UF Faculty Senate
UNIVERSITY of FLORIDA

UF FACULTY SENATE RESOLUTION ON SB 264 and HB 233

The UF Faculty Senate Supports the Free Exchange of Ideas on Campus and Therefore Opposes a Legislative Entitlement to Record Classes and Mandatory Survey

Whereas, the University of Florida (UF) Faculty Senate is the legislative body of the University which provides a forum for the mutual exchange of ideas between senior officers and faculty, advises the President and Provost, and takes cognizance of matters concerning general university interest, and as a member institution of the Advisory Council of Faculty Senates (ACFS) in the State University System (SUS) of Florida,

Be it resolved that the UF Faculty Senate endorses the unanimous ACFS resolution of March 9, 2021 that supports freedom of expression and strongly opposes a legislative entitlement to record classes and a legislatively mandated intellectual diversity survey which could stifle the free exchange of ideas among faculty and students, and affect the reputation and competitiveness of all universities in the SUS including UF.

ACFS RESOLUTION of March 9, 2021

ACFS Supports the Free Exchange of Ideas on Campus and Therefore Opposes a Legislative Entitlement to Record Classes and Mandatory Survey

Whereas, the Advisory Council of Faculty Senates (ACFS) is charged with advising the Chancellor of the State University System (SUS), the Board of Governors, the State Board of Education, the Legislature, the Governor and other officials and organizations involved in the establishment of policies, administration, or funding of public higher education in Florida, and

Whereas, the members of the ACFS strongly support freedom of speech and the role that free expression plays in the education of our students and the creative endeavors of our faculty, and

Whereas, protecting intellectual freedom and ensuring space for competing ideas and perspectives is vital to the integrity of our member institutions and the SUS as a whole, and

Whereas, the Board of Governors and Presidents of each of the State Universities have endorsed a clear statement on Free Expression to support and encourage full and open discourse and the robust exchange of ideas and perspectives on our respective campuses in 2019, and

Whereas, university campuses and classrooms are environments in which students and faculty openly share viewpoints and ideas alongside opposing viewpoints in a constructive way, and

Whereas, a recording entitlement will have the counterproductive effect of limiting the range of viewpoints expressed in class, because students and faculty will choose not to experiment with new ideas, discuss sensitive or controversial issues, or engage in what they fear will be disfavored speech, when they understand that their speech might be made permanently available without their consent, and potentially out of context, on the internet or in others' hands, and

Whereas, a right to record and potentially publish classroom activities without consent may violate the intellectual property rights of individual faculty, institutions, and even publishers who make copyrighted material available for instructional use, thus inviting litigation, and

Whereas, there are legitimate reasons to record classes, but it is a highly individualized decision that should be made between students, faculty, and universities in order to account for the pedagogical, privacy, intellectual property, and free speech interests of others in the space, and

Whereas, the ability to recruit and retain faculty in the SUS will be substantially harmed by a student entitlement to record class, reducing the competitiveness of our institutions and threatening the SUS's recent, hard-won gains in its national ranking, and

Whereas, a legislatively imposed intellectual diversity survey, even if administered well, would create many of the same negative impacts as a recording entitlement—chilling speech, impeding faculty recruitment and retention, and threatening our national standing, therefore:

BE IT RESOLVED that ACFS supports the free exchange of ideas that is at the center of the academic experience, and for that reason, strongly opposes a legislative entitlement to record classes and a legislatively mandated intellectual diversity survey. Both mandates will undermine learning, ideological diversity, faculty recruitment, and university rankings, and have the unintended effect of shielding students from viewpoints that make them uncomfortable. We recommit ourselves to hearing all voices on campus and hosting constitutionally protected speech even when it is uncomfortable. Ensuring open access to ideas on campus is the best way to protect the values of free expression and intellectual diversity that undergird higher education.