

Virginia Tech unequivocally commits to upholding freedom of speech and academic freedom.

Virginia Tech affirms the rights guaranteed by the First Amendment of the U.S. Constitution, including the right to freedom of speech. The First Amendment requires the university to protect the expression of ideas and opinions, including those that people may find controversial, disagreeable, or offensive. Freedom of speech, like all rights in the Constitution, is not absolute. While most speech is protected by the First Amendment, it does not protect speech or actions that violate the law, such as incitement, defamation, threats, privacy violation, or intellectual property infringement, nor does it protect against unlawful harassment or discrimination. In addition, the First Amendment allows the university to regulate the time, place, and manner of expression. At Virginia Tech, freedom of speech should be exercised in a manner that ensures a learning environment that supports and promotes civil debate and mutual respect across differences.

Academic freedom, free expression, and open inquiry are core principles of higher education. Academic freedom enables scholars to conduct research, teach, speak, and publish within an area of expertise without interference or penalty. Academic freedom is essential to create and disseminate knowledge with the mission of improving the quality of life and the human condition within the Commonwealth of Virginia and throughout the world. Virginia Tech must ensure that all members of the university community can ask questions, listen to others, and learn through exposure to a range of ideas from a diverse community of scholars. Virginia Tech is committed to defending academic freedom and freedom of speech while providing a diverse and inclusive learning and work environment.

RESOLUTION ON FREEDOM OF EXPRESSION AND INQUIRY

WHEREAS, the Virginia Tech Board of Visitors is committed steadfastly to upholding the protections of the First Amendment of the United States Constitution; and

WHEREAS, concerns have been expressed that freedoms of expression and inquiry in universities are being curtailed, and the Virginia Tech Board of Visitors began discussions about these issues in 2021 that have continued in the ensuing years; and

WHEREAS, as the Board continued their discussions, they considered statements adopted at other universities and whether Virginia Tech needed a statement reinforcing its commitment to freedom of expression and inquiry to complement the Virginia Tech Principles of Community; and

WHEREAS, in July 2022, the Provost and President of the Faculty Senate sponsored a Task Force on Freedom of Expression and Inquiry consisting of faculty, students, staff, and two Board of Visitors members and charged it with drafting a statement affirming Virginia Tech's commitments to academic freedom and the Constitutional right of free speech and developing recommendations for exercising these commitments in a manner that exemplifies the Virginia Tech Principles of Community;

NOW, THEREFORE, BE IT RESOLVED that the Board of Visitors accepts the report of the Task Force on Freedom of Expression and Inquiry issued in December 2022 and expresses its appreciation to the chair and members of the task force for their dedication and efforts to gain a comprehensive understanding of the First Amendment and academic freedom, to craft a statement that was shared with the university community for input, and to develop a set of suggested actions; and

BE IT FURTHER RESOLVED that the Board endorses the Virginia Tech statement committing unequivocally to upholding freedom of speech and academic freedom; and

LASTLY, BE IT RESOLVED THAT the Board requests periodic updates about decisions on the suggested actions enumerated in the task force report and implementation of proposed policy changes, procedures and best practices, and educational opportunities.

RECOMMENDATION:

That the resolution accepting the December 2022 report of the Task Force on Freedom of Expression and Inquiry, endorsing the statement contained therein committing unequivocally to upholding freedom of speech and academic freedom, and requesting periodic updates on the implementation of suggested actions proposed in the task force report be approved.

March 20, 2023

Task Force on Freedom of Expression and Inquiry – Executive Summary

The freedom of expression and inquiry task force received its official charge on July 22, 2022 from Provost Clarke and Dr. Robert Weiss (detailed list on page 2). The Task Force included individuals from across campus with a focus on recruiting a diverse group who could develop a statement on freedom of expression and inquiry as well as think about areas for engagement across the Virginia Tech campuses. Over the course of the fall semester, the task force met in hybrid format on eight occasions. Two different subgroups met five times in addition to the meetings of the entire group. The two subgroups drafted the statement on freedom of expression and inquiry and organized the recommendations for engagement across the Virginia Tech campuses.

