

## Freedom of Expression and Academic Freedom

*Approved by The Boise State University Faculty Senate on December 3, 2024*

Boise State University's commitment to free expression and academic freedom are fundamental to our mission. Our commitment to free expression is protected by the First Amendment and the Idaho Constitution's assurance that "every person may freely speak, write and publish on all subjects."<sup>1</sup> Our dedication to academic freedom is upheld by the Idaho State Board of Education, which ensures that students, faculty, and institutions can "pursue educational opportunities without fear of censorship."<sup>2</sup> Together, these fundamental rights empower our mission as a premier student-success driven research university<sup>3</sup> and foster an environment for personal and social development, educational excellence, and civic engagement.<sup>4</sup>

Because Boise 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. This guarantee extends to teaching, research, creative activity, and participation in institutional governance<sup>5</sup> — the core functions of our university. Except insofar as limitations on that freedom are necessary to the functioning of the university, Boise State University fully respects, supports, and protects the freedom of all members of the university community to discuss any issue that presents itself.

While the ideas of different members of the university community will often and quite naturally conflict, it is not the proper role of the university to attempt to shield individuals from ideas and opinions they find unwelcome, disagreeable, or offensive. Although we greatly value civility and all members of the university community share in the responsibility for maintaining a climate of mutual respect, concerns about civility and mutual respect should never be used as a justification for closing off discussion of ideas, even if those ideas may be offensive or disagreeable to some members of our community.

The freedom to debate and discuss the merits of competing ideas does not 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

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<sup>1</sup> Idaho Constitution, article 1 § 9

<sup>2</sup> Idaho State Board of Education Policy III.B., *Academic Freedom and Academic Responsibility*.

<sup>3</sup> <https://www.boisestate.edu/president/values/mission-statement/>

<sup>4</sup> <https://www.boisestate.edu/president/values/>

<sup>5</sup> Idaho State Board of Education Policy III.B.3.a.

addition, Boise State University may reasonably regulate the time, place, and manner of expression to ensure that it does not disrupt the ordinary activities of the university. 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.

Boise State 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. It is for the individual members of the university community, not for Boise State 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. Fostering the ability of members of the university community to engage in debate and deliberation in an effective and responsible manner is an essential part of the university's educational mission.

As a corollary to our 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. Boise State University has a solemn responsibility to promote a lively and fearless freedom of debate and deliberation, and to protect that freedom when others attempt to restrict it.

*This resolution is adapted and excerpted from the "Report of the Committee on Freedom of Expression" at the University of Chicago. The original report is available in full [here](#).*