

Free Your Campus, Free Your Mind



CAMPUS FREEDOM TOOLKIT

AMERICAN COUNCIL OF TRUSTEES AND ALUMNI

Campus Freedom Initiative

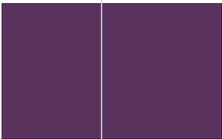


ACTA
AMERICAN COUNCIL OF
TRUSTEES AND ALUMNI



The **American Council of Trustees and Alumni (ACTA)** is an independent, nonprofit organization committed to academic freedom, excellence, and accountability at America's colleges and universities. Founded in 1995, ACTA is the only national organization dedicated to working with alumni, donors, trustees, and education leaders across the United States to support liberal arts education, uphold high academic standards, safeguard the free exchange of ideas on campus, and ensure that the next generation receives an intellectually rich, high-quality education at an affordable price. Our network consists of alumni and trustees from nearly 1,300 colleges and universities, including over 23,000 current board members. Our quarterly newsletter, *Inside Academe*, reaches more than 13,000 readers.

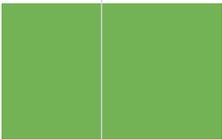
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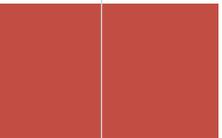
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ACTA Gold Standard for Freedom of Expression

A blueprint for institutional leaders on how to create a culture of free thought on their campuses.

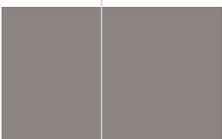
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“The most serious problems of freedom of expression in the U.S. today exist on our campuses. . . . The assumption seems to be that the purpose of education is to induce ‘correct’ opinion rather than to search for wisdom and to liberate the mind.”

—Benno Schmidt, former chairman, CUNY Board of Trustees; past president, Yale University

