

March 8, 2005

## Academic speech bill kindles left-vs.-right debate

By Kimberly Miller  
*Palm Beach Post Staff Writer*

Tuesday, March 08, 2005

House Education Committee Chairman Dennis Baxley is pushing legislation that Florida's university professors say will curb free speech in the classroom and limit their ability to discuss controversial subjects.

Although the bill states that professors have the right to academic freedom, it also says students should not "be infringed upon by instructors who persistently introduce controversial matter into the classroom that has no relation to the subject of study and serves no (teaching) purpose." The bill would not affect private colleges and universities.

Baxley, an Ocala Republican, argues that House Bill 837 is not about stopping free speech but rather about protecting conservative viewpoints in universities, which he believes have become liberal strongholds that sometimes bully right-leaning students.

"There is no question that our university culture has fostered liberalism and people of moderate and conservative views are intimidated," said Baxley, who as a student at Florida State University said he sometimes felt persecuted for his conservative views. "I'm for academic free speech for everyone, not just for the leftists."

The bill was crafted from a template legislation promoted by the national conservative group Students for Academic Freedom. Similar bills have been filed in at least 10 other states. Sen. Stephen Wise, R-Jacksonville, filed legislation matching Baxley's bill Monday.

Baxley said that, since he filed the bill, he's heard from several students statewide who believe they have received bad grades in classes where they didn't agree politically with the professor, or where professors used their position at the lectern to rail against a specific religious or political view.

For example, Baxley said this bill would prevent an astronomy professor from telling students they shouldn't believe in God because the universe was created through the big-bang theory, not a divine entity.

The bill also states that professors could not be hired, fired, promoted or granted tenure based on their political leanings or religious beliefs.

"I'm just trying to wake up students and faculty who may be of moderate and conservative view to say it's time to take a stand," Baxley said.

But Florida university faculty say the bill would limit free speech in the classroom by intimidating professors who may shy away from controversial topics for fear of being accused of bias. They point out that there is no definition in the bill of "persistent" or what would be considered controversial.

Tom Auxter, president of the United Faculty of Florida, fears politicians or campus administrators could mold the definitions to fit anything they didn't like.

"This is just a way to harass professors and it's trying to scare them about saying anything controversial," Auxter said. "This is an attack on academic freedom and they're doing it in the name of academic freedom."

The bill consistently refers to a report from the American Association of University Professors which emphasizes the importance of freedom of speech and debate in college classrooms.

The association, however, also opposes the bill and is working to fight it in all of the states where it's been filed.

Ruth Flower, director of public policy and communication for the association, said the bill is trying to trick people into believing it protects free speech, but instead requires professors to have a totally balanced presentation of subject matter or face student challenges that could get them in trouble with university officials.

"We think it's a pretty serious problem," Flower said. "On the surface, it sounds like something you should support, but busy legislators may not pick up on the difficulties it could pose."

Baxley said professors are overreacting to his bill, which carries no punitive actions, because they are fearful of conservative thinkers having more of a voice on Florida campuses.

"I don't blame leftist thinkers for the state of universities," Baxley said. "We are guilty of abandoning the campus to their thoughts."