

**Written Testimony of Jacqueline Pfeffer Merrill  
Before the Wisconsin Assembly Committee on Colleges and  
Universities  
Hearing on Assembly Bills 551, 553, 545, and 554**

**October 26, 2023**

Good morning, Chairman Murphy and distinguished members of the Assembly Committee on Colleges and Universities. I commend the committee for its continuing focus on freedom of expression, academic freedom, and intellectual diversity as essential to the mission of the University of Wisconsin System.

My name is Jacqueline Pfeffer Merrill. I am the director of the Campus Free Expression Project at the Bipartisan Policy Center, a Washington, D.C.-based think tank that actively fosters bipartisanship by combining the best ideas from both parties to promote health, security, and opportunity for all Americans.

Nearly five years ago, the Bipartisan Policy Center took up the issue of campus free expression because—simply put—it is mission-critical for us. BPC depends on colleges and universities to prepare the next generation of bipartisan civic leaders, ready to forge constructive compromises across principled disagreement. In late 2021, BPC's Academic Leaders Task Force on Campus Free Expression published its consensus report, *Campus Free Expression: A New Roadmap*.<sup>1</sup> The Task Force is chaired by a bipartisan pair of former governors and includes six current or former college presidents; a vice president of diversity, equity, and inclusion; a faculty member; a civic association leader and former flagship trustee; and a recent graduate.

The Task Force found that the chilling of campus speech is degrading higher education's capacity to carry out its missions of research, teaching, and preparing the next generation for citizenship and civic leadership. Recent events highlight the depth of the challenges: since the October 7 Hamas terrorist attack in Israel, we have seen many college presidents and senior leaders flounder as they respond to protests and student group and faculty statements, issuing statements that have fueled outrage rather than grounded discussion in the academic and civic mission of higher education.

I am grateful for the previous opportunity to address this Committee on April 6 of this year.<sup>2</sup> In that testimony, I commended three points for the Committee's particular consideration, namely:

- 1. There is a dual track to a free expression campus culture: policies that safeguard free expression against a censorious minority infringing on freedom of expression and academic freedom; and also policies, programs, and curricula that support skills and dispositions for dialogue across difference.**

2. **Fostering a culture of free expression and open inquiry on college campuses is ultimately a matter for campus governance and leadership.**
3. **To the extent that the legislature considers acting on issues of campus free expression, it should affirm protections for free expression well established in case law, affirm the academic freedom of faculty to research, teach, and express opinions on matters of public concern, affirm that no one should be compelled to avow or disavow any particular viewpoint, principle, or ideology, and support university and system-led free expression, civil dialogue, and civics initiatives.**

I hope our conversation today leaves you with these three new takeaways:

1. **The University of Wisconsin System has taken important steps to improve the climate for free expression, including actions in the last year.** In 2015, the University of Wisconsin System Board of Regents was one of the first public university systems to affirm its commitment to a culture of open inquiry in its Commitment to Academic Freedom and Freedom of Expression (Regent Policy Document 4-21).<sup>3</sup> In 2022, the UW System surveyed its students about the culture for freedom of expression and their knowledge of the First Amendment; in February 2023, it published its findings, establishing a benchmark against which it can measure initiatives to strengthen the culture for freedom of expression.<sup>4</sup> The UW System is initiating new citizenship and civic dialogue programs.<sup>5</sup> In his testimony before this Committee, UW System President Jay Rothman announced DEI statements would no longer be required of job applicants to remove the perception hiring has an ideological or political component.<sup>6</sup>
2. **Assembly Bill 553 reflects the dual track recommended in my April testimony. First, it safeguards free expression by affirming protections for free expression well established in case law and the academic freedom of instructors to research, teach, and express opinions as citizens on matters of public concern. Second, it mandates steps that support skills and dispositions for dialogue across difference in the form of a biennial survey and annual instruction for students and faculty. Assembly Bill 551 establishes important protections for UW System and Technical College student journalists and their media advisors.** At a time when some state legislatures and executives have overstepped into prescribing or proscribing the teaching of topics, concepts, and theories, as well as the freedom of faculty members to comment on matters of public concern, this legislation models how to strike a balance between oversight and respect for institutional academic self-governance. Regarding the mandates it has set for a biennial survey and annual instruction, I urge the legislature to let collegiate leaders and faculty take the lead in charging independent social scientists to develop and conduct the survey and to develop and implement instructional models.
3. **To the extent that the legislature considers further steps beyond those envisaged in the proposed legislation, it should support university and system-led free expression, civil**

