



Faculty Senate

Steering Committee

Agenda for meeting of Thursday, January 5, 2023, 3:00 pm

Location: In person in the Charge on Chamber, Student Union Room 340

For those unable to make the in person meeting due to travel, location or health issues, there is a Zoom option:

<https://ucf.zoom.us/j/95686763570?pwd=VDhPMWJRUIFhWENkeW5uNWNITGQwZz09>

1. Call to Order
2. Roll Call via Qualtrics: https://ucf.qualtrics.com/jfe/form/SV_720VZgxniHsd70
3. Approval of Minutes of *November 17, 2022*
4. Recognition of Guests
5. Announcements and Report of the Chair
6. Report of the Provost
7. Unfinished Business
8. New Business
 - a) Appointment of a Selection Committee for the University Excellence in Professional Service Awards
 - b) Discussion of Student Success Committee Initial Bylaws
 - c) Senate Agenda for January 19, 2023
 - i) Campus Climate Report Topic – Mental Health
 - ii) Campus Climate Report Topic – Workday
9. Committee Reports
10. Other Business
 - a) Board of Governors Civil Discourse Recommendation 3
11. Adjournment



Faculty Senate

Steering Committee

Minutes for meeting of Thursday, November 17, 2022, 3:00 pm

Zoom Link to access recording:

<https://ucf.zoom.us/rec/share/qcNfMlgztpUXaDKru5Cddo02QRbpbk4ugehl6e5nZ5f9ILZP3JbWqeQ-a2Kd1v6DI.CwTUVhGUwiiZ5HX8>

Passcode: 9AI0H.t@

- 1) Quorum reached and meeting called to order at 3:02 p.m.
- 2) Roll Call via Qualtrics – Faculty Senate Chair Stephen King, Vice Chair Keri Watson, Secretary Kristine Shrauger, and Past Chair Joseph Harrington were present. (See *meeting materials Attachment A for list of participants*)
- 3) Approval of Minutes of *October 20, 2022*
 - a) Minutes are approved as written.
- 4) Recognition of Guests
 - a) Joe Adams, Senior Communications Director, Academic Affairs
 - b) Lucretia Cooney, Director, Faculty Excellence
 - c) Mikayla Gray, Reporter, NSM Today
 - d) Jana Jasinski, Vice Provost, Faculty Excellence
 - e) Michael Johnson, Provost, Academic Affairs
 - f) Juan Lugo, Operations Manager III, Academic Affairs
- 5) [00:01] Announcements and Report of the Chair – *Vice Chair Keri Watson*
 - a) Vice Chair Watson talked about House Bill 7, donation to College of Nursing, resolutions update, and post-tenure review regulation from the Board of Governors. See Attachment B for full report.
- 6) [00:13] Report of the Provost – *Vice Provost Jana Jasinski*
 - a) Vice Provost Jasinski spoke about the recent hurricanes, update on the Board of Governors activities, and search update. Please see Attachment C for full report.
- 7) [00:24] New Business
 - a) Senate Agenda for December 1, 2022
 - i) Campus Climate Report Topic – Mental Health
 - (1) Postponed to January meeting
 - ii) Digital Accessibility Policy
 - (1) Motion to have Kristeena LaRoue give an overview of the policy at the Senate meeting, second, vote taken, motion passed.
 - b) Consideration of Input from Constitutional Amendment Survey
 - i) Motion made to approve the constitutional amendment resolution with no additional changes or edits, second, discussion, vote taken, motion passed.



Faculty Senate

- 8) [00:31] Committee Reports
 - a) Budget and Administrative Committee – *Keri Watson*
 - b) Information Technology Committee – *Glenn Martin*
 - c) Personnel Committee – *Michael Proctor*
 - d) Research Council – *Linda Walters*
 - e) Graduate Council – *Reid Oetjen*
 - f) Undergraduate Council – *Tina Chiarelli*
 - g) Ad Hoc Student Success Committee – *Tina Chiarelli*
 - h) Ad Hoc Civil Discourse Committee – *Stephen King*
 - i) Committee and Council Steering chairs or liaisons provided a brief summary of their work this month. For the full reports, see attachment D.

- 9) [00:48] Other Business
 - a) Post-Tenure Faculty Review Discussion (Attachment E)
 - i) Motion to consider Resolution 2022-2023-7 Post-Tenure Faculty Review, second. During the discussion, several amendments were proposed. Some were approved and some were voted down. For the full discussion please view the Zoom recording.

- 10)[01:45] Motion made to extend meeting time by 15 minutes, second, discussion, vote taken, motion fails.

- 11)[01:48] Motion made to accept resolution amendment changes, second, discussion, it was decided that, in the interest of time, further revisions would be completed via Teams between now and the full Senate meeting, vote taken, motion passed. For suggested edits to resolution, see attachment F.

- 12)Meeting adjourned at 5:00 p.m.

