university is the one institution where such open, diverse, free, and lively discussion may occur, enhancing all other organizations in society;

Therefore, We, The Faculty Senate of the University of Virginia’s College at Wise, RESOLVE, That Academic Freedom should be promoted, protected, advanced, and cherished by all levels of the university and college community.

