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A Clarion Call for Academic Freedom

Conference Underscores Trustees' Obligation to Protect Intellectual Diversity

ACTA's conference and trustee guide turn history on its head by helping and empowering trustees to ensure and protect academic freedom, as faculty and others undermine it." With these words, chairman of the CUNY Board of Trustees and winner

Kafkaesque hell of disciplinary bureaucracy. "All-comers" policies drive religious groups off of many campuses. In some places, students are harassed *in* the classroom for their views; in others, professors are disciplined or dismissed for vaguely-defined



Benno Schmidt discusses ACTA's project on academic freedom with the *Wall Street Journal* online.

of ACTA's Merrill Award Benno Schmidt opened ACTA's trustee conference, "Free to Teach, Free to Learn," held on April 25 at the historic Union League in New York City.

In his keynote address, Schmidt noted several grave threats to intellectual diversity. Speech codes prevent students from speaking their minds—and consign those who do to a

offenses against political correctness.

Today, Schmidt noted, the dangers to academic freedom come not from the government or other groups outside of higher ed, but from *within* the academy: from politicized professors, biased hiring decisions, and activist administrators who seek to impose their views on students and

(continued on 2)

Attend ACTA-Aspen Trustee Conference in the Windy City!

In partnership with The Aspen Institute, ACTA continues its series of regional trustee seminars at **The Chicago Club** on **July 18, 2013**. This day-long seminar, "Envisioning the Future of Higher Education," will explore fundamental questions about the leadership role of trustees in safeguarding academic excellence and cost-effectiveness. Lunch will be provided. **Register now** at www.goacta.org/registration/trustee_seminar_chicago.

www.goacta.org

info@goacta.org

1-888-ALUMNI-8

**Benno C. Schmidt, Chairman
Board of Trustees, City University of New York**

“The work of our colleges and universities is critically important to our cities, our states, and our nation. We know our work depends on academic freedom, but we sorely lack a common understanding of what that is. Lacking that understanding, we are jeopardizing the underlying academic enterprise itself. With this return to first principles, ACTA aims to set matters on a more hopeful course, that promises academic freedom, academic responsibility, and high academic achievement.”

Editor’s Note: From the preface to ACTA’s Free to Teach, Free to Learn trustee guide. The guide accompanied the conference of the same name where Mr. Schmidt was the keynote speaker.

**Barbara Oakley, Associate Professor of Engineering
Oakland University, Rochester, MI**

“Thank you again for your great presentations during the conference—they provided the most insightful and thought-provoking material of the already outstanding conference.”

Editor’s Note: ACTA’s vice president of policy, Michael Poliakoff, spoke at the National Association of Scholar’s 25th anniversary conference in New York.

**D.H. Williams, Professor of Patristics and Historical Theology
Baylor University, Waco, TX**

“ACTA’s voice has been one of common sense and academic accountability within the fields of higher education that prize diversity and freedom of individual expression above all else.”

**E. Gordon Gee, President
Ohio State University**

“Thank you so very much for sharing the latest issue of *Inside Academe*. As you are aware, I always enjoy reading this thoughtful publication. I am always honored to be counted in your midst.”

**Wayne E. Boese, Ph.D.
Midlothian, VA**

“Thanks for the fine statement about our greatest President. Ever since our Congress created President’s Day, we seem to honor neither of our two greatest presidents. Thanks for all the fine work you and ACTA do.”

Editor’s Note: On George Washington’s birthday, ACTA president Anne D. Neal wrote to ACTA friends and supporters, calling for improved civic and historical literacy.

Academic Freedom, continued from 1

to muzzle anyone who disagrees.

That is why trustees must be active, engaged, and informed. Trustees have final authority at their universities, but they are not beholden to campus interest groups. They can look with unbiased eyes at university rules and practices, and when they discover violations of academic freedom, they can put a stop to them.

At “Free to Teach, Free to Learn,” the large group of participants learned from some of academic freedom’s leading proponents. Schmidt joined a panel with professors Donald Downs of the University of Wisconsin, Philip Hamburger of Columbia, and Neil Hamilton of the University of

St. Thomas to address the question, “Is Academic Freedom in Crisis?” Sessions, some organized like law school seminars, examined case studies involving

conference to speak to the *Wall Street Journal’s* webcast TV program, Opinion Journal Online, about the importance of intellectual diversity and current threats to academic freedom.

