

Nick Down ([00:00](#)):

Welcome to Higher Ed Now. My name is Nick Down and I am the associate director of External Affairs for ACTA. I am joined today by Thad Westbrook, who chairs the University of South Carolina Board of Trustees.

([00:13](#)):

Thad is a partner with the law firm of Nelson Mullins. He is founder and co-chair of the firm's State Attorney's General Actions practice where he represents some of the largest corporations in the world. Thad was appointed to the University of South Carolina Board of Trustees in 2010 and has served as chairman of the board since 2022. Thad earned his bachelor's in political science as well as his Juris Doctorate from the University of South Carolina in the University of South Carolina School of Law. Thad, it's great that you're here. Thanks for joining me today.

Thad Westbrook ([00:51](#)):

Well, thank you, Nick. Thank you for having me. I'm looking forward to our conversation.

Nick Down ([00:54](#)):

Now, Thad, I wanted to invite you to the podcast today because the University of South Carolina has been making quite a splash over the last year. First, with the establishment of the Center for American Civic Leadership and Public Discourse. And again, more recently with the creation of a new accrediting commission, the Commission on Public Higher Education. So, tell me there's not really much going on in your world is there?

Thad Westbrook ([01:22](#)):

It's a dynamic time for Higher Education and certainly here at the University of South Carolina we're excited to take on some of the challenges that Higher Ed is facing right now. So yes, there's a lot going on, but these are good opportunities for us in Higher Ed to further demonstrate our value to our investors, taxpayers, to families and students who pay tuition. And so, I'm excited about where things are and where we're going.

Nick Down ([01:46](#)):

So, let's start with the new Civic Center. Since ACTA's founding 30 years ago, we've been steadfast in our support of ensuring college students can graduate with the knowledge necessary to be engaged and informed citizens. We were absolutely thrilled that the University of South Carolina recently joined the vanguard of states and institutions that have stood up centers, schools, and institutes dedicating to teaching American history. Now with that, I just want to start with a general question. Where did the idea for the Center come from?

Thad Westbrook ([02:19](#)):

So, ACTA actually has a role in the founding of our Center, but unbeknownst to most of your leadership, I did have an opportunity to tell Michael Polikoff about it where I was listening to this podcast. He did an interview with Mitch Daniels who's on the Civic Education Commission that ACTA has founded, and I know you're working on a report there. But in that conversation, they were talking about some of these centers. And I've been following the developments nationally. I see this movement to create these centers around civil discourse, around civic education, training students to be good citizens in multiple states. I know some of these have been put together required and funded by state legislatures. Others have been at the board level.

([03:04](#)):

And in that conversation, a couple of things stood out to me. One, I think, Michael actually quoted a survey that found that only 45% of young people are very proud or extremely proud to be an American. And that was astonishing to me. And I wrote about this in an op-ed here in our state in the Greenville News. And I feel like that's an existential threat to the future of America, that our young people are not extremely proud or very proud to be Americans, only a minority are. So, I felt like we needed to contribute in this space.

[\(03:37\)](#):

And one of the things that Mitch Daniels said, he was a great leader, a public leader, a statesman, a Higher Ed leader. He said, "Why aren't trustees stepping up to address some of this?" And I took that on as a personal challenge in my role as chair of our board to explore the opportunity to have a center like this at the University of South Carolina. Went to our president, I went to some of our trustees and talked about the concept and there was immediate support for this and immediate recognition of the need for this type of center in South Carolina.

[\(04:11\)](#):

And we wanted to be the first in our state to do it. We wanted to do it ourselves funded by the university and that's what we launched. We went to our academic leadership, our provost, our Dean of the College of Arts and Sciences, now the McCaulson College of Arts and Sciences, which I'll come back to that name in just a second, to work on putting together one of these centers. And we found tremendous support within the university.

[\(04:38\)](#):

As we were exploring this opportunity, we reached out to different leaders who were part of this movement. And we started with Robbie George at the Madison program at Princeton. We talked to him and got his input. We talked to leaders, we talked to Josh Dunn in Tennessee, Paul Carrese at Arizona State, the first of these public centers to get their feedback about what worked and what didn't work for them because we wanted to start our center the right way where it would be one that would be embraced by the university community and it has been. And one that will be a meaningful contributor to scholarship on civic thought and the civic order. Scholarship around the rule of law, democratic self-governance, ordered liberty justice and able rights, these things that we need to be talking about in our country, not only in our state, but nationally.

