

Speaker 1 ([00:02](#)):

Radio Free Campus, brought to you by the American Council of Trustees and Alumni.

Steve McGuire ([00:09](#)):

Welcome to Radio Free Campus. I'm Steve McGuire.

Justin Garrison ([00:12](#)):

And I'm Justin Garrison. And in this episode, Steve and I will talk with Marty Kotis from the UNC Chapel Hill Board of Trustees. We're going to talk about trustee governance and the struggle for campus freedom on college campuses today. So let's get right into it. Steve, why don't you introduce our guest?

Steve McGuire ([00:27](#)):

Yeah, really excited today to talk to Marty Kotis, who's been a board member at UNC for a number of years. We've worked with him over the years here at ACTA. In fact, we recognized Marty and several of his fellow board members with our Martin Prize a couple of years ago. They really are leading examples of how trustees can take their fiduciary duty seriously and lead their institutions and bring about a number of reforms. We'll be focusing today primarily, of course, on free expression, intellectual diversity, that sort of thing. But Marty and his colleagues have been looking at all aspects of the university and all aspects of ACTA's three A's, academic excellence, academic freedom, and accountability. So really excited to talk to Marty today, as I said, and let's get to the interview.

([01:22](#)):

Marty, welcome to Radio Free Campus.

Marty Kotis ([01:25](#)):

Thanks for having me. Great to be here.

Steve McGuire ([01:27](#)):

Yeah, we're so glad you could join us. Obviously at ACTA, we've admired the work that you and your fellow trustees have been doing down in Chapel Hill for some time. And the occasion of having you on today is that we're starting to evaluate a number of universities using our ACTA gold standard for freedom of expression. And we're delighted to say that so far UNC seems to be the top scoring school that we've looked at. Right now, we have you standing at a 19 out of 20, which is really fantastic.

([02:00](#)):

And so we wanted to talk to you and sort of get some of the history from you about the work that your board has done to promote free expression and intellectual diversity on your campus. And so why don't we just start there and maybe just tell our listeners a little bit about some of the reforms that the board has made or that UNC in general has made over the last several years, and then we could talk a little bit more about how you get those kinds of things done as a trustee and sort of what you guys are doing these days.

Marty Kotis ([02:30](#)):

Yeah. And thanks again. Y'all have been such a great partner for the university in helping us navigate the reforms that we've pursued. And y'all and the Martin Center have been great partners for us. And I love the idea that you're doing a strict grading. So no grade inflation for us here. Tell us what we need to fix and how we can improve. We want to learn from your comments on that.

([02:57](#)):

So some of the things we did early on, we adopted the Chicago principles, establishing viewpoint neutrality, and a presumption in favor of free speech. And a clear distinction between speech and conduct as well. Then we adopted the Kalven Institutional Neutrality Statement committing UNC to refrain from taking political positions, which had become the norm, I think, for a lot of schools, while protecting individual expression.

(03:34):

Probably our biggest accomplishment was accelerating and creating SCiLL, School of Civic Life and Leadership, as a permanent academic structure with a good size staff to teach civil discourse and debate. And then we've been hosting ideologically diverse speakers, ranging from Mike Pence to Cornell West. And making sure that when people are speaking, they are not disrupted. So the legislature was helpful, the BOG was helpful, and we've set standards so that people are not shouted down, which is sometimes people think free speech is only for themselves and not for others. And we've adopted and enforced a campus safety resolution, clarifying that speech is protected, but vandalism, trespass, intimidation, obstruction are not.

Steve McGuire (04:27):

That's great. Yeah, you guys have a really great track record. Now, these changes that you're listing, were these mostly initiated at the board level? I know you also have a board of governors in North Carolina, and then I believe the legislature has also taken some steps. Is that right?

Marty Kotis (04:44):

Yeah. And it's so nice to have the various levels of government aligned. We are aligned with the legislature that's aligned with the board of governors that's aligned with our chancellor, and it's just so much easier when we have that. So going back to Chicago Principles and Kalven Report, that was championed by Dr. Perrin Jones on our board with the help of the Martin Center. SCiLL was really, it was developed at the university level. It was championed by the board and the board accelerated that program.