For the benefit of trustees who couldn’t make the conference, ACTA released an extensive companion trustee guide. Also entitled *Free to Teach, Free to Learn*, the guide assembles expert commentary from prominent leaders in the fight for free discourse on campus. To name only a few of the contributors:

Former Harvard president **Larry Summers** comments on the famed 1915 *Declaration of Principles on Academic Freedom and Academic Tenure* from the

“Academic freedom in its teaching aspect is fundamental for the protection of the rights of the teacher in teaching and of the student to freedom in learning. It carries with it duties correlative with rights.”

– American Association of University Professors
1940 *Statement of Principles on Academic Freedom and Tenure*

controversial speaker invitations, student religious groups, research misconduct, and politicized tenure decisions. During the lunch break, Schmidt briefly left the

(continued on 3)

Excerpts from Academic Freedom Guide

Lawrence Summers

Charles W. Eliot University Professor
and President Emeritus, Harvard University

From commentary on AAUP's 1915 *Declaration of Principles on Academic Freedom and Academic Tenure*

"[Academic Freedom] surely should protect the right to put forth unfashionable opinions or even opinions that are offensive to most members of a community. But, to assert that professors have the right to assert any opinion, perform any analysis, or tackle any subject is very different from claiming that all acts are equivalent. ... More to the point: When professors seek to use the university to advance their ideological agenda, administrators and trustees must respond vigorously. ... Faculty's right to express any point of view should not include the right to harness the prestige of one's academic affiliation to any particular viewpoint.

All of this is to say that academic freedom is a concept that must evolve.

A colleague of mine once remarked that students have a four-year perspective on universities, faculties have a "rest of a career" perspective, and presidents and trustees have—or should have—an

even longer view. So it is with academic freedom. The United States is fortunate to have the vast majority of the world's really great universities.

The tradition of academic freedom—of vigorous competition, of respect for the authority of ideas rather than the idea of authority—has much to do with this. If we are to maintain our leadership going forward, a wise definition of academic freedom will be essential."

José A. Cabranes

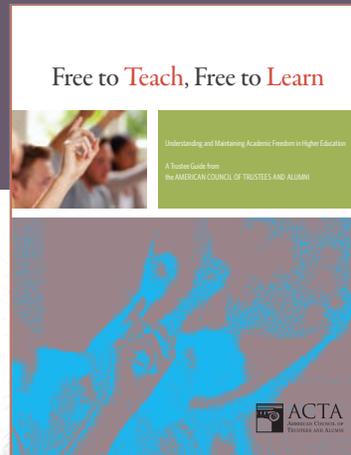
U.S. Circuit Judge for the Second Circuit

Kate Stith-Cabranes

Lafayette S. Foster Professor, Yale University

From commentary on the Woodward Report to the Fellows of the Yale Corporation (1974)

"In ... contests between wounded, sensitive victims and "uncivil" or "hateful" speakers, freedom of speech, as Woodward predicted, is on the line. The offended purport to speak for large numbers, through the megaphones provided by national constituencies. The putative offenders, meanwhile, find themselves



Order a copy of *Free to Teach, Free to Learn*—a trustee guide for understanding and maintaining academic freedom in higher education—at www.goacta.org.

vulnerable because their politically volatile speech runs afoul of a mobilized public opinion. Under stress, administrators clutch the talisman of "civil and respectful community" and morph into campus monitors of acceptable speech, threatening possible disciplinary sanctions in their unhappy role as Civility Police. ...

The principles of free expression pronounced and codified in the Woodward Report will always be at risk when the values of "community," "civility," and "respect" compete for primacy in the hearts and minds of those charged with defending free speech on campus. That is why trustees, who hold fiduciary responsibility for the policies of their institutions, must be ever-vigilant to uphold and preserve the principles of free speech on which the integrity of higher education ultimately rests." ●

Academic Freedom, *continued from 2*

American Association of University Professors and outlines current threats to academic freedom. FIRE co-founder **Alan Charles Kors** writes about how the heirs of the sixties' Free Speech Movement betrayed its ideals and generated an academic regime intent on suppressing students' speech rights. Law professor **Neil Hamilton**, who led a Socratic dialogue as part of the conference's case studies, points out that academic freedom is not just a right: it is supposed to be an integrated system of interlocking rights and duties on the part of professors. The professoriate, however, has done such a poor job policing its own members that many professors do not even *realize* they have academic responsibilities on which their academic freedom is predicated.

Many other experts in law and educational policy contributed commentary on issues ranging from corporate funding of research to the government's role in academic freedom at public universities.

