

House Bill 758 (<https://legiscan.com/OH/text/HB758/2017>) could be reasonably thwarted if universities in Ohio adopted a statement on principles of free expression like the one created by the University of Chicago in July, 2012 (<https://freeexpression.uchicago.edu/page/statement-principles-free-expression>). Cleveland State's Faculty Senate has done just that (see next page)

Free Speech On Campus Committee

Faculty Senate Resolution

October, 2018

Whereas, Cleveland State University firmly supports academic freedom and free speech on campus; and

Whereas, multiple events on university campuses, and especially, political speakers and demonstrators who have made visits to such campuses over the past several years, have raised questions about status of free speech on American university campuses; and

Whereas, the free speech policy statement produced by the Committee for Freedom of Expression at the University of Chicago has become a model for many universities' affirmations of free speech and academic freedom across the country since its publication in 2015; and

Whereas, the Chicago Statement has been adopted or endorsed by a growing number of faculty bodies and institution across the United States; therefore

Be it Resolved that the Faculty Senate endorses the following statement on freedom of expression, adapted when italicized from the University of Chicago statement:

Because Cleveland State 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. Except insofar as limitations on that freedom are necessary to the functioning of the University, Cleveland State University fully respects and supports the freedom of all members of the University community to discuss any problem that presents itself.

Of course, the ideas of different members of the collegiate 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.

Cleveland State 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 University's functioning. Cleveland State retains the commensurate right to regulate reasonably the time, place, and manner of expression to ensure that it does not disrupt any ordinary University activities. But these regulations and exceptions cannot ever compromise the University's commitment to a completely free and open discussion of ideas.

As a corollary to Cleveland State 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.²

The First Amendment to the Constitution protects controversial, offensive, and radical speech, and no one has a Constitutional right to protection from offensive expression simply because it could be construed as racist, ethnocentric, sexist, anti-Semitic, homophobic, transphobic or hateful. While civility, respect for dissent, and tolerance are important democratic virtues that are essential to civic participation, these values must go hand in hand with guaranteed freedom of expression. While free speech resolutions might seem to favor some entrenched powers and established interests, and insist upon civility and silence as responses from other, more marginalized groups, we wish to affirm regulated free-speech rights for all of our community's speakers, as well as respectful receptivity within all of our engaged audiences, in turn. But these regulations and exceptions cannot ever compromise the University's commitment to a completely free and open discussion of ideas, even when the underlying sentiments are ones with which the university leadership may disagree.

Cleveland State University will make every effort to ensure the safety and security of the university community, including invited guest speakers, who have the right to express their views without obstruction or threats of vandalism or violence. This includes speakers who express views that many people may find morally repugnant or socially harmful. Our University and our State governing bodies have instituted Expressive Activity Policies, insurance policies for managing risks posed by speakers and demonstrators, and a bureau of Conference Services, for permitting but governing campus free speech.² Freedom of expression is at the heart of education and democracy and Cleveland State University will protect this right in accordance with Constitutional law and its commitment to provide a high-quality education.

¹ For the full text of the Chicago Principles, please see the following:
respectively: <https://provost.uchicago.edu/sites/default/files/documents/reports/FOECommitteeReport.pdf>

² Please see University Personnel Policies ("Greenbook"), 3344-2-06, Expressive Activities policy; the Office of the University Legal Counsel; the Office of University Compliance; and the Office of Conference Services.
<https://www.csuohio.edu/compliance/expressive-activity-policy-0>; <https://www.csuohio.edu/general-counsel/general-counsel>; <http://www.csuohio.edu/conference-services/conference-services>.