(05:19):

And I think that's sometimes what our job is is to kind of prod the school to get some things done and say, "Here's an aggressive goal, an aggressive timeframe. We think we can make it happen." And then we've shown that we can. And SCiLL is a great example of that. And a lot of us are coming from the business world, so when you see an opportunity, a gap in the market, and around that time, there was a lot of discussion about various school civic life and leadership programs around the country, we felt it was important to jump out there, get it done, get it done right, bring in great people, and make an impact before you had so much competition in that space. Another role that we always have to remind ourselves of is we're the oldest public university, and if we can do it at Carolina, it can be a standard that can be set at other public schools around the country.

Steve McGuire (06:18):

That's great. And I saw, I think that SCiLL just got a, I think it was a \$10 million grant from the NEH to hire eight more professors.

Marty Kotis (06:26):

Yeah, it sure did. It's a matching grant. So that's 20 mil that will be coming in. And it has been extremely well received. I think the bulk of the skepticism originally was that we accelerated the process, and people were worried that the trustee's involvement would somehow trample academic freedom. But if anything, we've just provided an opportunity for SCiLL to be developed quickly and helped to track great funding

for it. And like I said, with this capitalist mindset, we're trying to be competitive. And you're competing for those large grants like that. So I think Jed Atkins is doing a fantastic job. We fully support him. He's had the support of this board, and we continue to be impressed by their work.

Steve McGuire ([07:20](#)):

That's great. Justin, you want to jump in?

Justin Garrison ([07:23](#)):

Yeah. We're talking with Marty Kotis, a trustee at the University of North Carolina Chapel Hill about trustee governance, particularly as it relates to campus freedom, but other topics as well. Marty, I wanted to ask you a little bit about how does one become a board member? And more importantly, how do you figure out how you're supposed to do your job effectively?

([07:42](#)):

Too often, I think there's an impression that's sometimes given by the broader culture, but also sometimes directly by faculty, that the board's job is to do nothing that upsets the faculty or that might change the kind of strategic mission or orientation of the school. They're really just supposed to be kind of like a rubber stamp and let the experts so-called do their job and you just stay out of their way.

([08:08](#)):

What would you say to someone who's just become a trustee at a new institution, or maybe they've been around for a while and they just don't feel like they can quite get traction? How would a trustee go about seeing a more active presence? What kind of steps could someone take to really get involved and bring the kind of change that you've been involved in at UNC while still respecting norms of shared governance and things like that?

Marty Kotis ([08:33](#)):

Yeah. I think if I were offering one piece of advice, I'd say you're of no use to the university if you're simply a rubber stamp. You're not doing the university any good. You're not performing your duties as a trustee. And I think unfortunately the trustees have been ceremonial, rubber stamps. They've gone to games and cocktail parties. They go in and get a Cliff Notes version of their materials that maybe they read, maybe they don't. And just basically it's the appearance of oversight sometimes. And I think we've seen a significant shift over the last maybe 20 years where trustees are a lot more involved. And not just in things like athletics, but in civil discourse, in digging back through and looking at accountability and financials.

([09:31](#)):

One of our projects that former Chair John Preyer tackled along with now state auditor Dave Boliek was solving \$100 million structural deficit at Carolina. That's a big number. And it just shows in our massive budget how money like that can just get overlooked. And you really have to be intentional. And we're constantly fighting the battle of how do we rein in administrative bloat? How do we reprioritize dollars? How do we make sure that people don't just get a budget and then hang on to it?

([10:11](#)):

So that's required asking a lot of hard questions. Dave Boliek, when he was... I was served on the UNC System Board of Governors for eight years and then joined the Chapel Hill Board in 2021. And my chair at that time was Dave Boliek. He appointed me as the inaugural audit chair. And so I used that in a significant way.

([10:37](#)):

So beyond being a rubber stamp, I think one of the main goals of the trustees, if the board of trustees don't have an audit committee, they need to develop one. And we have our head of audit reports directly to the board in terms of a responsibility level. So when we ask him to do certain things, he's digging into that and reporting back to us. And that's the only way. Otherwise, you've got kind of self-auditing within the administration. And we've taken it. We were very aggressive with our audit function, and dug in and tackled anything from campus tours and how they were being run to searches to make sure there was no discrimination occurring, going back in, looking at programs, auditing financials, and that has been a great tool and it's provided a lot of accountability at UNC. So I really appreciate now auditor Dave Boliek having appointed me to that position and allowing me to get some good work done there.

