

# Higher Education and Employment Advancement Committee

## JOINT FAVORABLE REPORT

**Bill No.:** HB-6567

AN ACT REQUIRING PUBLIC INSTITUTIONS OF HIGHER EDUCATION TO ESTABLISH A POLICY REGARDING FREEDOM OF EXPRESSION ON

**Title:** CAMPUS.

**Vote Date:** 3/7/2023

**Vote Action:** Joint Favorable

**PH Date:** 2/16/2023

**File No.:**

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### SPONSORS OF BILL:

The Higher Education and Employment Advancement Committee

Sen. Ryan Fazio, 36th Dist.

Rep. Holly H. Cheeseman, 37th Dist.

Rep. Mark W Anderson, 62nd Dist.

Rep. Devin R. Carney, 23rd Dist.

Rep. Francis Cooley, 22nd Dist.

### REASONS FOR BILL:

This bill would mandate the Board of Trustees of the University of Connecticut and the Board of Regents for Higher Education to develop and adopt a policy regarding freedom of expression at public institutions of higher education. This legislation is in response to concerns of rising intolerance to differing viewpoints at universities across the country. According to testimony, approximately 20 states have offered similar proposals to protect free speech on public campuses across the country.

### RESPONSE FROM ADMINISTRATION/AGENCY:

[University of Connecticut \(UCONN\), Provost and Executive Vice President for Academic Affairs, Anne D'Alleva; and Vice President for Student Affairs, Michael Gilbert:](#) opposes this bill because the university supports free speech without regard to political or ideological leanings and considers it to be a bedrock principle of the institution and society. It is stated that UConn has adopted policies that protect free speech principles, including a specific provision in its bylaws that recognizes the obligation to defend academic freedom in its many forms. It is also stated that UCONN has also established comprehensive event planning review procedures for the review of requests for use of space by students or student groups

for events that are liable to draw large crowds or involve guest speakers. In closing, it is stated that UConn believes that the bill is not necessary given the university's existing policies but would request that the legislation not provide rights or restrictions beyond those already afforded by the First Amendment to the U.S. Constitution.

#### **NATURE AND SOURCES OF SUPPORT:**

[Connecticut General Assembly, Assistant House Republican Leader, 37<sup>th</sup> Assembly District, Representative Holly Cheeseman](#): supports this bill because freedom of speech is a fundamental American freedom and a core value of society, and that universities should foster robust and vigorous debate and not punish those who exercise their First Amendment rights. It is stated that the legislation is in line with the Chicago Principles, which emphasize a university's role in fostering, promoting, and protecting free speech on campus. It is also stated that more than 20 states have already enacted free speech legislation and passing this bill would ensure that Connecticut institutions of higher education are at the forefront of protecting freedom of expression.

[Yankee Institute, Director of External Affairs, Bryce N.Y. Chinault](#): supports this bill because freedom of speech is a right for all Americans under the First Amendment of the U.S. Constitution. It is stated that the ability to engage with ideas by both expressing and listening to them at universities is imperative for our society's growth and advancement. It is also stated that violence is not a reasonable response to speech, and we should not suppress speech on the grounds that it is controversial or problematic. It is stated that several universities have created effective free speech policies and encourages the protection of First Amendment rights on campus.

[Connecticut General Assembly, Assistant Senate Republican Leader, 36<sup>th</sup> Senate District, Senator Ryan Fazio](#): supports this bill and urges the Committee to pass this legislation because protecting free expression at state universities is both a moral and constitutional imperative, and of enormous practical value to students' educational pursuits. It is stated that free inquiry is necessary for the pursuit of truth, and open debate and inquiry must be defended on university campuses to make everyone stronger intellectually.

[Foundation for Individual Rights and Expression, Legislative Counsel, Greg Gonzalez](#): supports this bill but not without changes to ensure clear guidance for university policies and effective protection of free speech on campus. It is stated that proposed changes clarify the definition of "materially and substantially interfere," designate public areas of campus as public forums, amend the level of scrutiny for time, place, and manner restrictions, clarify language regarding unprotected speech, and allow institutions to have a permitting process for free expression areas. It is also stated that similar campus free speech legislation has passed in approximately 20 states with bipartisan support.

#### **NATURE AND SOURCES OF OPPOSITION:**

See agency response.

**Reported by: Lukas Houle**

**Date: 3/17/2023**

