

FLORIDA STATE UNIVERSITY
Civil Discourse Update
Summer 2023

The Board of Governors as Advocate – Recommendation I

The Board of Governors expects that the leadership at each university will operationalize the Board's commitment to open-minded and tolerant civil discourse by promoting, supporting, and regularly evaluating adherence to the principles set forth in the Board's Statement of Free Expression and cultivating a culture of civil discourse in all campus interactions, including academic, administrative, extracurricular, and social dealings.

	In Progress	Implemented	Summer 2023 Update
<p>Operationalization of the Board's commitment to the Statement of Free Expression and cultivating a culture of civil discourse</p>		<p>FSU has operationalized a commitment to free expression and a culture of civil discourse. During President Stanley Marshall's presidency (1969-1976), while enforcing University policies, he also protected students' and faculty members' rights to free speech and assembly, and today a statue honoring President Marshall's free expression legacy resides on the campus. That legacy continues at FSU. The University's Seminole Creed specifically adopts the norm of Freedom of Speech and Inquiry, which states, "I will support academic freedom, including the right of dissent and freedom of speech." Recently, FSU was recognized by the Foundation for Individual Rights and Expression (FIRE) with a "green light" (i.e., FSU's policies are free speech friendly) and FSU ranks #15 in FIRE's 2022 College Free Speech Rankings. In recent years, FSU has revised policies, regulations and other items to encourage free speech and civil discourse. These efforts include, but are not limited to the following: the Student Conduct Code was tailored to exclude constitutionally-protected free speech as conduct, particularly narrowing the definitions of harassment and bullying behaviors; security and email policies were revised to remove "irrelevant" or "inappropriate" email solicitation from the definition of spam; FSU's posting/chalking regulation was revised to narrow the definition of "harm" to only include "physical harm;" the Undergraduate Bulletin was revised to include language around the need for civility and respect in the clash of ideas; the University's Equal Opportunity & Non-Discrimination Statement was revised to remove language prohibiting behavior that is considered offensive, demeaning or degrading; and the discrimination report option on FSU's on-line reporting tool (at https://report.fsu.edu) was tailored to exclude free speech and focus solely on "true threats." In 2018, FSU was perceived as having Free Speech Zones; while that perception was inaccurate, FSU clarified policies and regulations to make clear that the entire campus is open for free speech. In Summer 2022, student orientation was revised to include training for orientation leaders on civil discourse and included a small group session with orientation leaders and all new students on civil discourse in each orientation session. The on-line pre-orientation session also includes a freedom of expression module. Further, the current version of the Student Conduct Code (approved by the FSU Board of Trustees on September 23, 2022) explicitly cites support for the Statement of Free Expression. The efforts are ongoing as policies, regulations and other materials continue to be reviewed, updated and revised. Finally, to demonstrate the University's commitment, the University's Board of Trustees, its President and his Cabinet (consisting of the Provost and Vice Presidents) have explicitly endorsed the State University System of Florida Statement of Free Expression.</p>	

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University Planning – Recommendation II		
<i>The Board of Governors recommends that each university's Accountability Plan and Strategic Plan include a specific endorsement of the Board's Statement of Free Expression, as well as a clear expectation for open-minded and tolerant civil discourse throughout the campus community. The Board of Governors will include similar statements and principles in its Strategic Plan for the State University System.</i>		
Accountability Plan	Strategic Plan	Summer 2023 Update
Completed	Completed	
		If "in progress," anticipated completion date:

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University Leadership – Recommendation III

The Board of Governors recommends that the leadership of each university board of trustees, faculty senate, and student government annually review and endorse the Board's Statement of Free Expression and commit to the principles of civil discourse. NOTE: The first review should be completed during the 2022-2023 academic year.

	University Board of Trustees	Faculty Senate	Student Government
Review and endorse the Board's Statement of Free Expression and commit to the principles of civil discourse	Completed	Completed	Completed
	Completed by FSU Board of Trustees on 09/23/22	Completed by Faculty Senate 11/30/22	Completed by Student Government 9/22/22
Summer 2023 Update			
	If "in progress," anticipated completion date:	If "in progress," anticipated completion date:	If "in progress," anticipated completion date:

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University Leadership – Recommendation IV

*The Board of Governors recommends that each **board of trustees** conducts a thorough review of current student orientation programs, student codes of conduct, and employee policies and procedures to ensure consistency with the Board of Governors Statement of Free Expression, the principles of free speech and civil discourse, and compliance with section 1004.097, Florida Statutes.*