Reviewed and submitted for approval by

Kristine J. Shrauger

11/18/2022

Kristine Shrauger
Faculty Senate Secretary

Date

Faculty Senate Steering Committee Meeting Attendance

November 17, 2022

First Name:	Last Name:	College/Unit:	College/Unit: - Other	Meeting Role:	Meeting Role: - Guest
Mason	Cash	CAH		Steering	
Kristina	Tollefson	CAH		Steering	
Keri	Watson	CAH		Steering	
Jim	Gallo	CBA		Steering	
Reid	Oetjen	CCIE		Steering	
Jeff	Kauffman	CECS		Steering	
Michael	Proctor	CECS		Steering	
Glenn	Martin	CGS		Steering	
Asli	Yalim	CHPS		Steering	
Tina	Chiarelli	COM		Steering	
Stephen	King	COM		Steering	
michelle	dusseau	COS		Steering	
Joseph	Harrington	COS		Steering	
Linda	Walters	COS		Steering	
Jim	Moharam	CREOL		Steering	
Kelly	Semrad	RCHM		Steering	
Missy	Murphey	UL		Steering	
Kristine	Shrauger	UL		Steering	
Lucretia	Cooney	Other	Faculty Excellence	Guest	Director
Jana	Jasinski	Other	Faculty Excellence	Guest	Vice Provost

Faculty Senate Chair Report
Steering Committee Meeting
November 17, 2022

Vice Chair Watson gave the Chair's report to Steering on Nov 17, 2022

First an update on deadlines for resolutions now that we had the change to our Bylaws with resolution 2, which was approved in the last senate meeting

For a non-Bylaw resolution, the latest guaranteed date for senate to vote on the resolution is the March 23rd Senate meeting. Any such Resolution needs to be approved by Steering to go onto the agenda at the March 9th steering meeting. The agenda for the March 9th steering meeting is March 2nd. Therefore, the senate office should receive any Resolution by March 1st for full consideration.

Now let's consider Bylaw amendment Resolutions where it takes an extra senate meeting in the process. For a Bylaw Resolution, the latest guaranteed date for senate to vote on the resolution is also the March 23rd Senate meeting. The Resolution would need to be on the agenda for discussion at the February 16th senate meeting, and the steering meeting where we approve resolutions for that meeting is on February 2nd ...at the downtown campus as a sidenote. The agenda for the February 2nd steering meeting goes out January 26th, so the senate office should receive any Bylaw amendment Resolution by January 25th for full consideration.

It is formally possible to conduct business later than those deadlines if steering considers a bylaw amendment resolution an emergency, or if other actions are taken which makes the April meeting have a section where we do business prior to elections. However, those are not guaranteed so please use the dates I gave above when you consider potential deadlines for resolutions.

I will repeat this information at all upcoming senate and steering meetings so people are not surprised... ok, knowing our fellow faculty, they may still be surprised, but at least I will have tried to warn everyone.

I will take the rest of my report to talk about the new proposed Post-Tenure Faculty Review Regulation from the BOG. By the way, if you haven't read it yet, I strongly suggest you skim it really soon so you know what's in it! In other words, look at it soon so you are ready for our discussion in a few minutes.

First, I want to set up how we got here:

The 2022 legislature passed Senate Bill 7044, which amends section 1001.706, Florida Statutes, adding that the Board of Governors may adopt a regulation requiring tenured State University System faculty to undergo a comprehensive post-tenure review every five years. The bill provides that the regulation must address accomplishments and productivity; assigned duties in research, teaching, and service; performance metrics,

evaluations, and ratings; and recognition and compensation considerations, including improvement plans and consequences for underperformance.

Now the wording “The Board of Governors may adopt” is code for “ the Board of Governors will 100% completely and surely make a new regulation. Let’s face it, because of this legislature, the BOG will make a regulation, the only possible question is what are the exact details in whatever regulation will finally be approved and enacted.

The BOG has gone through some public, and many non-public iterations of a regulation spelling out how this should occur. Some things have improved in this newest proposed regulation, some appear to be worse in the newest proposed regulation.

In any event, the BOG voted upon and approve this version of the regulation on November 9th, just before Hurricane Nicole made landfall. I hope everyone here read the email sent from the Senate this Monday about making a public comment about the Regulation using a link that we gave in the email. You still have until Thanksgiving to make comments, and I strongly suggest that you reach out to all your colleagues about this Regulation and the way they could leave feedback.

In addition to public comment, the members of the ACFS (advisory Council of Faculty Senates) have been sharing what all the SUS universities are doing in response to this regulation. Several are considering and passing resolutions from their Faculty Senates to be delivered to the BOG, that show their opposition to the BOG Regulation in its current form. The resolution that we may consider today would be one more that the BOG would receive.

I’m going to pause here for a second. I know I haven’t gone into the details of the regulation, as I think we will do that later. What I want to share now is a rationale for a resolution and what I think the BOG would be most receptive to in terms of arguments that could potentially alter the regulation. First and foremost, the BOG cares about reputation and fiscal aspects of the SUS much more than do about the merits of tenure, academic freedom, normal tenure review processes, or almost anything else. Therefore, when we consider a resolution to send to the BOG, I want to say that we have to realize who our target audience is, and to focus efforts on messages that have the potential to sway opinion in those areas. For example, in my opinion, a focus upon the merits of academic freedom as a foundation of universities of higher learning across the US may be something we believe in, but I think would be counter-productive as a message to the BOG. Instead, the BOG really cares tremendously about our SUS rankings and having a preponderance of graduating students in STEM fields.

There are many ways we could go with a Resolution, and anything we compose will not be perfect, but we shouldn’t let that stop us from being effective! My suggestion will be to have a resolution focused upon areas that we feel will resonate with the BOG, and not try to address every conceivable concern that the faculty body may have.

