

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION

WILLIAM A. LINK, et al.,

Plaintiffs,

v.

RICHARD CORCORAN, in his official
capacity as the Florida Commissioner of
Education, et al.,

Defendants.

Case No. 4:21-cv-00271-MW-MAF

**SECOND NOTICE OF SUPPLEMENTAL MATERIALS IN SUPPORT OF
PLAINTIFFS' EMERGENCY MOTION FOR TEMPORARY
RESTRAINING ORDER OR PRELIMINARY INJUNCTION**

In Plaintiffs' Emergency Motion for Temporary Restraining Order or Preliminary Injunction (ECF No. 75) ("Motion"), Plaintiffs advised the Court that Defendants had failed, to date, to provide final copies of the Surveys required by Fla. Stat. §§ 1001.03(19)(b) and 1001.706(13)(b), despite Defendants' plans to administer the Surveys, beginning this coming Monday, April 4, 2022.

On March 28, Defendants produced "final survey drafts," which Defendants advised "were finalized" that day. Plaintiffs filed these "final survey drafts" with the Court in their first supplement to the Motion. ECF No. 79. On March 29, Defendants produced cover memorandums to Florida's public colleges and universities to be

distributed with the final surveys.

To address these newly produced documents and for the purpose of making a complete and accurate record in support of their Motion, Plaintiffs now file the following true and correct copies of the following exhibits:

Exhibit 1, Supplemental Declaration of Alexi M. Velez;

Exhibit 2, Amended Declaration of Sylvia Hurtado;¹ and

Exhibit 3, Declaration of Isaac Kamola.

LOCAL RULE 7.1(F) CERTIFICATION

The undersigned, Frederick Wermuth, certifies that this supplement contains 232 words, excluding the case style and certifications.

Respectfully submitted this 30th day of March, 2022.

/s/ Frederick S. Wermuth

Frederick S. Wermuth

Florida Bar No. 0184111

Thomas A. Zehnder

Florida Bar No. 0063274

Robyn M. Kramer

Florida Bar No. 0118300

King, Blackwell, Zehnder

& Wermuth, P.A.

P.O. Box 1631

Orlando, FL 32802-1631

Telephone: (407) 422-2472

¹ Consistent with the directive regarding supplemental expert disclosures in the Court's Initial Scheduling (ECF No. 41 at 12), and for ease of comparison with Declaration of Sylvia Hurtado dated September 26, 2022 (ECF No. 75-4), the supplemented portions of Supplemental Declaration of Sylvia Hurtado are reflected by highlighted text.

Facsimile: (407) 648-0161
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nbaron@elias.law
**Admitted Pro Hac Vice
Counsel for Plaintiffs*

CERTIFICATE OF SERVICE

I hereby certify that on March 30, 2022 I filed a copy of the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

/s/ Frederick S. Wermuth
Frederick S. Wermuth
Florida Bar No.: 0184111
Counsel for Defendants

EXHIBIT 1

RETRIEVED FROM DEMOCRACYDOCKET.COM

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION

WILLIAM A. LINK, et al.,

Plaintiffs,

v.

RICHARD CORCORAN, in his official
capacity as the Florida Commissioner of
Education, et al.,

Defendants.

Case No. 4:21-cv-00271-MW-MAF

SUPPLEMENTAL DECLARATION OF ALEXI M. VELEZ
IN SUPPORT OF PLAINTIFFS' EMERGENCY MOTION FOR
TEMPORARY RESTRAINING ORDER OR IN THE ALTERNATIVE FOR
PRELIMINARY INJUNCTION

I, Alexi M. Velez, pursuant to 28 U.S.C. § 1746, hereby declare as follows:

1. I am over the age of 18 and competent to make this declaration. I am an attorney with the law firm of Elias Law Group LLP and am admitted to practice law in the District of Columbia, New Jersey, Pennsylvania, and before multiple federal courts of appeals and district courts. I am admitted before the District *pro hac vice* in the above-captioned matter and am an attorney for Plaintiffs. I submit this declaration to provide the Court true and correct copies of certain documents submitted in connection with Plaintiffs' Emergency Motion for Temporary Restraining Order or in the Alternative for Preliminary Injunction and Order to Show

Cause.