	Board's Statement of Free Expression	Principles of Free Speech & Civil Discourse	section 1004.097, Florida Statutes
Student orientation programming	Completed	Completed	Completed
Student codes of conduct	Completed	Completed	Completed
Employee personnel policies and procedures	In Progress	In Progress	In Progress
	Anticipated completion date is 10/1/2023	Anticipated completion date is 10/1/2023	Anticipated completion date is 10/1/2023
Summer 2023 Update			
	If "in progress," anticipated completion date:	If "in progress," anticipated completion date:	If "in progress," anticipated completion date:

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Academic, Student, and Administrative Affairs – Recommendation VI

*The Board of Governors recommends that **university academic, student affairs, and administrative leaders** review student orientation programming, student codes of conduct, and employee personnel policies and procedures to ensure that they contain clear and unambiguous support for the Board's Statement of Free Expression, and the principles of free speech and civil discourse, and that they are in compliance with section 1004.097, Florida Statutes.*

Review by Academic Affairs Leaders	Board's Statement of Free Expression	Principles of Free Speech & Civil Discourse	section 1004.097, Florida Statutes
Student orientation programming	Completed	Completed	Completed
Student codes of conduct	Completed	Completed	Completed
Employee personnel policies and procedures	In Progress	In Progress	In Progress
	Anticipated completion date is 10/1/23	Anticipated completion date is 10/1/23	Anticipated completion date is 10/1/23
Summer 2023 Update			
	If "in progress," anticipated completion date:	If "in progress," anticipated completion date:	If "in progress," anticipated completion date:

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Academic, Student, and Administrative Affairs – Recommendation VI

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Review by Student Affairs Leaders	Board's Statement of Free Expression	Principles of Free Speech & Civil Discourse	section 1004.097, Florida Statutes
Student orientation programming	Completed	Completed	Completed
Student codes of conduct	Completed	Completed	Completed
Employee personnel policies and procedures	In Progress	In Progress	In Progress
	Anticipated completion date is 10/1/23	Anticipated completion date is 10/1/23	Anticipated completion date is 10/1/23
Summer 2023 Update			
	If "in progress," anticipated completion date:	If "in progress," anticipated completion date:	If "in progress," anticipated completion date:

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Review by Administrative Leaders	Board's Statement of Free Expression	Principles of Free Speech & Civil Discourse	section 1004.097, Florida Statutes
Student orientation programming	Completed	Completed	Completed
Student codes of conduct	Completed	Completed	Completed
Employee personnel policies and procedures	In Progress Anticipated completion date is 10/1/23	In Progress Anticipated completion date is 10/1/23	In Progress Anticipated completion date is 10/1/23
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Best Practices for Civil Discourse – Recommendation VII			
<i>The Board of Governors recommends implementing the following best practices based on its review of university programs and initiatives that effectively promote and support civil discourse.</i>			
	In Progress	Implemented	Summer 2023
1. Instill the importance of civil discourse, academic freedom, and free speech from day one, utilizing student and employee orientation sessions, public assemblies, and official university documents and communications.	In addition to the actions already implemented, additional measures are in the process of being implemented. These include: (1) the implementation of a Civil Discourse statement in New Employee Orientation materials (for all FSU employees).	FSU instills the importance of civil discourse, academic freedom and free speech from day one with students and employees. The online pre-orientation for students includes a module on freedom of expression. Student orientation was recently updated to include training for orientation leaders on civil discourse and a small group session with orientation leaders and all new students on civil discourse in each orientation session. The University's orientation for new faculty also includes reading materials on academic freedom and civil discourse issues. A module on academic freedom, free speech, and civil discourse was added to this year's faculty orientation. The FSU Constitution and the Faculty Handbook both contain robust sections on academic freedom. As noted in detail in the response to Recommendation 1, FSU policies, regulations and other items have been updated in recent years to reflect the University's commitment to these important principles. Efforts to continually review and update are also ongoing to ensure continued compliance. The addition of the statement in support of the Board's Statement of Free Expression to the FSU & You Employee Handbook was completed 1/23.	
	Anticipated completion date is 10/1/23		
2. Schedule and host ongoing, campus-wide forums, dialogues, and debates on various issues and perspectives to promote open discussion, understanding, and learning opportunities.		The University, including its institutes and centers, engage in a variety of efforts to stimulate dialogue and debate on various issues and perspectives to promote open discussion, understanding and learning opportunities on campus. In recent years, such activities have included posting commentary on national happenings, planning an annual speaker series that hosts various speakers to encourage robust discourse on campus, arranging panels of nationally recognized individuals to discuss hot topics, a video series with Republican and Democratic lawmakers, a four-part virtual event series in 2021 celebrating civility, and a podcast moderated by a former Republican Party of Florida Chair and FSU adjunct faculty member. The University plans to continue all of these types of efforts and to look for opportunities to enhance campus engagement in civil discourse. In addition, FSU's various student organizations host speakers and forums on a variety of issues and perspectives each academic year (as explained further in #4 below). These events are also expected to continue.	
3. Foster intellectual diversity by encouraging university leadership to: (1) promote viewpoint diversity and open-minded discussion and debate, and (2) highlight and enforce policies that prohibit programming that excludes participation based on race or ethnicity.		FSU leadership promotes viewpoint diversity and open-minded discussion and debate on campus. See responses to #4 and #6 for more details. Further, in support of viewpoint diversity and open-minded discussion and debate, the University's Board of Trustees, its President and his Cabinet have explicitly endorsed the State University System of Florida Statement of Free Expression. The University also highlights and enforces policies that prohibit programming that excludes participation based on race or ethnicity. The University's Equal Opportunity and Non-Discrimination Statement, which is signed by the President and prominently displayed on FSU websites and posted throughout campus, explicitly prohibits exclusion of individuals on the basis of any protected category, including race and ethnicity. It indicates that all members of the FSU community are to be provided with equitable opportunities to participate and succeed. FSU's personnel policies and Student Conduct Code, which also prohibit discrimination on the basis of race and ethnicity, are diligently enforced. Further, in recent years, FSU voluntarily engaged in a comprehensive review of the scholarship offerings through the FSU Foundation and removed any requirements based on race, ethnicity and/or gender, making them merely preferences instead. Now, all students can apply for and receive all FSU Foundation scholarships (and, records indicate, have done so).	