**dialogue, and civics initiatives.** Among those to consider may be the establishment of new schools or institutes of civic thought, such as have received bipartisan support in other states. Any new school, institute, or academic unit would be entrusted to the academic governance of its university, like any other academic unit, and would require necessary budgetary support from the legislature.

### **University of Wisconsin System Actions to Improve the Climate for Free Expression**

The University of Wisconsin System has taken important steps to improve the campus climate within the last year. By surveying its students about their knowledge of the First Amendment and the culture of free expression, and releasing its findings in a detailed report, the University of Wisconsin System set a bar for transparency that is met only by the University of North Carolina, where scholars, with leadership support, surveyed and reported on the free expression climate at 8 of its 13 system universities.<sup>7</sup> The University of Wisconsin System, and each of its schools, now has data against which to benchmark the impact of initiatives that aim to strengthen the culture for free expression.

In May, University of Wisconsin System President Jay Rothman announced to this Committee that job candidates would no longer be required to submit diversity statements as part of their application package. As President Rothman noted in his testimony, the requirement for such a statement is seen as a “political litmus test.”<sup>8</sup> Some scholars have argued against such statements<sup>9</sup>; a survey by the Foundation for Individual Rights and Expression found that faculty were equally split between the viewing mandatory diversity statements as a “justifiable requirement” and as an “ideological litmus test.”<sup>10</sup> While other schools have recently taken the same step to eliminate diversity statements as part of application packages,<sup>11</sup> many other schools continue their diversity, equity, and inclusion statement requirements but are facing lawsuits as a result.<sup>12</sup> President Rothman, in his testimony, noted his expectation that faculty candidates will be asked how they create an inclusive teaching environment, saying, “I would fully expect that in the context of interviews, that (DEI) and diversity would be discussed, and that’s fine, but it can be discussed in those one-on-one or group conversations where the nuances can come out.” As I mentioned in my April testimony, higher education leaders must persuade the campus community that commitments to diversity, equity, and inclusion and to freedom of expression are all important and can be harmonized.

### **A Dual Track to Cultivating Freedom of Speech, Expression, and Inquiry on Campus**

We confront a paradoxical situation in higher education: a strong majority of students support free expression, value the First Amendment, and want to hear viewpoints from across the political spectrum—yet majorities also say that expression is chilled on their campus.

Why is speech chilled, when strong majorities support free expression and viewpoint diversity? Five in six agree that free speech rights are “extremely” or “very” important to our democracy, and a strong majority agreeing that colleges should allow all speech—even if it is offensive or biased.<sup>13</sup>

While there are many factors, the prime reason that speech is chilled is that a censorious minority of students, who are willing to shout down speakers and call out student peers on social media, has an outsized impact on campus culture<sup>14</sup>. Significant minorities of students support tactics to suppress expression: a third favor speech codes, a quarter favor disinviting speakers if some perceive the message as biased or offensive, one-fifth favor restricting students' ability to express political views that are upsetting or offensive or to form a group to promote gun rights, and one-sixth favor disallowing leafletting of pamphlets with a Christian message.<sup>15</sup>

However, it is possible counter this censorious minority with robust free expression and academic freedom, and yet to have a campus where people lack the skills to vigorously debate ideas; the courage to raise an idea that they think few (or perhaps no one) will endorse; and the grace to challenge another's idea without attacking the person. Campus censors are a minority, but perhaps most students lack the skills and habits of mind to engage confidently with others whose views differ from their own, to engage in civil dialogue, and to be genuinely independent thinkers. Students should not be blamed for not matriculating with these skills. Indeed, it is no wonder that students lack these skills when we have a national civics skills deficit; students frequently see politicians and celebrities rewarded for contemptuous or glib speech and too infrequently see models of civil discourse on the national stage. Moreover, many matriculating today were high schoolers during the pandemic, when social distancing and schools' turn to remote education slowed students' development of social, conversational, and academic skills.