Faculty Senate Steering Committee

Provost update provided by Dr. Jana Jasinski, Vice Provost for Faculty Excellence, on behalf of Provost Michael D. Johnson

Thursday, November 17, 2022, 3 p.m. to 5 p.m.

Student Union, Charge On Room, 340, Zoom option

Storms

- Hurricane Nicole added to an already long period of stress for students, faculty and staff.
 - Lost seven days from the two storms just under two months apart
- Commend our faculty for helping students during this difficult time, including postponing assignments and tests; important that faculty have kept course material current despite disruptions; UCF must meet obligations to ensure academic integrity under Title IV and to our institutional accreditor
- The student withdrawal date was pushed back a week (Nov. 4, before Nicole), haven't seen significant rise in withdrawals after Ian

New Legislation

- As Steve noted, the BOG's proposed post-tenure regulation is now posted and on the table for comment; 5-year review will replace our current 3-year review process
- BOG will likely vote on this at its meeting at the end of January; the proposed regulation could change by then;
- From the provost's perspective, tenure comes with an obligation to continue performing at a high level and to behave professionally. Our faculty do this.
- It's important to demonstrate to the public the value of tenure and that faculty want tenure to do good things.
- In another change, the Board of Trustees authorized UCF to seek approval from the U.S. Department of Education to apply for a new accreditor: the Higher Learning Commission (HLC), an innovation leader among U.S. accreditors.
- Our current accreditor is SACSCOC.
 - This will be a really heavy lift. UCF must fulfill the responsibilities to our current accreditor as it transitions to a new accreditor.

VP for Research Search Update

- Zoom interviews for the Vice President for Research expected in early December. Will announce campus visits for finalists when we know them.



Faculty Senate

Faculty Senate
Committee Reports
November 17, 2022

Budget and Administrative Committee

Chair – Tina Buck; Vice Chair – Keri Watson

November 16, 2022

Budget and Administration met on Wednesday, November 16. We had a guest presentation by Zack Salloum, Interim Director, ARO/DSO, International Student & Scholar Services, UCF Global. To summarize: delays do not seem to be coming from UCF Global's part of the process; slowdowns could be coming from Graduate Studies or OICEC. The Foreign Influence Screening process appears to be the pain point (this is OICEC's domain). BandA will have presentations by Ashley Guritza, Director, Office of International Collaboration and Export Control (OICEC), Office of Research, and Interim Vice President for Research, Dr. Winston Schoenfeld in January to learn more about the process and address the pain points.

Information Technology Committee

Chair – Glenn Martin; Vice Chair – Joseph Harrington

November 15, 2022

Committee met for just over an hour. Mr. Gerald Hector was a guest and the entire meeting mainly focused on issues regarding Workday. A number of concerns from the committee were reviewed and addressed by Mr. Hector. Some issues he will review and others he implied will simply improve over time (although it was not clear if that will really be the case).

Personnel Committee

Chair – Karol Lucken; Vice Chair – Gulnora Hundley

November 16, 2022

Announcements were made on the following: Request for Steering and Personnel Cmte participation in the December vendor presentations for the Faculty Information System platform; the final recording of the resolution of all topics referred to the committee thus far by Steering; and the in-person meeting planned with SVP Hector at the January meeting. Updates and discussion were had regarding progress on the faculty involvement in hiring resolution, and clarity obtained on the differences between the investigative procedures that govern misconduct under UCF Non-Discrimination Policy 2-017 (HB7) and the investigative procedures that govern misconduct under OIE Discrimination Policy. Competing evidence was presented on the incidence of bias in the gender and racial bias training videos. Reconciliation of these competing sources will be addressed at the February meeting after other committee members have had a chance to review the training video for themselves.

Research Council

Chair – Linda Walters; Vice Chair – David Luna



Faculty Senate

No update

Graduate Council

Chair – Stacy Barber; Vice Chair – Valeriya Shapoval

Graduate Review and Awards Committee – 11/4/22

The committee reviewed and approved the Dual Degree Agreement between UCF and the University Institute of Lisbon (ISCTE). In addition, the council reviewed graduate faculty re-nominations from the College of Arts and Humanities, The College of Health Professions and Sciences, The College of Community Innovation and Education, and the College of Graduate Studies.

Undergraduate Council

Chair – Jeffrey Kauffman; Vice Chair – Tina Chiarelli

November 1, 2022

The Undergraduate Course Review Committee (UCRC) held its monthly meeting. During that time, 15 Consent Agenda items and 5 Action Agenda items were approved. For the Action Agenda, 11 items were tabled to allow for more time to better understand if the request for M&S Fee additions or increases were in fact necessary, and 2 new course items were tabled due to a lack of representation at the meeting by the College of Arts and Humanities.

November 15, 2022

The Undergraduate Policy and Curriculum Committee (UPCC) held its monthly meeting. During that time the committee approved 4 of the 5 items on the consent agenda. In addition, they moved the policy revision for Double Majors to the action agenda and approved it along with 3 other items. The committee discussed the policy revisions to the Grade System and Timely Academic Progress Toward a Degree and its importance.

Ad Hoc Committee on Civil Discourse

Chair – Stephen King

No update

Ad Hoc Committee on Student Success

Chair – Tina Chiarelli

November 16, 2022

The committee held its monthly meeting. Committee members discussed the final draft of the proposed bylaws outlining the permanent committee duties and responsibilities and membership criteria. In addition, the committee discussed an appropriate time to bring final deliverables to Steering.