2. Exhibit A is a true and correct copy of the document titled “2022-03-29_FAU_ Intellectual Freedom and Viewpoint Diversity Survey,” which is Bates stamped Defendants_007636-007642 and was produced to Plaintiffs by Defendants on March 29, 2022;

3. Exhibit B is a true and correct copy of the document titled “2022-03-29_FGCU Intellectual Freedom and Viewpoint Diversity Survey,” which is Bates stamped Defendants_007643-007649 and was produced to Plaintiffs by Defendants on March 29, 2022;

4. Exhibit C is a true and correct copy of the document titled “2022-03-29_FIU_ Intellectual Freedom and Viewpoint Diversity Survey,” which is Bates stamped Defendants_007650-007656 and was produced to Plaintiffs by Defendants on March 29, 2022;

5. Exhibit D is a true and correct copy of the document titled “2022-03-29_FL AM_ Intellectual Freedom and Viewpoint Diversity Survey,” which is Bates stamped Defendants_007657-007663 and was produced to Plaintiffs by Defendants on March 29, 2022;

6. Exhibit E is a true and correct copy of the document titled “2022-03-29_FL POLYTECHNIC_ Intellectual Freedom and Viewpoint Diversity Survey,” which is Bates stamped Defendants_007664-007670 and was produced to Plaintiffs

by Defendants on March 29, 2022;

7. Exhibit F is a true and correct copy of the document titled “2022-03-29_FSU_ Intellectual Freedom and Viewpoint Diversity Survey,” which is Bates stamped Defendants_007671-007677 and was produced to Plaintiffs by Defendants on March 29, 2022;

8. Exhibit G is a true and correct copy of the document titled “2022-03-29_NEW COLLEGE_ Intellectual Freedom and Viewpoint Diversity Survey,” which is Bates stamped Defendants_007678-007684 and was produced to Plaintiffs by Defendants on March 29, 2022;

9. Exhibit H is a true and correct copy of the document titled “2022-03-29_UCF_ Intellectual Freedom and Viewpoint Diversity Survey,” which is Bates stamped Defendants_007685-007691 and was produced to Plaintiffs by Defendants on March 29, 2022;

10. Exhibit I is a true and correct copy of the document titled “2022-03-29_UF_ Intellectual Freedom and Viewpoint Diversity Survey,” which is Bates stamped Defendants_007692-007699 and was produced to Plaintiffs by Defendants on March 29, 2022;

11. Exhibit J is a true and correct copy of the document titled “2022-03-29_UNF_ Intellectual Freedom and Viewpoint Diversity Survey,” which is Bates stamped Defendants_007700-007706 and was produced to Plaintiffs by Defendants

on March 29, 2022;

12. Exhibit K is a true and correct copy of the document titled “2022-03-29_USF_ Intellectual Freedom and Viewpoint Diversity Survey,” which is Bates stamped Defendants_007707-007713 and was produced to Plaintiffs by Defendants on March 29, 2022;

13. Exhibit L is a true and correct copy of the document titled “2022-03-29_UWF_ Intellectual Freedom and Viewpoint Diversity Survey,” which is Bates stamped Defendants_007714-007720 and was produced to Plaintiffs by Defendants on March 29, 2022;

14. Exhibit M is a true and correct copy of the document titled “Employee Intellectual Survey March 2022,” which is Bates stamped Defendants_007721-007726 and was produced to Plaintiffs by Defendants on March 29, 2022;

15. Exhibit N is a true and correct copy of the document titled “Student Intellectual Survey March 2022,” which is Bates stamped Defendants_007727-007730 and was produced to Plaintiffs by Defendants on March 29, 2022;

I declare under penalty of perjury that the foregoing is true and correct.

DATED: March 30, 2022

/s/ Alexi M. Velez
Alexi M. Velez*
ELIAS LAW GROUP LLP
10 G Street NE, Suite 600
Washington, D.C. 20002

Telephone: (202) 968-4490
avelez@elias.law

**Admitted Pro Hac Vice
Counsel for Plaintiffs*

RETRIEVED FROM DEMOCRACYDOCKET.COM

EXHIBIT A

RETRIEVED FROM DEMOCRACYDOCKET.COM

From: Chancellor, Board of Governors

Sent: Wednesday, March 23, 2022 6:12 PM

To: Kelly, John <jkelly@fau.edu>

Cc: bdlamb76@hotmail.com; Danilowicz, Bret <bdanilowicz@fau.edu>; Larry Faerman (lfaerman@fau.edu) <lfaerman@fau.edu>; Data Admin, FAU <sus-dataadmin@fau.edu>; Jason Ball (jball@fau.edu) <jball@fau.edu>

Subject: Intellectual Freedom and Viewpoint Diversity Survey

Good afternoon President Kelly,

Attached is a letter, which includes the attachments, from me regarding the Intellectual Freedom and Viewpoint Diversity Survey.

Let me know if you have any questions.