During the first five meetings of the full group, members of the task force reviewed 60 academic freedom and freedom of speech statements from universities across the United States. In addition, the group reviewed a list of colleges/universities who had adopted the Chicago Principles to better understand who was signing onto these statements (details begin on page 3). As the group began the writing process, it primarily focused on six statements from institutions similar to Virginia Tech. To ensure the group was well informed about and understood the nuances of Academic Freedom and the First Amendment's guaranteed right to freedom of speech, the group heard from an expert in each area of scholarship. Dr. Kara Latopolski presented a comprehensive review of Academic Freedom in the United States and Stan Barnhill, Virginia Tech alumni and an expert in First Amendment constitutional law, provided detailed information about the First Amendment. Armed with the information provided by these experts and the other university statements, the group drafted an initial statement. Approximately five drafts were reviewed before the group reached consensus on a statement they felt comfortable sharing. The task force wanted to receive broad feedback regarding the statement. To obtain this feedback, an online survey was created and shared with each member of the task force so they could distribute it to their constituents. Given the membership of the task force, the draft statement was shared through the five senates with undergraduate students, graduate and professional students, staff members, Administrative and Professional (A/P) Faculty, and the Teaching and Research Faculty. The draft was shared on October 25, 2022. The task force received 342 responses to the survey with the following distribution: Undergraduate Students (1.8%), Graduate and Professional Students (9.9%), Staff (6.4%), A/P Faculty (16.4%), Faculty (63.7%), and preferred to not respond (1.8%). While this was a limited sample of all who were eligible to respond to the survey, the group felt the comments, concerns and suggestions were important and spent one meeting reviewing all the comments to determine how best to address them. Based on the community comments, the task force revised the statement until the group agreed the new statement both appropriately addressed the charge and was responsive to the comments that were received. The draft statement was sent to Provost Clarke and Dr. Weiss on November 11, 2022, and that statement can be found on Page 4.

After the development of the statement, the task force worked across four additional meetings to discuss university policies and procedures related to the drafted statement and identify areas for growth and engagement on campus. The summary of these suggestions can be found starting on page 5 of the document. This list was organized based on the area of impact: Policy, Procedures/Best Practices, and Educational Opportunities. The group discussed what campus groups may be positioned to help with this work as well as how to possibly engage members of the campus community broadly. We hope that the work of the task force can be utilized to improve campus culture and allow all members of the community to engage in civil debate across difference with a mind towards learning and growing as a community.

Freedom of Expression and Inquiry**Sponsors:** Provost Cyril Clarke and Dr. Robert Weiss**Deadline:** January 1, 2023**Charge:**

- Draft a statement affirming Virginia Tech's commitments to academic freedom and the constitutional right of free speech. The statement should acknowledge existing statements and policies and bring them together in the context of the university's academic mission. If appropriate, the new statement could replace existing statements to establish a coherent and unified expression of the university's commitments.
- Develop recommendations for exercising and demonstrating these commitments in a manner that exemplifies Virginia Tech's Principles of Community.

Membership:Chair

Robin Queen, PhD (Biomedical Engineering) VP of the Faculty Senate & Chair Commission on Faculty Affairs

Faculty

Jim Hawdon, PhD (Sociology)
 Khadijah Queen, PhD (English)
 Ali Mehrizi-Sani, PhD (Elec & Comp. Engineering)
 Jerald Walz, PhD (Ag, Leadership, and Comm Ed)
 Vivica Kraak, PhD, RDN (Human Nut., Food & Ex.)

Staff

Tasia Persson (Executive Assistant to the Dean)

A/P faculty

Janice Austin, PhD (Assistant Dean – Graduate School)

Undergraduate students

Caroline Lohr (President USS)
 Ainsley Cragin (VP for Policy and Issues USS)

Graduate students

Ben Beiter (President GPSS)
 Chloe Robertson (VP GPSS)

BOV

Anna James
 Jeff Veatch

Content experts

Kara Latopolski – Academic Freedom expert
 Kay Heidbreder – University Legal Counsel
 Harrison Blythe – Director of Compliance and Conflict Resolution
 Gabby McCollum - Past Chair of CEOD
 Laura Belmonte, Ph.D. - Dean CLAHS
 Chris Yianilos - VP for Government and Community Relations
 Mark Owczarski - Associate VP for University Relations

Special thanks to Evan Lavender-Smith who assisted in the development of the statement and Charity Boyette for all her help with organizing the group and being an invaluable resource to make sure the group was able to complete its work efficiently.