That is why it is necessary to take a dual track: Policies that respond to the censorious minority with robust rules—rules that are enforced—against incursions on freedom of expression and academic freedom; and also policies, programs, and curricula that build the skills and dispositions for open inquiry, giving a hearing to viewpoints with which one disagrees, and discourse across difference.

I am pleased that Assembly Bills 551 and 553 reflect that dual-track strategy. HB 553 includes safeguards for free expression well established in case law and the academic freedom of instructors to research, teach, and express opinions as citizens on matters of public concern. Moreover, HB 553 mandates steps that support the development of skills and dispositions for dialogue across difference in the form of a biennial campus culture survey and annual instructional programs. HB 551 establishes important protections for freedom of speech and press for student journalists and their media advisors.

#### *Assembly Bill 553 and Safeguards for Free Expression*

Assembly Bill 553 includes six important safeguards for First Amendment speech and expression, safeguards well established in case law. The first three safeguards are prohibitions against restrictions on expression protected by the First Amendment, apart from reasonable, readily-available, content- and viewpoint-neutral time, manner, and place restrictions in furtherance of a significant institutional interest including instruction, and prohibitions against limiting such expression to a so-called “free speech zone” when the whole of a campus, apart from these reasonable restrictions, should be a free

speech zone. Two additional safeguards are a prohibition against permitting requirements, except when an individual or group seeks exclusive control over a location, and a requirement that any security fee for a permit be content- and viewpoint-neutral.

The sixth safeguard protects speech unless the speech targets someone based on “membership in a class protected under federal, state, or local law, and is so severe, pervasive, and objectively offensive that it effectively bars a student from receiving equal access to educational opportunities or benefits.” To be sure, higher education institutions must protect students from student-on-student discriminatory harassment, not just because it is illegal but because such harassment undermines the sense of trust and community essential to sharing in the collective enterprise of scholarship, teaching, and learning. However, the allegation of harassment can be weaponized to discourage the expression of views deemed offensive, even when expression of those views is protected speech.<sup>16</sup> This provision in the bill would establish the so-called *Davis* standard, based on the U.S. Supreme Court’s ruling in *Davis v. Monroe County Board of Education*.<sup>17</sup> Were it to adopt the *Davis* standard, the Wisconsin legislature would follow the 2021 example of the Utah legislature, when HB 159, enshrining the *Davis* standard, was signed into law after winning bipartisan support in the Utah house and unanimous support in the Utah Senate.<sup>18</sup>

#### *Assembly Bill 553 and Academic Freedom*

Assembly Bill 553 protects expressive freedoms and academic freedom with its pellucid affirmation of the rights of instructors to “(1) conduct research, publish, lecture, or teach in the academic setting, (2) require students to participate in instructional exercises with legitimate pedagogical purposes that involve exploring, or arguing for or against, any argument or assertion, and (3) speak publicly as a private citizen on matters of public concern.” These rights capture the core of the definition of academic freedom in the American Association of University Professors’ 1915 *Declaration of Principles*, affirmed in its 1940 *Statement of Principles on Academic Freedom and Tenure*.<sup>19</sup> Although academic freedom is a fundamental prerequisite for collegiate research and instruction, academic freedom is under threat today.<sup>20</sup> Too often we have seen tenured, tenure-track, and especially contingent faculty suffering consequences—including investigations that can seem to be punishments in themselves and non-renewal of contracts—for research and teaching with sound academic grounding or speech made as a private citizen. Assembly Bill 553’s firm endorsement of academic freedom could be a model for other states.

#### *Assembly Bill 553 and Fostering a Climate for Open Exchange*

While legislators may establish safeguards for free expression and academic freedom, there is less that they can do to foster a campus culture that fosters genuine freedom of inquiry and exchange. Fostering a culture of free expression and open inquiry on college campuses is ultimately a matter for campus governance and leadership.

