



UNIVERSITY SPEECH, EXPRESSION AND CIVIL DISCOURSE

Policy Administrative Division: Academic Affairs

Responsible Unit: Provost

Contact: Anne Clark Bartlett, Provost and VP for Academic Affairs;

abartlett@steu.edu; 973-290-4418

Who Should Read this Policy: University Community

Effective Date: 8/15/2024

Philosophical Statement/Guiding Principles:

From its inception in 1899, Saint Elizabeth University has been committed to the vision of Elizabeth Ann Seton, Vincent de Paul and Louise de Marillac, rooted in the Gospel and in Catholic social teaching: the value of universal human dignity in which each person is uniquely valuable and worthy of respect. This affirmation of human dignity depends in part on an individual's opportunity to express their beliefs and to maintain the freedom to choose how and whether to respond to the expressions of others. As a community, Saint Elizabeth University therefore validates the vigorous exchange of ideas, debate, discussion, disputation, reflection, and scholarship that are fundamental both to the life of a university and to the individual's lifelong pursuit of truth.

At the same time, we also recognize that speech and expression that serves only to threaten or intimidate does not further these goals. The University community values its rich Catholic intellectual, religious, and moral heritage, and it is that very tradition that impels it to embrace and protect freedom of expression. It does, however, have a responsibility to members of its community to assure that speech and expressive activities do not infringe on their safety or impede institutional functions.

In this spirit, we affirm these principles of speech and expression:

1. As a university community, we encourage expression that that is articulate, intelligent and elevating; that strives to be respectful of all peoples regardless of race, ethnicity,

All policies are subject to amendment. Please refer to the Saint Elizabeth University Policy Library website (<https://my.steu.edu/policies>) for the official, most recent version.

religious affiliation (or lack thereof), gender, gender expression or sexual orientation, age, disability, marital status, and other characteristics protected by law; that is not needlessly or intentionally contemptuous toward the Catholic identity and mission of our institution.

2. We affirm the mission of solidarity with the poor and the commitment to service to all members of the community, recognizing that members of our community belong to and identify with individuals and groups whose very existence has, at times, been imperiled. We honor our commitment and responsibility as an institution to value the collective dignity and well-being of all.
3. While we may permit controversial expression on campus, the presence of debate does not indicate the University's endorsement or approval of the ideas and values expressed
4. To advance the University's commitment to ideological diversity, we encourage that any presentation provides the opportunity for those who disagree with the subject matter to engage in a form of dialogue with a speaker, performer or sponsor of the event. This may occur as a moderated question and answer period by a respondent speaker or panel as part of an event, in a separate activity that responds to an event, or in written materials distributed prior to or at the event.
5. Although we allow the expression of robust and diverse views, certain forms of expression are not protected by this policy. Examples include, but are not limited to:
 - Expression that endangers the safety of others or creates clear and present danger.
 - Making threats against another person and/or using fighting words.
 - Communicating through oral or written form information that which is known to be false and which has the effect of damaging the reputation of another person, business, or organization.

In each example above, our freedom of self-expression is not absolute. Each freedom is constrained to some degree to protect the rights of others. In other words, the common good is a value that is held to be equal to, or greater than, the right to absolute freedom. It follows, then, that the freedom to express oneself verbally, in writing, or by peaceful demonstration, even in significantly controversial matters, may also be constrained at a private and religious university by values which are held to be equal or greater.

All policies are subject to amendment. Please refer to the Saint Elizabeth University Policy Library website (<https://my.steu.edu/policies>) for the official, most recent version.

This policy, and its supporting procedures, detail how the vision and values of Saint Elizabeth University will be promoted and facilitated in the daily life of the campus community. Our goal is to create an environment for learning that embraces diverse opinions on even the most controversial matters while assuring that the legitimate concerns of the institution for the safety of its diverse community and security of the campus environment are met.