Marshall

Marshall M. Criser III
Chancellor

Board of Governors
State University System of Florida
325 West Gaines Street, Suite 1614
Tallahassee, Florida 32399
(850) 245-9687 | Fax (850) 245-9685
www.flbog.edu





Florida Board of Governors
State University System of Florida
325 West Gaines Street, Suite 1614
Tallahassee, FL 32399
Phone 850.245.0466
Fax: 850.245.9685
www.flbog.edu

March 23, 2022

Dr. John Kelly
President
Florida Atlantic University
777 Glades Road, ADM 339
Boca Raton, Florida 33431

Dear President Kelly:

The 2021 Florida Legislature passed House Bill 233 to promote Intellectual Freedom and Viewpoint Diversity within the State University System of Florida and the Florida College System. The Florida Board of Governors (FLBOG) was asked to create “an objective, nonpartisan, and statistically valid survey to be used by each institution which considers the extent to which competing ideas and perspectives are presented and members of the college community, including students, faculty, and staff, feel free to express their beliefs and viewpoints on campus and in the classroom.”

A survey instrument has been created for use by the State University System and the Florida College System. The anonymous survey is intended to obtain opinions on intellectual freedom and viewpoint diversity at the public postsecondary institutions. To that end, the Board of Governors requests your assistance in administering the survey to your student and employee population according to an established timeline and procedures that are provided in the attached documents.

The Board of Governors will aggregate the university responses and only grouped responses will be reported. Any data or results that might compromise a respondent’s identity will not be published. The Board will then produce a summary report for the State University System to be submitted to the Legislature by September 1, 2022.

Your responsiveness and support of this important project will be appreciated.

Sincerely,

Marshall M. Criser III
Chancellor

- c: Brian Lamb, Chair, Board of Governors
- Academic Vice President
- Council for Student Affairs Representative
- University Data Administrator
- University Chief Information Officer

Appendix A: Instructions**Intellectual Freedom and Viewpoint Diversity - Instructions for Survey Dissemination****Background**

House Bill (HB) 233 amended sections (ss.) 1001.03 and 1001.706, Florida Statutes (F.S.), to define the terms “intellectual freedom and viewpoint diversity” and “shield.” The bill also added a requirement for Florida College System (FCS) and State University System (SUS) institutions to conduct an annual assessment of intellectual freedom and viewpoint diversity. The annual survey is required to be objective, nonpartisan and statistically valid. The instrument assesses the extent to which students, faculty and staff feel free to express their beliefs and viewpoints on campus and that competing ideas are presented on campus.

Public postsecondary colleges and universities have as their primary aim the preparation of students to become informed citizens of a democratic society. This requires students to cultivate the skills necessary to become intellectually autonomous, critical thinkers, and empathetic and ethical actors. This survey will inform state leaders with data and information about the extent to which students, faculty, and staff feel a part of a campus and intellectual environment conducive to achieving these aims.

Key Dates

Each university is responsible for assisting the Board of Governors in disseminating the survey to its students and employees in accordance with the following deadlines.

- Pre-notification March 31, 2022 – Each university sends pre-survey notifications to students and employees, respectively.
- Survey April 4, 2022, – each University sends survey invitations to students and employees, respectively.
- Reminders April 7, 2022 – each University sends survey reminders to students and employees, respectively.
- Closing April 8, 2022 – Survey collectors close at 11:59 p.m. ET.
- Certification No later than Friday, April 15, 2022
- Results By September 1, 2022 – The Board of Governors publishes the results annually, with the first report of the survey results submitted to the Legislature by September 1, 2022.

Instructions**Step 1: Survey link for your university (as soon as possible)**

The survey instruments have been created for use by the State University System and the Florida College System. Each university will administer the survey to its student and employee population according to the above schedule. The Board of Governors will aggregate the university responses and produce a system-wide report for the Legislature.

Institutions are requested to share the web-based collector link with their student and employee populations, respectively. **These should be separate notifications—one notification to all students with the student URL and one notification to all employees with the staff URL. Do not group students and employees in the same notification, as the survey URLs will be different.**

The Board office will aggregate the responses and produce a system-wide report for the Board of Governors.

Step 2: Determine method of dissemination (as soon as possible)

Each university will use the most appropriate student/staff notification system to disseminate the survey link. The notification system must provide a distinct count of recipients and is anticipated to reach the full population. For consistency, Institutions should select only one method of distribution per cohort type.

After distribution, the University will return to the Board office a certified count of the number of students and staff that the link was distributed to using the Board's Data Request System as outlined in step six.