1 Resolution 2022-2023-7 Post-Tenure Faculty Review

2
3 **Whereas**, the faculty of the University of Central Florida are dedicated to our core
4 missions of teaching students, conducting research and creative scholarship, and
5 service to the greater Orlando region and the state of Florida; and

6
7 **Whereas**, the awarding of tenure and the academic freedom provided by tenure allows
8 UCF to recruit and retain outstanding faculty who enhance the University's stature,
9 rankings, teaching expertise, and research programs; and

10
11 **Whereas**, UCF faculty currently undergo an extensive evaluation review cycle after the
12 awarding of tenure, and can be disciplined or fired for cause as appropriate; and

13
14 **Whereas**, UCF is committed to the principles of shared governance, where faculty and
15 the administration work together to address the challenges facing us, to find ways to
16 measure our success, and to empower the University and the faculty to continually
17 improve; and

18
19 **Whereas**, the American Association of University Professors advises that when
20 developing post-tenure review, "faculty should have the primary responsibility in
21 developing and conducting such reviews", and

22
23 **Whereas**, the current Board of Governors Regulation for Post-Tenure Faculty Review
24 did not have meaningful input from faculty across the State University System as it was
25 being developed; and

26
27 **Whereas**, the current draft of the Post-Tenure Faculty Review Regulation lacks faculty
28 peer review at the department, college and university levels, when discipline specific
29 faculty expertise is needed to effectively assess and review the productivity and
30 scholarship of faculty, as is done for tenure evaluation; and

31
32 **Whereas**, the broad implications of the current Post-Tenure Faculty Review regulation
33 will cause a significant lost in fiscal resources due to a brain drain of our best and
34 brightest faculty from within the state of Florida, especially those in STEM fields that are
35 in high demand across the country; therefore,

36
37 **Be it Resolved**, that the UCF Faculty Senate strongly opposes the current draft
38 Regulation for Post-Tenure Faculty Review in its initial premise, in its development
39 process, and in its proposed review format. We believe the Board of Governors should
40 work closely with the faculty across the SUS to develop a more meaningful and
41 accurate post-tenure review process that effectively and efficiently evaluates faculty and
42 that remains in compliance with Florida statutes.

Resolution on Post-Tenure Faculty Review Suggested Edits

1

Whereas, the faculty of the University of Central Florida are dedicated to our core missions of teaching students, **research and creative scholarship**, and service to the greater Orlando region and the state of Florida; and

2

Whereas, the awarding of tenure and the academic freedom provided by tenure allows UCF to recruit and retain an outstanding faculty that enhances the University's stature, rankings, teaching expertise, and research programs; and

3

Whereas, UCF faculty currently undergo **both annual performance evaluations and comprehensive post-tenure review every three years**, and can be disciplined or fired for cause as appropriate at any time; and

4

Whereas, UCF is committed to the principles of shared governance, where the faculty and the administration work together to address the challenges facing us, to find ways to measure our success, and to empower the University and the faculty to continually improve; and

5

Whereas, the tenure evaluation itself is fundamentally a shared process initiated at the faculty level, in which a departmental committee evaluates the candidate against the departmental standards (in research, teaching, and service) and competitiveness in the field of scholarship, a department head makes an independent recommendation, a college committee evaluates against the standards of the college, the dean makes an independent recommendation, the university committee evaluates against the standards of the university, the provost and president make the final decision of tenure, and the trustees provide the final approval of tenure; and

6

Whereas, **in keeping with the shared nature of the tenure decision**, the American Association of University Professors advises that when developing post-tenure review, "faculty should have the primary responsibility in developing and conducting such reviews"; and

7

Whereas, the current Board of Governors Regulation for Post-Tenure Faculty Review did not have meaningful input from faculty across the State University System as it was being developed; and

8 reduced

Whereas, the current draft of the Post-Tenure Faculty Review Regulation lacks faculty peer review at the department, college, and university levels, despite discipline-specific faculty expertise being needed to effectively assess and review the productivity and scholarship of faculty, as is done for tenure evaluation; and

10 reduced

Whereas, the proposed Post-Tenure Faculty Review regulation, lacking faculty input in development and process, provides a potential mechanism for removing faculty without any form of appeal, redress, or peer review; and

17

Whereas, the proposed Post-Tenure Faculty Review regulation will cause a brain drain of our best and brightest faculty from within the state of Florida, especially those in STEM and other high-paying fields that are in high demand across the country and internationally, resulting in a replacement expenditure far in excess of current SUS budgets and/or the loss of Florida's status as the #1 value in US public education; and

18

Be it Resolved, that the UCF Faculty Senate strongly opposes the current draft Regulation for Post-Tenure Faculty Review in its initial premise, in its development process, and in its proposed review format. We request the Board of Governors to work closely with faculty across the SUS to develop a more meaningful and accurate post-tenure review process that effectively and efficiently evaluates faculty, protects academic freedom, and complies with Florida statutes.