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Best Practices for Civil Discourse – Recommendation VII			
<i>The Board of Governors recommends implementing the following best practices based on its review of university programs and initiatives that effectively promote and support civil discourse.</i>			
	In Progress	Implemented	Summer 2023
<p>4. Avoid disinvitations by developing clear, viewpoint-neutral policies and procedures governing the invitation and accommodation of campus speakers.</p>		<p>FSU has a long history of hosting a diverse array of on-campus speakers with various viewpoints and is unaware of a disinvitation of such a speaker. For example, in recent years, FSU hosted controversial speakers Ben Shapiro, Angela Davis and Milo Yiannopoulos, with all of the events proceeding with an opportunity for dissenting opinions to have a presence at the forum. In addition, University Regulation FSU-2.007 explicitly states that the use of University space shall be done in a manner consistent with the First Amendment and the Campus Free Expression Act and that nothing in the regulation shall be used to prohibit free expression based on viewpoint.</p>	
<p>5. Provide targeted educational and professional development opportunities for university administrative employees to reinforce free expression and open-minded debate norms.</p>	<p>FSU leadership is in the process of researching such development opportunities for its administrative employees.</p>	<p>The Office of Faculty Development and Advancement includes information and discussion regarding civil discourse in its biannual Dean and Chairs Meeting.</p>	
	<p>Anticipated completion date is 10/1/23</p>		
<p>6. Encourage faculty to establish and maintain a learning environment in their classrooms and offices that supports open dialogue and the free expression of all viewpoints and create processes to evaluate the strength of such environments.</p>		<p>The University encourages its faculty to establish and maintain a learning environment that supports open dialogue and free expression. As reflected in the 2021-22 Faculty Handbook, faculty members "must be free to cultivate a spirit of inquiry and scholarly criticism and examine ideas in an atmosphere of freedom and confidence." Students "must likewise have the opportunity to study a full spectrum of ideas, opinions, and beliefs." As such the "[o]bjective and skillful exposition of such subject matters is the duty of every instructor, and the university does not serve to shield individuals from experiences of ideas and opinions that differ from their own." The FSU Office of Faculty Development and Advancement works to support faculty in establishing and maintaining the appropriate learning environment in their classrooms and offices, and provides guidance, correction and intervention, as needed. In addition, FSU's on-line reporting tool is available for any faculty member or student to report an alleged deficiency or issue. Students can also report any problems or concerns to a faculty member's chair or dean or via the anonymous online reporting system.</p>	<p>In August of 2023, the New Faculty Orientation program will feature a presentation entitled, "Civil Discourse and Classroom Preparation." In the summer of 2023, with advice from the General Counsel's Office, the Faculty Handbook was revised to highlight issues regarding civil discourse and freedom of expression.</p>