

# INSIDE • ACADEME

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www.GoACTA.org info@GoACTA.org 1-888-ALUMNI-8

# Hero of Intellectual Freedom: Jodi Shaw



A CTA is proud to announce our first 2021 Hero of Intellectual Freedom: Jodi Shaw, a former student support coordinator in the Department of Residence Life at Smith College. Ms. Shaw resigned from her position after undertaking exhaustive efforts to address her concerns about the school's enforcement of mandatory diversity training and its aggressive adoption of critical race theory.

In February 2021, Ms. Shaw, who describes herself as a lifelong liberal and who graduated from Smith with a major in cultural anthropology, sent her resignation letter to President Kathleen McCartney. She described how following a 2018 incident in which a student accused the school of discrimination (an independent investigation found no evidence of racial bias), Smith's culture has become racially antagonistic. She recounts being moved to a lower-paying position after an orientation program she planned was charged with cultural appropriation for featuring a rap song; supervisors who openly discussed

preferred racial quotas for job openings; and being encouraged to use the lens of race to help students manage conflict. "The last straw came in January 2020, when I attended a mandatory Residence Life staff retreat focused on racial issues. The hired facilitators asked each member of the department to respond to various personal questions about race and racial identity. When it was my turn to respond, I said 'I don't feel comfortable talking about that.' . . . Later, the facilitators told everyone present that a white person's discomfort at discussing their race is a symptom of 'white fragility.' . . . In other words, because I am white, my genuine discomfort was framed as an act of aggression. I was shamed and humiliated in front of all of my colleagues."

After the retreat, she brought an internal complaint to the administration, but was ignored. Smith later offered her a settlement in exchange for not publicizing her claims. She refused and began to share her story through a series of videos on YouTube. In her letter,

(continued on 4)

### ACTA Releases Its 2020 Annual Report



Then & Now: ACTA's 25-Year Drive to Restore the Promise of Higher Education reports on our many success in the past year, despite the challenges of the pandemic, and shines a spotlight on new initiatives in 2021 to protect academic freedom, promote academic excellence, and advance accountability. See the full report on GoACTA.org/resource/then-now.



### David Golub, Mineola, NY

"I received your email with the link to your article on due process and Title IX. I was a student at Yale from 2006 to 2010, and I saw the bad ideas that would lead to the 'Dear Colleague' letter become dominant on campus during the time that I was there. I have been deeply concerned about this issue since then, and I've watched as story after story of innocent men having their lives destroyed by false allegations piled up, while those of us who spoke out about what was happening were accused of making a mountain out of a molehill—or, even worse, of being misogynists or 'rape apologists.' I've been donating to ACTA for a number of years now, and I greatly admire the work that you do. Seeing you take a stand on this important issue makes me all the more proud to support this organization. Thank you for having the courage to take a stand for what's right."

*Editor's Note: ACTA President Michael Poliakoff published an article on* Forbes.com *on January 25 titled "The Biden Plan for Title IX Must Protect Due Process."* 

Kelly Turner, Student, Georgia State University "Thanks for giving us the opportunity to get involved [in the debate]! . . . It was invigorating to see that many of the participants were genuinely interested in learning from others, rather than simply going there to defend their own positions. . . . The students approached a single topic (deplatforming controversial speakers) from many different angles, whether considering deplatforming's effects on different populations, on the state of free speech on college campuses, or on the representation of a university's values. It was heartening to see many different voices being given a platform in a welcoming, non-combative environment." Editor's Note: In March, ACTA partnered with Braver Angels and BridgeUSA to host a debate with students from Georgia State University. It is part of our College Debates initiative that teaches students to engage respectively with each other on divisive social and political issues.

### Karrin Taylor Robson, Secretary, Arizona Board of Regents

"Michael—thank you for . . . taking the time to participate as a judge in this year's event. You certainly brought a new level of credibility to the competition, and I couldn't be more pleased with the outcome. . . . Finally, thank you and your team for the tremendous support you give to me in my role on the Board. Together we can make great things happen for students all across the country."

Editor's Note: ACTA President Michael Poliakoff served as a judge for the 2021 Regents' Cup, a debate competition hosted by the Arizona Board of Regents for students at the state's public universities.

