Advisory Council of Faculty Senates

Advocating for Academic Excellence in the State University System of Florida

Resolution on Safeguarding Free Expression in the State University System of Florida

WHEREAS, on September 10, 2025, Charlie Kirk was fatally shot while participating in a campus speaking event at Utah Valley University – an act of violence that constitutes a direct assault on free expression and civil discourse;

WHEREAS, institutions of higher education are founded upon the principle that universities must remain open forums for the free and lawful exchange of ideas,[a,b,c] including those that may be controversial or unpopular;

WHEREAS, the Board of Governors of the State University System of Florida and the twelve State University System Boards of Trustees have affirmed that the role of a public university is not to shield individuals from ideas they may find objectionable, but to protect the rights of all members of the university community to engage with and respond to a wide range of perspectives – "even if other members of our community may find those ideas abhorrent";[c]

WHEREAS, violence, intimidation, or suppression of speech has no place in a democratic society or on a university campus, and directly undermines public trust in the role of higher education;

NOW, THEREFORE, BE IT RESOLVED, that the Advisory Council of Faculty Senates:

1. **Unequivocally condemns** the murder of Charlie Kirk as a reprehensible act of violence and an attack on the principles of free expression and lawful discourse;
2. **Reaffirms its commitment to protecting the rights** of all individuals, regardless of political belief, to engage in peaceful speech, public dialogue, and civil debate on university campuses;
3. **Opposes any effort to suppress, punish or otherwise infringe** upon members of our public university communities' lawfully protected exercise of free speech and expression; and
4. **Calls on Educational Leaders in the State of Florida to safeguard** our educational institutions as bastions of free expression and civil discourse, consistent with the purpose of institutions of higher learning within a free and open society.[a,b,c]

a. Supreme Court of the United States, Keyishian v. Board of Regents, 385 U.S. 589 (1967)

b. Supreme Court of the United States, "Sweezy v. New Hampshire by Wyman, Attorney General, 354 U.S. 234 (1957)"

c. State University System of Florida Statement of Free Expression, April 15 2019, https://www.flbog.edu/wp-content/uploads/2022/01/SPC_09_Civil-Discourse_Final_CE.pdf

Addendum to Resolution on Safeguarding Free Expression in the State University System of Florida

a. “Our Nation is deeply committed to safeguarding academic freedom, which is of transcendent value to all of us, and not merely to the teachers concerned. That freedom is therefore a special concern of the First Amendment, which does not tolerate laws that cast a pall of orthodoxy over the classroom. "The vigilant protection of constitutional freedoms is nowhere more vital than in the community of American schools." *Shelton v. Tucker, supra* at 364 U. S. 487. The classroom is peculiarly the "marketplace of ideas." The Nation's future depends upon leaders trained through wide exposure to that robust exchange of ideas which discovers truth "out of a multitude of tongues, [rather] than through any kind of authoritative selection." *United States v. Associated Press,* 52 F. Supp. 362, 372.”

Supreme Court of the United States, Keyishian v. Board of Regents, 385 U.S. 589 (1967)

b. “The essentiality of freedom in the community of American universities is almost self-evident. No one should underestimate the vital role in a democracy that is played by those who guide and train our youth. To impose any strait jacket upon the intellectual leaders in our colleges and universities would imperil the future of our Nation. No field of education is so thoroughly comprehended by man that new discoveries cannot yet be made. Particularly is that true in the social sciences, where few, if any, principles are accepted as absolutes. Scholarship cannot flourish in an atmosphere of suspicion and distrust. Teachers and students must always remain free to inquire, to study and to evaluate, to gain new maturity and understanding; otherwise our civilization will stagnate and die.”

Supreme Court of the United States, Sweezy v. New Hampshire by Wyman, Attorney General, 354 U.S. 234 (1957)

c. “The State University System of Florida and its twelve public postsecondary institutions adopt this Statement on Free Expression to support and encourage a full and open discourse and the robust exchange of ideas and perspectives on our respective campuses. The principles of freedom of speech and freedom of expression in the United States and Florida Constitutions, in addition to being legal rights, are an integral part of our three-part university mission to deliver a high-quality academic experience for our students, engage in meaningful and productive research, and provide valuable public service for the benefit of our local communities and the state. The purpose of this statement is to affirm our dedication to these principles and to seek our campus communities' commitment to maintaining our campuses as places where the open exchange of knowledge and ideas furthers our mission.

A fundamental purpose of an institution of higher education is to provide a learning environment where divergent ideas, opinions, and philosophies, new and old, can be rigorously debated and critically evaluated. Through this process, often referred to as the marketplace of ideas, individuals are free to express any ideas and opinions they wish, even if others may disagree with them or find those ideas and opinions to be offensive or otherwise antithetical to their own worldview. The very process of debating divergent ideas and challenging others' opinions develops the intellectual skills necessary to respectfully argue through civil discourse.

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> Development of such skills leads to personal and scholarly growth and is an essential component of each of our institutions' academic and research missions.
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> It is equally important not to stifle the dissemination of any ideas, even if other members of our community may find those ideas abhorrent. Individuals wishing to express ideas with which others may disagree must be free to do so without fear of being bullied, threatened, or silenced. This does not mean that such ideas should go unchallenged, as that is part of the learning process. And though we believe all members of our campus communities have a role to play in promoting civility and mutual respect in that type of discourse, we must not let concerns over civility or respect be used as a reason to silence expression. We should empower and enable one another to speak and listen, rather than interfere with or silence the open expression of ideas.
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> Each member of our campus communities must also recognize that institutions may restrict unlawful expression, such as true threats or defamation. Because universities and colleges are first and foremost places where people go to engage in scholarly endeavors, it is necessary to the efficient and effective operations of each institution for there to be reasonable limitations on the time, place, and manner in which these rights are exercised. Each institution has adopted regulations that align with Florida's Campus Free Expression Act, section 1004.097, Florida Statutes, and the United States and Florida Constitutions and the legal opinions interpreting those provisions. These limitations are narrowly drawn and content-neutral and serve to ensure that all members of our campus communities have an equal ability to express their ideas and opinions while preserving campus order and security."

State University System of Florida Statement of Free Expression, April 15 2019, https://www.flbog.edu/wp-content/uploads/2022/01/SPC_09_Civil-Discourse_Final_CE.pdf