Assembly Bill 553 mandates that institutions take two steps that have the campus culture in view. The first of these is “a biennial survey of students and employees on First Amendment rights, academic freedom, perceived political, ideological, or other bias at the institution, and whether campus culture promotes self-censorship.” The Bipartisan Policy Center’s Academic Leaders Task Force recommended such surveys as the basis for a data-driven approach to campus culture. Last year, the University of Wisconsin System initiated such a survey and made its findings publicly available without a legislative mandate. The survey identified areas for commendation, such as that only 4% of students reported a perception that their professors “never” encourage students to explore different viewpoints in classes where viewpoint diversity is germane, as well as problem areas such as the fact three in ten students agreed “quite a bit” or “a great deal” that students should report to the administration when a student makes a statement in class that others view as harmful to a group.<sup>21</sup>

The second step Assembly Bill 553 mandates with a view to campus culture is “annual instruction of all students and employees in academic freedom, due process, and First Amendment protections.” As I have said, especially in today’s polarized national landscape and as students arrive after pandemic-curtailed academic and social high school experiences, it is imperative that colleges build the skills and habits of mind for open inquiry, free expression, and civil discourse through policies, programs, and curricula. Higher education institutions’ commitment cannot be a once annual instructional program, a one-and-done first-year orientation, or a program that touches only some students. Campuses should adopt a campus-wide strategy, implemented through policies, programs, and curricula, and with the high-profile engagement of top leadership. My hope is that a requirement for annual, specific instruction in academic freedom, due process, and First Amendment protections would merely augment a fulsome, campus-led curricular, co- and extra-curricular, staff development, and faculty development strategy. The student orientation video about free speech featuring University of Wisconsin-Eau Claire President James C. Schmidt and other UW-Eau Claire faculty and student leaders is one example of a component of a campus-wide strategy.<sup>22</sup>

While HB 553 mandates annual instruction for students and staff through the directive of the legislature, I would encourage this Committee also to consider the model of Oklahoma HB 3543,<sup>23</sup> through which the legislature directed the Oklahoma State Regents for Higher Education to establish an Oklahoma Free Speech Committee.<sup>24</sup> The Oklahoma Free Speech Committee is an advisory committee that reviews and may recommend changes to free speech policies and training; receives and reviews free speech complaints and advises those making complaints of their rights; and develops or recommends third-party First Amendment training for deans, department heads, and others.<sup>25</sup> The approach in Oklahoma has the advantage of squarely situating responsibility for programs and training on free expression back within the Oklahoma system of higher education, its regents, and the Oklahoma Free Speech Committee that advises the regents.

#### *Assembly Bill 551 and Safeguarding Freedom of the Press*

Freedom of the press is among the five First Amendment freedoms. Yet student journalists and their advisors on public campuses too frequently encounter restrictions on their freedom to report on the

news and serve as forums for opinion, including criticism of campus administrations.<sup>26</sup> Many will remember that an early controversy in the last decade of campus free speech imbroglios was a communication professor's call for "muscle" to remove a student photojournalist from covering a campus protest.<sup>27</sup> Last month, the Bipartisan Policy Center's Constitution Day student panel included the student editor-in-chief of an independent newspaper whose reporter was told not to report or photograph an event open to the public.<sup>28</sup>

Student journalists and their advisors can be reluctant to defend their press freedoms for fear of retaliation from administrators and the lack of resources to mount a legal defense.<sup>29</sup> Seventeen states have passed laws to protect student reporters and advisors, in many cases with bipartisan support.<sup>30</sup> With passage of Assembly Bill 551, Wisconsin would join the roster of states protecting collegiate journalists and their advisors.

### **Legislative Support for University and System-led Free Expression and Civics Initiatives**

Assembly Bills 551 and 553 affirm protections for free expression well established in case law, endorse the academic freedom of instructors to research, teach, and express opinions as citizens on matters of public concern, mandates steps that support the fostering of a free expression campus culture, and establishes important protections for student journalists and their media advisors.