### Bayard Boyle, Jr., Memphis, TN

"Thank you so much for your great interest and support on the attempt to establish a new program at UT. It was really interesting to me to hear you . . . talk it through. Lots of great ideas and obvious you all really know what you are doing and what the problems are with imaginative approaches to solving them."

*Editor's Note: ACTA is always eager to support rigorous academic opportunities for students.* 

### Richard Coyle, Scottsdale, AZ

"Kudos to ACTA and FAR for incredible achievements and a dynamite, informative report."

Editor's Note: ACTA recently released its 2020 annual report. Read the full report at GoACTA.org/resource/then-now.

# Proposed Regulations on Donor Advised Funds



In the past six months, regulations on Donor Advised Funds (DAFs) have garnered significant attention. One proposal called the Initiative to Accelerate Charitable Giving is facing mixed reactions. Though the Initiative is not officially in front of Congress, this proposal, and others like it, will likely change how individual donors at any level give, especially through DAFs.

Under current regulations, Donor Advised Funds serve as low-cost, private foundations. Donors receive an immediate tax deduction upon donating funds. Once the funds are transferred to a DAF, donors lose legal ownership of the money but retain the right to advise on how funds are distributed. DAFs can be funded through illiquid assets, which can grow in value before being disbursed. Because of these features, DAFs are flexible and allow for strategic philanthropy.

Here are two ways that proposals like the Initiative to Accelerate Charitable Giving may affect your philanthropy. The first effect would be to limit the life of a Donor Advised Fund. A DAF would have to be spent out within 15 years in order to receive the current tax incentive. The tax incentives for giving through a DAF are a key feature of their popularity. Donors receive a higher tax deduction by giving to a DAF than by giving directly to a private foundation.

The second effect would be to limit the tax incentive for long-term DAFs. If you do not wish to spend out the DAF within 15 years, you will only receive an income tax deduction once the funds are distributed. Delaying the tax incentive may motivate donors to limit the life of their DAFs. But it also discourages them from making a strategic decision to let funds accrue in a DAF over the

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# breaking

n March 11, ACTA released a survey of 800 Illinois residents concerning the Illinois Department of Education's new school curriculum and teaching standards. The "culturally responsive teaching and leading standards for Illinois educators" were recently approved by the state legislature and have drawn national criticism. The regulations require teachers to be "aware of the effects of power and privilege and the need for social advocacy and social action." In contrast to the former standards that emphasized training teachers in the major concepts, debates, and theories in the field of education, "culturally responsive" teachers are encouraged to advance social justice priorities.

The survey, conducted by national pollster eighteen92, found that a majority (57%) of Illinoisans think that teacher preparation programs should focus on "making teachers better equipped to help students develop core skills and competencies," compared to 34% who think that training programs should "prioritize teaching progressive viewpoints and social justice advocacy." Critical race theory and action civics, which have received growing attention in the face of the New York Times' controversial 1619 Project, are unpopular with Illinoisans. Sixty-two percent of respondents believe that "K-12 teachers should work to expose students to a variety of perspectives about the country's founding and history, and to equip them to think critically about its successes and failures." In contrast, just 23% think that "K-12 teachers should embrace progressive viewpoints and perspectives on U.S. history, to encourage students to advocate for social justice causes." The former view was shared by a plurality of Democrats (49.6%) in addition to majorities of Republicans (78%) and Independents (69%).

The survey also explored issues related to intellectual diversity on campus, finding that Illinoisans highly value free speech. Fifty-nine percent of survey respondents oppose "efforts to prevent speakers from expressing opinions that some members of the campus find offensive," and 69% believe that "the

University of Illinois should do its best to promote a balance of conservative and liberal faculty."

**U.S. ACTA Survey: Illinois Residents** 

**Oppose Politicization of the Classroom** 

These results indicate that the Illinois Department of Education and the lawmakers who approved the new teaching standards are not listening to their constituents. In fact, just 6% of survey respondents agree that "the K-12 public education system in Illinois" is doing an "excellent" job. ACTA Director of Academic Affairs Jonathan Pidluzny remarked, "Public education has long been one of the most important responsibilities of state and local government. It is where tomorrow's leaders are formed, where the state's future direction will be forged. And yet, there is scant evidence to suggest that the people (and parents) of Illinois approve of the Department of Education's plan to use public schools to drive a radical political agenda." ACTA calls on the Department of Education to withdraw the regulations and keep politics out of the classroom. Please view the full survey results at GoACTA.org. •



**Donor Advised Funds**, continued from 2

long-term in order to increase the impact of their gift.