Step 3: Send pre-survey notification (March 31, 2022)

On Thursday, March 31, 2022, each institution will send students and employees a pre-survey notification using the text provided. Modify [platform] to reflect the method of dissemination your institution is using for that population. **As a reminder: do not group students and employees in the same notification, as the survey URLs will be different.**

Student Notification

Dear Student:

Early next week, you will receive a communication via [platform] inviting you to fill out a survey for an important study being conducted by the Florida Board of Governors. The purpose of this survey is to assess the extent to which you feel free to express your beliefs and viewpoints on campus.

Here are a few things to keep in mind:

- Only complete the survey once. It will take approximately 5-10 minutes to complete.
- Your participation in this survey is completely voluntary. You are free to not answer any question or withdraw from the survey at any time.
- This is an anonymous survey that is being conducted by the Florida Board of Governors and Florida State College System. Responses will only be reported at the group level, not at the individual level.
- Don't share the survey with anyone else.
- Look out for a notification by the end of the day on Monday, April 4, 2022. If you miss the first notification, a reminder will be sent out prior to the survey close date of April 8, 2022.

Should you have any questions, please contact the Florida Board of Governors at SUSsurvey@flbog.edu.

Employee Notification

Dear Employee:

Early next week, you will receive a communication via [platform] inviting you to fill out a survey for an important study being conducted by the Florida Board of Governors. The purpose of this survey is to assess the extent to which you feel free to express your beliefs and viewpoints on campus.

Here are a few things to keep in mind:

- Only complete the survey once. It will take approximately 5-10 minutes to complete.
- Your participation in this survey is completely voluntary. You are free to not answer any question or withdraw from the survey at any time.
- This is an anonymous survey that is being conducted by the Florida Board of Governors and Florida State College System. Responses will only be reported at the group level, not at the individual level.
- Don't share the survey with anyone else.
- Look out for a notification by the end of the day on Monday, April 4, 2022. If you miss the first notification, a reminder will be sent out prior to the survey close date of April 8, 2022.

Should you have any questions, please contact the Florida Board of Governors at SUSsurvey@flbog.edu.

Step 4: Send survey invitation (April 4, 2022)

On Monday, April 4, 2022, each institution will send a survey invitation using the text provided. **As a reminder: do not group students and employees in the same notification, as the survey URLs will be different.**

Student Invitation

Dear Student:

You are invited to participate in a survey on Intellectual Freedom and Viewpoint Diversity. This survey is designed to assess the extent to which you feel free to express your beliefs and viewpoints on campus. This survey is being conducted by the Florida Board of Governors as part of implementation of House Bill 233, which passed during the 2021 legislative session.

Please follow this link (or copy and paste the link into your web browser) to complete the brief survey, which should take 5-10 minutes: <https://flbog.research.net/r/FAU-Student911>

Your participation in this survey is completely voluntary. You are free to not answer any question or withdraw from the survey at any time. No personally identifiable information will be associated with your responses. This survey is anonymous, and responses will only be reported at the group level, not at the individual level.

Should you have any questions, please contact the Florida Board of Governors at SUSsurvey@flbog.edu.

Thank you for your time and consideration.

Employee Invitation

Dear Employee:

You are invited to participate in a survey on Intellectual Freedom and Viewpoint Diversity. This survey is designed to assess the extent to which you feel free to express your beliefs and viewpoints on campus. This survey is being conducted by the Florida Board of Governors as part of implementation of House Bill 233, which passed during the 2021 legislative session.

Please follow this link (or copy and paste the link into your web browser) to complete the brief survey, which should take 5-10 minutes: <https://flbog.research.net/r/FAU-Staff155>

Your participation in this survey is completely voluntary. You are free to not answer any question or withdraw from the survey at any time. No personally identifiable information will be associated with your responses. This survey is anonymous, and responses will only be reported at the group level, not at the individual level.

Should you have any questions, please contact the Florida Board of Governors at SUSsurvey@flbog.edu.

Thank you for your time and consideration.

Step 5: Send survey reminder (April 7, 2022)

On Thursday, April 7, 2022, each university will send students and employees a reminder to complete the survey using the text provided. Because the survey responses are not linked to individuals, the reminder email should be disseminated to all students and employees.

Student Reminder

Dear Student:

You were recently invited to participate in a survey on Intellectual Freedom and Viewpoint Diversity, aimed at understanding the extent to which you feel free to express your beliefs and viewpoints on campus. If you have not already completed the survey, please do so before Friday, April 8, 2022, at 11:59pm Eastern Time. Access the survey at: <https://flbog.research.net/r/FAU-Student911>

If you have already completed the survey, please accept our thanks.

PLEASE NOTE: Your participation in this survey is completely voluntary. You are free to not answer any question or withdraw from the survey at any time. All responses are anonymous. Surveys will close on April 8, 2022, at 11:59 p.m. ET.

