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PROFS Statement on the University of Wisconsin System Survey of Free Speech: UW System should cancel, not postpone, the survey

On Tuesday, April 5, the University of Wisconsin System announced what it calls a “Student Perceptions of Free Speech Survey,” which purportedly is designed to assess its students’ understandings of First Amendment free speech protections and what they know about viewpoint diversity at their schools.

Implementation of the survey was scheduled to begin on April 7, but UW System abruptly chose to delay its implementation until the fall semester after receiving extensive criticism of its handling of the survey and of the survey itself. PROFS urges UW System Interim President Mike Falbo and President-elect Jay Rothman to stand firm against political pressure and cancel – rather than postpone – the survey.

PROFS believes that the creation, decision to distribute, and context for this survey are deeply problematic, and are yet another sign of a well-organized campaign against higher education in the state of Wisconsin. Unfortunately, UW System has – wittingly or unwittingly – played a role in agreeing to distribute the survey.

How did this survey come about? Philosophy Professor Tim Shiell, director of UW-Stout’s Menard Center for the Study of Institutions and Innovation (MCSII), said he has been interested in conducting a survey like this for years. His survey became possible when UW-Stout secured a donation of more than \$2 million from the Menard family in 2019. The center was created in 2017 with a donation from the Charles Koch Foundation and renamed three years ago in recognition of the Menard family gift. Both Menard and the Koch Foundation have long histories of supporting conservative causes, including a \$1.5 million contribution from Menard to a PAC supporting Governor Scott Walker in his recall election in 2012.

The survey, according to the UW System press release, responds to Regent Policy Document 4-21 that requires that the System report on its universities’ efforts to uphold the principles of free expression. But this survey doesn’t ask about those efforts; instead, it asks about respondents’ perceptions of political, ideological, or other bias at the institution, which is exactly what is required in a bill, passed by the Republican Legislature this session, that would *narrow* free speech protections, increase partisan monitoring of speech on campus, and use threats of financial penalty to limit certain kinds of campus speech.

The UW System, when approached about distributing the survey, discussed it with its chancellors who raised enough concerns that Interim President Falbo informed Professor Shiell and the Menard Center that its campuses would not participate. Faculty were not consulted.

But State Representative Dave Murphy (R-Greenville), chair of the Assembly Colleges and Universities Committee and one of the legislators behind the Assembly bill to narrow free speech protections, and other lawmakers pushed back on Falbo’s decision. Not long afterward, Interim President Falbo reversed course and announced the survey would take place. One can only speculate about what occurred between Rep. Murphy and the other lawmakers that made Interim President Falbo change his mind about releasing the survey.

The survey itself is also problematic. Regent Emeritus Tim Higgins, a Walker appointee and member of the Menard Center Advisory Board, defended the survey as a “serious research project” to determine whether “there’s a lack of intellectual diversity on campus.” But the survey won’t come close to doing this. What it will do is simply reproduce bias, just as – as the research has shown – any other student evaluation of teaching.

One of the survey questions asks whether the respondent has felt pressured by a professor to agree with a specific political or ideological position. One can imagine any number of scenarios in which a nineteen-year-old

student would hear a professor make a fairly standard point about their subject – say, in a sociology class about race – and believes that by making their point the professor is pressuring the student to take a political or ideological position. The best university teaching is always going to challenge students’ positions – including their political or ideological positions – but this survey treats such challenges as the suppression of free speech.

PROFS believes that the decision by UW System to participate in this highly problematic survey, in the face of concerns expressed by its universities’ chancellors, was wrong. Doing so plays into the hands of conservative members of the Legislature in Wisconsin, who have – like legislators in the state of Florida and elsewhere – continued to cast suspicion on college and university faculty members simply for doing their jobs.

The survey and those broader efforts – including pending bills on free speech and on the teaching of systemic racism – smack of McCarthyism, with its feigned indignation and its loyalty oaths. Again, we urge Interim President Falbo and President-elect Rothman to stand firm in the face of legislative pressure and cancel – rather than postpone – the survey, and we urge the System chancellors to refuse to participate in the Legislature’s partisan divide-and-conquer strategy to erode public higher education in Wisconsin.

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