I would invite this Committee also to consider the example of states legislatures that have established new civics institutes and schools within public universities. The Institute of American Civics at the University of Tennessee, Knoxville is one of the newest such legislative-led efforts to establish institutes and schools within public universities. Tennessee SB 2410 established and appropriated funds for the institute at UT with bipartisan support.<sup>31</sup> The new institute has faculty and staff who offer courses and programs within the institute. The Bipartisan Policy Center has established a formal partnership with UT as BPC sees this initiative as an opportunity to convene scholarly thought leaders and policy experts. The first such initiative was Arizona State University School of Civil and Economic Thought and Leadership<sup>32</sup>; others in development are the School of Civic Life and Leadership at the University of North Carolina, Chapel Hill<sup>33</sup> and independent academic centers at five Ohio Universities created by SB 117.<sup>34</sup>

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I commend this committee for convening this hearing. My thanks again to Chairman Murphy and the committee for your attention to freedom of expression, academic freedom, and intellectual diversity as core values in our nation's higher education institutions and the role of higher education in raising the bar for national discourse and strengthening our civic culture.

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<sup>1</sup> Bipartisan Policy Center, *Campus Free Expression: A New Roadmap*, November 30, 2021. Available at: <https://bipartisanpolicy.org/report/a-new-roadmap/>.

<sup>2</sup> Bipartisan Policy Center, “BPC’s Pfeffer Merrill Testifies on Campus Free Expression Before Wisconsin State Assembly Committee on Colleges and Universities,” April 6, 2023. Available at: <https://bipartisanpolicy.org/press-release/bpcs-pfeffer-merrill-testifies-on-campus-free-expression-before-wisconsin-state-assembly-committee-on-colleges-and-universities/>

<sup>3</sup> University of Wisconsin System Board of Regents, *Commitment to Academic Freedom and Freedom of Expression*, December 15, 2015. Available at: <https://www.wisconsin.edu/regents/policies/commitment-to-academic-freedom-and-freedom-of-expression/#:~:text=Students%20and%20employees%20have%20the,of%20the%20Wisconsin%20Constitution%20permit.>

<sup>4</sup> University of Wisconsin System, *UW System Student Views on Freedom of Speech*, February 1, 2023. Available at: <https://www.wisconsin.edu/civil-dialogue/download/SurveyReport20230201.pdf>.

<sup>5</sup> University of Wisconsin System, “UW System to Launch Free Speech Survey, Expand Citizenship and Civil Dialogue Initiatives,” November 11, 2022. Available at: <https://www.wisconsin.edu/news/archive/uw-system-to-launch-free-speech-survey-expand-citizenship-and-civil-dialogue-initiatives/>.

<sup>6</sup> Kayla Huynh, “UW System President Bans Mandatory Diversity Statements in Hiring,” *The Capital Times*, May 11, 2023. Available at: [https://captimes.com/news/education/uw-system-president-bans-mandatory-diversity-statements-in-hiring/article\\_0e2e9d3c-1047-5e30-b798-6313cf81f02a.html](https://captimes.com/news/education/uw-system-president-bans-mandatory-diversity-statements-in-hiring/article_0e2e9d3c-1047-5e30-b798-6313cf81f02a.html)

<sup>7</sup> Timothy J. Ryan, Andrew M. Engelhardt, Jennifer Larson, and Mark McNeilly, *Free Expression and Constructive Dialogue in the University of North Carolina System*, May 17, 2022. Available at: [https://fecdsurveyreport.web.unc.edu/wpcontent/uploads/sites/22160/2022/05/FECD\\_Report\\_5-17-22.pdf](https://fecdsurveyreport.web.unc.edu/wpcontent/uploads/sites/22160/2022/05/FECD_Report_5-17-22.pdf)

<sup>8</sup> Kayla Huynh, “UW System President Bans Mandatory Diversity Statements in Hiring,” *The Capital Times*, May 11, 2023. Available at: [https://captimes.com/news/education/uw-system-president-bans-mandatory-diversity-statements-in-hiring/article\\_0e2e9d3c-1047-5e30-b798-6313cf81f02a.html](https://captimes.com/news/education/uw-system-president-bans-mandatory-diversity-statements-in-hiring/article_0e2e9d3c-1047-5e30-b798-6313cf81f02a.html)