[\(05:30\)](#):

So, for us, this is an important project just kicked off and I know we'll talk about that at some point. The point being, this is one that ACTA actually had a role in. Unbeknownst to many of you, I doubt Nick, you realize that this podcast actually had an input on the creation of our center. And we've had conversations with Michael and Armond about what ACTA's doing in this space. So you all have been very supportive. You've shared some materials with us. So, I just want to say thank you to the organization for supporting our effort here and being a valuable partner in getting the Center established.

[\(06:03\)](#):

This really started back in March. So, on a pretty quick timetable, we've got ours up and running and just getting started.

Nick Down [\(06:11\)](#):

I certainly did not know that. That makes me incredibly proud that ACTA had played a role in starting the board's thinking and creating one of these centers. That is fantastic. One other thing you mentioned in your last remarks that I wanted to touch on because I believe it's truly important. You said the idea was yours as well as others on the board. And the idea really found legs through the board of trustees, that is singing from the ACTA playbook. We have seen in other states, state legislatures taking the lead in creating these centers and ACTA is very grateful. We love to see this sort of interest from the state

legislature, however, at ACTA. We promote engaged trusteeship and we are thrilled that the idea for the Center started with the board of trustees.

Thad Westbrook (07:00):

A lot of times, people within a university may not realize that there is support from university leadership for certain concepts. Whenever our academic leadership heard about this interest from the university leadership and they started talking to some of the members of the faculty here, they found that there were faculty members who were very much invested and excited in some of these topics and wanted to be a part of this. So, we've had no shortage of interest here.

(07:28):

And our interim director, the newly appointed interim director was already on faculty here at the University of South Carolina, Professor Chris Tollison, known by folks in this community already, fellow of the Madison Program. Robbie George knew him and mentioned him to us. And I did not know him before we started having these conversations. And we met and realized he was the right kind of person and the dean appointed him to that position.

(07:56):

But I think there are times that trustees sit back too much. They leave some of these issues to either the academic leadership or the president to come up with on their own. Good ideas can originate at the board level, but the board members have to be careful how they approach them. It's not necessarily something where the trustees need to be getting into the management day-to-day of the university, picking out the wallpaper, the color of the carpet and that kind of thing. We hire presidents and administrators to do those things.

(08:26):

But whenever we, as volunteers, at a public institution, in particular, you're a volunteer trustee, we see things happening in the community. We see things outside the bubble of Higher Ed. And when we talk about those issues, it's incumbent upon us to make sure that the university leadership hears because we are representing the taxpayers in our state, we're representing the state leadership who appoint us to these positions, and it's important that we convey our thoughts and share our ideas. And some of them take root and grow, not all of them, and that's okay, but we're having the conversation and we're comfortable having that dialogue.

(09:05):

Here at the University of South Carolina, we're very well aligned with the president and the administration along with the academic leadership. We had a conversation about this and it really took a life of its own and moved on. And I would encourage other trustees to think about some of these things that could be started at the board level and have a conversation. You don't have to necessarily just take action in one meeting and not have any conversation. A shared governance model is important, but ultimately, the board of trustees will make the final decisions, particularly in a state like ours, where we are giving authority from our state legislature to govern the university and fulfill its mission.

(09:46):

But I think it's important that you have a conversation. That's what we did. We didn't just have a meeting, vote and say there's a new center. Not at all. We spent a few months talking with the administration, talking with the academic leadership who engaged faculty, and this went through a faculty approval process here and the Center was approved unanimously at the faculty level and at the board level. And so, I think, having a dialogue within the university is key in order to bring about some of these things and I think trustees will see this.

(10:15):

Many of these ideas are very well received, not all, and that's okay. Let's have the conversation. I think the university leadership will appreciate it, appreciate the right approach. You can do something really interesting and important for your university like we have here by having that type of dialogue.