Additional clauses to consider:

8 complete

Whereas, the current draft of the Post-Tenure Faculty Review Regulation lacks faculty peer review at the department, college, and university levels, despite discipline-specific faculty expertise being needed to effectively assess and review the productivity and scholarship of faculty, as is done for tenure evaluation, and to protect from abuse by administrators who might wish to remove faculty at will; and

9

Whereas, the principal purpose of tenure is to prevent the removal of faculty whose proper exercise of academic freedom, that is, uncovering uncomfortable truths and pointing them out to society, becomes a problem for administrators, and

10 complete

Whereas, the proposed Post-Tenure Faculty Review regulation, lacking faculty input, provides a convenient mechanism for removing faculty without any form of appeal, redress, or peer review, effectively eliminating the principal purpose of tenure, the protection of academic freedom in service of society's interest in uncovering and facing uncomfortable truths, and

11

Whereas, the lack of protection from arbitrary or retributive termination provided by tenure will stifle faculty whose jobs it would normally be to initiate difficult conversations as the critical first step in solving society's most difficult problems, resulting in the perpetuation of those problems, and

12

Whereas, the lack of protection from arbitrary or retributive termination provided by tenure will deter the best candidates from applying for jobs at SUS institutions, including UCF, and will induce others to leave as better options open up for them, typically after spending a startup package funded from State dollars and amounting, in some disciplines, to more than one million dollars per faculty member, and

13

Whereas, UCF has already lost an outstanding and diverse candidate in a director search on speculation of the imminent weakening of tenure, and

14

Whereas, it is the protection of tenure against arbitrary termination and the resulting academic freedom that attracts faculty in lucrative fields, such as those involving science, technology, engineering, mathematics, medicine, business, and law away from jobs paying as much as five times the university salary scale, and

15

Whereas, the fiscal cost of attracting and retaining competitive faculty to new positions and to replace departing faculty will rise substantially above the current cost of such positions, due to the need to compensate for the loss of tenure protection; and

16

Whereas, the Florida Institute of Technology, a private university, recently instituted tenure because they were losing their best faculty without it and could not offer enough to keep faculty otherwise; and

Bylaws: Faculty Senate Student Success Committee

The committee will be categorized as a Senate Joint Committee/Council as defined in Section VIII of the Faculty Constitution

a. Duties and Responsibilities

- i. Promote the development and implementation of programs, policies, and practices that help students succeed in their academic pursuits and personal wellbeing.
- ii. To advise and assist the Senior Vice President for Student Success and Wellbeing and the Vice Provost and Dean of the College of Undergraduate Studies in developing student success initiatives and recommending actions to meet student success goals.
- iii. To review and monitor the performance and progress of state performance-based funding, preeminence, and other strategic student success metrics that are important for UCF and its students.
- iv. Support and collaborate with the Faculty Center for Teaching and Learning to create professional development for faculty to facilitate student success.
- v. To serve as an advisory and recommending body for academic units and the Faculty Senate on strategies and procedures that relate to student success.
- vi. Support and collaborate with professional advising offices across UCF to help facilitate student success
- vii. The chair of the Faculty Senate Student Success Committee will serve as a member on the University Student Success Steering Committee.

b. Membership

The voting members of the Faculty Senate Student Success Committee shall consist of one faculty member from each academic unit (selected by the Committee on Committees), one associate or senior instructional designer from the Center for Distributed Learning, one representative from the Faculty Center for Teaching and Learning, one student (nominated by the president of the Student Government Association), one representative of the Student Success & Wellbeing Leadership Council Team (selected by the Senior Vice President of Student Success and Wellbeing), and one representative from the College of Undergraduate Studies (selected by the Dean of Undergraduate Studies). A representative from the professional advising office for each college or unit may serve as a non-voting committee member. The Senior Vice President for Student Success (or designee) shall identify additional ex officio members, making every effort to ensure that areas relating to Student Success are represented. The chair and vice chair shall be elected annually from its faculty membership. Terms of service shall be two years, staggered, except for the student member, who shall serve for one year.

Civil Discourse Final Report

2022



CIVIL DISCOURSE INITIATIVES

in the

STATE UNIVERSITY SYSTEM

INTRODUCTION

As members of many different societal groups and communities, people thrive on the personal interactions that occur every minute of every day. These ongoing interactions provide the foundation for learning, discovery, and growth in a university setting. More specifically, open-minded, tolerant, and respectful discourse among campus community members is critical to enabling students to learn and pursue their educational goals, faculty to effectively teach, and staff to pursue fulfilling work.

To promote civil discourse in the State University System, the Board of Governors, the presidents of Florida's twelve public universities, adopted a "Statement of Free Expression" in 2019. The Board's statement directly aligns with the well-established "Chicago Principles" that originated at the University of Chicago in 2014 to articulate the university's overarching commitment to free, robust, and uninhibited debate. Universities have widely adopted the Chicago Principles throughout the U.S.

The Board's Statement of Free Expression was endorsed by the twelve state universities as a vehicle to establish, maintain, and support a full and open discourse and the robust exchange of ideas and perspectives on all university campuses (See Appendix A). The statement reinforces that a critical purpose of a higher education institution is "to provide a learning environment where divergent ideas, opinions, and philosophies, new and old, can be rigorously debated and critically evaluated."

