

# FREE SPEECH ISSUES

## FREE SPEECH ISSUES

As an academic community, Millersville University is committed to maintaining a campus environment that fosters the free exchange of diverse ideas and allows individuals to express their viewpoints in a variety of ways. The University understands the value that diversity brings to the educational experience and to the life of our campus. Our goal is to create an environment that is characterized by racial/ethnic diversity, intellectual diversity, cultural diversity, religious and spiritual diversity, and economic diversity.

Millersville University is committed to swiftly handling all complaints of discrimination to ensure that the campus remains a safe and inclusive environment for all. The University's goal is to create a campus that is respectful and free from behaviors that are motivated by discrimination against an individual or group based on their race, color, religion, sexual orientation, gender, disability or national origin. As part of achieving this goal the University is obligated to abide by state and federal statutes that prohibit discrimination on the basis of sex, race or other prohibited classifications in educational programs and activities. These prohibitions include racial, disability and sexual harassment of students. The University is committed to the fair and effective enforcement of these statutes, but it must be accomplished consistent with the requirements of the First Amendment. Only by eliminating these forms of discrimination can the University fully ensure that every student receives an equal opportunity to achieve academic excellence in a safe learning environment.

Additional information is available on the Office of Diversity and Inclusion website.

## HATE SPEECH AND THE FIRST AMENDMENT

As a public university, Millersville University is legally bound to respect the constitutional rights of its students, including the right to speak openly and freely. The First Amendment protects citizens' freedom of speech, which grants the right to articulate one's opinions and ideas without fear of government retaliation, sanction or censorship. There is no hate or offensive speech exception to the constitutional protections afforded to citizens under the First Amendment. Hateful and

offensive expressions, which may be inflammatory to many in society, are protected under the law. The only exception to free speech recognized by the courts relates to “fighting words”, which is speech that by its very utterance inflicts injury or tends to incite an immediate breach of the peace. Such speech must relate to actual threats of violence or illegal conduct. Here is what the United States Supreme Court declared in *Terminiello v. Chicago*:

[The] function of free speech under our system of government is to invite dispute. It may indeed best serve its high purpose when it induces a condition of unrest, creates dissatisfaction with conditions as they are, or even stirs people to anger. Speech is often provocative and challenging. It may strike at prejudices and preconceptions and have profound unsettling effects as it presses for acceptance of an idea. That is why freedom of speech, though not absolute, is nevertheless protected against censorship or punishment.

## **TITLE IX**

Title IX requires an educational institution to respond to complaints of discrimination or harassment on the basis of sex. The University is able to take action against a person if the discrimination or harassment is sufficiently serious such that it denies or limits a student’s ability to participate in or benefit from the University’s educational programs and activities. When the University knows or reasonably should know of possible sexual harassment of a student, it must take immediate and appropriate steps to investigate or otherwise determine what occurred. If an investigation reveals that the harassment created a hostile environment, the University must take prompt and effective steps reasonably calculated to end the harassment, eliminate the hostile environment, prevent its recurrence, and, as appropriate, remedy its effects.

The University strongly encourages prompt reporting of sexual offenses to law enforcement. The University recognizes that students who experience sexual misconduct have the right to decide whether to file a criminal report with the police, a judicial report with the Office of Judicial Affairs [\(717\) 871-5841](tel:(717)871-5841), or a sexual discrimination/harassment complaint with the Title IX Coordinator [\(717\) 871-4100](tel:(717)871-4100). A complainant may also report directly to law enforcement. If the incident happened on campus, you may contact University Police through an off-campus dispatcher at [\(717\) 664-1180](tel:(717)664-1180) or through a campus dispatcher at [\(717\) 871-4357](tel:(717)871-4357).

Additional information is available at the Title IX website.

MU is strongly committed to maintaining a positive learning, working and living environment for all and assuring its educational and employment environment is free from unlawful discrimination or harassment. The University does not discriminate on the basis of race, color, religion, creed, national origin, sex, sexual orientation, gender identity, gender expression, genetic information,

marital status, age, disability, pregnancy, or status as a disabled veteran, a Vietnam era veteran or other covered veteran in admission and access to, and treatment and employment in, its educational programs and activities.

## **ADDITIONAL INFORMATION AND REPORTING RESOURCES:**

Emergency: 9-1-1

Non-emergency: [717-871-4357](tel:717-871-4357)

Millersville University utilizes the **LiveSafe App** to give students more power and ownership over their campus' safety by turning their smartphones into powerful personal safety tools. The app increases communication between students and university police officers and gives students an anonymous way to report incidents. It facilitates discreet and risk-free bystander intervention.

### **Counseling Center:**

[717-871-7821](tel:717-871-7821) or [millersville.edu/counsel/services.php](http://millersville.edu/counsel/services.php)

### **University Housing & Conference Services:**

[717-871-4200](tel:717-871-4200) or [housing@millersville.edu](mailto:housing@millersville.edu)

### **LiveSafe App:**

[millersville.edu/police/livesafe.php](http://millersville.edu/police/livesafe.php)

### **Office of Diversity & Inclusion:**

[717-871-4473](tel:717-871-4473) or <https://www.millersville.edu/dsj/>

### **Office of Human Resources:**

[717-871-4950](tel:717-871-4950) or [human.resources@millersville.edu](mailto:human.resources@millersville.edu)

### **Office Student Conduct & Community Standards:**

[717-871-5841](tel:717-871-5841) or [Student.Conduct@millersville.edu](mailto:Student.Conduct@millersville.edu)

### **Report an incident on campus:**

<https://cm.maxient.com/reportingform.php?MillersvilleUniv>

### **Student Affairs:**

[717-871-5714](tel:717-871-5714) or [millersville.edu/sa/](http://millersville.edu/sa/)

## Threat Assessment Team:

[717-871-7070](tel:717-871-7070) or [https://cm.maxient.com/reportingform.php?MillersvilleUniv&layout\\_id=3](https://cm.maxient.com/reportingform.php?MillersvilleUniv&layout_id=3)

- [Live Safe App](#)
- [Contact/Directions](#)
- [Legal](#)
- [Portals](#)

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[Bookstore](#) [↗](#)

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[Organizational Chart](#)

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[Parent & Family Network](#) [↗](#)

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[Title IX](#)

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## EVENTS

## NEWS

**06/04**

[COT Meeting](#)

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**06/05**

[5th Annual Sustainable Development Goals Conference](#)

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**06/14**

[External: PowerPacks Pickleball Tournament](#)

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[SEE ALL EVENTS](#)

 65°F

[MU Weather Info](#)



Pennsylvania's  
**STATE SYSTEM**  
of Higher Education