Nick Down ([10:33](#)):

Well, that is so good to hear. So, I was looking at the Center's website and according to the website, the mission of the Center is to promote three kinds of literacy, dialogic, cultural and civic. Do you mind elaborating a bit more on the mission and how the Center is planning to achieve that mission?

Thad Westbrook ([10:52](#)):

Absolutely. We're looking to renew a strong civic culture in the United States. You mentioned three ways that we're approaching it. Dialogic literacy. We want our students and our university community to have the skills needed to make rational arguments and engage in civil and constructive discussion, where there's reason to belief, where there's based on evidence, not just merely opinion and where people can have a debate, enjoy a debate, listen to each other, learn from each other and really engage in a public discourse that's beneficial, not only to the participants of the conversation, but to our community at large.

([11:33](#)):

Those are skills that we find have not been offered nationally or throughout the Higher Ed community as much as they should be. And one way we're doing that is creating a center that not only focuses on those things but will offer it to the university community at large. The cultural literacy part there, we're talking about founding documents, we're talking about the sources, the texts, the traditions that shape us as Americans. We want to identify core values, teach core values to our students where they understand what things bind us together as Americans.

([12:10](#)):

I think a lot of that's been lacking in Higher Ed and we have responsibility to teach those kind of things to our students, which leads into civic literacy. What does it mean to be a good citizen? What does it take to be a good citizen? There's got to be a commitment to the common good. I look at a poll like I mentioned earlier, where only 45% of young people are very proud or extremely proud to be an American. And you look at how difficult it is for people to have conversations nationally, even on college campuses. We're just a few days removed from the assassination murder of Charlie Kirk on a college campus while he was engaging in political speech, a horrendous event, horrendous for our nation, horrendous for Higher Ed, that it happened on a college campus.

([12:56](#)):

We need now more than ever a center like ours to address some of these issues, to have a constructive dialogue and to educate young people to understand what it means to be a good citizen in the United States of America. There's a reason why we call it the Center for American Civic Leadership. There are things that are unique to America. We have a uniquely wonderful American form of government and our young people need to understand that form of government. So, when there are leaders that act inappropriately or are not following the constitution, they can speak up and call that out and make it clear that we want our leaders to follow the constitution and to look to first principles when they're making decisions and not just latest fads or whatever whim they have.

([13:47](#)):

This first year is going to be a lot of the organization. We have some upcoming events, public events. We just had one we could talk about, but we are looking to get things moving immediately with an outward focused approach to gauging the university community and our state on certain topics of importance, but also working towards hiring faculty that will be working on not only research, but teaching certain courses that are around civic thought and civic order.

(14:23):

So, we're moving as quickly as we can. We do want to have some state support for this. Right now, the university is paying for the Center. Funds that the president set aside and the board approved in June to be used for the Center. We'll be going to our state leaders, to our governor later this month and then state legislature in the spring and asking them to invest in this Center at the university and to enjoy a role in making sure this Center not only thrives and grows, but has a meaningful impact on our state.

Nick Down (14:58):

Now, you said a few seconds ago that the Center just hosted an event, I believe, on September 12th. And correct me if I'm wrong, but I believe this was the Center's inaugural event?

Thad Westbrook (15:09):

It was, yes.

Nick Down (15:10):

Oh, wonderful. The event that you held on September 12th was with two very well-known scholars, Professor Cornel West and Professor Robert George. I'd love to hear you talk more about that event and why USC chose it to be the Center's first. Was that an intentional decision?

Thad Westbrook (15:29):

It was. It was. We're thinking about where should we start? And our director came to us with an idea of having a couple of people come in who would demonstrate civil discourse and what it means to engage on issues from different perspectives, different backgrounds. And of course, Robbie George and Cornel West have a well-known relationship, a well-received approach and presentation on these topics.

(16:00):

We invited them to be a part of this. I will offer that they both have agreed to serve on our Advisory Board for the Center. So, we've got five advisors, Robbie George, Cornel West, Julia Mahoney from UVA Law School, who not only is a tremendous scholar at the law school there, but now is the interim first lady with her husband, who has stepped up to take the interim role of president of UVA. Paul Carrese, who I mentioned earlier from Arizona State, and then Mary Keys from Notre Dame have all agreed to serve on our Advisory Board, which we are very appreciative of their service and leadership in guiding us as we move forward.