Board of Governors Chair Syd Kitson established the Board's Civil Discourse Initiative during his January 2021 "State of the System" address. Chair Kitson expressed concern regarding the steady decline in respectful discourse among those with differing viewpoints. He stated that the university setting could provide a foundation for understanding, learning, and growth in this area. Chair Kitson tasked Governor Tim Cerio to lead the initiative through the Strategic Planning Committee. Governor Cerio has stated that "Civil discourse, conducted civilly without fear of reprisal, is critical to free speech and ensuring academic and intellectual freedom – not just on our university campuses, but throughout our country."

The 2018 Legislature established the Campus Free Expression Act in section 1004.097, Florida Statutes. This statute provides direction and relevance to the Board's initiative as it codifies an individual's right to engage in free-speech activities at public higher education institutions. It also prohibits a public institution from shielding students, faculty, or staff from expressive activities while authorizing a public institution to create and enforce reasonable restrictions under specified conditions.

CIVIL DISCOURSE: BEST PRACTICES

The State University System

The state universities provided information on activities and initiatives promoting and supporting civil discourse in their campus communities. Best practices gleaned from a review of their submissions were highlighted within the following four categories.

1. Workshops & Professional Development: Presentations, lectures, workshops, or training designed to provide opportunities for faculty, staff, students, and campus partners to learn how to engage in and facilitate dialogue respectfully.
2. Speakers, Dialogue & Debate: Events or programs that provide opportunities for faculty, staff, and students to engage in, observe, or facilitate conversations and encourage civil discourse.
3. Outreach (on and off-campus): Programs, workshops, and or campaigns with external partners help cultivate a campus culture of civil discourse.
4. Research and Academic Affairs: Research-based initiatives, web tools, and courses designed to provide opportunities for students, faculty, and staff to engage in and learn about issues related to civil discourse in a formal setting.

Additionally, the committee researched established national programs addressing civil discourse and interviewed prominent authorities in this area. Interviews were conducted with Dr. Robert George, McCormick Professor of Jurisprudence & Director, James Madison Program at Princeton University; Dr. Lynn Pasquerella, President of the Association of American Colleges and Universities; Dr. Diana Hess, Dean, University of Wisconsin School of Education; Ms. Liz Joyner, Founder & C.E.O., the Village Square; Dr. Bill Mattox, Director, James Madison Institute's Marshall Center for Educational Options; Dr. Tim Chapin, Dean, FSU College of Social Sciences and Public Policy, and Dr. Jonathan Haidt, founder of the Heterodox Academy.

National Models

A review of the national postsecondary system and institutional civil discourse programs identified a number of highly regarded initiatives and strategies that promote and support civil discourse. Examples include the following.

- The Center for Peace and Conflict Resolution, Brigham Young University: The Center's primary focus is conflict resolution. Through mediation, arbitration, training workshops, research, conferences, academic courses, and consultations, the Center assists both the university and the community in building skills and promoting understanding of peace, negotiation, communication, and conflict resolution.
- Heterodox Academy: Heterodox Academy is a nonpartisan international collaborative of professors, administrators, and students committed to enhancing the quality of research and education by promoting open inquiry, viewpoint diversity, and constructive disagreement in institutions of higher learning. The

Heterodox Academy was founded in 2015 by scholar Jonathan Haidt. He was prompted by his views on the negative impact that the lack of ideological diversity has had on the quality of research within the Academy.

The Academy collaboratively engages with universities throughout the U.S. to promote rigorous, open, and responsible interactions across lines of difference as essential to separating good ideas from bad and making good ideas better. Heterodox scholars view the university as a place of collaborative truth-seeking, where diverse scholars and students approach problems and questions from different points of view in pursuit of knowledge, discovery, and growth.

- The Institute for Civic Discourse and Democracy, Kansas State University: The Institute pursues theories and practice in civic discourse that are identified to advance improvements in all campus and community interactions. The Institute supports public conversation to elevate specific qualities of civic discourse, including inclusiveness, equality, reciprocity, reflection, reason-giving, and shared decision-making. The Institute offers certificates and degrees through the university's communication studies department; and offers workshops, facilitator training, and research opportunities through the Kansas Civic Life Project.
- The James Madison Program in American Ideals and Institutions: The James Madison Program is a scholarly institute within the Department of Politics at Princeton University and is dedicated to exploring enduring questions of American constitutional law and Western political thought. The James Madison Program was founded in 2000 by Dr. Robert George, McCormick Professor of Jurisprudence at Princeton University, and follows the University of Chicago's principles on freedom of expression.

The James Madison Program promotes teaching and scholarship in constitutional law and political thought and provides a forum for free expression and robust civil dialogue and debate. The Program hosts visiting postdoctoral and undergraduate fellows and offers various activities, courses, summer programs, and other related activities promoting free expression.

RECOMMENDATIONS

All 12 universities in the State University System have voiced a commitment to civil discourse and have provided numerous examples of programs and policies to establish, maintain, and support civil discourse throughout their living, learning, and working environment.

In recent years, there have been incidents of unacceptable behaviors and violations of codes of conduct and personnel policies relating to civil discourse by administrators, faculty, and students in the system. When such incidents occur, universities must respond to grievances with rapid response, thorough review, and adjudication according to their established policies. This process is most valuable when the conflict is resolved,

the impacted individuals are redressed, and all involved can learn and grow from the experience.

Moreover, programming restricting participation based on race or ethnicity, and in violation of existing university policies, has occurred with more frequency on Florida campuses. Although perhaps well-intentioned, often the effect of these programs is to further divide and disenfranchise, rather than promote understanding through civil discourse.