The second half of the report is a series of case studies addressing issues that trustees might face on campus: academic tenure decisions, research integrity and honesty, the rights of student associations, and the respect that is owed to donor intent. The case studies—all based on actual events from recent years—help trustees understand what challenges their colleagues at other universities have faced, how they responded, and what the outcomes were. Armed with this knowledge, trustees will be better prepared to protect freedom on their own campuses. ●



Pennsylvania Trustees and ACTA Plan for the Future of Higher Ed

On March 15, trustees from colleges and universities across the Commonwealth of Pennsylvania convened at The Union League Club in Philadelphia for “Envisioning the Future of Higher Education,” the fifth in ACTA’s series of seminars with The Aspen Institute. The program, made possible by a generous grant from The HBE Foundation and initiated at the recommendation of former trustee of Eastern University and Lawrence University, Bruce M. Brown, included attendees from Villanova University, Peirce College, Eastern University, and The University of the Arts, among other schools in the region. Participants from a dozen institutions ensured a capacity attendance.

“Having twice served on university governing boards, I understand the value of resources ACTA provides to trustees,” Brown wrote in a letter to the over 1,000 trustees in the greater Philadelphia area

and throughout the commonwealth. “My hope is that through this seminar, we will understand more deeply the philosophical and practical underpinnings of higher education governance.”

Using key texts, attendees reflected on their own experiences serving on governing boards and engaged tough issues regarding cost effectiveness. A discussion of Clayton M. Christensen and Henry J. Eyring’s *The Innovative University* led to a broader dialogue on the Responsibility Centered Management budget-

ing system adopted by several Pennsylvania institutions. A paper by Emory University professor Mark Bauerlein questioning the incentives placed on faculty to prioritize publication of research over teaching prompted a conversation about the corresponding impact on students. “There is a large moral issue of unproductive people sustained by tuition,” Eastern University trustee Delores Brisbon said. “Trustees should take up this issue.”

The seminar comes only months after ACTA made news in the Keystone State by contributing to then-Pennsylvania Auditor General Jack Wagner’s report on governance issues at Penn State University and by issuing a series of recommendations to state legislators and trustees, urging them to provide trustees with the resources they need to fulfill their fiduciary duties and to require that boards develop detailed institutional accountability metrics.

Trustees at the seminar discussed various benchmarks their boards use to evaluate their institutions, and exchanged ideas for other effective metrics, including space utilization, student learning outcomes, and faculty productivity.

ACTA organizes events during the year for trustees seeking to identify pragmatic steps boards can take to govern more effectively. For more information, see www.goacta.org or contact ACTA as (202) 467-6787. ●



Guido M. Pichini, board chair of Pennsylvania State System of Higher Education, and Lisa A. Curran, Peirce College trustee, participate in ACTA-Aspen trustee seminar.

Purdue University President Calls for Reform

Former Indiana governor Mitch Daniels began his tenure as president of Purdue in January and wasted no time laying down a fresh vision for the university. In an open letter, remarkable for its straight talk about the challenges facing higher education, he explained how exploding college costs, the quest for reputational prestige rather than excellence, and violations of academic freedom threaten every university’s future—especially in this era of budget cuts and technological innovation. Daniels committed the entire Purdue community to contribute talent, hard work, and fresh ideas to addressing these issues so as to guide the university through the challenges to come. ACTA has had a long and productive relationship with Daniels. In 2011, then-governor Daniels as well as ACTA spoke at the Indiana Commission on Higher Education Trustees’ Academy, a conference exploring fiscal stewardship of college and university trustees. ●

What Will They Learn?™ Hits a Nerve

ACTA's study of general education requirements at over 1,000 of America's college and universities, *What Will They Learn?*™, continues to attract attention—and to prick the consciences of colleges that have neglected the liberal arts. Bowdoin College is one such place. Earlier this year, Bowdoin president Barry Mills called ACTA to complain about Bowdoin's "F" grade in *What Will They Learn?*™. We were "180 degrees wrong" in our evaluation, he said, for denying credit for core humanities subjects.

Only we were not wrong. Project director, ACTA's Michael Poliakoff responded with an extended letter to president Mills, explaining why Bowdoin failed to receive credit for six of the seven ACTA subjects. At Bowdoin, it turns out, several of the core requirements are so broad as to be almost meaningless. For instance, Bowdoin's "Humanities" requirement can be satisfied by courses like "Prostitutes in Modern Western Culture" or "History of Hip-Hop." The closest thing to a U.S. history requirement is the "Social and Behavioral Science" requirement, which can be satisfied by a list of courses including "Radical Families" or "The Wire' – Race, Class, Gender, and the Urban Crisis."