UNIVERSITY SPEECH, EXPRESSION AND CIVIL DISCOURSE

Public Speech:

University speech includes verbal, written, and symbolic speech. Verbal speech includes live and pre-recorded spoken speech. Written speech includes but is not limited to: digital and non-digital scholarly publications; classroom materials such as presentation slides, hand-outs, and syllabi; letters; memorandums; petitions; written statements; handbooks; pamphlets; learning management systems (e.g. MOODLE); announcements; emails; signage, advertisements, and speech on social media. Symbolic speech refers to non-written, non-verbal conduct that conveys a message such as flag burning or wearing a black armband. Public communication directed to the outside community that is printed or in the form of a publication, advertisement, marketing initiative, or website item must adhere to the University's style and format. In addition, items involving media relations, written material, special events, and photography coverage should be reviewed with members of the Communications and Marketing Department and receive final approval from the Office of Communications and Marketing. All employees and students of the University who utilize SEU-sponsored social media web or blog sites must adhere to the policies/terms-conditions established by SEU's [Social Media Policy](#).

Students, faculty, staff, and administrators have the right to express their beliefs about political, social, religious, and cultural issues as well as their opinions about the University. When speaking off campus, employees and students should make it clear that they are not operating as representatives of the University but as private citizens.

Operating within the framework of the foregoing, the University is responsible to place reasonable constraints on the freedom of speech in order to safeguard the common good of our university community and to protect the rights of its members. Some forms of speech have no place in our community and are *not* considered to be protected speech at the University.

Unprotected Speech:

Examples include, but are not limited to the following, which must be avoided:

All policies are subject to amendment. Please refer to the Saint Elizabeth University Policy Library website (<https://my.steu.edu/policies>) for the official, most recent version.

1. Direct threats of harm to individuals or groups
2. Abuse, harassment, defamation, or intimidation
3. Sexist, racist, or hate speech that directly creates a hostile academic or work environment, and/or constitutes fighting words. "Hate Speech", "Hostile Environment", and "Fighting Words" are defined in the "Terms & Definitions" section of this policy.
4. Obscenity, lewdness, or pornography (explicit sex lacking any artistic merit, portrayed in a vulgar and exploitive manner)
5. Advocating for the disruption, impairment, or interference with the University's regularly scheduled classes and/or operations
6. Advocating unlawful behaviors or activities

This policy complements but does not address the scope of other policies such as the University's [Title IX](#) or [Harassment and Discrimination Policy](#). If speech and expressive activities during the events covered by this policy give rise to reports of bias, hate, or harassment, then these two policies provide the mechanisms for addressing the allegations.

Academic Freedom:

Faculty have the right of academic freedom and may teach and publish the truth as they see it. Faculty may present and create assignments in their classrooms that promote controversial topics as long as the speech promotes legitimate pedagogical interests and is relevant to the subject matter of the course. Faculty members are in control of their courses and can put policies in place that require students to behave in a manner consistent with a healthy learning environment. Faculty are to maintain reasonable adherence to course descriptions published in the SEU Catalog. When publishing or presenting outside of the University, faculty members are responsible to make it clear that they are speaking as private citizens and not representatives of the University. Faculty members should remember that they are associated with SEU and therefore at all times should strive to be accurate in their information and respectful of the opinions of others.

Academic freedom does not extend to all members of the University community. Speech by staff and administrators falls outside the scope of academic freedom unless these SEU employees are teaching in a virtual or physical classroom. Students possess academic freedom when their speech falls within the scope of an academic course or their discipline. The speech must be respectful and addresses the subject matter of the course/discipline. The University retains the right to require students to express themselves in respectful and civil terms while on

All policies are subject to amendment. Please refer to the Saint Elizabeth University Policy Library website (<https://my.steu.edu/policies>) for the official, most recent version.

campus, particularly in the classroom (virtual or physical), and when involved in University-sponsored activities, whether on or off campus.

Social Media:

When speech or expression on social media becomes prohibited harassment against another individual, or severely disrupts the day-to-day operations of the University, it may constitute a violation of University policy. Posting on social media platforms like Facebook or Twitter may result in disciplinary action including termination if the action is:

- A threat of serious harm or an expression directed or likely directed to provoke imminent unlawful actions;
- Obscenity, lewdness, pornography and defamation;
- Harassment, including, but not limited to, expression which is so severe, pervasive, and objectively offensive that the expression unreasonably interferes with an individual's access to educational opportunities or benefits provided by Saint Elizabeth University and/or violates the University's anti-harassment policy.

