

**Testimony of Steven McGuire
Paul & Karen Levy Fellow in Campus Freedom
American Council of Trustees and Alumni**

**Before the U.S. House of Representatives
Committee on Education and Workforce
Subcommittee on Higher Education and Workforce Development
“Speech or Silence? The Future of the First Amendment in Higher Education”
April 29, 2026**

Chairman Owens, Ranking Member Adams, distinguished members of the Committee:

Thank you for the opportunity to testify today. And thank you for your continued attention to the crisis of free expression and intellectual diversity in American higher education. It is critical for both the future of higher education and the future of our country that we improve the conditions for free speech and academic freedom on our nation’s campuses.

As the Paul & Karen Levy Fellow in Campus Freedom at the American Council of Trustees and Alumni (ACTA), I direct our Campus Freedom Initiative™,¹ which encourages colleges and universities to adopt policies and practices that will help them to build cultures of free expression and openness to intellectual diversity.

Institutions of higher education should be oases for free inquiry and genuine debate, but, as members of this committee know all too well, many schools have become bastions of intolerance, dominated by ideological monocultures and the accompanying fear that anyone who dares to stray from accepted dogmas will be punished and ostracized. In a recent survey of students at five Ohio public universities, ACTA found that 63% had not spoken up on campus because they thought their opinion would be unwelcome. At the same time, only 22% said it is never okay to shout down a guest speaker, and 65% said a professor should be reported for saying something students find offensive.²

This troubling pattern of self-censorship coupled with intolerance is a common theme in studies assessing student readiness to engage in free and open inquiry and discourse. In the most recent national survey by the Foundation for Individual Rights and Expression (FIRE), 65% of students said they self-censor in class at least once or twice a month, while 71% said shouting down a speaker was at least rarely acceptable, and 34% said the same about using violence to stop someone from speaking.³

Many faculty are afraid to speak as well. In a 2024 FIRE survey, nearly 64% of faculty said they felt they could not voice their opinions at least occasionally for fear of how others might

¹ American Council of Trustees and Alumni, “ACTA Report Cards on Free Expression,” accessed April 24, 2026, goacta.org/acta-report-cards-on-free-expression/.

² American Council of Trustees and Alumni, “Campus Experience Survey: An Assessment of Students at Four-Year Public Universities in Ohio,” March 31, 2026, goacta.org/resource/campus-experience-survey-an-assessment-of-students-at-four-year-public-universities-in-ohio/.

³ S. T. Stevens, “2026 College Free Speech Rankings: What Is the State of Free Speech on America’s College Campuses?,” Foundation for Individual Rights and Expression, 2025, rankings.fire.org/assets/docs/2026_cfsr.pdf.

respond, and almost 39% said they are at least somewhat likely to self-censor in the selection of research projects.⁴ At Harvard, an in-house study showed that 51% of instructors were reluctant to lead a classroom discussion on a controversial topic, and 41% said they would be reluctant to conduct research on a controversial subject.⁵ These statistics are troubling, but they are not surprising when one could be canceled, as former Harvard professor Carole Hooven was, simply for saying there are two sexes.⁶

There is also evidence that some faculty contribute to the climate of fear and self-censorship on campus. For example, about 50% of faculty say it is at least sometimes justifiable to require faculty candidates to submit statements of commitment to diversity, equity, and inclusion. Many other faculty view these statements as inappropriate ideological litmus tests. One study of psychologists revealed that over a third said they would discriminate against conservatives in hiring decisions.⁷ Another study found that almost 30% of sociologists would be less likely to hire a known Republican.⁸ More recently, social scientist Eric Kaufmann found that 40% of American social scientists would discriminate against a Trump supporter.⁹ These realities contribute to a chilling atmosphere in which professors must hide their views.

Fortunately, there are signs of hope. In a national survey, 72% of college students said “encouraging free speech and intellectual diversity” is more important than “preventing offensive or insensitive dialogue among students.”¹⁰ In ACTA’s Ohio survey, 75% of students agreed that their university should take action to promote political diversity among its faculty. Our College Debates and Discourse Alliance, a partnership between ACTA, Braver Angels, and BridgeUSA, routinely moderates debates on contentious issues at colleges and universities around the country. In hundreds of events, we have yet to witness even one instance of incivility.

Faculty are organizing for change too. Heterodox Academy is flourishing as a faculty membership organization devoted to free expression and open discourse in higher education. The Academic Freedom Alliance was founded by concerned professors in 2021 to defend academic freedom. Faculty at Harvard, Princeton, Yale, and elsewhere have formed new councils on academic freedom to advocate for reforms at their institutions.