(16:40):

But with Robbie and Cornel, we felt it was best to focus on civil discourse and have them talk about the importance of truth, Why Truth Matters. That's a book that they had just written, but also to demonstrate what it takes to have a meaningful conversation that is an example of how we all should engage on issues. It was unfortunate slash fortuitous that it was on Friday the 12th, just two days after the murder of Charlie Kirk, and they had both been on his show two months ago.

(17:19):

So, the first 11 minutes of the presentation is them talking about that tragic situation both on a personal level and a national level. And Robbie George in that presentation is talking about how we are at an inflection point in our country. They get into discussions about hope for America as opposed to optimism, they want to focus on hope for a good reason. And so, the actual presentation is available on our website via YouTube. The first 11 minutes, we post it on Saturday the day after on social media for people to see at the College of Arts and Sciences because we felt like that was the message that the country needed to hear as quickly as possible.

(18:01):

And I would encourage anyone who hears this podcast to go look it up and hear their message because it was beyond timely and necessary, and I believe the right approach to the national discussion that we're having right now. So, that's where we started. We've got a couple other things coming up. John Witty from Emory University that's going to be here on Constitution Day. He'll be talking about the original intent of the First Amendment. Yuval Levin will come in and take on the question, can the Constitution unify Americans? That's what we're doing this fall as far as public events. There will be other events on campus, there's a small group, but then we're also working on hiring new faculty.

Nick Down (18:42):

That's great. And between the first event you held on Friday, the September 12th, and the two future events, it sounds like it's going to be a fantastic fault to be a student in the Center.

Thad Westbrook (18:53):

I agree. We had one sold out event already with Robbie and Cornell, and we're hoping the next two will be sold out as well.

Nick Down (18:59):

Here's to hoping, right? So back in March, you published a piece about the importance of colleges and universities promoting civics education. In this piece, when talking about your hope that students will be exposed to civil discourse and debate, you wrote, "This goal can only be accomplished in an environment where Higher Education leaders and faculty have an open mind and promote free thinking in our classrooms, whether we agree or disagree with the opinions shared by students." I honestly thought that was a very powerful quote. That's why I wanted to talk about it with you today. From your perspective, is the new center the appropriate place for this to happen?

Thad Westbrook (19:40):

It is. It's an important role for the Center to play in demonstrating how that should be done, not only on our campus, but nationally. And that quote, that thought comes from a personal place for me. I remember as a student in classes where I did not feel comfortable expressing my true beliefs. I felt there were times where my instructor expected me to regurgitate certain things in order to get a grade and I did it. Whether that's a flaw or not, it's something I reflect on because at that time, as a young person, I was worried about my grades and trying to move on from college in a successful way.

(20:20):

But on reflection, I wish I had done more to speak up, even though I was concerned that my professors, based on what they said, might have held it against me with my grade. And, to me, an instructor in a classroom, a professor who young people are not sure where they stand ideologically, it's the right place to be. Or, if they are very clear on where they stand based on their writings, their research, that's okay. But they need to openly invite their students to have a civil discussion. The students should not be yelling and pounding the desk or the table, but have a civil discussion about the issues even though there's disagreement.

(21:00):

And I think instructors who invite discussion and invite a debate or disagreement are the best instructors because I truly believe that on a college campus, you need to be very open to free speech, free expression, and whenever you disagree with the speech that's given, then you need to meet it with more speech. And I think there are times that I hear anecdotes where students are expressing that they're not comfortable giving their opinion, and that's unfortunate that's not the way it should be.

(21:32):

When we are looking at the Center and some of the things that it'll be doing on our campus, part of it should be to demonstrate how to have civil discourse. But also, to invite debate and disagreement and to encourage our faculty across the board to encourage that in their classroom because no young person should be concerned that the outcome of their class is adversely impacted by what they believe.