In particular, individuals who behave in such a manner may be in violation of the Campus Speech Policy. Faculty, staff, or students charged with this violation will be referred to the formal grievance and investigation process for follow-up and adjudication.

Public Speaking Forums & Guest Speakers on Campus:

The University welcomes a diversity of speakers and ideas, including controversial ones. Protocol to follow to bring speakers to campus:

Speakers Hosted by Faculty:

A faculty member who wishes to bring an outside speaker to campus, either for a closed classroom event or open public forum, will inform the appropriate academic dean prior to the event. Should the dean anticipate that there may be a concern regarding a particular speaker, that dean will consult with the faculty member for further information, and/or seek the guidance of the Provost and Vice President for Academic Affairs. Relevance to course curriculum and alignment with the mission and values of the University will be factors in evaluation of whether to permit outside speakers to be invited to campus. In consideration of course schedules and the availability of prospective speakers, the deans will make a concerted effort to confirm a faculty member's speaker recommendation within three working days of the notification. One standard working day is 8:30am – 4:30pm.

All policies are subject to amendment. Please refer to the Saint Elizabeth University Policy Library website (<https://my.steu.edu/policies>) for the official, most recent version.

Speakers Hosted by Students:

Students who invite a speaker to campus must seek the approval of the appropriate party: a faculty member, if a classroom setting; or a coach or club advisor, if the setting is outside of the classroom. The faculty member will then seek the approval of the appropriate dean (who may then seek advice from the Provost/Vice President for Academic Affairs); the coach or club advisor will seek the approval of the VP of Strategic Enrollment Management/Student Affairs.

Speakers Hosted by Staff:

Any staff member who wishes to bring an outside speaker to a campus event must inform their respective vice president prior to the event. Should the vice president anticipate that there may be a concern regarding a particular speaker, that vice president will consult with the staff member for further information. Should the vice president seek additional counsel, the issue will be brought before the Cabinet in a timely manner.

Sponsor Expectations:

Once a speaker, performance or event is approved the sponsor is responsible for:

- Informing speakers or performers of the University's commitment to civil discourse and the potential for a presentation of alternative views.
- Identifying an appropriate campus venue for the event.
- Identifying funds required to support the event, including speaker/performer fees and other costs such as venue charges or security costs, if applicable to the event. (if the costs of an event are being met in whole or in part, in cash or in kind, by an organization outside the University, the outside organization is responsible for costs incurred by the University in proportion to its financial contribution to the event.)
- Responding to contacts (calls, emails, etc.) concerning an event, speaker or performer before and after an event in a timely and responsible fashion.
- Helping assess the potential for disruptive behavior or protests related to the event and proposing a plan for dealing with the same.
- Following all established University policies and procedures related to contracting, scheduling, and use of facilities.
- Maintaining to the fullest extent possible a safe environment.

Failure to meet any of these responsibilities may result in the sponsor losing the ability to invite outside speakers and performers for a defined period of time.

Alternative Perspectives:

All policies are subject to amendment. Please refer to the Saint Elizabeth University Policy Library website (<https://my.steu.edu/policies>) for the official, most recent version.

In some instances, the University's administration may determine it necessary to offer a counter perspective to any campus speech or performance that runs contrary to the mission and values of Saint Elizabeth University.

Audience expectations:

All those attending speaking events must display respect for the speaker and tolerance of viewpoints that could run counter to their personal beliefs. Attendees must not interfere with the speaker's ability to communicate or the audience's ability to hear and see the speaker.

Distribution/posting of printed literature by students:

All notices/printed materials must be approved and stamped by the Director of Student Engagement before copying/distribution and posting take place. The printed material must include the name of the person or group posting it. Any material that has not been approved will be subject to immediate removal. The group that posts printed materials is responsible for removing those items upon conclusion of the related event.

Distribution/posting of printed literature by faculty and staff:

All notices/printed materials to be posted by faculty member(s) must be approved by the Provost/Vice President for Academic Affairs while materials to be posted by staff member(s) must be approved by the Vice President for Finance and Administration. Any material that has not been approved by the appropriate vice president will be subject to immediate removal. The individual/group that posts printed materials is responsible for removing those items upon conclusion of the related event.

Campus Demonstrations.