<sup>9</sup> Jeffrey Flier, “Against Diversity Statements,” *The Chronicle of Higher Education*, January 3, 2019. Available at: [https://www.chronicle.com/article/against-diversity-statements/?sra=true&cid=gen\\_sign\\_in](https://www.chronicle.com/article/against-diversity-statements/?sra=true&cid=gen_sign_in); Abigail Thompson, *Notices of the American Mathematical Society*, Volume 66, Number 11, December 2019. Available at: <https://www.ams.org/journals/notices/201911/rnoti-p1778.pdf>

<sup>10</sup> The Foundation for Individual Rights and Expression, *The Academic Mind in 2022: What Faculty Think About Free Expression and Academic Freedom on Campus*, 2022. Available at: <https://www.thefire.org/research-learn/academic-mind-2022-what-faculty-think-about-free-expression-and-academic-freedom>.

<sup>11</sup> KCBd11, *Texas Tech Reverses DEI Statement Requirement after Biology Dept. Featured in WSJ Piece*, February 11, 2023. Available at: <https://www.kcbd.com/2023/02/08/texas-tech-reverses-dei-statement-requirement-after-biology-dept-featured-wsj-piece/>

<sup>12</sup> Conor Friedersdorf, “The Hypocrisy of Mandatory Diversity Statements,” *The Atlantic*, July 3, 2023. Available at: <https://www.theatlantic.com/ideas/archive/2023/07/hypocrisy-mandatory-diversity-statements/674611/>; Michael Powell, “D.E.I. Statements Stir Debate on College Campuses,” *The New York Times*, September 8, 2023. Available at: <https://www.nytimes.com/2023/09/08/us/ucla-dei-statement.html>; Sara Weissman, “California Community College Professors Sue Over DEI Rules,” *Inside Higher Ed*, October 3, 2023. Available at: <https://www.insidehighered.com/news/diversity/race-ethnicity/2023/10/03/california-community-college-professors-sue-over-dei-rules>

<sup>13</sup> Ipsos and Knight Foundation, *College Student Views on Free Expression and Campus Speech*, January 2022. Available at: [https://knightfoundation.org/wp-content/uploads/2022/01/KFX\\_College\\_2022.pdf](https://knightfoundation.org/wp-content/uploads/2022/01/KFX_College_2022.pdf), 14, 24.

<sup>14</sup> Constructive Dialogue Institute and More in Common, *Free Speech and Inclusion: How College Students are Navigating Shifting Free Speech Norms*, 2023. Available at: <https://constructivedialogue.org/articles/collegesurvey>.

<sup>15</sup> Ipsos and Knight Foundation, *College Student Views on Free Expression and Campus Speech*, January 2022. Available at: [https://knightfoundation.org/wp-content/uploads/2022/01/KFX\\_College\\_2022.pdf](https://knightfoundation.org/wp-content/uploads/2022/01/KFX_College_2022.pdf), 21, 25, 27.