INTRODUCTION

Free Expression and the Task of American Colleges and Universities

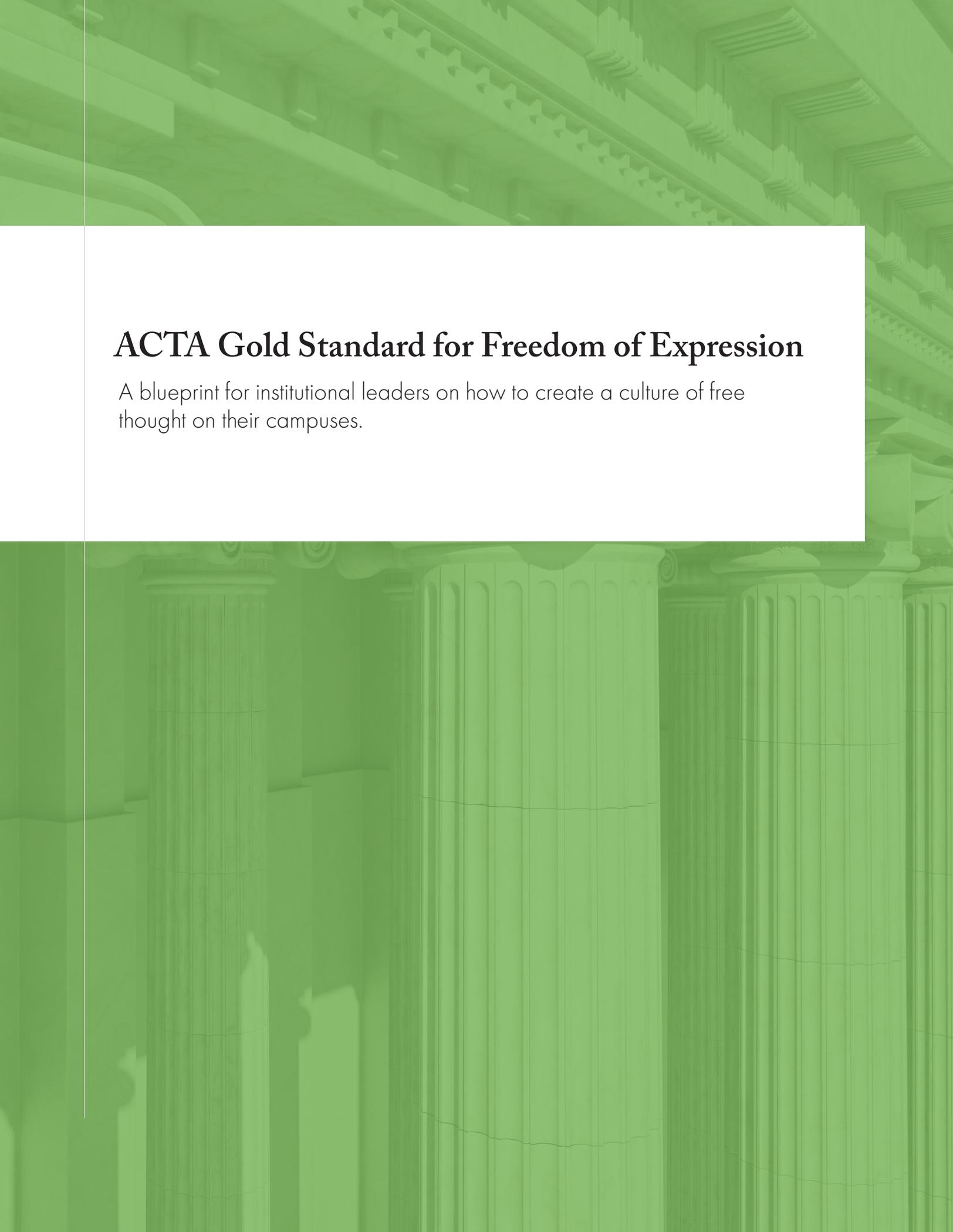
There are certain truths of American political life that antedate even the Founding and are as important for our age as they were for ages past. Among these are that demagogues hold most sway over the ignorant, that a free people must be an informed people, and that representative democracy requires widespread education to flourish. A self-governing people cannot be a foolish, deluded, or benighted people, else it will soon lose its liberty. For these reasons, Americans must become passionate learners, fearless truth-seekers, and searching critics in order to take up the responsibilities of citizenship and render themselves immune to the manipulations of opportunists and timeservers.

Universities are indispensable for a free and prosperous society. They are the engine that drives both scientific and social progress. They educate students for career and responsible citizenship and habituate them to self-discovery and the pursuit of truth. Their mission depends on a campus culture of free expression and intellectual diversity. Unless teachers, students, and researchers can inquire and speak freely and fearlessly, innovation will stall, questions will be left unasked and unanswered, and students will be ill-prepared for life, career, community, and citizenship.

But we learn in story after story, year upon year, that colleges and universities have lost their way. Instead of encouraging students to explore different lines of intellectual inquiry and equipping them for the rough-and-tumble of a vibrant democracy, too many institutions seem to be training them for lives as informers, inquisitors, and isolated, distrustful individuals. Rather than teaching students how to engage productively with challenging new ideas, far too many colleges and universities build cozy bubbles in which only comfortable orthodoxies are permitted. They foster large, expensive bureaucracies to police infractions of vague (and often extralegal, if not outright illegal) rules against expressing ideas that someone might find offensive.

The American Council of Trustees and Alumni (ACTA) seeks to hold American colleges and universities accountable to their missions. Progress depends on the freedom to pursue new ideas. Self-discovery requires uninhibited exploration of life's timeless questions. Education for citizenship in a liberal democratic republic necessarily involves opening ourselves to all the perspectives we might encounter in the community at large, even silly and dangerous ones, so that we are prepared to live and negotiate with all our fellow citizens. All of this requires free expression, which is why the United States Supreme Court has so roundly affirmed, protected, and over time, extended our rights to that core freedom. American universities, of all institutions, should not be the ones to curtail it.