Bowdoin's curriculum has been in the news a lot recently: in April the National Association of Scholars released a major report on the ways that the curriculum has been watered down over the last several decades, replacing traditional courses in Western civilization with consciousness-raising and diversity studies. Using ACTA's *What Will They Learn?*™, alumni at Bowdoin and elsewhere are asking their schools to take a long, hard look at what they are teaching their students. ●

California Bill Pushes Online Education Solutions

California higher education faces serious challenges, as ACTA's state report *Best Laid Plans* demonstrated last year. Among the problems: hundreds of thousands of students are turned away from required lower-division courses, especially community-college courses, because the system cannot afford to offer enough spots. This creates an education "bottleneck": students cannot continue their education without completing introductory coursework, but they must wait months or even years to enroll in the requisite courses. Currently, the average community college in California has 7,000 enrolled students on its waiting list.

A new bill making its way through the legislature proposes to ease that burden by allowing inexpensive online courses from providers like StraighterLine, Udacity, and Coursera to count for credit at California's public universities. The bill would expand opportunities for non-traditional and low-income students

to pursue their educations by removing roadblocks to their progress.

California state senate president pro tem Darrell Steinberg, who introduced the bill, deserves credit for taking on the status quo on behalf of California's students. And ACTA is delighted with the partners California has listed. StraighterLine, in particular, has been a leader in ensuring that the liberal arts receive top billing in the new field of online education. In late 2012, ACTA partnered with StraighterLine to develop an online curriculum that receives an "A" in ACTA's *What Will They Learn?* study, ensuring that students without access to a traditional college experience nevertheless receive a core of liberal learning.

This new initiative is an excellent opportunity for high-quality online learning and for California students, and we hope that the legislature comes through. ●



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ACTA on the Road: Spreading the Message of Higher Ed Reform

Addressing Rising Costs and Declining Quality in Higher Education

ACTA's Michael Poliakoff spoke on "The Future of Higher Education Reform: Enabling Access, Affordability, and Excellence," a panel sponsored by ACTA, the National Association of Scholars, and the English Speaking Union at an event hosted by educator Graham Down. Addressing an audience that included faculty and administrators, his talk looked at the critical intersection of rising costs and declining quality at American colleges and universities. Dr. Poliakoff was joined by three other panelists: John Churchill, secretary of the Phi Beta Kappa Society; Gerald Kauvar, senior consultant at Korn/Ferry International; and Mark Pelesh, executive vice president for legislative & regulatory affairs at Corinthian Colleges Inc. Together they offered a broad picture of American higher education and proposed means by which faculty, administrators, trustees, and other interested parties can shake up the academy and return it to frugality and the pursuit of knowledge.

Participating in Heritage Foundation Webinar on Innovation in Higher Ed

In April, a Heritage Foundation webinar on "Innovation in Higher Education" featured ACTA's own Jacquie Merrill as a

panelist. Disruptive innovation is transforming higher education—but the sector could use a lot more of it, Merrill said. She explained how the accreditation system stifles innovation: existing colleges have captured the regulators and used them to prevent entrepreneurs from entering the market. She and the other panelists advocated market-based reform of the system, breaking the accreditors' lock on the market, and allowing for outcomes-based accreditation of new market players such as online educators. Watch the webinar on <http://youtu.be/C-MZX5ZqbwE>.

Exploring the Idea of a University

In March, Anne Neal contributed ACTA's perspective to an invitation-only conference in Indianapolis on the university. Entitled "Emergent Orders in Higher Education: Reconsidering the Idea of a University" and sponsored by The Fund for the Study of Spontaneous Orders and ACTA Society of Fellows member Stanley Stillman, the conference sought to apply the Hayekian concept of spontaneously-arising order to academic institutional structure. Through our accreditation reform project and governance initiatives, we have spent long years advocating creative solutions to the problems that face higher education. ●

ACTA Donors Meet Key Education Leaders



Professor Wilfred McClay at ACTA donor event

Becoming a member of an ACTA donor society involves you at the highest level of higher-ed reform through special events featuring key leaders in the American academy. Recent months have seen two such events.

In February, ACTA society members gathered at the Sulgrave Club in Washington, DC. **Professor Wilfred McClay**, an historian at the University of Tennessee-Chattanooga, addressed an intimate gathering on "Four Things That Our Colleges Must Do," inspired by his article, "The Tocquevillian Moment." He emphasized the distinctiveness of colleges and the university experience, calling upon listeners to remember that colleges are communities in space and time with the potential to teach values and develop character. Dr. McClay noted how they train students to resist the temptation to abandon books, maintain a productive level of academic isolation, and embrace a principled willingness to be different from one another. Attendees received copies of ACTA friend Harvey Mansfield's translation of Toqueville's *Democracy in America*, the publication of which ACTA supported.

