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# FREEDOM OF EXPRESSION, INTELLECTUAL FREEDOM, AND CONSTRUCTIVE DIALOGUE

*The University of Wyoming Principles and Our Efforts to Support a Campus Culture of Free Expression and Respectful Discourse*

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This Not That | UW Values Constructive Dialogue and Freedom of Expression



## **Statement of the University of Wyoming Principles**

*The Working Group on Freedom of Expression, Intellectual Freedom, and Constructive Dialogue at the University of Wyoming was charged on December 5, 2022 by President Ed Seidel to "articulate and refine our principles of freedom of expression and to find practical ways to operationalize respectful discourse on campus." The Working*

*Group, made up of students, staff, faculty, administrators, and a trustee, examined the state's history, consulted with internal and external stakeholders, and discussed a number of events, statements, and reports at other institutions. This Statement reflects both Wyoming's distinct heritage of neighborliness, equality, and respect and the University of Wyoming's longstanding aspiration of inclusion and individual rights in the discovery and dissemination of knowledge.*

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From their very founding, both the State of Wyoming and University of Wyoming (UW) have regarded equality as a source of strength and pride. When Wyoming gained statehood in 1889, its Constitution enshrined this commitment to equal rights throughout the new "Equality State" and declared that UW "shall be equally open to students of both sexes, irrespective of race or color." The University's longstanding aspiration to be inclusive of and accessible to people from a range of diverse backgrounds, ideas, and perspectives inspires UW's ongoing commitment to creating a supportive community of openness, tolerance, and respect.

As the state's flagship university, UW pursues excellence as a land-grant research institution dedicated to advancing knowledge and understanding for the public good. Central to this mission is the University's nonpartisan and nonsectarian commitment to learning and creating knowledge with academic freedom and integrity, a respect for intellectual freedom and legal rights of equality and free expression, and the open, civil, and constructive exchange of ideas. Inspired by the Code of the West and Wyoming's unique spirit of rugged individualism, UW advances the frontiers of teaching, research, and creative activity through open inquiry independent from the undue influence of donors, elected officials, ownership interests, or other external parties.

The university plays a unique role in society by providing a forum for the deliberation and debate of public issues. UW embraces the understanding that "the university is the home and sponsor of critics; it is not itself the critic," as stated in the 1967 *Kalven Report* (<https://provost.uchicago.edu/reports/report-universitys-role-political-and-social-action>) on institutional neutrality. Accordingly, while University leaders will make decisions about matters that further UW's educational mission, they do not, on principle, commit the University in ways that are outside of its core academic purpose. This adherence to impartiality reaffirms the intellectual freedom of all at UW to seek and receive information without restriction and enjoy unfettered access to all expression of ideas through which any side of a question, cause, or movement may be explored.

The fulfillment of the University's academic mission in the service of the common good rests upon the recognition of the value of scholarly expertise to society and the protection of faculty members' freedom in teaching, research, and deliberation. UW therefore adheres to the American Association of University Professors' 1940 *Statement of Principles on Academic Freedom and Tenure* (<https://www.aaup.org/report/1940-statement-principles-academic-freedom-and-tenure>). This includes providing academic personnel at the University with necessary freedom to pursue research and creative activities in their areas of expertise; participate in the governance of the University and express their judgments about matters that bear on the University's mission; share their thoughts through extramural expression; and teach their subject in the classroom. When academic personnel speak or write as citizens, they should be free from institutional censorship or discipline.

Academic freedom helps preserve a climate of ongoing inquiry at UW where ideas are openly shared and rigorously examined. The role of the university teacher is not to indoctrinate. Students are responsible for learning in their course of study material reflecting scholarly standards, understandings, and expertise, including that which may challenge their existing beliefs. At the same time, instructors must take care not to present untested or controversial claims as settled truth without letting students take reasoned exception. In both teaching and scholarly endeavors, partisan interests—whether those of University personnel or those of government, religious, corporate, or political groups—should never supersede sound academic judgment, principles, and procedures.

In accordance with the nation's First Amendment protections and the right to free speech enshrined in the Constitution of the State of Wyoming (<https://sos.wyo.gov/Forms/Publications/WYConstitution.pdf>), UW recognizes and respects the liberty of students, faculty, and staff as private citizens to express their opinions and identities, including concerns they may have about public institutions and the larger society. At a public university, it is inevitable that the ideas and beliefs of different members of the UW community or visitors to campus will conflict with one another. UW does not shield individuals from the free expression of ideas and criticism, including that which community members may find uncomfortable, disagreeable, or even deeply offensive. The expression of criticism must respect the legal right of others to express themselves without serving to obstruct, censor, or otherwise interfere with the rights of others to hear those ideas.

As stated in the University of Chicago's 2014 *Principles on Freedom of Expression* (<https://provost.uchicago.edu/sites/default/files/documents/reports/FOECommitteeReport.pdf>), "the freedom to debate and discuss the merits of competing ideas does not, of course, mean that individuals may say whatever they wish, whenever they wish." Free expression has legal limitations, some examples of which include expression that is obscene or defamatory; constitutes a genuine threat or discriminatory harassment; incites imminent violence or other lawless action; unjustifiably invades privacy; interferes with the free expression rights of others; or otherwise stands in violation of the law. UW may reasonably place content-neutral limitations on the time, place, and manner of expression to ensure the University's ordinary educational, scholarly, and administrative functioning. Nevertheless, these are narrow exceptions. In line with UW's foundational commitment to cultivating an environment where even controversial ideas may be openly heard, scrutinized, and debated, the University is dedicated to respecting the legal free expression rights of its students, staff, faculty, and visitors.

The University of Wyoming strives to support and model a culture of respectful engagement in which even the most difficult or challenging of ideas can be expressed, received, and contested with grace through the practice of civil discourse and constructive dialogue. In so doing, UW encourages people with diverse backgrounds and values to speak, write, live, and learn together in a welcoming, inclusive, and intellectually stimulating environment that celebrates free expression and intellectual and academic freedom. This reflects Wyoming's spirit of equality and civic connection across difference, allowing students, faculty, and staff to thrive as members of a vibrant university community where critical thinking, creativity, innovation, and independent thought can flourish.

# LINKS

## A MESSAGE FROM THE PRESIDENT



## WORKING GROUP REPORT



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