- <sup>16</sup> Robert Shibley, “Why the Supreme Court’s Davis Standard is Necessary to Restore Free Speech to America’s College Campuses: Part I,” *Foundation for Individual Rights and Expression*, October 14, 2019. Available at: <https://www.thefire.org/news/why-supreme-courts-davis-standard-necessary-restore-free-speech-americas-college-campuses-part>; Robert Shibley, “Why the Supreme Court’s Davis Standard is Necessary to Restore Free Speech to America’s College Campuses: Part II,” *Foundation for Individual Rights and Expression*, October 24, 2019. Available at: <https://www.thefire.org/news/why-supreme-courts-davis-standard-necessary-restore-free-speech-americas-college-campuses-0>.
- <sup>17</sup> *Davis v. Monroe County Bd. of Ed.*, 526 U.S. 629, October term, 1998. Available at: <https://supreme.justia.com/cases/federal/us/526/629/>
- <sup>18</sup> Utah State Legislature, “Higher Education Speech,” H.B. 159, 2021 General Session. Available at: <https://le.utah.gov/~2021/bills/static/HB0159.html>
- <sup>19</sup> American Association of University Professors, *Declaration of Principles*, 1915. Available at: <https://www.aaup.org/NR/rdonlyres/A6520A9D-0A9A-47B3-B550-C006B5B224E7/0/1915Declaration.pdf>. American Association of University Professors, *Statement of Principles on Academic Freedom and Tenure*, 1940. Available at: <https://www.aaup.org/report/1940-statement-principles-academic-freedom-and-tenure>.
- <sup>20</sup> Dustin Jones, “A Texas A&M Professor was Suspended for Allegedly Criticizing Lieutenant Governor,” *NPR*, July 26, 2023. Available at: <https://www.npr.org/2023/07/26/1190245518/texas-professor-joy-alonzo-investigation-freedom-speech>; Vimal Patel, “A Lecturer Showed a Painting of the Prophet Muhammad. She Lost Her Job.,” January 8, 2023. Available at: [https://www.nytimes.com/2023/01/08/us/hamline-university-islam-prophet-muhammad.html#:~:text=the%20Prophet%20Muhammad,-,She%20Lost%20Her%20Job.,the%20work%20is%20a%20masterpiece](https://www.nytimes.com/2023/01/08/us/hamline-university-islam-prophet-muhammad.html#:~:text=the%20Prophet%20Muhammad,-,She%20Lost%20Her%20Job.,the%20work%20is%20a%20masterpiece;); Bill Zeeble, “Fourth Collin College Professor Says he was Dismissed for Speaking his Mind,” *KERA News*, January 31, 2022. Available at: <https://www.keranews.org/education/2022-01-31/collin-college-professor-says-he-was-dismissed-for-speaking-his-mind>
- <sup>21</sup> University of Wisconsin System, *UW System Student Views on Freedom of Speech*, February 1, 2023. Available at: <https://www.wisconsin.edu/civil-dialogue/download/SurveyReport20230201.pdf>, 53, 29.
- <sup>22</sup> University of Wisconsin-Eau Claire, “UW-Eau Claire Freedom Of Speech,” August 16, 2023. Available at: [https://www.youtube.com/watch?v=oXx\\_wTG6G28](https://www.youtube.com/watch?v=oXx_wTG6G28)
- <sup>23</sup> Oklahoma State Legislature, “Higher education; establishing the Oklahoma Free Speech Committee to the Oklahoma State Regents for Higher Education,” H.B. 3543, 2022 Regular Session. Available at: <https://legiscan.com/OK/bill/HB3543/2022>
- <sup>24</sup> Josh Moody, “Monitoring Free Speech on Oklahoma’s Campuses,” *Inside Higher Ed*, May 4, 2023. Available at: <https://www.insidehighered.com/news/2022/05/05/oklahoma-creates-committee-oversee-college-free-speech>
- <sup>25</sup> Oklahoma State Regents for Higher Education, Oklahoma Free Speech Committee, n.d. Available at: <https://okhighered.org/state-system/free-speech/>. See also Josh Moody, “Monitoring Free Speech on Oklahoma’s Campuses,” *Inside Higher Ed*, May 4, 2022. Available at: <https://www.insidehighered.com/news/2022/05/05/oklahoma-creates-committee-oversee-college-free-speech>. See also Michael Hurley, “Oklahoma Forms ‘Free Speech Committee’ to Guard Against Campus Censorship,” *Foundation for Individual Rights in Expression*, April 22, 2022. Available at: <https://www.thefire.org/news/oklahoma-forms-free-speech-committee-guard-against-campus-censorship>.
- <sup>26</sup> Sofia Barnett, “‘No One Ever Prepares You for This’: Student Journalists at UNC, MSU, UVA Discuss Experiences Reporting on Campus Shootings,” *The Brown Daily Herald*, September 20, 2023: Available at: <https://www.browndailyherald.com/article/2023/09/no-one-ever-prepares-you-for-this-student-journalists-at-unc-msu-uva-discuss-experiences-reporting-on-campus-shootings>; David Bauder, “While the News Industry Struggles, College Students are Supplying Some Memorable Journalism,” *ABC News*, October 12, 2023, Available at: <https://abcnews.go.com/US/wireStory/news-industry-struggles-college-students-supplying-memorable-journalism-103920951>; Danielle Shapiro, “I Committed Journalism, and Princeton Told Me Not to Communicate,”