(22:01):

Now, to the students, I would say, you need to bring forth evidence. Don't just have an opinion that's uninformed. It's your responsibility to be informed. Your instructors will share with you information. You can certainly read beyond what's in the classroom and talk to your professor about it. And the professor may have a reason why that external information outside the classroom is not relevant or not applicable or not accurate. And then have a discussion.

(22:29):

All of our faculty have office time available for students to meet and talk about the classes and have dialogue. I see our faculty throughout the campus out having coffee. They're very accessible. And so, we need to encourage the students to come with informed opinions when they have those discussions with their faculty. So, the Center will demonstrate that and encourage that and we'll build on many of the good things that are already happening on our campus.

Nick Down (22:58):

To your point about the students needing to also come to class with informed opinion, especially in today's environment, it's very important that any topic that is debated is done so in a civil manner. And students should not be afraid of being penalized or losing friends for sharing their opinions. And on the same token, faculty should not be in fear of being sanctioned or punished or terminated for doing the same.

Thad Westbrook (23:28):

We have to encourage free speech. We have to encourage academic freedom on our campuses. Speech, whether it's students or faculty, that seeks to intimidate or incite violence, those things are not protected. You don't have immunity from public responsibility just because you're on faculty or just because you're a student. So there are limits. But the things we're talking about are truly opinion and civil discussion around these issues.

Nick Down (23:53):

Now, I want to shift gears slightly leaving the Center for a minute. South Carolina is also leading the nation in ensuring that today's students graduate with at least a foundational knowledge in our nation's history. When the legislature passed the Reinforcing college education on America's Constitutional Heritage Act or the REACH Act in 2021, to my knowledge, this was the first law in the nation that lightly prescribed some of the key founding documents that must be covered in a course for a student to graduate with a degree.

(24:28):

Some of those founding documents include the U.S. Constitution, the Declaration of Independence, the Emancipation Proclamation, a selection of five essays from the Federalist Papers and one or more texts that are foundational to the African-American freedom struggle.

(24:43):

So, as I said in the beginning of this, South Carolina, I believe, is leading the nation with this type of law. How does it feel to be a trendsetter knowing that a few other states have also adopted this same law?

Ohio, Tennessee, I believe is considering it. North Carolina, I believe, is considering it. I'd love to hear your thoughts on this law and if you see the new center playing a role in its implementation.

Thad Westbrook (25:08):

I'm very proud of South Carolina and its leadership in this space. Proud of our state leaders. We're talking about this in our state for a couple of years. The University of South Carolina went ahead and adopted the curriculum change ourselves in 2020. We expected this was coming, so we wanted to go ahead and get ahead and get ready for it, and that's what we did. Yes, all of our students take one class in foundational documents and is our expectation that the Center is going to be the repository for making sure we're compliant and helping support that. We've been doing that for a few years now.

(25:46):

But now at the Center, we've got a place where it fits naturally for us to make sure the curriculum is tight and compliant, but also is being enhanced and expounded upon through other programs and other courses. So, the REACH Act is something that I'm glad to hear is being picked up in other states. I think it's important for us. When we think about the Center, I don't want a student to feel obligated to change their major to a major that's in keeping with the subject matter of our Center as opposed to giving up on a desire to be a business major or an engineer or a chemist.

(26:25):

I want those students to be able to access courses and to have some designation where they're a fellow or a scholar of our Center. That is something that they would have on their resume, but also a practical opportunity for them to do a deeper dive into the issues that we've been discussing in addition to being able to fulfill their major requirements and get that business degree or engineering degree. So, that's one way that we can ensure that the reach of the Center goes out throughout the entire university and not just in one silo where you've got a bunch of political science and history type majors who are taking these courses. It needs to be accessible and easily accessible to students no matter what their discipline, what their area of study, throughout the entire university.

Nick Down (27:14):

Now, why would the average taxpayer in South Carolina, especially those who don't have students attending college in South Carolina, why should they still be aware of the REACH Act?

Thad Westbrook (27:25):

That's actually part of the bigger question, a bigger conversation for Higher Ed. Over the last few years, we've seen a drop in the American people's confidence in Higher Education. The Gallup polling is probably the most pronounced where in 2023 and 2024, Gallup showed that historic low, only 36% of Americans, had a great deal or quite a lot of confidence in Higher Ed. That has ticked up a little bit this past year in July a couple months ago. It's now 42% who have a great deal of quite a lot of confidence in Higher Ed.

