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**Kyle Beltramini, Senior Research Fellow
American Council of Trustees and Alumni (ACTA)
Proponent Testimony on Maryland House Bill 1322
Maryland House Appropriations Committee
March 19, 2026**

The American Council of Trustees and Alumni (ACTA) offers its strong endorsement of House Bill 1322, the Maryland Campus Area Free Expression Act. ACTA believes that higher education can only flourish in an environment dedicated to open inquiry, where students are free to learn and faculty are free to teach. This legislation provides a vital framework for securing the rights of students, faculty, and staff at Maryland’s public colleges and universities.

The bill provides clarity for university administrators by codifying the proper balance between campus order and constitutional liberty. While the Supreme Court has affirmed that “the college classroom with its surrounding environs is peculiarly the ‘marketplace of ideas,’” it has also recognized that institutions may apply “reasonable regulation of speech-connected activities in carefully restricted circumstances” to prevent material disruption of student learning.¹ House Bill 1322 effectively resolves this tension by providing a clear framework that prioritizes the broadest possible latitude for free inquiry while codifying the limits of administrative oversight. This balanced approach ensures that students are not forced to “shed their constitutional rights to freedom of speech or expression at the schoolhouse gate” and that administrative power is used to facilitate, rather than frustrate, the open exchange of ideas.²

These protections are particularly timely given recent events. Last year, the University of Maryland–College Park agreed to a \$100,000 settlement after implementing a blanket ban on student-led expressive events on October 7, 2024.³ This incident underscores how the clear guidelines found in House Bill 1322 can prevent unnecessary litigation, the burden of which is ultimately felt by Maryland’s taxpayers. In addition, the bill’s provision banning “free speech zones” is particularly relevant to Towson University, which maintains a policy that limits expressive activities to “Designated Demonstration Areas” on campus.⁴ Public institutions must remain steadfast in their commitment to open discourse, even when confronted with controversial speech, and especially during times of heightened social tension. To paraphrase Supreme Court Associate Justice Oliver Wendell Holmes Jr., it is imperative that universities safeguard not only the free thought of those they agree with, but also the freedom for the thought that they hate.⁵

For over 30 years, ACTA has worked with college and university governing boards to ensure that trustees understand their legal and moral responsibilities to secure the rights of the campus community. We are also committed to protecting the institutional autonomy of colleges and universities. Boards of trustees must have the authority to manage their campuses without undue legislative overreach. House Bill 1322 avoids this all-too-common pitfall by establishing clear principles rather than prescriptive mandates, thereby empowering governing boards to fulfill their role as the primary stewards of both campus safety and the constitutional rights of their students. Notably, this bill mirrors many of the recommendations in ACTA's Gold Standard for Freedom of Expression™, a 20-point action plan for protecting open inquiry and the free exchange of ideas on American college and university campuses.

ACTA thanks Delegate Robin L. Grammer, Jr., and his colleagues for their leadership and foresight in introducing House Bill 1322. We respectfully urge the committee to support this legislation and to continue advancing policies that strengthen public higher education. We look forward to seeing Maryland set a gold standard for campus freedom that other states will surely strive to emulate.

¹ Healy v. James, 408 U.S. 169 (1972); Tinker v. Des Moines Independent Community School District, 393 U.S. 503 (1969).

² Tinker v. Des Moines Independent Community School District, 393 U.S. 503 (1969).

³ "Palestine Legal, CAIR Announce Historic \$100k Settlement from U of Maryland for Unlawfully Suppressing Pro-Palestinian Student Speech," Council on American-Islamic Relations, August 6, 2025, https://www.cair.com/press_releases/palestine-legal-cair-announce-historic-100k-settlement-from-u-of-maryland-for-unlawfully-suppressing-pro-palestinian-student-speech/.

⁴ Towson University, "06-04.11 – Policy on Time, Place and Manner for Expressive Activities," last amended August 23, 2024, <https://www.towson.edu/about/administration/policies/06-04-11-policy-time-place-manner-expressive-activities.html>.

⁵ United States v. Schwimmer, 279 U.S. 644 (1929).