In March, donors and friends of ACTA gathered at the Colony Club in New York City. ACTA's Anne Neal, Michael Poliakoff, and Jacquie Merrill addressed a small gathering of supporters who had the opportunity to meet education expert **Sandra Stotsky**, professor of Education Reform at the University of Arkansas; **Herb London**, professor emeritus and former John M. Olin Professor of Humanities at New York University; and others.

Events like these are a small way for us to give back to those who have done so much for ACTA and for American higher education. If you would like to learn more about joining one of ACTA's donor societies, give us a call! ●

Alumni to the Rescue

Online Town Hall Energizes Concerned Alumni

Alumni support their alma maters with donations, loyalty, and school spirit—and when a school loses its way, it often falls to the alumni to bring it back to its moorings. That is a founding premise of ACTA and why we joined with concerned alumni at Colgate, Harvard, Yale, the College of William & Mary, and other schools to sponsor “Turning College Costs Around,” an online, interactive town hall meeting on alumni options for controlling college costs and ensuring academic quality.

Alumni from around the country called in to a conference featuring a panel of higher education experts: economist Richard Vedder, professor Robert Kraynak of Colgate University, and ACTA president Anne Neal. The panelists gave a stark outline of the challenges facing higher ed: weak curricula that leave students unprepared for the job market, bloated administrations that suck up resources, and ever-rising tuition costs that drive students deeply into debt.

Panelists also offered constructive solutions and answered questions from alumni who called into the program. They guided alumni regarding the role of federal funding in escalating costs, the challenge and opportunity of online learning, the state of general education programs, and other key areas.

The growing strength of engaged alumni can be seen in alumni groups at places like Colgate and William & Mary and in the pivotal role alumni have played on specific issues, such as

the campaign to return ROTC to college campuses. ACTA will help trustees at other schools bring their voices to bear on the wide range of issues that affect their alma maters.

Alumni Group Decries Dumbing Down of W&M Curriculum

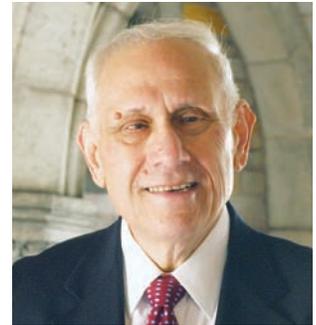
The Society for the College of William & Mary, an alumni group that has worked closely with ACTA, hosted a panel on April 22 raising serious questions about the college’s proposed new core curriculum.

Speakers included a member of the UVa Board of Visitors, several UVa professors, and ACTA friend and core-curriculum advocate Mark Bauerlein, a professor of English at Emory University.

The proposed curriculum decreases the number of required courses from eleven to five; those five, moreover, are interdisciplinary courses that seek to promote different “ways of knowing.” Professor Bauerlein cut to the heart of the problem noting that research shows that critical thinking ability depends on knowledge, and a student whose knowledge of the underlying subject matter is thin will not develop or be able to apply properly the requisite critical-thinking ability.

The Society is an exemplary alumni organization that has been deeply involved in William & Mary for years: they deserve to be commended for their work on behalf of the College’s students. Here’s hoping the board listens and rejects the new curriculum—and that alumni at many other schools learn from their example. ●

Yale’s “Indispensable” Man Retires



In April, Yale bid farewell to **Donald Kagan**, the long-serving classicist whose tireless teaching inspired generations of Yale undergraduates. In his farewell lecture he criticized universities that allow students to graduate with little understanding of their own civilization. He called for a “common core of studies” in subjects including the literature, history, and philosophy of the West.

Kagan is a close friend of ACTA, a regular supporter, and the winner of ACTA’s 2008 Philip Merrill Award for Outstanding Contributions to Liberal Arts Education. A former dean of Yale College, he earned his moniker as Yale’s “Indispensable Man” through indefatigable service to the university in defense of ACTA’s values and those of the traditional liberal arts. He once saved from extinction the Directed Studies program, Yale’s famous honors program in the Great Books. At the crucial moment in ACTA’s campaign to return ROTC to Yale’s campus after a decades-long absence, Kagan intervened and deserves considerable credit for the initiative’s ultimate success.

We are confident that, at ACTA and in the public square, Professor Kagan will still be an outspoken voice for the best in higher education, and we send him our profound gratitude for his many years of service. ●

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Telephone: 1-888-ALUMNI-8 • Email: info@goacta.org • Website: www.goacta.org • Blog: www.goactablog.org



INSIDE ACADEME
1726 M Street, NW, Suite 802
Washington, DC 20036

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Join us for ACTA's **ATHENA Roundtable** on November 8, 2013 at George Washington's new national library scheduled to open at Mount Vernon in the fall! **Register now on www.goacta.org** or call us for further information: (202) 467-6787!