(11:51):

So I'd say don't be a rubber stamp, use your audit function. It's one of your most powerful tools as a trustee. And then I'd say you can use the media. And a lot of people are afraid of the media. And I think if they only get one side of a story, that's what they're going to report. So I'm always comfortable chatting with them and explaining why I'm voting a certain way or why I'm doing something. Working with allies like ACTA and in North Carolina, the Martin Center to find, or even FIRE or other groups and saying, "What are we doing right? What are we doing wrong? How can we improve?" Asking for their expertise, asking them to come in.

(12:39):

ACTA has been gracious enough to come in twice now for retreats that we've held, and they were very productive. I'd say one of those retreats was a significant factor in SCiLL advancing as quickly as it did. So working with allies and doing your homework so that your statements are factually unassailable. When you go into that meeting, you have your facts. So those are just some of the ideas I would offer to trustees around the country.

Justin Garrison (13:10):

No, that's great. We were talking off camera before we started about the really high salaries that all trustees make for all of this wonderful work they do. What attracts people to the role? I mean, is it the prestige of serving at an institution they may have gone to at some point. I've looked through meeting packets in my own research for work here at ACTA, and I find it staggering sometimes that there's 6, 7, 800 pages of materials. That's a lot of free work as it were. So what's driving people to put in the genuine effort that you and other people at UNC have been doing?

Marty Kotis (13:53):

Yeah, for the low, low price of \$0 per year. And I've never turned in a receipt for anything in my time on the board of governors or board of trustees. And if I receive something, I pay for it, if I receive value for it.

(14:07):

So what motivates me was I saw the great work that Senator Berger and others in the state legislature were doing to make North Carolina competitive, and bringing a business sense to government, which doesn't always exist. And I wanted to help out. And so I asked where could I help out? And I was not seeking the board of governors or board of trustees positions. Frankly, I was thinking more economic development or something like that.

(14:44):

But going in and bringing in real estate and construction expertise into a university that spends hundreds of millions of dollars on real estate, I feel like I have been able to add significant value there, or my hospitality operations and kind of understanding that. But then just digging into things, asking questions as an outsider, rather than just drinking the Kool-Aid and rubber stamping. So for me, it was wanting to

chip in and do some help after having seen the state legislature do so much work to reform the state. I wanted to help wherever I could. Senator Berger offered me this position, and was voted through in the Senate, and I was appointed twice on the Board of Governors, and then the Senate appointed me to the Board of Trustees as well.

Justin Garrison ([15:38](#)):

So not only is it unpaid, but all trustees are universally admired and loved on their campuses, right, Steve?

Steve McGuire ([15:46](#)):

Yes. I want to get to some of the things you've had to deal with in a minute, but before I do, I just want to go back to that audit function that you were talking about, Marty, and maybe dig in just a little bit more on that. Could you just describe in a bit more detail, how does that work and what authority do you have as a board member?

([16:07](#)):

Let's say if you're going to, you were giving examples that didn't just include, I don't think, like financial audits or financial accountability, but even looking at things like programs that the university is offering. How do you go about examining one of those areas, working with presumably on some level, the university administration, maybe the faculty, and then what sort of authority does the board have at the end of that process where you get the results and maybe find that there are some things that could use to be improved?

Marty Kotis ([16:41](#)):

Yeah. So I think sunshine is a great tool, and we shine a light on some of these issues. We hear someone will call, or you'll read something in the media, or there'll be an ACTA report or something in the Chronicle and you'll go, "Huh, I wonder how we're doing on that." And our audit folks are great professionals. They will go in, they have no bias. They will go in and just tell it how it is.

([17:09](#)):

And we've done anything from looking at the typical audit stuff is financial mismanagement to we audited the campus tours because we heard there were some complaints about campus tours being one-sided, only one viewpoint, people not feeling welcome. And so we audited that and dug in. And before we had completed the audit, they changed the script. We thought maybe some students were going off script and saying certain things, but they were actually given a script, and the script was pretty atrocious. And so it made a lot of people that were coming on campus think that there was only one way to behave and belong at UNC, and we wanted to create a more welcoming environment.

([18:02](#)):

And I think that's what a lot of this is giving people space to have their own opinions, and not feeling like they have to adhere to a certain viewpoint to be accepted to Carolina for admissions, or to be promoted as a faculty member, or to get a contract with the university. And we've seen a lot of problems with that. So going back and fixing things like that, and then they will often lead to resolutions that we'll introduce afterwards.