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SUGGESTED ACTION	CATEGORY	INVOLVED UNITS
Policy		
Policy 1025 <ul style="list-style-type: none"> - Explore the potential to expand the scope of harassment to include online harassment and develop procedures for reporting online harassment - Provide examples of where freedom of speech and harassment intersect and a roadmap for how to differentiate between freedom of speech and harassment in various contexts. 	Policies	Equity and Accessibility/SVCC
Policy 8300 <ul style="list-style-type: none"> - Explore potential changes to the student code of conduct in collaboration with the USS. - Expand the code to include language regarding the classroom as a safe space and expectations on recording and using content from class without the consent of those being recorded. 	Policies	USS/GPSS/Student Affairs/CUSP/CUSA/CGPSP/CGPSA
Faculty Handbook <ul style="list-style-type: none"> - Add a statement to Chapter 1 regarding the importance of freedom of speech on campus and in the classroom. - Require all faculty to read the statement on academic freedom and freedom of speech from the handbook annually and sign acknowledgement that it has been reviewed. 	Policies	Faculty Senate/AP Faculty Senate/CFA/CAPFA
Procedures/Best Practices		
Website Development <ul style="list-style-type: none"> - VT site dedicated to discussing Academic Freedom and contains the Task Force statement as well as links to AAUP statement on academic freedom as well as the Faculty Senate Statement, principles of community and other resources for learning more about how academic freedom impacts various groups on campus. - VT site dedicated to discussing Freedom of Speech on Campus that contains the Task Force statement as well as links to Policy 1025, procedures for holding a demonstration on campus or inviting speakers to campus (policy 5000?), and information on the 1st amendment and what is protected by the 1st amendment in the context of campus and learning environments. Also link to the student code of conduct and the principles of community. - Develop an online method for reporting events/experiences they find troubling to determine whether the event should be reported and if so, who the individual should speak with about the event/experience 	Procedures/Best Practices	Provost Office/Student Affairs/University Relations/Government Relations/University Ombuds Office/Equity and Accessibility
Develop university communication procedures for disseminating information on Freedom of Speech and Academic Freedom through all colleges and academic environments. Must be more than just an email.	Procedures/Best Practices	5 Senates/ Council of College Deans/ Department Heads Forum/University Relations

ATTACHMENT O

Develop suggested action plans for how to address bullying or inappropriate behavior on campus by groups or individuals who are targeting specific individuals or groups on campus. This would be a how to document of sorts for those who want to help defuse situations and step in as allies for those being targeted.	Procedures/Best Practices	Ombuds Office/Student Affairs/Faculty Affairs/OID/Grad School Ombuds
Develop and disseminate resources for instructors of record on how to manage difficult/challenging conversations in the classroom setting	Procedures/Best Practices	Ombuds Office/Student Affairs/Faculty Affairs/CETL/TLOS
Develop a suggested syllabus statement on academic freedom and freedom of speech in the classroom.	Procedures/Best Practices	Faculty Senate/ CETL/Provost Office
Educational Opportunities		
Development a set of scenario-based learning modules to better understand free speech and academic freedom – like what was done at the August BOV meeting and in the Faculty Senate	Educational Opportunities	
Annual onboarding for the 5 senates (FS, SS, APFS, GPSS, USS) to explore academic freedom/freedom of speech using scenarios that are relevant to the group.	Educational Opportunities	
Presentation on freedom of speech and academic freedom based on scenarios related to classroom conduct at the GTA training workshop (fall and spring – Dr. Kevin Edgar point of contact)	Educational Opportunities	Graduate School
Engagement/ collaboration with the Constructive Dialogue Institute	Educational Opportunities	
Engagement/collaboration with the Academy for Graduate Teaching Assistant Excellence to develop content	Educational Opportunities	Graduate School
Student Orientation: Short sessions on the following topics for both students and parents with “real world examples” <ul style="list-style-type: none"> - Free Speech in the context of the Principles of Community - Academic Freedom at VT - VT principles of community 	Educational Opportunities	UG Admissions (Hokie Focus)
Develop TikTok or other quick videos five to ten 30 second videos to entertain/educate and then release with the statement annually at the beginning of each semester.	Educational Opportunities	Students & Faculty in visual/performing arts/ marketing
First Year Experience Module: cover aspects of the student code of conduct that intersect freedom of speech and academic freedom at VT and the relationship to the principles of community.	Educational Opportunities	
Presentations at Faculty Orientation/Post-doctoral Orientation	Educational Opportunities	
Invite “big name” speakers to campus that can debate topics from opposite perspectives to demonstrate the ability to engage in civil discourse.	Educational Opportunities	
Create a course for the future professoriate to explore academic freedom	Educational Opportunities	Graduate School
Greater education on the First Amendment <ul style="list-style-type: none"> - Adding to Constitution Day activities and bring elevate/publicize the day and activities 	Educational Opportunities	