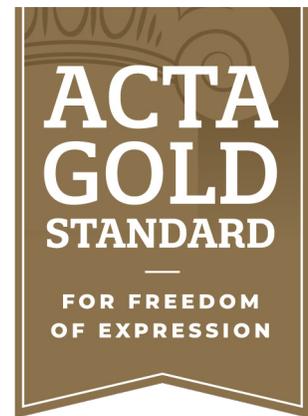
ACTA now provides a blueprint to help higher education regain and live by this core principle. The ACTA Gold Standard for Freedom of Expression provides clear guidance for institutions to create a culture of free thought on their campuses. Steps ranging from adopting new institutional guidelines, to creating new on-campus initiatives, to eliminating abusive and unconstitutional rules can help colleges and universities reclaim their place as leaders within our liberal democracy.



ACTA Gold Standard for Freedom of Expression

A blueprint for institutional leaders on how to create a culture of free thought on their campuses.

ACTA Gold Standard for Freedom of Expression



1. Commit to a Culture of Freedom of Expression

- Adopt the Chicago Principles on Freedom of Expression or a similarly strong statement.
- Establish clear expectations regarding free expression in student, faculty, and staff handbooks and codes of conduct.
- Include a free expression unit in new-student orientations.
- Protect the diversity of political viewpoints by adopting an institutional neutrality policy such as the Kalven Committee Report.

2. Foster Civil Discourse

- Sponsor campus debates that model civil discourse.
- Encourage establishment of student groups promoting free expression.
- Protect the rights of invited speakers and listeners to engage with controversial ideas.
- Establish and enforce consequences that deter disruption of sponsored speakers, events, and classes.

3. Cultivate Intellectual Diversity

- Encourage presidents, provosts, and deans to model respect for a broad range of viewpoints.
- Guarantee that viewpoint diversity is reflected in student life policies and practices.
- Support academic centers dedicated to free inquiry and intellectual diversity.
- Make intellectual diversity a stated goal in faculty hiring, evaluation, and promotion.

4. Break Down Barriers to Freedom of Expression

- Eliminate speech and IT policies that have a chilling effect on free expression.
- Ensure that Title IX and other disciplinary procedures do not infringe on free expression.
- Disband bias response teams.
- Review student government policies to ensure viewpoint neutrality in student group recognition and funding.

5. Advance Leadership Accountability

- Incorporate explicit policies of free expression in governance bylaws and other key institutional documents.
- Include a commitment to free expression as a criterion for presidential searches and evaluations.
- Require free expression and viewpoint diversity training for administrative staff.
- Conduct regular evaluations of the state of free expression and intellectual diversity on campus.

Key Documents

Reports, both classic and contemporary, that lay out the principles and practices of campus free expression.

- [Chicago Principles: Report of the Committee on Freedom of Expression \(2014\)](#)
- [Kalven Committee Report on the University's Role in Political and Social Action \(1967\)](#)
- [Shils Report on the Criteria of Academic Appointment \(1970\)](#)
- [Woodward Report of the Committee on Freedom of Expression at Yale \(1974\)](#)
- [American Association of University Professors' 1940 Statement of Principles on Academic Freedom and Tenure](#)

Chicago Principles: Report of the Committee on Freedom of Expression (2014)

The Chicago Principles articulate the importance of free expression as an essential feature of the university. They commit the university to allowing the widest possible range of ideas to be spoken and heard, even those that are considered wrong or offensive by many. They stress that the members and guests of the university must not be prevented from expressing their views.

Key Excerpts

“Because the University is committed to free and open inquiry in all matters, it guarantees all members of the University community the broadest possible latitude to speak, write, listen, challenge, and learn.”

“The University’s fundamental commitment is to the principle that debate or deliberation may not be suppressed because the ideas put forth are thought by some or even by most members of the University community to be offensive, unwise, immoral, or wrong-headed. It is for the individual members of the University community, not for the University as an institution, to make those judgments for themselves, and to act on those judgments not by seeking to suppress speech, but by openly and vigorously contesting the ideas that they oppose.”