Steve McGuire ([18:33](#)):

Okay, great. Thanks. Yeah, I think that provides a great example maybe for other trustees who are listening and wondering how can they start to make some changes at their own institution. But as Justin was alluding to a moment ago in shifting gears here a bit, so you guys implemented a number of policies. And then 2023, Hamas' attack on Israel takes place. This leads to unrest on campuses across the country, including on your own. Protests, encampments.

(19:07):

Some of the most memorable scenes I think from that time in American higher ed are from Chapel Hill's campus. I recall the example of students taking down the American flag, and I believe replacing it with the Palestinian flag. And then there was this scene of these frat boys who had come out, and they're like holding the American flag, preventing it from falling on the ground. I believe at one point your chancellor comes out and sort of leads a group that comes out to restore the American flag on the flagpole, and lots of scenes of graffiti and that sort of thing as well on campus. And then you've shared this video where you yourself were targeted with some chants from the protestors. So let's show that video and then talk about...

Video (19:56):

[inaudible 00:19:57] right now.

(19:56):

[inaudible 00:19:58] right now.

(19:56):

(beep) Marty Kotis.

(19:56):

(beep) Marty Kotis.

(19:56):

(beep) Marty Kotis.

(19:56):

They know your name.

(19:56):

That's great. Yeah.

(19:56):

(beep) the Board of Trustees.

(19:56):

(beep) Marty Kotis.

(19:56):

(beep) Marty Kotis.

(19:56):

That's good. That's good. That's funny.

(19:56):

(beep) the Board of Trustees.

(19:56):

(beep) the Board of Trustees.

Steve McGuire (20:16):

Okay. So as you were saying.

Marty Kotis (20:17):

I have been trying to argue to send some of our music majors out to instructors to work with these groups to at least come up with a little better rhythm or some lyrics that are more innovative than the one, two, three, blank the BOG. That was on commencement day. So you've got people graduating, want to take pictures at the Old Well and this group, supposedly Mothers for Peace in Palestine, wanted to take over the Old Well area and prevent people from taking photos with their families.

(20:52):

And I think that's one of the big topics is where does your free speech end and someone else's start and where do you cross over to where you're infringing on someone else's rights? And that's where the reasonable time and place restrictions I think make sense. And we don't mind people saying and doing whatever they want. It's when it crosses over into taking away someone else's rights, or where they are damaging property or you wind up with violence sometimes ensuing. Or this intimidation and preventing someone else from receiving their education in a intimidation free environment.

(21:39):

And that's what we've been struggling with is how to enforce that. And we've spent a lot of time on that. It has nothing to do with this particular conflict. It has more to do with threats of violence and property damage coming in place. We had our former provost was surrounded and people opened up the door to his car and tried to pull them out. We had people that went to our chancellor's house in the middle of the night. I got doxed. There were different things like that that occurred where they're trying to intimidate and physically intimidate.

(22:17):

And we're not going to allow that on our campus. You can't do that here. The same way, we just won't allow that for anything. We're not going to allow people to go yank someone out of their car when they're driving down the road because they are a state student versus a Carolina student or go do something else, harass another student.

Steve McGuire (22:38):

So I think there's a lot of different levels of activity that you were dealing with here. So let's start with the protest and the video. So this is commencement. This is a iconic space on campus where people like to get their pictures taken, maybe with their families while they're there for the day. And there's a protest taking place. So on the one hand, you want to respect the right to free speech, respect maybe the right to protest, but then you also want people to be able to enjoy this commencement that they've earned, spend the day with their families, maybe get their picture taken in this location. So how did you guys handle that on the occasion?

Marty Kotis (23:24):

Yeah. So that was a... Yeah, I was there, and you're always balancing, are you pouring gasoline on the fire or are you putting a fire blanket to put it out? And we're constantly struggling between the two. And where we had a couple of instances on commencement was, not just here, but over at the Bell Tower as well, you had folks blocking someone from coming up or they just wanted to take a picture. And some of the parents were getting fairly upset with the protestors too. And some of these protestors aren't even from Carolina. They're coming on campus to make a statement, and they're ruining a day for someone else. And again, part of that is allowed. You're going to allow people to say and do things that aren't popular. And even if they're annoying, even if they're objectionable, you're going to allow for that.