The Board of Governors as Advocate

The Board of Governors, responsible for the management and operation of the State University System, is unequivocal in its support of civil discourse throughout its 12 campus communities. The Board believes that each campus community member has a unique and critical role in the adherence to civil discourse and the ongoing support of the establishment, maintenance, and evaluation of civil discourse initiatives.

The Board of Governors' "Statement of Free Expression" remains an integral part of the Board's three-pronged mission for state universities: to deliver a high-quality academic experience for students, to engage in meaningful and productive research, and to provide a valuable public service for the benefit of local communities, metropolitan regions, and the state.

- I. **The Board of Governors expects that the leadership at each university will operationalize the Board's commitment to open-minded and tolerant civil discourse by promoting, supporting, and regularly evaluating adherence to the principles set forth in the Board's Statement of Free Expression and cultivating a culture of civil discourse in all campus interactions, including academic, administrative, extracurricular, and social dealings.**

University Planning

In its 2025 Strategic Plan, the Board of Governors sets forth its mission for the State University System and further states that the state universities will "*support students' development of the knowledge, skills, and aptitudes needed for success in the global society and marketplace.*" The Board strongly believes that the state universities are well-positioned to provide the foundation for civil discourse learning, understanding, and growth for all campus community members.

Each university's Accountability Plan is an annual report of specific accountability measures and strategic plans.

- II. **The Board of Governors recommends that each university's Accountability Plan and Strategic Plan include a specific endorsement of the Board's Statement of Free Expression, as well as a clear expectation for open-minded and tolerant civil discourse throughout the campus community. The Board of Governors will include similar statements and principles in its Strategic Plan for the State University System.**

University Leadership

State university boards of trustees have the powers and duties necessary for each university's operation, management, and accountability. University civil discourse policies, programs, and initiatives should be viewed as strategic priorities by each board of trustees. The Board of Governors also believes that university faculty senates and student governments have a vital role and should participate early and often in the development, implementation, evaluation, and support of civil discourse programs and initiatives.

- III. **The Board of Governors recommends that the leadership of each university board of trustees, faculty senate, and student government annually review and endorse the Board's Statement of Free Expression and commit to the principles of civil discourse.**
- IV. **The Board of Governors recommends that each board of trustees conducts a thorough review of current student orientation programs, student codes of conduct, and employee policies and procedures to ensure consistency with the Board of Governors Statement of Free Expression, the principles of free speech and civil discourse, and compliance with section 1004.097, Florida Statutes.**

The University President

The university president has primary responsibility for establishing the campus culture and setting the day-to-day living, learning, and working environment for all university community members. The president directs and monitors these efforts and is ultimately accountable for the civil discourse climate in the campus community.

Board of Governors Regulation 1.001, University Board of Trustees Powers and Duties, states that the annual evaluation for university presidents addresses "responsiveness to the Board of Governors' strategic goals and priorities."

- V. **Beginning in the 2022 presidential evaluation and contract renewal cycle, as a part of a president's evaluation, the Chair of the Board of Governors will consult with the board of trustees chair to review the university's campus free speech climate, including adherence to the principles set forth in the Board's Statement of Free Expression, the occurrence and the resolution of any issues related to the university's compliance with substantiated violations of section 1004.097, Florida Statutes, and the implementation of best practices promoting civil discourse.**

Academic, Student, and Administrative Affairs

Board of Governors Regulation 1.001, University Boards of Trustees Powers & Duties, directs each board of trustees to adopt regulations or policies for a student code of conduct and establish a personnel program for all university employees. These policies are required to include standards for performance and conduct as well as disciplinary actions, complaints, appeals, and grievance procedures.

A university's personnel policies, orientation programs, and student code of conduct are critical to setting the tone for a climate of open-mindedness and tolerance for civil discourse. More specifically, all university campus areas, including classrooms, lecture halls, offices, and extracurricular, residential, and social locales, offer opportunities for learning, tolerance, and growth. Academic deans and directors, student affairs administrators, faculty, and students share responsibility for establishing and reinforcing tolerant, open-minded, and respectful discourse on a university campus.

- VI. **The Board of Governors recommends that university academic, student affairs, and administrative leaders review student orientation programming, student codes of conduct, and employee personnel policies and procedures to ensure that they contain clear and unambiguous support for the Board's Statement of Free Expression, and the principles of free speech and civil discourse, and that they are in compliance with section 1004.097, Florida Statutes.**

Best Practices for Civil Discourse

- VII. **The Board of Governors recommends implementing the following best practices based on its review of university programs and initiatives that effectively promote and support civil discourse.**

- **Instill the importance of civil discourse, academic freedom, and free speech from day one**, utilizing student and employee orientation sessions, public assemblies, and official university documents and communications.
- **Schedule and host ongoing, campus-wide forums, dialogues, and debates** on various issues and perspectives to promote open discussion, understanding, and learning opportunities.
- **Foster intellectual diversity** by encouraging university leadership to: (1) promote viewpoint diversity and open-minded discussion and debate, and (2) highlight and enforce policies that prohibit programming that excludes participation based on race or ethnicity.
- **Avoid disinvitations** by developing clear, viewpoint-neutral policies and procedures governing the invitation and accommodation of campus speakers.
- **Provide targeted educational and professional development opportunities** for university administrative employees to reinforce free expression and open-minded debate norms.
- **Encourage faculty to establish and maintain a learning environment in their classrooms and offices that supports open dialogue and the free expression of all viewpoints and create processes to evaluate the strength of such environments.**