“Although members of the University community are free to criticize and contest the views expressed on campus, and to criticize and contest speakers who are invited to express their views on campus, they may not obstruct or otherwise interfere with the freedom of others to express views they reject or even loathe. To this end, the University has a solemn responsibility not only to promote a lively and fearless freedom of debate and deliberation, but also to protect that freedom when others attempt to restrict it.”

Link

<https://provost.uchicago.edu/sites/default/files/documents/reports/FOECommitteeReport.pdf>

Kalven Committee Report on the University's Role in Political and Social Action (1967)

The Kalven Report recommends “institutional neutrality,” which is the idea that universities should remain neutral on social and political issues in order to support the broadest possible diversity of views within their communities. This means that university leaders should avoid taking political and social positions on behalf of the university and instead maintain the university as a forum that allows individuals to express and contest their varying views.

Key Excerpts

“The instrument of dissent and criticism is the individual faculty member or the individual student. The university is the home and sponsor of critics; it is not itself the critic.”

“To perform its mission in the society, a university must sustain an extraordinary environment of freedom of inquiry and maintain an independence from political fashions, passions, and pressures. A university, if it is to be true to its faith in intellectual inquiry, must embrace, be hospitable to, and encourage the widest diversity of views within its own community. It is a community . . . which cannot take collective action on the issues of the day without endangering the conditions for its existence and effectiveness. There is no mechanism by which it can reach a collective position without inhibiting that full freedom of dissent on which it thrives. It cannot insist that all of its members favor a given view of social policy; if it takes collective action, therefore, it does so at the price of censoring any minority who do not agree with the view adopted. In brief, it is a community which cannot resort to majority vote to reach positions on public issues.”

“The neutrality of the university as an institution arises . . . not from a lack of courage nor out of indifference and insensitivity. It arises out of respect for free inquiry and the obligation to cherish a diversity of viewpoints. And this neutrality as an institution has its complement in the fullest freedom for its faculty and students as individuals to participate in political action and social protest. It finds its complement, too, in the obligation of the university to provide a forum for the most searching and candid discussion of public issues.”

Link

https://provost.uchicago.edu/sites/default/files/documents/reports/KalvenRprt_0.pdf

Shils Report on the Criteria of Academic Appointment (1970)

The Shils Report explains that academic appointments (hiring, tenure, promotion, etc.) should be based on the expected future excellence of a candidate's research, teaching, contribution to the intellectual community, and service. Other factors, including demographic characteristics, political or religious beliefs and activities, and contemporaneity, should not be considered. The report adds that those appointed to the faculty should be expected to support (and not disrupt) academic freedom.

Key Excerpts

"The conception of the proper tasks of the University determines the criteria which should govern the appointment, retention, and promotion of members of the academic staff. The criteria which are to be applied in the case of appointments to The University of Chicago should, therefore, be criteria which give preference above all to actual and prospective scholarly and scientific accomplishment of the highest order, actual and prospective teaching accomplishment of the highest order, and actual and prospective contribution to the intellectual quality of the University through critical stimulation of others within the University to produce work of the highest quality."

"The University of Chicago should not aim to be a pantheon of dead or dying gods. Appointments to the University should not be made solely on the basis of past achievements but only to the degree that past achievements promise future achievement."

"There must be no consideration of sex, ethnic or national characteristics, or political or religious beliefs or affiliations in any decision regarding appointment, promotion, or reappointment at any level of the academic staff."

"Great caution must be exercised by appointive committees themselves to prevent their being 'stampeded' by the prestige or influence of contemporaneity. . . . Appointive bodies must remember that universities are, insofar as their major intellectual functions are concerned, places for scientific and scholarly analysis and training in such analysis, not theatres for the acquisition of vicarious experiences. Proposals to appointive bodies urging them to consider present or recent public notables for academic appointments must be responded to by strict adherence to the criteria of academic appointment."