As an academic institution, Saint Elizabeth University is committed to educational discourse and the free exchange of ideas among members of its community. As a promoter of responsible citizenship, the University encourages students, staff and faculty to examine and debate the challenging and controversial issues facing contemporary society. Such exercises inevitably lead to strongly held opinions and conflicting viewpoints. On occasion, some members of the campus community may want to express their views through public demonstrations. In such instances, the University must balance its commitment to open, vigorous debate with other essential institutional obligations. These include the need to ensure that the rights of all members of the campus community are respected, the need to maintain peace and order and

All policies are subject to amendment. Please refer to the Saint Elizabeth University Policy Library website (<https://my.steu.edu/policies>) for the official, most recent version.

an uninterrupted flow of regular operations on campus, and the need to protect University property. In an effort to honor these obligations, while at the same time ensuring that a campus environment conducive to spirited expressions of opinion is preserved, the following regulations have been adopted to regulate time, place and manner in which demonstrations can take place at Saint Elizabeth University. Additionally, the University, at its sole discretion, reserves the right to prohibit any on-campus demonstration, including those whose purposes contradict the Mission and Values of the institution and/or the official teachings of the Catholic Church.

Further information may be found in the Saint Elizabeth University Policy on Public Demonstrations.

Terms & Definitions

Workplace violence: Any act or threat of physical violence, harassment, intimidation, or other threatening disruptive behavior that occurs at the work site. It ranges from threats and verbal abuse to physical assaults and even homicide.

Campus Disturbance: Any activity on the campus which does any of the following:

- Violates the law;
- Disrupts the orderly process of the institution; or
- Endangers the life or property of the individual or the University

Grievance: An actual or alleged circumstance regarded as just cause for complaint; a complaint or protestation based on such a circumstance:

Hate Speech: The term “hate speech” is not defined by law, and no such category exists as an exception to protected speech. Thus, even if speech is hateful or offensive, it is still protected unless it violates an exception, as listed above. Exceptions include but are not limited to direct threats of harm to a group or individual, words that create a “hostile environment”, and “fighting words”.

Hostile Environment: Hostile environment harassment is defined as conduct based on a protected category (such as one’s race, color, religion, sex (including pregnancy), sexual orientation, gender identity or expression, age, national origin, age disability or genetic information), veteran’s status or citizenship) that is severe or pervasive enough to create an environment that a reasonable person would consider intimidating, hostile, or abusive.

Fighting Words: Fighting words are verbal, written, or symbolic speech which directly inflict injury or tend to incite an immediate breach of peace.

All policies are subject to amendment. Please refer to the Saint Elizabeth University Policy Library website (<https://my.steu.edu/policies>) for the official, most recent version.

Workplace Bullying - Abusive Conduct: The intentional conduct in the workplace by an employer or employee, unrelated to an employer’s legitimate business interests, that a reasonable person would find hostile or offensive. Abusive conduct may include repeated infliction of verbal abuse, such as the use of derogatory remarks, insults, and epithets; verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating; bullying; or the gratuitous sabotage or undermining of a person’s work performance. A single act shall not constitute abusive conduct, unless it is especially severe and egregious.

Whistleblower: one who reveals something covert or who informs against another especially an employee who brings alleged wrongdoing by an employer or by other employees to the attention of the SEU administration, or a government or law enforcement agency.

Retaliation: An act of revenge. The University expressly prohibits and has zero tolerance for any form of retaliation, including harassment, intimidation, adverse employment actions, or any other form of retaliation against members of our campus community who raise suspected violations of law, cooperate in inquiries or investigations or identify potential violations of University policies. Anyone who engages in retaliation will be subject to discipline, up to and including termination.

Policy History

Date	Description (Review, Revision, Approval)	Approved/Reviewed By	Effective Date
8/15/2024	New Policy		

Policy Location(s)

- President’s Office
- Academic Affairs
- <https://my.steu.edu/policies>

All policies are subject to amendment. Please refer to the Saint Elizabeth University Policy Library website (<https://my.steu.edu/policies>) for the official, most recent version.

All policies are subject to amendment. Please refer to the Saint Elizabeth University Policy Library website (<https://my.steu.edu/policies>) for the official, most recent version.