⁴ Nathan Honeycutt, “Silence in the Classroom: The 2024 FIRE Faculty Survey Report,” Foundation for Individual Rights and Expression, 2024, thefire.org/facultyreport.

⁵ Harvard University Open Inquiry and Constructive Dialogue Working Group, “Report of Harvard University’s Open Inquiry and Constructive Dialogue Working Group,” Harvard University, October 2024, provost.harvard.edu/sites/g/files/omnuum12476/files/provost/files/open_inquiry_constructive_dialogue_report_october_2024.pdf.

⁶ Carole Hooven, “Why I Left Harvard,” American Enterprise Institute, January 17, 2024, aei.org/op-eds/why-i-left-harvard/.

⁷ Yoel Inbar and Joris Lammers, “Political Diversity in Social and Personality Psychology,” *Perspectives on Psychological Science* 7, no. 5 (2012): 496–503, yoelinbar.net/papers/political_diversity.pdf.

⁸ George Yancey, *Compromising Scholarship: Religious and Political Bias in American Higher Education* (Waco, TX: Baylor University Press, 2011).

⁹ Eric Kaufmann, “Academic Freedom in Crisis: Punishment, Political Discrimination, and Self-Censorship,” CSPI Report No. 2, Center for the Study of Partisanship and Ideology, March 1, 2021, cspicenter.com/p/academic-freedom-in-crisis-punishment.

¹⁰ Buckley Institute, “National Undergraduate Study,” September 16, 2025, buckleyinstitute.com/content/uploads/2025/09/2025-Buckley-Institute-Survey.pdf.

In addition, Alumni Free Speech Alliance chapters have been established at over 25 institutions around the country, and other reform-minded alumni organizations have formed at Harvard, the University of Pennsylvania, and other institutions.

At ACTA, we see many trustees taking more active roles, too, which is critical since they have the responsibility and the ability to effect enduring change at their institutions.

In sum, the problems remain significant, but there is a growing coalition of people within and outside of academia who are pushing for necessary reforms.

So, what should universities do to improve themselves? In the last year, ACTA's Campus Freedom Initiative™ has graded over 30 universities using our Gold Standard for Freedom of Expression™, a 20-point action plan for supporting these values that should be mission critical for any institution of higher education. We expect to have evaluated over 100 institutions by the end of the year, with more to come. The average score thus far is about an 11. Unlike the Ivy League, ACTA does not practice grade inflation. An 11 out of 20 is an F.

Some universities are leading the way. The University of Wyoming received a score of 18. We will soon recognize the University of North Carolina–Chapel Hill for achieving a 20/20. Others are getting competitive, and they want to improve their scores. We expect more will join them as they see how their peer institutions are doing. Our initiative, still in its early stages, is creating a race to the top.

Universities doing less well should begin by ensuring they have a strong policy protecting freedom of expression on campus. They should include free speech and academic freedom in their mission statements and among their core values. They should adopt a policy of institutional neutrality and refrain from taking positions on social and political issues that do not directly affect them. It is critical that students are taught their free expression rights and responsibilities during new student orientation and throughout their college careers. Administrative staff, especially those with student-facing roles, should also receive free expression training. Rules governing recognition and funding for student organization must be transparent and viewpoint neutral. Institutions should promote intellectual diversity and ensure that faculty hiring and promotion are free of ideological litmus tests. They should also put into place presidents, provosts, and deans who will value free expression and intellectual diversity.

Schools that adopt these and other recommendations listed in our ACTA Gold Standard for Freedom of Expression™, which I have appended below, will be well on their way to creating an institutional structure in which a campus culture of freedom can thrive. Students and parents, faculty and staff, trustees and alumni, and the American people and their representatives should expect nothing less.

Thank you again for the opportunity to testify today. I look forward to your questions.

Free Your Campus, Free Your Mind

Learn more about ACTA's Campus Freedom Initiative.

GoACTA.org/campus-freedom-initiative/



ACTA
AMERICAN COUNCIL OF
TRUSTEES AND ALUMNI

American Council of Trustees and Alumni

1730 M Street NW, Suite 600

Washington, DC 20036

P: 202.467.6787 • F: 202.467.6784

Email: info@GoACTA.org • Website: GoACTA.org

A brown banner with a white border, featuring the text 'ACTA GOLD STANDARD' in large, bold, white capital letters. Below this, in smaller white capital letters, is the phrase 'FOR FREEDOM OF EXPRESSION'. The banner is set against a background of classical architectural columns.