(24:24):

There is a reasonable time and place, I think, that needs to be enforced and amplified sound so that you're not holding a megaphone and shouting in a police officer's ear, which is assault. Because that's pretty loud, can cause hearing damage. And you're not getting any of these push and shove matches. Because

what happens is words are used and then people get upset, and they start pushing and then they wind up punching. And then someone takes a car or drives into a crowd or something like that.

(24:57):

And what we're trying to do is teach people to have a reasoned debate, to have an exchange of ideas without it leading and escalating to violence. And that is a tough lift to do that, but we're trying our best to make that happen. And SCiLL is a big part of that. And a lot of the ACTA standards are all really driving towards that. You want to allow free speech, but you also want to make sure you don't have this violence coming out of it. And the violence is usually people aren't trying to hear each other when they get to violence. They just want to vilify and then attack each other.

(25:35):

And so we don't need to have a Coliseum out there where we've got warring groups fighting each other. And we've seen that, saw this with the Palestinian Israel conflict. And we've seen it before with the Silent Sam statue, with Confederate discussions, and people on both sides of that issue. And there will be a million other things that come up where people are on two sides of an issue. But it's when it starts leading to you dehumanize the other side and then you think that, well, it's okay if we get into a fight with them, it's okay if we kill them, that you have a real problem. And we're trying to teach people to have more of a reasoned conversation.

Steve McGuire (26:24):

And then with the confrontation with the provost or going to the chancellor's house or doxing yourself, where do you draw the line there? How do you respond to those kinds of things? On the one hand, I would imagine that it might be okay if people want to lobby their chancellor or lobby the board of trustees to take certain actions or take certain positions on things, but when it becomes threatening or invades people's personal property maybe, then that's gone too far. How did you guys handle those situations?

Marty Kotis (27:03):

Well, a few different ways. Actually, right around the time of this, we had a board meeting and we diverted 2.3 million in funding from DEI efforts we felt like were discriminatory and shifted those to law enforcement. And we've been very supportive of our law enforcement. Our law enforcement officers can receive free education, and so that's been a big draw to attract high quality law enforcement. And we want the best. We want the best people that are going to treat our students fairly, be good stewards of safety on campus. And we've got, again, some of the best. We've got take home cars. We've been adding license tag readers, lots of things to hold people accountable if they cross over into violence or property damage.

(27:57):

And we also reformed our code of conduct. We've now got, we're receiving a presentation tomorrow where we are putting all the different codes of conduct into one big database, have it searchable and AI to answer questions so people know what they can and can't do. We modified the student disciplinary actions to pull that away from a student-driven process to more of an administrator-driven process so that we didn't have people just allowing someone to break a rule and then no enforcement beyond it. And we've been very hard on crime. If someone's going to commit crime or break the rules, we're going to hold them accountable at UNC. And I think you have to have that in a society, otherwise you have a breakdown of society.

Steve McGuire (28:56):

Yeah, I think that's right. There's a firm line there. And having that firm line on crime hopefully helps to prevent what you were talking about just a moment ago too, about things escalating from speech to violence. One more question along these lines before I hand it back to Justin.

(29:15):

Another thing that's come up quite a bit in the last couple years is the issue of Title VI. And I think a lot of people who've been concerned about free speech or academic freedom on campus for the last, say, 10, 15 years or so, one of the big concerns has been things like safetyism and referring to students as snowflakes. And just one example, there was the famous incident with the Christakis at Yale University where they had a blow up over Halloween costumes, and whether students should be told it's okay to wear ones that might be culturally insensitive and that sort of thing.

(30:00):

But then on the other hand, there obviously are real and very serious issues when it comes to Title VI and the potential for discrimination on campus. And one of the things that's been talked about quite a bit in the context of some of the protests and the encampments are these sorts of potential Title VI violations, including the category of a hostile environment.

(30:26):

And this can lead to a situation where maybe you're not talking about violence or violent threats, but there may be things going on campus to such an extent that some people because of their identity are not able to adequately access the resources that the campus has to offer, or are not able to fully participate in the, let's say, educational mission of the institution. And this can be somewhat nebulous, I think, to navigate in terms of respecting free expression on the one hand, but also like you were saying, ensuring that people's rights aren't being violated on the other hand. So have you guys had to negotiate that? And if so, how have you gone about it?

Marty Kotis (31:13):

We have. And I think cameras are very helpful because then you can see what happened in some of these cases because you're getting, if it's two people, you get two different sides of a story sometimes. And so being able to see what really occurred is very helpful.