“Deliberate obstruction of the work of the University through participation in disruptive activities cannot claim the protection of academic freedom, which is the freedom of the individual to investigate, publish, and teach in accordance with his intellectual convictions. Indeed, the only connection between disruptive actions within the University and academic freedom is that the disruptive actions interfere with the very action which academic freedom is intended to protect. Appointive committees, concerned with the maintenance or improvement of the intellectual quality of research and teaching in the University, must expect that those whom they appoint will enjoy the protection of academic freedom and that they will also be the guardians of that freedom. It is pertinent at this point to affirm what was said above about the irrelevance of political or religious beliefs and affiliations to decisions regarding appointment.”

In a subsequent addendum, the committee reaffirmed:

“In discussions and decisions regarding appointments, promotions, and reappointments, appointive bodies should concentrate their consideration of any candidate on his qualifications as a research worker, teacher, and member of the academic community. The candidate’s past or current conduct should be considered only insofar as it conveys information relative to the assessment of his excellence as an investigator, the quality of the publications which he lays before the academic community, the fruitfulness of his teaching and the steadfastness of his adherence to the highest standards of intellectual performance, professional probity, and the humanity and mutual tolerance which must prevail among scholars.”

“There are, accordingly, certain matters which when they do not unambiguously and demonstrably bear on the application of the foregoing criteria, must be studiously avoided in discussions about academic appointment. These matters include a candidate’s past and current associations and the objectives of his past or current employer, the sources of the funds which support his research and the uses to which third parties might or have actually put its results independently of his desires.”

Link

https://provost.uchicago.edu/sites/default/files/documents/reports/shilsrpt_0.pdf

Woodward Report of the Committee on Freedom of Expression at Yale (1974)

Yale University's 1974 Woodward Report affirms the sacrosanctity of free expression, arguing that it should be prioritized over other values in a university because it is a necessary condition for discovering and communicating knowledge, which are the primary purposes of a university. The report argues that the obligation to respect free expression depends primarily on shared belief in the importance of this freedom, but that it should also be enforced by university policies and procedures, including sanctions for those who prevent others from sharing their views.

Key Excerpts

"The primary function of a university is to discover and disseminate knowledge by means of research and teaching. To fulfill this function a free interchange of ideas is necessary not only within its walls but with the world beyond as well. It follows that the university must do everything possible to ensure within it the fullest degree of intellectual freedom. The history of intellectual growth and discovery clearly demonstrates the need for unfettered freedom, the right to think the unthinkable, discuss the unmentionable, and challenge the unchallengeable. To curtail free expression strikes twice at intellectual freedom, for whoever deprives another of the right to state unpopular views necessarily also deprives others of the right to listen to those views."

"Without sacrificing its central purpose, [a university] cannot make its primary and dominant value the fostering of friendship, solidarity, harmony, civility, or mutual respect. To be sure, these are important values; other institutions may properly assign them the highest, and not merely a subordinate priority; and a good university will seek and may in some significant measure attain these ends. But it will never let these values, important as they are, override its central purpose. We value freedom of expression precisely because it provides a forum for the new, the provocative, the disturbing, and the unorthodox. Free speech is a barrier to the tyranny of authoritarian or even majority opinion as to the rightness or wrongness of particular doctrines or thoughts."

“By voluntarily taking up membership in a university and thereby asserting a claim to its rights and privileges, members also acknowledge the existence of certain obligations upon themselves and their fellows. Above all, every member of the university has an obligation to permit free expression in the university. No member has a right to prevent such expression. Every official of the university, moreover, has a special obligation to foster free expression and to ensure that it is not obstructed.”