Should you have any questions, please contact the Florida Board of Governors at SUSsurvey@flbog.edu.

Thank you for your participation.

Employee Reminder

Dear Employee:

You were recently invited to participate in a survey on Intellectual Freedom and Viewpoint Diversity, aimed at understanding the extent to which you feel free to express your beliefs and viewpoints on campus. If you have not already completed the survey, please do so before Friday, April 8, 2022, at 11:59pm Eastern Time. Access the survey at: <https://flbog.research.net/r/FAU-Staff155>

If you have already completed the survey, please accept our thanks.

PLEASE NOTE: Your participation in this survey is completely voluntary. You are free to not answer any question or withdraw from the survey at any time. All responses are anonymous. Surveys will close on April 8, 2022, at 11:59 p.m. ET.

Should you have any questions, please contact the Florida Board of Governors at SUSsurvey@flbog.edu.

Thank you for your participation.

Step 6: Notify the Board office of dissemination method and population size (By April 15, 2022)

Each university will submit a completed template, exhibit A below, via the Data Request System <https://prod.flbog.net:4445/pls/apex/f?p=760> no later than April 15, 2022.

Should you have any questions regarding this information, please contact SUSsurvey@fbog.edu.

Exhibit A

2022 Intellectual Freedom and Viewpoint Diversity Survey

Survey Type	Distribution Method	Count
Student		
Staff		

Once steps 1-6 are complete, no further action is required of any institution. The Board office will compile and the Board of Governors will report the results annually, with the first report of the survey results published by September 1, 2022.

Contact

Should you have any questions, please contact the Florida Board of Governors at SUSsurvey@fbog.edu

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EXHIBIT B

RETRIEVED FROM DEMOCRACYDOCKET.COM

From: Chancellor, Board of Governors
Sent: Wednesday, March 23, 2022 6:17 PM
To: Martin, Mike <Mike.Martin@fldoe.org>
Cc: bdlamb76@hotmail.com; Rieger, Mark <mrieger@fgcu.edu>; Cordova, Mitchell <mcordova@fgcu.edu>; Data Admin, FGCU <sus-dataadmin@fgcu.edu>; Banks, Mary <mbanks@fgcu.edu>
Subject: Intellectual Freedom and Viewpoint Diversity Survey

Good afternoon President Martin,

Attached is a letter, which includes attachments, from me regarding the Intellectual Freedom and Viewpoint Diversity Survey.

Let me know if you have any questions.

Marshall

Marshall M. Criser III
Chancellor

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March 23, 2022

Dr. Mike Martin
President
Florida Gulf Coast University
10501 FGCU Boulevard, South
Ft. Myers, Florida 33965-6565

Dear President Martin:

The 2021 Florida Legislature passed House Bill 233 to promote Intellectual Freedom and Viewpoint Diversity within the State University System of Florida and the Florida College System. The Florida Board of Governors (FLBOG) was asked to create “an objective, nonpartisan, and statistically valid survey to be used by each institution which considers the extent to which competing ideas and perspectives are presented and members of the college community, including students, faculty, and staff, feel free to express their beliefs and viewpoints on campus and in the classroom.”

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Your responsiveness and support of this important project will be appreciated.

Sincerely,

Marshall M. Criser III
Chancellor

- c: Brian Lamb, Chair, Board of Governors
- Academic Vice President
- Council for Student Affairs Representative
- University Data Administrator
- University Chief Information Officer

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Employee Notification

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Step 4: Send survey invitation (April 4, 2022)

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Student Invitation

Dear Student:

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Please follow this link (or copy and paste the link into your web browser) to complete the brief survey, which should take 5-10 minutes: <https://flbog.research.net/r/FGCU-Student701>

Your participation in this survey is completely voluntary. You are free to not answer any question or withdraw from the survey at any time. No personally identifiable information will be associated with your responses. This survey is anonymous, and responses will only be reported at the group level, not at the individual level.

Should you have any questions, please contact the Florida Board of Governors at SUSsurvey@flbog.edu.

Thank you for your time and consideration.

Employee Invitation

Dear Employee:

You are invited to participate in a survey on Intellectual Freedom and Viewpoint Diversity. This survey is designed to assess the extent to which you feel free to express your beliefs and viewpoints on campus. This survey is being conducted by the Florida Board of Governors as part of implementation of House Bill 233, which passed during the 2021 legislative session.

Please follow this link (or copy and paste the link into your web browser) to complete the brief survey, which should take 5-10 minutes: <https://flbog.research.net/r/FGCU-Staff475>

Your participation in this survey is completely voluntary. You are free to not answer any question or withdraw from the survey at any time. No personally identifiable information will be associated with your responses. This survey is anonymous, and responses will only be reported at the group level, not at the individual level.