The Initiative to Accelerate Charitable Giving aims to discourage funds sitting in DAFs indefinitely. However, part of the appeal of giving through a DAF is the simplicity. Implementing these proposals will increase the administrative burden of Donor Advised Funds and may disincentivize overall charitable giving. Perhaps we should consider non-regulatory solutions to motivate donors to give before leaping to change the tax code.

If you would like to learn more, read FAR Director Emily Koons Jae's recent piece, "Time for Nonprofits to Develop DAF Strategies." online at PhilanthropyDaily.com.

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# Effective TRUSTEESHIP

# ACTA Hosts Webinar on Student Substance Use During the Pandemic

On April 14, ACTA held a webinar for college and university leaders to examine the effects of the COVID-19 pandemic on student substance use and mental health. The event, entitled "The Pandemic and Campus Substance Use: What Colleges Need to Know NOW,"

drew nearly 40 attendees and featured four expert panelists: **Ellen Rome**, M.D., M.P.H., head of the Center for Adolescent Medicine at Cleveland Clinic Children's; **Robert L. DuPont**, M.D., founder and president of the Institute for Behavior

and Health; **Amelia Arria**, Ph.D., director of the Center on Young Adult Health and Development at the University of Maryland School of Public Health; and **Caleb Boswell**, L.L.P.C., N.C.C., co-facilitator of the Collegiate Recovery Program at Washtenaw Community College. The panelists called on college leaders to start planning now for reopening campus in the fall, emphasizing that both student affairs and academic affairs departments must come together to develop and implement strategies. Dr. Arria commented, "One thing we've been so we need to make sure the message is given from the top that policies will be enforced. But also that students are given a safe space to talk about their experiences during the pandemic so that other students, faculty, and coaches can identify students who might be struggling."

Drawing on his

with students

in recovery, Mr.

Boswell added,

"We also need

to give students alternatives on a

experience working

social programming

Friday or Saturday night when they'll

be out drinking or

doing drugs. This



Dr. Robert DuPont, Armand Alacbay, Dr. Ellen Rome, Dr. Amelia Aria, and Caleb Boswell discussed the effects of the COVID-19 pandemic on student substance use and mental health. ACTA's trustee department hosted the event.

., directortrying to prepare college leaders for in the<br/>fall is that students who've decreased their<br/>drinking for healthy reasons are coming<br/>back to an environment where they have<br/>an opportunity to drink a lot and very<br/>quickly. College students will find ways<br/>to celebrate the end of the pandemic,

needs to be a collective experience that incorporates students, is fair and balanced, and creates positive, healthy behavior."

Dr. DuPont recommended that trustees and college administrators talk with students in recovery to help them develop an evidence-based approach to denormal-

### Jodi Shaw, continued from 1

she wrote, "Under the guise of racial progress, Smith College has created a racially hostile environment in which individual acts of discrimination and hostility flourish. In this environment, people's worth as human beings, and the degree to which they deserve to be treated with dignity and respect, is determined by the color of their skin. It is an environment in which dissenting from the new critical race orthodoxy . . . is grounds for public humiliation and professional retaliation."

Ms. Shaw's critique of the identity politics that dominate on many campuses

today has come at a high cost. A single mother of two, she made just \$45,000 per year in her position at Smith, less than the school's tuition. She remarked, "My need to tell the truth—and to be the kind of woman Smith taught me to be—makes it impossible for me to accept financial security at the expense of remaining silent about something I know is wrong."

It takes great courage to question campus orthodoxies, especially when doing so can result in reputational damage and financial difficulty. It is for this reason that ACTA launched our Heroes of Intellectual Freedom initiative in 2019, to spotlight college faculty, administrators, and staff who courageously defend intellectual diversity and free expression when others remain silent.

To listen to Ms. Shaw discuss her experience in-depth with ACTA President Michael Poliakoff, please visit our podcast Higher Ed Now. We hope that her bravery inspires students, faculty, and staff across the nation to take their own stand, calling upon college leaders to recommit to defending freedom of expression for all campus members. •

# 

### Faculty Across Country Form Academic Freedom Alliance

In March, a diverse group of academics, including a number of ACTA friends, joined together to form the Academic Freedom Alliance (AFA). According to its website, the AFA is a "nonprofit organization whose members are dedicated to protecting the rights of faculty members at colleges and universities to speak, instruct, and publish without fear of sanction or punishment."