(28:02):

But still, Higher Ed is underwater from a polling perspective, where a majority of people either don't have that confidence or lack confidence altogether. And so, the top reason that pollsters from Gallup say those who lack confidence in Higher Ed, they attribute it to political agendas in Higher Ed. And we need to have several conversations as Higher Ed leaders with the American people. One, we need to demonstrate that we understand our mission. Our mission is to educate young people. Our mission is to develop knowledge through research. That's it.

(28:37):

All the other ancillaries are not our mission, but those things tend to swallow up and absorb institutions and entire communities. For us, we don't need to be engaged in cultural wars. We don't need to be engaged in politics. But that's running rampant throughout Higher Ed, and I think that has a direct impact on how the American people feel about the Higher Education community and institutions of higher learning. So, we've got to do a better job of policing ourselves and returning to our core mission.

(29:07):

I believe that civic education is a part of our core mission in Higher Ed. That's one of the things that Michael Poliakoff and Mitch Daniels talked about and they cited Ron Daniels' book, What Universities Owe Democracy. A third of that book is about what we should be teaching young people. And those things are what you find in our Center and other centers like it across the country.

(29:30):

So we've got to do our job to return to our mission, and we're doing that at the University of South Carolina. We've been doing that for a while more so than some others, but particularly as a public institution, an R1 flagship, we have a tremendous responsibility to our students and to families and to taxpayers to be sure we're focused on our mission. Two, the Higher Ed community needs to have a conversation with the American people, particularly the taxpayer about the value of Higher Education. And whether we're a public institution or a private institution, you take taxpayer money.

(30:06):

If you're a private institution, you take it through federal grants. And in doing so, you have an obligation to have that conversation with the American people and explain our value. Now, not everybody's going to latch onto it and agree that there's value there, but the American people are smart and they will understand that when we talk about the things that we're doing for our country, that it is a good investment to be invested in Higher Ed. It's a good investment to invest in things like the REACH Act and making sure young people have a core understanding of our founding principles.

(30:44):

It's important that young people know how to be good citizens and just like investing in the Center, they know that their young people are being taught about first principles so that they can lead both in the community and state and nationally. When we talk about Higher Ed and taking money for research or whatever we're doing, a lot of times, people in the Higher Ed community will just say to the taxpayers, "None of your business, we're taking your money. We're going to do what we want to do and we're not going to listen to you." And that is a wrongheaded approach to the type of relationship we should have with our investors, the taxpayer and students and their families.

(31:23):

For us, we are a majority tuition funded institution. We've got to have that conversation with our students and their families about what we're doing. I know there are residents who are talking about it. I think that there needs to be more discussion at the board level about this to evaluate how your institution, our institution, can be a part of that dialogue. That's one. I've written several op-eds while I've been chair. I've been very careful not to get out in front of our board and the other trustees, make sure it's consistent with what they think because I'm just one of 20 on our board. And they have been very receptive to the idea that we need to speak in the Higher Ed community.

(32:05):

So, I've written several op-eds as an effort to reach out and communicate with our investors, both the taxpayers and state leaders, to understand what we're doing and the value that we offer to the State of South Carolina and the value we offer nationally.

Nick Down (32:22):

To your point a few seconds ago related to the Gallup poll, I want to throw another statistic at you. ACTA's annual, What Would They Learn survey has found consistently over the last few years that only 19% of the institutions surveyed require a foundational course in American history or civics. Between the Gallup poll and the What Will They Learn statistic, in my mind, it makes it a lot easier to see how our campuses got to the way they are now. Now we are coming to the end of our time, but I would be remiss if I did not ask you a few questions related directly to your time on the board of trustees there. So, my first question for you is this. Is there a project, program or initiative that you spearheaded or were part of that you're particularly proud of?