Should you have any questions, please contact the Florida Board of Governors at SUSsurvey@flbog.edu.

Thank you for your time and consideration.

Step 5: Send survey reminder (April 7, 2022)

On Thursday, April 7, 2022, each university will send students and employees a reminder to complete the survey using the text provided. Because the survey responses are not linked to individuals, the reminder email should be disseminated to all students and employees.

Student Reminder

Dear Student:

You were recently invited to participate in a survey on Intellectual Freedom and Viewpoint Diversity, aimed at understanding the extent to which you feel free to express your beliefs and viewpoints on campus. If you have not already completed the survey, please do so before Friday, April 8, 2022, at 11:59pm Eastern Time. Access the survey at: <https://flbog.research.net/r/FGCU-Student701>

If you have already completed the survey, please accept our thanks.

PLEASE NOTE: Your participation in this survey is completely voluntary. You are free to not answer any question or withdraw from the survey at any time. All responses are anonymous. Surveys will close on April 8, 2022, at 11:59 p.m. ET.

Should you have any questions, please contact the Florida Board of Governors at SUSsurvey@flbog.edu.

Thank you for your participation.

Employee Reminder

Dear Employee:

You were recently invited to participate in a survey on Intellectual Freedom and Viewpoint Diversity, aimed at understanding the extent to which you feel free to express your beliefs and viewpoints on campus. If you have not already completed the survey, please do so before Friday, April 8, 2022, at 11:59pm Eastern Time. Access the survey at: <https://flbog.research.net/r/FGCU-Staff475>

If you have already completed the survey, please accept our thanks.

PLEASE NOTE: Your participation in this survey is completely voluntary. You are free to not answer any question or withdraw from the survey at any time. All responses are anonymous. Surveys will close on April 8, 2022, at 11:59 p.m. ET.

Should you have any questions, please contact the Florida Board of Governors at SUSsurvey@flbog.edu.

Thank you for your participation.

Step 6: Notify the Board office of dissemination method and population size (By April 15, 2022)

Each university will submit a completed template, exhibit A below, via the Data Request System <https://prod.flbog.net:4445/pls/apex/f?p=760> no later than April 15, 2022.

Should you have any questions regarding this information, please contact SUSsurvey@fbog.edu.

Exhibit A

2022 Intellectual Freedom and Viewpoint Diversity Survey

Survey Type	Distribution Method	Count
Student		
Staff		

Once steps 1-6 are complete, no further action is required of any institution. The Board office will compile and the Board of Governors will report the results annually, with the first report of the survey results published by September 1, 2022.

Contact

Should you have any questions, please contact the Florida Board of Governors at SUSsurvey@fbog.edu

RETRIEVED FROM DEMOCRACYDOCKET.COM

EXHIBIT C

RETRIEVED FROM DEMOCRACYDOCKET.COM

From: Chancellor, Board of Governors
Sent: Wednesday, March 23, 2022 6:20 PM
To: Jessell, Ken <kjessell@fiu.edu>
Cc: bdlamb76@hotmail.com; Bejar, Elizabeth <bejare@fiu.edu>; Bejar, Elizabeth <bejare@fiu.edu>; Andrews, Charlie <andrewsc@fiu.edu>; Data Admin, FIU <sus-dataadmin@fiu.edu>; Grillo, Robert <robertg@fiu.edu>
Subject: Intellectual Freedom and Viewpoint Diversity Survey

Good afternoon Interim President Jessell,

Attached is a letter, which includes attachments, from me regarding the Intellectual Freedom and Viewpoint Diversity Survey.

Let me know if you have any questions.

Marshall

Marshall M. Criser III
Chancellor

Board of Governors
State University System of Florida
325 West Gaines Street, Suite 1614
Tallahassee, Florida 32399
(850) 245-9687 | Fax (850) 245-9685
www.flbog.edu





Florida Board of Governors
State University System of Florida
325 West Gaines Street, Suite 1614
Tallahassee, FL 32399
Phone 850.245.0466
Fax: 850.245.9685
www.flbog.edu

March 23, 2022

Dr. Kenneth Jessell
Interim President
Florida International University
Modesto A. Maidique Campus
11200 S.W. 8th Street, PC 528
Miami, Florida 33199

Dear Interim President Jessell:

The 2021 Florida Legislature passed House Bill 233 to promote Intellectual Freedom and Viewpoint Diversity within the State University System of Florida and the Florida College System. The Florida Board of Governors (FLBOG) was asked to create “an objective, nonpartisan, and statistically valid survey to be used by each institution which considers the extent to which competing ideas and perspectives are presented and members of the college community, including students, faculty, and staff, feel free to express their beliefs and viewpoints on campus and in the classroom.”