Keith Whittington, chair of the AFA's Academic Committee, has appeared on ACTA's Higher Ed Now podcast to discuss how college trustees can uphold academic freedom. Robert P. George, who serves as the director of an ACTA Oasis of Excellence, is also a member of the Academic Committee. Three of our Heroes of Intellectual Freedom are among the AFA's more than 200 founding members—Sarah Lawrence College Professor Samuel Abrams, University of California–Davis Professor Abigail Thompson, and Princeton University Professor Joshua Katz. Other members include Niall Ferguson and Joyce Malcolm, who serve on ACTA's Council of Scholars; Allen Guelzo, whose speech 10 Things Everyone Should Know About American History was published

by ACTA in 2020; and Nadine Strossen, whose essay *Resisting Cancel Culture: Promoting Dialogue, Debate, and Free Speech in the College Classroom* was also published by ACTA last year.

The nonpartisan Academic Freedom Alliance and its Legal Advisory Council have already taken action in defense of University of San Diego law professor Tom Smith, whose case is described below. ACTA is encouraged by this effort of faculty members to defend free expression on campus.

**Professor's Academic Freedom** Threatened at University of San Diego University of San Diego (USD) Law School Professor Tom Smith is facing an official investigation after writing a blog post commenting on a March 9 Wall Street Journal article that questioned the independence of the World Health Organization's inquiry into the origins of the COVID-19 pandemic in the face of Chinese government propaganda. In his short blog, Professor Smith criticized the Chinese government's narrative, writing, "If you believe that the coronavirus did not escape from the lab in Wuhan, you have to at least consider that you are . . . swallowing whole a lot of Chinese cock swaddle."

The Asian Pacific American Law Student Association at USD filed a formal complaint calling for him to be fired. In response, he added an update to his post, saying, "It appears that some people are interpreting my reference to 'Chinese cock swaddle,' as a reference to an ethnic group. That is a misinterpretation. To be clear, I was referring to the Chinese government." But his explanation was discounted. The dean of the law school called the blog post a form of "bias" and announced that the university would conduct a review of Professor Smith.

Although he was ultimately vindicated, a disciplinary investigation of a professor based on students' misinterpretation of a single-paragraph blog poses an alarming threat to free speech and creates a culture of selfcensorship. USD's statement on academic freedom declares that "Because full academic freedom in teaching, learning, scholarly activity, and academic decisionmaking is a sine qua non of a university, the value of academic freedom is selfevident; hence the burden of proof lies with those who would seek to limit it."

The university must reaffirm its own commitment to academic freedom. •

### Substance Use Webinar, continued from 4

izing substance use. "We have a situation on campus where it's normal to use substances to party, to self-medicate, and for anxiety, and we must denormalize this expectation. What's new is that young people in the last decades are increasingly making the choice not to use any type of drugs. . . . This is a tectonic plate change, and it's largely been overlooked. Just like we celebrate recovery, we need to celebrate the decision not to use. All of these uses are unwise, unhealthy, and dangerous."

When creating environmental-level policies to reduce substance use, Dr. Arria and Dr. Rome underscored collaborating with community business owners, bartenders, and restaurants to foster a safe campus. Dr. Rome said, "We must help students stop use while empowering them to develop better coping behaviors. The messaging from the school has to be that if you have a problem, we're not going to just kick you out, we're going to help you find a place you can be safe and shine academically."

A recording of the webinar is available on GoACTA.org. For more information about how to promote a substance-free, academic-focused culture on campus, download ACTA's 2019 report *Addressing College Drinking and Drug Use: A Primer for Trustees, Administrators, and Alumni.* **•** 

# Recovering the Liberal Arts: An Interview with Margarita Mooney

ACADEMIC RENEWAL

On our Higher Ed Now podcast, ACTA President Michael Poliakoff and Associate Director of Curricular Improvement Nathaniel Urban interviewed Margarita Mooney, associate professor at the Princeton Theological Seminary and founder of the Scala Foundation, a movement of students and educators who are committed to the renewal of a classical liberal arts education. She is the editor of the upcoming book *Love of Learning: Seven Dialogues on the Liberal Arts.* 

**ACTA:** Why did you start the Scala Foundation?

**Dr. Mooney**: I founded it for two reasons. One, because I wanted to help educators such as myself, but also educators at the K-12 level, to realize how the specialized knowledge they may have or the subject that they teach actually is part of a unified understanding of knowledge.