(31:29):

But yeah, I think you've seen, unfortunately, people be chased around campus, or locked out or feeling like they can't come in somewhere. Even at the South Building, our main administrative building, if people are there protesting in a very angry, violent way, then it prevents others, whether it's a student or a faculty member or a donor or an alum that wants to get into the building, feeling like they have to run a gauntlet of an angry mob is a little tricky. And so again, I think that goes back to time and place and you want to allow people to say what they want to say and have different perspectives. But again, not to the point where you're disrupting university operations or you're making it so that someone can't enjoy the benefits of the public university, especially if they're being singled out because they're part of a certain class. That is the clear violation of Title VI.

(32:42):

And so we had a campus safety resolution that I drafted and we put forward that I think is probably one of the strongest in the country that addresses a lot of those points, and explains what's allowable and what's not. And that we will enforce certain sanctions against them if they commit those, whether it's university driven or criminal charges.

Steve McGuire (33:13):

Very good. Very good. So a moment ago too, you mentioned shifting some money from DEI to public safety. I actually remember the day that that happened, and I think you guys got a lot of positive press. I remember that going around Twitter, or I think it was already called X by then. But really, really powerful move, both in terms of reallocating resources, but I think also symbolically.

(33:39):

But I wanted to ask you more generally about DEI, or diversity, equity, inclusion, and what you guys have done. And I think on the one hand, you want people to feel welcome and included at a public university, like it's somewhere where they can go. On the other hand, there's been a lot of concerns expressed in recent years about how DEI is maybe impinging on freedom of expression on campus, or maybe works against, let's say, intellectual or viewpoint diversity on campus in some cases.

(34:11):

And other concerns as well, I think, in terms of how much money is being spent on it, how many bureaucrats are being hired to participate in DEI programs. And while maybe they have some positive effects in certain ways, they might have other negative effects, either financially or in terms of the free expression issues. So maybe could you just give us an overview of, did you guys do an audit of DEI at UNC? Of course, you guys were also part of the Supreme Court decision on admissions and affirmative action. A lot of people point to Harvard, but I think you guys maybe get a little less press on it because when the decision came down, you guys, I think, basically acknowledged like, yeah, this was not a good way to be operating our admissions procedures, and just got in line with the law, whereas Harvard said, "Well, we still believe in DEI and we'll just find other ways to do it."

Marty Kotis (35:04):

Yeah. My first resolution on the board of trustees in 2021 when I joined was a non-discrimination resolution for hiring, admissions, and contracting. And it failed at that time two to 11. And it took me about three years to finally get that through. We would've saved probably \$10 million on the SFFA case if we'd adopted that back then, which is real money. And so it took a while to finally get through that. Then when we got into SFFA, I pushed on that again. We got through the hiring and contracting non-discrimination, and then we added admissions once we had SFFA ruling. And that was really more to make sure we didn't derail the SFFA case and moot the case against us because we wanted to have that judgment in place.

(36:03):

So I think we've made really good... Maybe it's one of the reasons they chant that at me, but people would feel like if you're anti-DEI, you are somehow discriminatory. And I would say it's the complete opposite. I don't want anyone to be discriminated against. And these programs, now, I wouldn't paint all DEI programs with one brush because there are some others in there that are more about making sure there's outreach and access and encouraging people to let them know they have a space. And I'm completely fine with those sorts of efforts. It's the when you're putting your thumb on the scale in admissions, or hiring or contracting, and you're saying, "We need to hire this person because they check a box." And it has been pervasive.

(36:57):

We have had to continually work on fixing this because it was so ingrained that when we get to a hiring program, I have been on ones before where people will say, "Well, we need more of this type person." I'm like, "Nope. No, you don't. That's not how it works. You take the most qualified people. It doesn't matter what they look like, what gender they are, what background, none of that matters. It's only their qualifications." And it's tough to get people to abandon what they have been doing for so long, which is saying we need to have a Gap catalog that looks a certain way. And it's all about appearances and not about getting to the root causes.

(37:41):

And I think a lot of those DEI efforts frankly masked some of the root issues that needed to be addressed, and it's not helpful in the grand scheme of things. We've got great students, faculty members, and staff that we contract with that represent a variety of different groups. And if they have their position, it should

be because they're the best person for that job, not because we are trying to socially engineer our student body or our faculty.