Appendix A

State University System of Florida

Statement of Free Expression

April 15, 2019

The State University System of Florida and its twelve public postsecondary institutions adopt this Statement on Free Expression to support and encourage a full and open discourse and the robust exchange of ideas and perspectives on our respective campuses. The principles of freedom of speech and freedom of expression in the United States and Florida Constitutions, in addition to being legal rights, are an integral part of our three-part university mission to deliver a high-quality academic experience for our students, engage in meaningful and productive research, and provide valuable public service for the benefit of our local communities and the state. The purpose of this statement is to affirm our dedication to these principles and to seek our campus communities' commitment to maintaining our campuses as places where the open exchange of knowledge and ideas furthers our mission.

A fundamental purpose of an institution of higher education is to provide a learning environment where divergent ideas, opinions, and philosophies, new and old, can be rigorously debated and critically evaluated. Through this process, often referred to as the marketplace of ideas, individuals are free to express any ideas and opinions they wish, even if others may disagree with them or find those ideas and opinions to be offensive or otherwise antithetical to their own worldview. The very process of debating divergent ideas and challenging others' opinions develops the intellectual skills necessary to respectfully argue through civil discourse. Development of such skills leads to personal and scholarly growth and is an essential component of each of our institutions' academic and research missions.

It is equally important not to stifle the dissemination of any ideas, even if other members of our community may find those ideas abhorrent. Individuals wishing to express ideas with which others may disagree must be free to do so without fear of being bullied, threatened, or silenced. This does not mean that such ideas should go unchallenged, as that is part of the learning process. And though we believe all members of our campus communities have a role to play in promoting civility and mutual respect in that type of discourse, we must not let concerns over civility or respect be used as a reason to silence expression. We should empower and enable one another to speak and listen, rather than interfere with or silence the open expression of ideas.

Each member of our campus communities must also recognize that institutions may restrict unlawful expression, such as true threats or defamation. Because universities and colleges are first and foremost places where people go to engage in scholarly endeavors, it is necessary to the efficient and effective operations of each institution for there to be reasonable limitations on the time, place, and manner in which these rights are exercised. Each institution has adopted regulations that align with Florida's Campus

Free Expression Act, section 1004.097, Florida Statutes, and the United States and Florida Constitutions and the legal opinions interpreting those provisions. These limitations are narrowly drawn and content-neutral and serve to ensure that all members of our campus communities have an equal ability to express their ideas and opinions while preserving campus order and security.



STATE UNIVERSITY SYSTEM OF FLORIDA





Board of Governors
State University System of Florida

325 West Gaines Street, Suite 1614

Tallahassee, Florida 32399

Phone: (850) 245-0466

www.flbog.edu

Board of Governors Free Expression Statement 2022

The State University System of Florida and its twelve public postsecondary institutions adopt this Statement on Free Expression to support and encourage full and open discourse and the robust exchange of ideas and perspectives on our respective campuses. The principles of freedom of speech and freedom of expression in the United States and Florida Constitutions, in addition to being legal rights, are an integral part of our three-part university mission to deliver a high quality academic experience for our students, engage in meaningful and productive research, and provide valuable public service for the benefit of our local communities and the state. The purpose of this Statement is to affirm our dedication to these principles and to seek our campus communities' commitment to maintaining our campuses as places where the open exchange of knowledge and ideas furthers our mission.

A fundamental purpose of an institution of higher education is to provide a learning environment where divergent ideas, opinions and philosophies, new and old, can be rigorously debated and critically evaluated. Through this process, often referred to as the marketplace of ideas, individuals are free to express any ideas and opinions they wish, even if others may disagree with them or find those ideas and opinions to be offensive or otherwise antithetical to their own world view. The very process of debating divergent ideas and challenging others' opinions develops the intellectual skills necessary to respectfully argue through civil discourse. Development of such skills leads to personal and scholarly growth and is an essential component of the academic and research missions of each of our institutions.

It is equally important not to stifle the dissemination of any ideas, even if other members of our community may find those ideas abhorrent. Individuals wishing to express ideas with which others may disagree must be free to do so, without fear of being bullied, threatened or silenced. This does not mean that such ideas should go unchallenged, as that is part of the learning process. And though we believe all members of our campus communities have a role to play in promoting civility and mutual respect in that type of discourse, we must not let concerns over civility or respect be used as a reason to silence

expression. We should empower and enable one another to speak and listen, rather than interfere with or silence the open expression of ideas.

Each member of our campus communities must also recognize that institutions may restrict expression that is unlawful, such as true threats or defamation. Because universities and colleges are first and foremost places where people go to engage in scholarly endeavors, it is necessary to the efficient and effective operations of each institution for there to be reasonable limitations on the time, place, and manner in which these rights are exercised. Each institution has adopted regulations that align with Florida's Campus Free Expression Act, section 1004.097, Florida Statutes, and with the United States and Florida Constitutions and the legal opinions interpreting those provisions. These limitations are narrowly drawn and content-neutral and serve to ensure that all members of our campus communities have an equal ability to express their ideas and opinions, while preserving campus order and security.