Second, I wanted to work with students who are eager to understand how their . . . particular interest lines up with a tradition of knowledge. What I saw from teaching at University of North Carolina-Chapel Hill, also at Yale, and later at Princeton is that students, from the beginning of college, are pushed into electives and majors. I myself didn't have much in the way of general education or a core curriculum when I was at Yale. It wasn't until I was already a faculty member and going up for tenure that I began to realize that I had some big gaps in my own education that frankly made it difficult for me to dialogue with scholars outside of my own field.

**ACTA:** The last conversation in your book was with that wonderful scholar and teacher at Columbia, Roosevelt Montás. You were discussing the fact



that the liberal arts are not elitist. The liberal arts are the things that set us all free.

**Dr. Mooney:** Absolutely . . . what I say in the *Love of Learning* through the dialogues I have with Professor Montás . . . is that the only education that's practical is a good education. And any education that neglects that human beings have an intrinsic desire to know the truth and seek the truth is an education that's not fulfilling its purpose.

Nobody argues that education is fulfilled simply by transmitting knowledge in a rote way, or simply passing on skills. That's not what the word "education" means. The word education means to lead, it means to form, it means to help a person develop their capacities in a holistic way. But what happens, and this happens at the K-12 level and the college level and the graduate level, is that educators and students are constantly being pushed to show their output and show their relevance, and to translate that into some kind of quantitative measure.

**ACTA:** As I look over ACTA's "A" schools, the ones who have really focused on a strong core curriculum, the overwhelming majority are religious schools. It occurred to me that maybe the secret sauce there is a sense of where we're going, a sort of teleology. What are

your thoughts on that secret sauce that makes a real institution of learning?

Dr. Mooney: One of the biggest influences on secular universities in the United States is John Dewey. One of the potential downsides of John Dewey is that . . . his emphasis on action and doing things in the world has taken away from the open-ended searching for the religious truth and a sort of humility. . . . I think a lot of modern secular universities have this idea that we're here to take something that's good and make it even better. But when it comes to the need for discipline or character, you can't have character if you don't have some notion of discipline. . . . I think the reason we see a revival of the classical tradition with people of faith is precisely because of this acknowledgement of the transcendent and the contemplative and a need for education to be formative, but also transformative of our vices.

The core curriculum can expand, but when the argument is to get rid of it, then what you end up with is what we talked about earlier, an endless list of electives, which might, in some way or another, cover a lot of times and places in civilization, but has no coherence to it because it's not a tradition. **•** 

Listen to the full interview on ACTA's Higher Ed Now podcast.

## Students Praise ACTA's College Debate Initiative

A CTA has held several virtual debates at universities across the country in partnership with Braver Angels, a grassroots organization focused on reducing polarization, and BridgeUSA, a student group that promotes ideological diversity. In 2020, over 800 students from 24 campuses participated in our debates. So far this year, we have held 17 debates at 14 institutions, with more to come.

In an ACTA/Braver Angels debate, students choose challenging civic issues that are relevant to their campus community and recruit students from both sides of the aisle to give four-minute speeches in favor or against the chosen topic. The parliamentary model channels passionate discourse to generate rich reflection.

National surveys show that students are hesitant to share their views for fear that they might offend others. Students express that our debates help them gain a greater ability to connect with those with whom they disagree. Following a March 31 debate at Georgia State University on the issue of deplatforming on college campuses, one student remarked, "The Braver Angels debate style . . . is exactly what colleges should be pushing forward. I have never before felt as comfortable discussing an issue where I was not speaking on the 'popular' side." Another said, "Despite the presence of radically divergent views, I found everyone to be welcoming and encouraging of others both before and (importantly!) after the others expressed their beliefs."