**ACTA
GOLD
STANDARD**
FOR FREEDOM
OF EXPRESSION

ACTA Gold Standard for Freedom of Expression

A blueprint to help institutional leaders create a culture of free thought on their campuses.

Free Expression and the Task of American Colleges and Universities

There are certain truths of American political life that antedate even the Founding and are as important for our age as they were for ages past. Among these are that demagogues hold most sway over the ignorant, that a free people must be an informed people, and that representative democracy requires widespread education to flourish. A self-governing people cannot be a foolish, deluded, or benighted people, else it will soon lose its liberty. For these reasons, Americans must become passionate learners, fearless truth-seekers, and searching critics in order to take up the responsibilities of citizenship.

Universities are indispensable for a free and prosperous society. They are the engine that drives both scientific and social progress. They educate students for career and responsible citizenship and habituate them to self-discovery and the pursuit of truth. Their mission depends on a campus culture of free expression and intellectual diversity. Unless teachers, students, and researchers can inquire and speak freely and fearlessly, innovation will stall, questions will be left unasked and unanswered, and students will be ill-prepared for life, career, community, and citizenship.

But we learn in story after story, year upon year, that colleges and universities have lost their way. Instead of encouraging students to explore different lines of intellectual inquiry and equipping them for the rough-and-tumble of a vibrant democracy, too many institutions seem to be training them for lives as informers, inquisitors, and isolated, distrustful individuals. Rather than teaching students how to engage productively with challenging new ideas, far too many colleges and universities build cozy bubbles in which only comfortable orthodoxies are permitted. They foster large, expensive bureaucracies to police infractions of vague (and often extralegal, if not outright illegal) rules against expressing ideas that someone might find offensive.

The American Council of Trustees and Alumni (ACTA) seeks to hold American colleges and universities accountable to their missions. Progress depends on the freedom to pursue new ideas. Self-discovery requires uninhibited exploration of life's timeless questions. Education for citizenship in a liberal democratic republic necessarily involves opening ourselves to all the perspectives we might encounter in the community at large, even silly and dangerous ones, so that we are prepared to live and negotiate with all our fellow citizens. In short, an excellent education depends on free expression and intellectual diversity.

ACTA now provides a blueprint to help higher education regain and live by this core principle. The **ACTA Gold Standard for Freedom of Expression** provides clear guidance for institutions to create a culture of free thought on their campuses. Following these best practices will help colleges and universities reclaim their place as leaders within our liberal democracy.

The Gold Standard for Freedom of Expression is part of ACTA's **Campus Freedom Initiative**.

GoACTA.org/campus-freedom-initiative/.

ACTA Gold Standard for Freedom of Expression



1. Commit to a Culture of Freedom of Expression

- Adopt the Chicago Principles on Freedom of Expression or a similarly strong statement.
- Establish clear expectations regarding free expression in student and faculty handbooks and codes of conduct.
- Include a free expression unit in new-student orientations.
- Protect the diversity of political viewpoints by adopting an institutional neutrality policy such as the Kalven Report.

2. Foster Civil Discourse

- Sponsor campus debates that model civil discourse.
- Promote free expression by encouraging the establishment of student groups devoted to free expression, civil discourse, or representing a plurality of perspectives.
- Establish policies that protect free expression rights on campus and set clear consequences for disruption of sponsored speakers, events, and classes.
- Enforce policies that protect free expression rights on campus and apply clear consequences for disruption of sponsored speakers, events, and classes.

3. Cultivate Intellectual Diversity

- Encourage presidents, provosts, and deans to model respect for a broad range of viewpoints.
- Guarantee that viewpoint diversity is reflected in student life policies and practices.
- Support academic centers dedicated to free inquiry and intellectual diversity.
- Ensure faculty hiring, evaluation, and promotion processes are based on merit and make clear that the institution is open to intellectual diversity.

4. Break Down Barriers to Freedom of Expression

- Eliminate speech and IT policies that have a chilling effect on free expression.
- Ensure that enforcement of Title VI, Title VII, and Title IX does not infringe on free expression.
- Disband bias response teams.
- Review student government policies to ensure viewpoint neutrality in student group recognition and funding.

5. Advance Leadership Accountability

- Include commitments to free expression in mission statements, values statements, strategic plans, or other key institutional documents.
- Include a commitment to free expression as a criterion in searches and evaluations for presidents, provosts, and deans.
- Require free expression and viewpoint diversity training for administrative staff.
- Conduct regular evaluations of the state of free expression and intellectual diversity on campus.