



Legislative Testimony
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**Written Testimony Supporting
Senate Bill 840, An Act Concerning Academic
Freedom at Public Institutions of Higher Education.**

Senator Haskell, Representative Haddad, and distinguished members of the Higher Education and Employment Committee:

My name is David McGuire, and I am executive director of the American Civil Liberties Union of Connecticut (ACLU-CT). I am submitting this testimony in support of Senate Bill 840, An Act Concerning Academic Freedom at Public Institutions of Higher Education.

As an organization that supports everyone's right to free expression, the ACLU-CT supports this bill, which would protect the freedom of expression of faculty members at public institutions of higher education in their scholarship, research, and teaching, and matters of public interest.

It is important that the Board of Regents for Higher Education and the Board of Trustees of The University of Connecticut establish an academic freedom policy for the public higher education institution within their jurisdiction, so that faculty can express themselves freely. Whether faculty express popular or unpopular ideas, in many cases, their speech is protected by the United States and Connecticut Constitutions. Under the First Amendment, the government cannot discriminate against **protected** speech because of the speaker's viewpoint.

In the face of today's polarized climate, it is vital for universities to maintain equitable learning environments for all students, while upholding the free expression of students and faculty alike. It is important to protect higher education faculty from adverse employment actions due to their public or private expression regarding their scholarship, academic research, or teaching, or matters of public concern. Protecting faculty's speech about political,

social, or economic issues is essential to our democracy and to teaching students the value of free speech.

Recent events demonstrate that there is a need for protection of academic freedom in Connecticut. For example, a Trinity College professor who, while speaking out in support of racial justice, posted comments and shared a hashtag and link on his personal Facebook page faced criticism for alleged violations of school policies in 2017. Though the ACLU-CT commends Trinity College's conclusion that the professor did not violate school policies by expressing his political views on his personal social media page, it is clear that Connecticut's higher education institutions and their faculty would benefit from a clear statewide standard on academic freedom. Although a good example of why this bill is needed, Trinity College and other private higher education institutions would not be covered by this proposed bill.

In addition to protecting expressions regarding matters of political, social, or economic significance, the bill would also protect faculty from adverse employment actions because of expressing criticisms of an institutional policy or administration. This is in line with the Connecticut Supreme Court's decision in a 2014 whistleblower case, in which a UBS Realty employee was fired after making allegations about illegal activity. The state Supreme Court's ruling upheld the free speech of the employee and protects employees who speak out about wrongdoing.

We strongly encourage the committee to support Senate Bill 840.