Thad Westbrook (33:23):

There are a lot of exciting things happening here at the University of South Carolina. We've got a fantastic president. We have a fantastic board who's very engaged and really tackling some difficult issues. One thing that I got involved in at the request of the board and the president was issues of free speech on campus. A few years ago, the University of South Carolina received an abysmal ranking from FIRE. We were 246 out of 248, sandwiched between Harvard and University of Pennsylvania in our free speech ranking. I didn't understand it. I didn't know why.

(33:57):

But I immediately contacted some friends who work with organizations that work with FIRE and got on the phone and talked to them. And learned about some speakers that were canceled on our campus in years past. They had some bad information that no one had shared with them and engaged with them to give them facts about some concerns. No one had looked at our policies, some that infringed on free speech inadvertently, but were problematic.

(34:28):

And so, over the next year, at the request of the board and the president, I took on the responsibility of engaging with FIRE to address those concerns and to propose policy changes to the board, to the administration, to the faculty, but also to work on communicating with our campus about expectations of free speech. Free speech is important to a college campus. We need our students, their preconceived notions or their understanding of different issues need to be challenged and they need to either, in a way, that will either solidify that their right in their opinions or maybe there's a different way of looking at things.

(35:12):

And you do that, both in the classroom and in the community at large, when you invite speakers that disagree with you. And you allow them to speak. You don't permit a heckler's veto. You let them say their piece. And if you don't like it, then go reserve the room down the hall and meet at more speech. We want to encourage that kind of environment. Over the past couple years in encouraging that, we've had some very controversial and difficult speakers on campus that have upset people. Some that have been vulgar, that problematic to hear what they were saying, but it was still within the realm of free speech.

(35:49):

Now, again, free speech does not mean you can intimidate an entire group of students on your campus that Jewish students cannot be subjected to intimidation and harassment on a college campus. There's no immunity for that and that is not protected speech. You cannot incite violence on a campus. So, there are limits in what can be done with free speech, but those are reasonable limits and they do not at all impact the free exchange of ideas on a college campus.

(36:17):

So, I set about to engage with FIRE to change our ranking. And in one year, both in changing policies and detecting free speech on campus, we went from 246 to 34 in the country in our ranking. They wrote a separate article about it and about the change and published it, which we appreciated. This past year, our

new ranking is number 22 in the country for free speech. We're very proud of that. It took a lot of work on behalf of the board and on behalf of the leadership at the university and being embraced by the entire university community and our stakeholders and making sure that we truly are a place that encourages free speech, encourages the free exchange of ideas.

(37:02):

So that's something I'm particularly proud of that we've done over the past few years. And that includes adopting the Chicago principles and everything that comes along with that. We are working hard on this. It's not easy. We get a lot of pushback when there are some controversial speakers, but we have a dialogue with those people that have concerns. And I encourage them like I do anybody else, if you disagree, bring more speech. Or if you don't like the speaker, the people should ignore them, just so you don't have to go into the room.

(37:33):

Now, I encourage people to go into the room and listen to them, even if it's offensive, go listen because it may solidify how you believe the world should be and solidify your own opinions. Just like on social media, those people who just will follow people online that they agree with, well, that's an echo chamber that's not helpful. So, on my social media, I follow people that I do not agree with and never have agreed with, but I find that's helpful to me to understand issues. And it has also, though, probably moved me on some issues, caused me to think about things differently, which I appreciate.

(38:10):

So, if someone is having an emotional reaction to a speaker and they can't handle it, you don't have to be in the room. But I encourage people to try to listen and it's okay to disagree. You're not expected to agree with that person, but you can't heckle them. You can't stop them from speaking. We don't tolerate that. You have a right to speak. The speakers sponsored by student groups have a right to speak and we'll meet bad speech with more speech.

Nick Down (38:38):

That is absolutely awesome, and I could not agree more. And congratulations on the free speech environment improvement. That's great. So, I just have several more questions for you. In your opinion, what makes for an effective board member?

Thad Westbrook (38:54):

To be an effective board member, I think, you have to understand your role. And a lot of times when people say that, they're talking about it from a limited role. They want trustees to stay out of certain things in certain areas. And some boards and trustees will just delegate all academic issues to the faculty and academic leadership or curriculum. They never deal with them. I don't think that's the right approach. I think trustees have to engage. So, engagement is part of that. They have to educate themselves about these issues.