“The strength of these obligations, and the willingness to respect and comply with them, probably depend less on the expectation of punishment for violation than they do on the presence of a widely shared belief in the primacy of free expression. Nonetheless, we believe that the positive obligation to protect and respect free expression shared by all members of the university should be enforced by appropriate formal sanctions, because obstruction of such expression threatens the central function of the university.”

Link

<https://yalecollege.yale.edu/get-know-yale-college/office-dean/reports/report-committee-freedom-expression-yale>

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

The American Association of University Professors (AAUP) issued a statement on academic freedom and tenure in 1940, partially building on its landmark 1915 *Declaration of Principles*. Published before the Chicago Principles and the Woodward Report, the 1940 statement promotes the value of academic freedom in teaching and research as essential to the mission of a university. It also asserts that tenure protects academic freedom with respect to teaching, research, and extramural activities and ensures economic security for faculty.

Key Excerpts

"Institutions of higher education are conducted for the common good and not to further the interest of either the individual teacher or the institution as a whole. The common good depends upon the free search for truth and its free exposition."

"Academic freedom is essential to these purposes and applies to both teaching and research. Freedom in research is fundamental to the advancement of truth. 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."

"Teachers are entitled to full freedom in research and in the publication of the results, subject to the adequate performance of their other academic duties."

"Teachers are entitled to freedom in the classroom in discussing their subject, but they should be careful not to introduce into their teaching controversial matter which has no relation to their subject."

"College and university teachers are citizens, members of a learned profession, and officers of an educational institution. When they speak or write as citizens, they should be free from institutional censorship or discipline, but their special position in the community imposes special obligations. As scholars and educational officers, they should remember that the public may judge their profession and their institution by their utterances. Hence

they should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that they are not speaking for the institution.”

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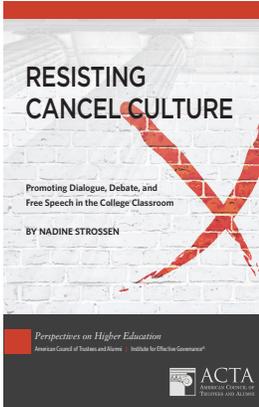
<https://www.aaup.org/report/1940-statement-principles-academic-freedom-and-tenure>

ACTA Resources

ACTA publications that provide best practices for fostering civil discourse, cultivating intellectual diversity, breaking down barriers to free expression, and advancing leadership accountability.

- [Resisting Cancel Culture: Promoting Dialogue, Debate, and Free Speech in the College Classroom](#) by Nadine Strossen
- [Building a Culture of Free Expression in the Online Classroom](#)
- [Building a Culture of Free Expression on the American College Campus: Challenges & Solutions](#) by Joyce Lee Malcolm
- [Guarding the Freedom to Speak, Freedom to Hear](#) by Joyce Lee Malcolm
- [Free to Teach, Free to Learn: Understanding and Maintaining Academic Freedom in Higher Education](#)

ACTA Resources

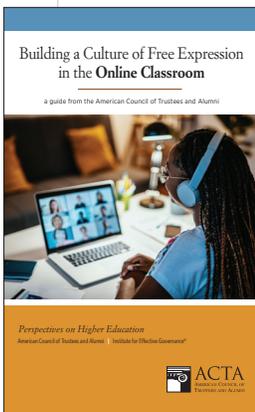


Resisting Cancel Culture

Promoting Dialogue, Debate, and Free Speech in the College Classroom

Reasoned and wide-ranging debate has all but vanished from the American college campus. In ACTA's *Resisting Cancel Culture*, former ACLU president Nadine Strossen marshals a wealth of survey data to show the scope and depth of the growing crisis: Americans feel more pressure to conceal their viewpoints today than during the McCarthy era. Professor Strossen reminds us that free speech cultures must be fostered by the deliberate efforts of educators and concludes her essay with helpful strategies for advancing these goals in the virtual classroom.