A survey instrument has been created for use by the State University System and the Florida College System. The anonymous survey is intended to obtain opinions on intellectual freedom and viewpoint diversity at the public postsecondary institutions. To that end, the Board of Governors requests your assistance in administering the survey to your student and employee population according to an established timeline and procedures that are provided in the attached documents.

The Board of Governors will aggregate the university responses and only grouped responses will be reported. Any data or results that might compromise a respondent’s identity will not be published. The Board will then produce a summary report for the State University System to be submitted to the Legislature by September 1, 2022.

Your responsiveness and support of this important project will be appreciated.

Sincerely,

Marshall M. Criser III
Chancellor

- c: Brian Lamb, Chair, Board of Governors
- Academic Vice President
- Council for Student Affairs Representative
- University Data Administrator
- University Chief Information Officer

Appendix A: Instructions**Intellectual Freedom and Viewpoint Diversity - Instructions for Survey Dissemination****Background**

House Bill (HB) 233 amended sections (ss.) 1001.03 and 1001.706, Florida Statutes (F.S.), to define the terms “intellectual freedom and viewpoint diversity” and “shield.” The bill also added a requirement for Florida College System (FCS) and State University System (SUS) institutions to conduct an annual assessment of intellectual freedom and viewpoint diversity. The annual survey is required to be objective, nonpartisan and statistically valid. The instrument assesses the extent to which students, faculty and staff feel free to express their beliefs and viewpoints on campus and that competing ideas are presented on campus.

Public postsecondary colleges and universities have as their primary aim the preparation of students to become informed citizens of a democratic society. This requires students to cultivate the skills necessary to become intellectually autonomous, critical thinkers, and empathetic and ethical actors. This survey will inform state leaders with data and information about the extent to which students, faculty, and staff feel a part of a campus and intellectual environment conducive to achieving these aims.

Key Dates

Each university is responsible for assisting the Board of Governors in disseminating the survey to its students and employees in accordance with the following deadlines.

- Pre-notification March 31, 2022 – Each university sends pre-survey notifications to students and employees, respectively.
- Survey April 4, 2022, – each University sends survey invitations to students and employees, respectively.
- Reminders April 7, 2022 – each University sends survey reminders to students and employees, respectively.
- Closing April 8, 2022 – Survey collectors close at 11:59 p.m. ET.
- Certification No later than Friday, April 15, 2022
- Results By September 1, 2022 – The Board of Governors publishes the results annually, with the first report of the survey results submitted to the Legislature by September 1, 2022.

Instructions**Step 1: Survey link for your university (as soon as possible)**

The survey instruments have been created for use by the State University System and the Florida College System. Each university will administer the survey to its student and employee population according to the above schedule. The Board of Governors will aggregate the university responses and produce a system-wide report for the Legislature.

Institutions are requested to share the web-based collector link with their student and employee populations, respectively. **These should be separate notifications—one notification to all students with the student URL and one notification to all employees with the staff URL. Do not group students and employees in the same notification, as the survey URLs will be different.**

The Board office will aggregate the responses and produce a system-wide report for the Board of Governors.

Step 2: Determine method of dissemination (as soon as possible)

Each university will use the most appropriate student/staff notification system to disseminate the survey link. The notification system must provide a distinct count of recipients and is anticipated to reach the full population. For consistency, Institutions should select only one method of distribution per cohort type.

After distribution, the University will return to the Board office a certified count of the number of students and staff that the link was distributed to using the Board's Data Request System as outlined in step six.

Step 3: Send pre-survey notification (March 31, 2022)

On Thursday, March 31, 2022, each institution will send students and employees a pre-survey notification using the text provided. Modify [platform] to reflect the method of dissemination your institution is using for that population. **As a reminder: do not group students and employees in the same notification, as the survey URLs will be different.**

Student Notification

Dear Student:

Early next week, you will receive a communication via [platform] inviting you to fill out a survey for an important study being conducted by the Florida Board of Governors. The purpose of this survey is to assess the extent to which you feel free to express your beliefs and viewpoints on campus.

Here are a few things to keep in mind:

- Only complete the survey once. It will take approximately 5-10 minutes to complete.
- Your participation in this survey is completely voluntary. You are free to not answer any question or withdraw from the survey at any time.
- This is an anonymous survey that is being conducted by the Florida Board of Governors and Florida State College System. Responses will only be reported at the group level, not at the individual level.
- Don't share the survey with anyone else.
- Look out for a notification by the end of the day on Monday, April 4, 2022. If you miss the first notification, a reminder will be sent out prior to the survey close date of April 8, 2022.