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| <ul style="list-style-type: none">- Invite prominent scholars on Constitutional law or a panel of law professors with opposing views to debate the topic. | | |
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<p>NOTE: The following list was compiled by the Foundation for Individual Rights and Expression (FIRE) of universities that have adopted and/or endorsed the Chicago Principles. The official position of the universities listed here have not been verified by the Task Force. These categories are based on the review of the statement posted on the official university site for each institution.</p> <p>View the list at https://www.thefire.org/chicago-statement-university-and-faculty-body-support/.</p>	Adopted Chicago	Own Statement	References AAUP	References Academic Freedom
Institution				
1. Princeton University*	Partially	Yes	No	No
2. Purdue University System	Yes	Yes	No	No
3. Johns Hopkins University	No	Yes	No	Yes
4. American University	No	No	No	No
5. Chapman University	Partially	Yes	Yes	Yes
6. Winston-Salem State University	Yes	No	No	No
7. Michigan State University	No	Yes	Yes	Yes
8. University of Virginia College at Wise	No	Yes	No	No
9. University of Wisconsin System	No	Yes	No	Yes
10. Washington and Lee University	Yes	No	No	No
11. University of Minnesota	No	Yes	Yes	Yes
12. City University of New York	Yes	Yes	Yes	Yes
13. Denison University*	Partially	Yes	No	Yes
14. Claremont McKenna College*	Yes	Yes	No	No
15. University of Missouri System*	Partially	Yes	No	No
16. The Citadel	Yes	Yes	Yes	Yes
17. University of Southern Indiana	Partially	Yes	No	No
18. Vanderbilt University	No	Yes	No	No
19. Washington University in St. Louis*	Partially	Yes	No	No
20. Columbia University*	Yes	No	No	No
21. Northern Illinois University	No	Yes	No	No
1. Eckerd College	No	No	No	No
1. Franklin & Marshall College	No	Yes	No	No
2. Appalachian State University	No	Yes	No	Yes
3. University of Maine System	Partially	Yes	No	Yes
4. University of Montana	No	Yes	No	Yes
5. University of Denver	No	No	No	No
6. Kenyon College	No	Yes	No	No
7. Georgetown University	Partially	Yes	No	No
8. State University of New York- University at Buffalo	No	Yes	No	Yes
9. Ashland University*	Yes	No	No	No
10. California State University Channel Islands	No	Yes	No	No
11. University of Nebraska System	No	Yes	Yes	Yes
12. Middle Tennessee State University	No	No	No	No
13. Tennessee Technological University	No	Yes	No	No

14. Smith College	No	Yes	Yes	Yes
15. University of North Carolina – Chapel Hill	Yes	Yes	No	No
16. Ohio Wesleyan University*	Partially	Yes	No	Yes
17. Joliet Junior College	No	Yes	No	No
18. Southern Utah University	No	Yes	No	Yes
19. University of Arkansas at Little Rock*	No	No	No	No
20. Gettysburg College*	No	No	No	No
21. Ranger College	No	Yes	No	Yes
22. University of Maryland*	No	Yes	No	No
23. Utica College*	No	Yes	No	No
24. George Washington University	No	No	No	No
25. Kettering University	No	No	No	No
26. Ohio University*	Partially	Yes	No	Yes
27. Suffolk University	Partially	Yes	No	No
28. Arizona State University	Yes	Yes	No	Yes
29. University of Colorado System	No	Yes	No	Yes
30. Colgate University*	No	Yes	No	Yes
31. Brandeis University*	Partially	Yes	No	Yes
32. University of Louisiana System	No	Yes	No	Yes
33. Christopher Newport University	No	Yes	No	No
34. George Mason University	Partially	Yes	No	No
35. Louisiana State University System*	No	Yes	No	No
36. South Dakota University System	No	No	No	No
37. University of Arizona	Yes	No	No	No
38. Stetson University*	No	Yes	No	Yes
39. University of Texas at San Antonio	Partially	Yes	No	Yes
40. Clark University	No	Yes	No	Yes
41. Nevada System of Higher Education	No	Yes	No	No
42. Cleveland State University*	Partially	Yes	No	Yes
43. State University System of Florida*	No	Yes	No	No
44. Board of Regents, State of Iowa*	No	Yes	No	No
45. University of Toledo	No	Yes	No	No
46. University of Akron*	Partially	Yes	No	Yes
47. Miami University*	No	Yes	No	No
48. Adrian College	No	No	No	No
49. Case Western Reserve University	No	Yes	No	No
50. Ball State University	Partially	Yes	No	No
51. Southern Methodist University	No	Yes	No	No
52. Snow College	No	No	No	No
53. University of Alabama System	No	Yes	No	No
54. Jacksonville State University	No	Yes	No	No
55. Colorado Mesa University	Yes	No	No	No
56. Winthrop University	No	Yes	No	No
57. Jones County Junior College	No	Yes	No	No
58. Boston University*	No	Yes	No	Yes
59. University of Richmond*	No	Yes	No	Yes

60. Kansas Board of Regents	No	Yes	No	No
61. University of Virginia*	No	Yes	No	Yes
62. St. Mary's University	No	No	No	No
63. King University*	No	No	No	No
64. University of Massachusetts Boston	No	No	No	No
65. DePauw University*	Partially	No	No	No

*Indicates that multiple campus stakeholders approved this statement.