ACTA's college debate initiative is a key component in combatting political polarization on campus and helping students, faculty, and administrators alike to recognize the value of unfettered, civil discourse. •

# National Society of ACTA Scholars Expands



We inaugurated the National Society of ACTA Scholars in 2020 to recognize and encourage achievement in

liberal learning. So far, 300 students have gained admission to the society, and a certificate of achievement, by completing rigorous studies at a university or collegiate program that requires prospective graduates to take courses in the seven core liberal arts subjects as defined by our What Will They Learn?<sup>®</sup> (WWTL) project. Current participating schools include the Baylor Honors College at Baylor University, the Wilson Center at Hampden-Sydney College, and Marshall University.

Dr. Montserrat Miller, executive director of the John Deaver Drinko Academy at Marshall University, an ACTA Oasis of Excellence, has created an academic club to encourage students to complete the credentials for admission into the Society of ACTA Scholars. The club, supported by ACTA's Fund for Academic Renewal's special purpose funds, is piloting a lunch series to spark students' interest in completing an ACTA "A" curriculum and give them opportunities to engage face-to-face with professors who teach in the seven core WWTL disciplines. Dr. Miller commented, "Thank you so much for working with us to make this possible for Marshall students and for aiding me in my efforts to build a culture in which qualifying as a National Society of ACTA Scholar is viewed widely on our campus as a positive and worthy goal."

This year, we are expanding the society to Belmont Abbey College, Ashland University, and Washington College so that more students can earn this recognition that indicates mastery in the liberal arts, distinguishes them to future employers, and encourages peers to follow their example. **•** 

## FROM THE BOOKSHELF

Let's Be Reasonable: A Conservative Case for Liberal Education by Jonathan Marks

By Gabrielle Anglin

In *Let's Be Reasonable: A Conservative Case for Liberal Education*, Jonathan Marks, a political theorist and professor at Ursinus College, makes a defense of liberal education from a conservative perspective. The book is an illuminating read for anyone with a passion for reforming higher education, whether you find yourself left, right, or center on the ideological spectrum.

Professor Marks acknowledges understandable reasons as to why some conservatives today may doubt the merit of a college education. Conservative faculty members are outnumbered at most institutions across the country. Without intellectual diversity, many college classrooms are unwelcoming and even hostile toward ideas that challenge left-leaning campus orthodoxies. Administrators seem to be making very little effort to balance out the field. Professor Marks asserts that, in the current climate, it would be disastrous if conservatives abandoned higher education. Both right-leaning academics and members of the public must advocate for the removal of ideology from the classroom in favor of an education that teaches students to examine information critically.

Professor Marks's humor and candor make *Let's Be Reasonable* an easy and relatable read. The author concludes that a true liberal education provides graduates with a framework for pragmatic thought that they can apply throughout their lives to engage in civil discourse with those who hold opposing viewpoints. This skill is essential if our country is to find ways to address increasing political polarization and move forward.  $\bullet$ 

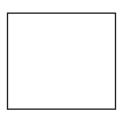


1730 M Street NW, Suite 600 Washington, DC 20036

P 202.467.6787 | F 202.467.6784 info@GoACTA.org | www.GoACTA.org

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### JOIN US FOR ACTA'S 25<sup>th</sup> Plus One Anniversary Celebration at the Library of Congress

On November 11–12, ACTA's many supporters and friends will gather at the Library of Congress to celebrate 26 years of work to reform higher education. We would be delighted to see you there. ACTA will honor **Gordon S. Wood**, Alva O. Way University Professor of History and Professor of History Emeritus at Brown University, with our Philip Merrill Award for Outstanding Contributions to Liberal Arts Education. We will also recognize **Karrin Taylor Robson**, secretary of the Arizona Board of Regents, with the Jerry L. Martin Prize for Excellence in College Trusteeship.

The roster of exciting events includes a colloquy, "A Challenging Landscape: Presidents on the Future of Higher Education," featuring University of Chicago President **Robert**  Zimmer, Purdue University President Mitch Daniels, The George Washington University President Emeritus Stephen Joel Trachtenberg, Baylor University President Linda Livingstone, and Arizona State University President Michael Crow. Abigail Thompson, past chair of the Mathematics Department at the University of California–Davis, will give keynote remarks as she receives ACTA's Hero of Intellectual Freedom award for her principled stand on hiring standards in the midst of the University of California System's prejudicial use of diversity and equity statements in faculty screening.

Please join us for this momentous occasion as we celebrate over two decades of promoting academic excellence and protecting academic freedom on America's college campuses.