Steve McGuire ([38:15](#)):

Great, great. Yeah, those are great points.

Justin Garrison ([38:21](#)):

Well, boys and girls, we've been talking with Marty Kotis, a trustee at the UNC Chapel Hill system, excuse me, university, right? Marty, you've given us a tremendous amount of good content to think about. I mean, this is such an illuminating conversation about what is often work that doesn't get the same kind of media attention or celebration that it deserves. This is important, roll your sleeves up kind of work that many more universities desperately need. And so I hope people will take that out of watching this. So Steve and I would just like to thank you for making the time. We know you've got your next meeting actually coming up just a day after we've recorded this. So as we put the episode together, we will of course do our best to sing your praises with slightly better rhythm and less cursing than moms for off key complaining, or whatever the group was. But sincerely, thank you so much for your time.

Marty Kotis ([39:19](#)):

Glad to. Yeah. Y'all need to come up with a chant that enforces the three pillars of ACTA.

Justin Garrison ([39:26](#)):

We'll work on that.

Marty Kotis ([39:28](#)):

Something about administrative bloat. We're going to be tackling that in our upcoming meeting. So maybe I'll try and do a chant to support cutting administrative bloat.

Steve McGuire ([39:36](#)):

Great. Well, thanks for coming on, Marty. Really good to talk to you.

Justin Garrison ([39:39](#)):

Yeah, it was excellent.

Marty Kotis ([39:40](#)):

Thank you all for having me. And thanks again for ACTA for y'all's support for the university.

Steve McGuire ([39:47](#)):

Well, thank you for all the good work you do.

([39:53](#)):

Well, that was a really great interview with Marty Kotis from the Board of Trustees at the University of North Carolina, Chapel Hill. As I mentioned in the introduction, ACTA recognized him and several of his other board members with an award a couple of years ago for their leadership and trusteeship. And I think they really do serve as a model for other trustees and other boards around the country.

([40:19](#)):

We've started analyzing more and more schools using our gold standard for freedom of expression, Justin. And we don't see too many in the 18 to 19, 20 range. We see a lot more in the 10 and under range. So that so far does really put into relief just how impressive the board and UNC in general has been in terms of reforming the institution to make sure that it's supporting free expression and intellectual diversity. What were some takeaways for you from the interview?

Justin Garrison ([40:52](#)):

Yeah. On one level, it's remarkable that you get trustees that are that active. Because as he said, you don't get paid. Those packets are gigantic. And anytime you have to make a decision, somebody's going to hate it. Somebody's going to chant F you, or whatever it was. So it's in some sense, it's thankless work, but it's such an important duty.

([41:18](#)):

And it's really nice to see someone who gets that side of it because you can kind of skate by, as he was talking about. You can be the kind of trustee that shows up at fancy events and has a couple of martinis and that's your job. There's nothing wrong with those things, but that's not the job, right? That's the other stuff. So I thought in general, his attitude towards that job, the sincerity and the responsibility just came through and was really encouraging.

([41:46](#)):

And yeah, UNC's doing fantastic work, right? This is the second coolest thing about UNC after being the home of Michael Jordan. But in a serious sense, this is not easy work. And one of the things he talked about in the interview was he had an anti-discrimination resolution that would've saved that school millions of dollars. It didn't work. It was a two to 11, I think is what he said, vote against this resolution. He didn't quit, didn't give up, didn't take his toys and go home the way that sometimes people are inclined to do in higher ed, but continued to work on that important issue and eventually was able to bring people around.

([42:24](#)):

I think in some sense for me, there's such an instructive dimension to that story. Nobody gets what they want just because they say it out loud. And I think if I can just draw a brief parallel to faculty life, too many faculty members think of the faculty Senate as the Roman Senate, where you just kind of stand up with your arm, and you're like, you say the truth and the scales come off everyone's eyes and they're like, "Oh yeah, we should just do that." But that's not how any part of life actually works. That's not politics. That's like the pretense of politics.

([42:55](#)):

When you're trying to get real change done, it is time consuming, it's frustrating, it's not linear. And so both he and the other members of that board, I think, deserve tremendous credit for taking that school in such a fantastic direction. You're absolutely right. We've seen a ton of schools that don't do so well. One of those schools was recently involved in a football game. And they scored more football points than they did gold standard points is all I will say about that.