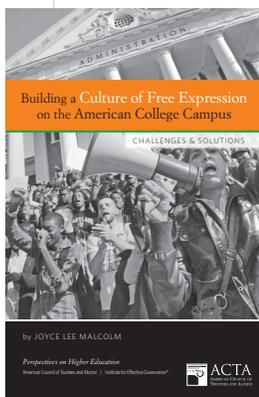
<https://www.goacta.org/resource/resisting-cancel-culture/>



Building a Culture of Free Expression in the Online Classroom

Drawing on empirical data from student surveys, as well as insights from faculty and higher education leaders across the country, ACTA's report details how the rapid shift to online learning during the COVID-19 pandemic exacerbated the ongoing free speech crisis on college campuses, further suppressed viewpoint diversity, and encouraged more self-censorship among students. The report also delineates steps that faculty, administrators, and governing boards can take to help promote a culture of free expression in the online classroom.

<https://www.goacta.org/resource/building-a-culture-of-free-expression-on-the-american-college-campus/>

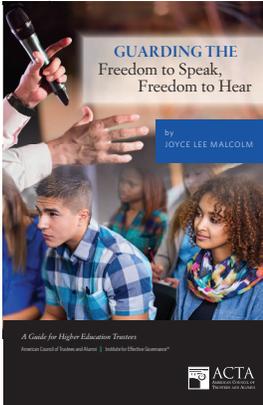


Building a Culture of Free Expression on the American College Campus

Challenges & Solutions

Higher education continues to grapple with issues surrounding free expression within the academy—and the actions that protect or degrade it. Some institutions adopt the Chicago Principles on Freedom of Expression and work hard to live by them; others enforce “safe spaces” and speech codes on campus. It is far from certain that higher education overall will safeguard viewpoint diversity and the open exchange of ideas. In this instructive essay, Professor Joyce Lee Malcolm describes the pivotal issues and events concerning free speech and sets forth the best practices necessary to build a campus culture dedicated to freedom of opinion and speech.

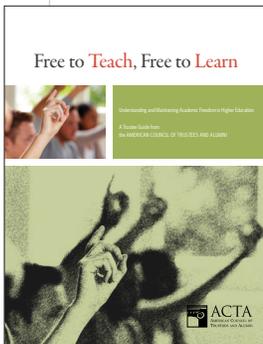
<https://www.goacta.org/resource/building-a-culture-of-free-expression-in-the-online-classroom/>



Guarding the Freedom to Speak, Freedom to Hear

ACTA's instructive guide, written by Professor Joyce Lee Malcolm, discusses in detail the best practices by which boards of trustees can secure intellectual freedom on the American college campus. Since 2016, a growing number of students have indicated that speech, if deemed offensive or hateful—despite its legal protections—should be prohibited. And in a Gallup/Knight Foundation report, 53% of students surveyed believed that diversity is more important than free speech. The guide informs trustees about the legal and ethical violations that the “heckler’s veto” and the disinvitation of controversial speakers represent and offers clear solutions on how to cultivate a campus climate that encourages free expression.

<https://www.goacta.org/resource/acta-guide-guarding-the-freedom-to-speak-freedom-to-hear/>



Free to Teach, Free to Learn

Understanding and Maintaining Academic Freedom in Higher Education

ACTA's seminal guide on the dangerous decline of academic freedom and intellectual diversity on college campuses features a foreword by Benno Schmidt, former chairman of the City University of New York Board of Trustees and past president of Yale University. It is essential reading at a time when duly invited graduation speakers are made unwelcome, campus speech codes threaten the free exchange of ideas, and academic freedom controversies are emerging on so many campuses. The guide features key documents that shape the modern concept of academic freedom, coupled with commentary from a wide and bipartisan roster of distinguished educators, attorneys, and policymakers, including past Harvard University president Lawrence Summers, U.S. Circuit Judge José Cabranes, Benno Schmidt, and the cofounders of the Foundation for Individual Rights in Education, Alan Charles Kors and Harvey Silverglate.

<https://www.goacta.org/resource/free-to-teach-free-to-learn/>



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