*The Wall Street Journal*, September 23, 2023. Available at: <https://www.wsj.com/articles/i-committed-journalism-and-princeton-told-me-not-to-communicate-nco-title-ix-regulations-campus-israel-misconduct-chicago-principles-11663945517>; Justo Antonio Triana, "Syracuse Student Newspaper Refused This Pro-Free Speech Op-Ed, so we Published it," *The College Fix*, February 21, 2023. Available at: [https://www.cjr.org/the\\_media\\_today/the-threats-facing-student-journalism-havent-gone-away.php](https://www.cjr.org/the_media_today/the-threats-facing-student-journalism-havent-gone-away.php) <https://www.thecollegefix.com/syracuse-student-newspaper-refused-this-pro-free-speech-op-ed-so-we-published-it/>

<sup>27</sup> Aamer Madhani, "Mizzou Professor Who Called for 'Muscle' Suspended," *USA Today*, January 27, 2016. Available at: <https://www.usatoday.com/story/news/2016/01/27/mizzou-professor-who-called-muscle-suspended/79436726/>

<sup>28</sup> Bipartisan Policy Center, "Challenging Cancel Culture: Can Gen Z Change Course?," September 14, 2023. Available at: <https://bipartisanpolicy.org/event/challenging-cancel-culture-can-gen-z-change-course/>; Morgan Womack, "COLUMN: MSU is Barring Media Access. We can't Cover Community Healing without it," *The State News*, July 20, 2023. Available at: [https://statenews.com/article/2023/07/column-msu-is-barring-media-access-we-cant-cover-community-healing-without-it?ct=content\\_open&cv=cbox\\_latest](https://statenews.com/article/2023/07/column-msu-is-barring-media-access-we-cant-cover-community-healing-without-it?ct=content_open&cv=cbox_latest)

<sup>29</sup> Alicia Thomas, "Student Journalists Talk About Their Role in the Community, Censorship, Backlash and Press Freedom," *Student Press Law Center*, January 30, 2020. Available at: <https://splc.org/2020/01/student-journalists-talk-about-their-role-in-the-community-censorship-backlash-and-press-freedom/>

<sup>30</sup> Student Press Law Center, "New Voices." Available at: <https://splc.org/new-voices/>; State of New Jersey Governor Phil Murphy, "Governor Murphy Signs Bipartisan Legislation Establishing First in the Nation K-12 Information Literacy Education," January 4, 2023. Available at: <https://www.nj.gov/governor/news/news/562022/20230104b.shtml>; Sofia Lopez, "A Step in the Right Direction: West Virginia Governor Signs 'New Voices' Bill into Law," *Foundation for Individual Rights and Expression*, March 29, 2023. Available at: <https://www.thefire.org/news/step-right-direction-west-virginia-governor-signs-new-voices-bill-law>

<sup>31</sup> Tennessee SB2410/HB2157. Available at <https://wapp.capitol.tn.gov/apps/BillInfo/Default.aspx?BillNumber=SB2410&ga=112#:~:text=University%20of%20Tennessee%20%2D%20As%20enacted,to%20appoint%2013%20members%20to.>

<sup>32</sup> Arizona State University School of Civic and Economic Thought and Leadership, "About the School of Civic and Economic Thought and Leadership at Arizona State University," n.d. Available at: <https://scetl.asu.edu/about.>

<sup>33</sup> James W.C. White, "Update on the School of Civic Life and Leadership," University of North Carolina College of Arts and Sciences, May 22, 2023. Available at: <https://college.unc.edu/2023/05/civic-life-leadership-message/>. See also Mark McNeilly, "The Case for Teaching Students Constructive Dialogue at Scale: UNC's New School of Civic Life and Leadership," *Heterodox Academy*, February 23, 2023. Available at: <https://heterodoxacademy.org/blog/the-case-for-teaching-students-constructive-dialogue-at-scale-uncs-new-school-of-civic-life-and-leadership/>.

<sup>34</sup> SB 177 "Establish Certain Entities at Ohio State and University of Toledo." Available at: <https://www.legislature.ohio.gov/legislation/135/sb117.>