Steve McGuire ([43:26](#)):

That probably doesn't narrow it down too much-

Justin Garrison ([43:29](#)):

It doesn't.

Steve McGuire ([43:29](#)):

... in fairness.

Justin Garrison ([43:30](#)):

I mean, it was like the campus freedom gulag versus the national championship. Our gold standard is not unreasonable, but it's not easy. It really would require you to do things that your campus should have already been doing. And to get to 18, to get to 19, and fingers crossed, we're going to get to a 20 out of 20 really soon somewhere. That's effort, and it deserves to be rewarded. It deserves to be talked about. And I thought so many of the reasonable, non-ideological approaches that he was describing, I don't see why any board wouldn't act like this. So I thought it was remarkable.

Steve McGuire ([44:17](#)):

Yeah. Yeah. It really is remarkable what they've done. And I think it highlights too, if you're one board member who wants change, of course you could speak up, you could try to do something. But I think if you have a small critical mass, two, three, four people who are at least somewhat like minded or overlapping in some of the concerns that they have, that can really be enough to move a board in the right direction if they're willing to sort of speak up. And then a couple other people, you say something and then a couple other people back you up. And then I think other board members would say like, "Okay, yeah, maybe there is a real concern here." And so they really had a nice team of board members who are all sort of pulling in the same direction, which I think can be really important.

([45:12](#)):

But overall, just like an impressive, impressive record. And then the other thing that the interview really highlights and that video that he shared with us is, it's one thing to sort of set the policies and pass some resolutions, all great stuff, all very important work that they've done, but then he's continued to remain engaged. And the work of protecting free expression on campus, protecting people from discrimination on campus, ensuring that things don't become violent, these are all things that board members at UNC have continued to be involved in or engaged with over the last couple of years. And I think that was an important takeaway for me as well from the interview, is just highlighting that this is an ongoing effort that these volunteers need to make to ensure that the university continues to operate in a way that is consistent with its principles and its policies.

Justin Garrison ([46:12](#)):

I know you know because we're both incredibly intelligent and pay attention to stuff, but other people might not. There's a group, there's a faction, there's a dimension of the higher ed space that looks at schools and sees protests like that, and says, these are irredeemable, better to burn it down and start fresh, or just burn it down and not do anything. That didn't come through at all.

([46:43](#)):

The work of reform is ultimately, and this is my weekly Kierkegaard, it's a work of love. You wouldn't waste your time if you didn't care. You wouldn't put in that kind of effort if your disposition is I hate higher ed. I know that's tempting because there are so many shenanigans going on at almost every level of higher ed right now. But the notion that the best course of action is to just break it is something that I think is morally irresponsible. The real work of mature adults is the kind of stuff that they're doing at UNC Chapel Hill.

Steve McGuire ([47:29](#)):

Yeah. I mean, people might be upset with some of the things that you're doing or some of the things that you're recommending, but the goal is to make the place better. And of course, that's a common feature of human existence as well, that sometimes even the medicine that's good for us isn't something that we

want. And you have to just sort of keep your eye on the prize that the goal here is to... Trustees are responsible for the whole institution over the long term, and ensuring that it is managed well and lives up to its mission.

(47:59):

And to me, it looks like that's exactly what Marty and his colleagues are doing. And there will be some people, maybe some protestors on a certain day who don't like that they're being told they have to move or something like that, but it's for the greater good of the institution over the long haul.

Justin Garrison (48:21):

Absolutely.

Steve McGuire (48:25):

All right. Well, I think that brings us to a close for today's episode of Radio Free Campus. Once again, thanks to Marty Kotis for joining us, and we'll look forward to seeing everyone on the next episode.

Justin Garrison (48:39):

Until next time, KBO.

Speaker 1 (48:42):

Thank you for listening to this episode of Radio Free Campus. If you enjoyed the show, please like, subscribe, and turn on notifications so you don't miss an episode. Audio only versions of Radio Free Campus are available on all other podcast streaming platforms. Whether you have comments, questions, or suggestions for future episodes, the hosts would love to hear from you. Comment below or email them at radiofreecampus@goacta.org. Radio Free Campus is offered by the Campus Freedom Initiative at the American Council of Trustees and Alumni. For more information, please visit goacta.org.

Speaker 5 (49:18):

73% of University of Arizona students believe it is sometimes okay to shout down speakers on campus. Discover how ACTA's gold standard can help U of A foster a more free and open campus experience.