(39:25):

Just because you do certain things, your CEO, you do a certain way in your business, doesn't mean it's appropriate for a public institution. And it may be more cumbersome to do it the way you have to do it in a public institution, but you have different stakeholders than you do in a private business. So, understanding our role, engagement, educating ourselves. And when I talk about understanding our role, I said it earlier, you don't pick out the wallpaper and the carpet necessarily. You don't advocate for things going around the president. There's something you want. You don't go to the VPs and deans and call them and advocate for something that undermined the president.

(40:03):

You work with the president. And if the president's not doing the job and the board doesn't think that the president's performing and addressing issues in an appropriate way, well, that is someone that the board can replace. Because boards typically only hire a president, a board secretary, maybe an auditor, we hire the internal auditor here to the board, and that's about it. And so, we don't need to be going and just demanding certain things on hiring and everything, but we do hold the president accountable for the culture and the type of people that he or she will hire, whether or not they fit within the culture and the quality and the expectations we have.

(40:41):

Those are some of the qualities that I think about when I think about the role of an effective trustee. We also work with a governance consultant. We have for several years now. Peter Eckel is who we work with. He's a very good consultant for us. But when we have some of these thorny questions and we had him help put together a presentation with our faculty on academic freedom to educate the board about what does academic freedom mean at our institution. It's different at different institutions, but there are certain fundamental principles that are the same. And so, we had a discussion about it.

(41:11):

But academic freedom doesn't mean that the board has nothing to do with academics. All tenure, promotion, curriculum changes, program changes, new majors all come through our board. We typically do support what the faculty is recommending, the provost and the president, but sometimes we have to have a conversation about it and that's appropriate. A good trustee will ask good thoughtful questions, not just a flyer, whatever comes to their mind at any given moment, that's uninformed. An informed good hard question of the president or their colleagues on the board or the provost, that's appropriate. That's our job to ask those hard questions and get to the answer that is most consistent with our mission as an institution of higher learning.

Nick Down (41:57):

Well, that's great. Thad, I want to thank you for joining me today on Higher Ed Now. But before we end the program, I want to leave you with a final thought. Do you have anything you'd like to add?

Thad Westbrook (42:08):

Well, first off, thank you for the opportunity to speak with you. Like I said earlier, I've listened to the podcast in the past. I think ACTA does a wonderful job in Higher Education and the role you're playing in supporting trustees. And it's a dynamic time in Higher Education. There are some headwinds. A lot of changes that are going on coming out of Washington. But these are opportunities for us, as trustees and leaders of institutions of higher learning, to reflect on where we are, to think about how we got here and what are things that we can do to improve the reputation of Higher Education and be effective in the impact that we have on our communities and nationally.

(42:51):

And the thing I mentioned earlier, we've got to have a dialogue and we've got to demonstrate our value to our investors, taxpayers, to state leaders who fund our institution through appropriations. When our president, Michael Amiridis, was selected three years ago, the first speech he gave was about the responsibility of the University of South Carolina in demonstrating its value to the public. That has been part of what we've been doing over the last several years. That's something I think all institutions need to do.

(43:20):

We need to engage in that discussion. We are better for it. I think the public has a better understanding of what we do and what we're trying to accomplish and all the important things that are happening at our institutions. It is important that people understand the research being conducted on campuses throughout

the country really are the things that advance our society, whether it's the type of thought or issues that are being addressed and resolved, or if it's new technologies. The funding that comes from the American people to support that research is vital to what we're doing and we need more of it.

(43:56):

But it's our responsibility to explain how we are handling their money correctly and spending it wisely and addressing those issues that benefit our country and the world that improves the lives for everyone. First is our mission for our students, but also, we have a responsibility to develop knowledge and share that knowledge with those that invest in us. Those are my last thoughts, Nick. I appreciate the time and I'm just so excited about the work you all are doing and encourage you all to continue to keep pushing forward in supporting the trustees the way you've been doing.

Nick Down (44:30):

Thad, thank you so much for joining me today. I appreciate it.

Thad Westbrook (44:32):

Thank you.