

1 **RESOLUTION:**

2 **ACFS Supports the Free Exchange of Ideas on Campus and Therefore**
3 **Opposes a Legislative Entitlement to Record Classes and Mandatory Survey**
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5 **Whereas**, the Advisory Council of Faculty Senates (ACFS) is charged with advising the
6 Chancellor of the State University System (SUS), the Board of Governors, the State Board of
7 Education, the Legislature, the Governor and other officials and organizations involved in the
8 establishment of policies, administration, or funding of public higher education in Florida, and
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10 **Whereas**, the members of the ACFS strongly support freedom of speech and the role that free
11 expression plays in the education of our students and the creative endeavors of our faculty, and
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13 **Whereas**, protecting intellectual freedom and ensuring space for competing ideas and
14 perspectives is vital to the integrity of our member institutions and the SUS as a whole, and
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16 **Whereas**, the Board of Governors and Presidents of each of the State Universities have endorsed
17 a clear statement on Free Expression to support and encourage full and open discourse and the
18 robust exchange of ideas and perspectives on our respective campuses in 2019, and
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20 **Whereas**, university campuses and classrooms are environments in which students and faculty
21 openly share viewpoints and ideas alongside opposing viewpoints in a constructive way, and
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23 **Whereas**, a recording entitlement will have the counterproductive effect of limiting the range of
24 viewpoints expressed in class, because students and faculty will choose not to experiment with
25 new ideas, discuss sensitive or controversial issues, or engage in what they fear will be disfavored
26 speech, when they understand that their speech might be made permanently available without
27 their consent, and potentially out of context, on the internet or in others' hands, and
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29 **Whereas**, a right to record and potentially publish classroom activities without consent may
30 violate the intellectual property rights of individual faculty, institutions, and even publishers
31 who make copyrighted material available for instructional use, thus inviting litigation, and
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33 **Whereas**, there are legitimate reasons to record classes, but it is a highly individualized decision
34 that should be made between students, faculty, and universities in order to account for the
35 pedagogical, privacy, intellectual property, and free speech interests of others in the space, and
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37 **Whereas**, the ability to recruit and retain faculty in the SUS will be substantially harmed by a
38 student entitlement to record class, reducing the competitiveness of our institutions and
39 threatening the SUS's recent, hard-won gains in its national ranking, and
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41 **Whereas**, a legislatively imposed intellectual diversity survey, even if administered well,
42 would create many of the same negative impacts as a recording entitlement—chilling speech,
43 impeding faculty recruitment and retention, and threatening our national standing, therefore:
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45 **BE IT RESOLVED** that ACFS supports the free exchange of ideas that is at the center of the
46 academic experience, and for that reason, strongly opposes a legislative entitlement to record
47 classes and a legislatively mandated intellectual diversity survey. Both mandates will undermine
48 learning, ideological diversity, faculty recruitment, and university rankings, and have the
49 unintended effect of shielding students from viewpoints that make them uncomfortable. We
50 recommit ourselves to hearing all voices on campus and hosting constitutionally protected speech
51 even when it is uncomfortable. Ensuring open access to ideas on campus is the best way to
52 protect the values of free expression and intellectual diversity that undergird higher education.