Should you have any questions, please contact the Florida Board of Governors at SUSsurvey@flbog.edu.

Employee Notification

Dear Employee:

Early next week, you will receive a communication via [platform] inviting you to fill out a survey for an important study being conducted by the Florida Board of Governors. The purpose of this survey is to assess the extent to which you feel free to express your beliefs and viewpoints on campus.

Here are a few things to keep in mind:

- Only complete the survey once. It will take approximately 5-10 minutes to complete.
- Your participation in this survey is completely voluntary. You are free to not answer any question or withdraw from the survey at any time.
- This is an anonymous survey that is being conducted by the Florida Board of Governors and Florida State College System. Responses will only be reported at the group level, not at the individual level.
- Don't share the survey with anyone else.
- Look out for a notification by the end of the day on Monday, April 4, 2022. If you miss the first notification, a reminder will be sent out prior to the survey close date of April 8, 2022.

Should you have any questions, please contact the Florida Board of Governors at SUSsurvey@flbog.edu.

Step 4: Send survey invitation (April 4, 2022)

On Monday, April 4, 2022, each institution will send a survey invitation using the text provided. **As a reminder: do not group students and employees in the same notification, as the survey URLs will be different.**

Student Invitation

Dear Student:

You are invited to participate in a survey on Intellectual Freedom and Viewpoint Diversity. This survey is designed to assess the extent to which you feel free to express your beliefs and viewpoints on campus. This survey is being conducted by the Florida Board of Governors as part of implementation of House Bill 233, which passed during the 2021 legislative session.

Please follow this link (or copy and paste the link into your web browser) to complete the brief survey, which should take 5-10 minutes: <https://flbog.research.net/r/FIU-Student648>

Your participation in this survey is completely voluntary. You are free to not answer any question or withdraw from the survey at any time. No personally identifiable information will be associated with your responses. This survey is anonymous, and responses will only be reported at the group level, not at the individual level.

Should you have any questions, please contact the Florida Board of Governors at SUSsurvey@flbog.edu.

Thank you for your time and consideration.

Employee Invitation

Dear Employee:

You are invited to participate in a survey on Intellectual Freedom and Viewpoint Diversity. This survey is designed to assess the extent to which you feel free to express your beliefs and viewpoints on campus. This survey is being conducted by the Florida Board of Governors as part of implementation of House Bill 233, which passed during the 2021 legislative session.

Please follow this link (or copy and paste the link into your web browser) to complete the brief survey, which should take 5-10 minutes: <https://flbog.research.net/r/FIU-Staff577>

Your participation in this survey is completely voluntary. You are free to not answer any question or withdraw from the survey at any time. No personally identifiable information will be associated with your responses. This survey is anonymous, and responses will only be reported at the group level, not at the individual level.

Should you have any questions, please contact the Florida Board of Governors at SUSsurvey@flbog.edu.

Thank you for your time and consideration.

Step 5: Send survey reminder (April 7, 2022)

On Thursday, April 7, 2022, each university will send students and employees a reminder to complete the survey using the text provided. Because the survey responses are not linked to individuals, the reminder email should be disseminated to all students and employees.

Student Reminder

Dear Student:

You were recently invited to participate in a survey on Intellectual Freedom and Viewpoint Diversity, aimed at understanding the extent to which you feel free to express your beliefs and viewpoints on campus. If you have not already completed the survey, please do so before Friday, April 8, 2022, at 11:59pm Eastern Time. Access the survey at: <https://flbog.research.net/r/FIU-Student648>

If you have already completed the survey, please accept our thanks.

PLEASE NOTE: Your participation in this survey is completely voluntary. You are free to not answer any question or withdraw from the survey at any time. All responses are anonymous. Surveys will close on April 8, 2022, at 11:59 p.m. ET.

Should you have any questions, please contact the Florida Board of Governors at SUSsurvey@flbog.edu.

Thank you for your participation.

Employee Reminder

Dear Employee:

You were recently invited to participate in a survey on Intellectual Freedom and Viewpoint Diversity, aimed at understanding the extent to which you feel free to express your beliefs and viewpoints on campus. If you have not already completed the survey, please do so before Friday, April 8, 2022, at 11:59pm Eastern Time. Access the survey at: <https://flbog.research.net/r/FIU-Staff577>

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Should you have any questions, please contact the Florida Board of Governors at SUSsurvey@flbog.edu.

Thank you for your participation.

Step 6: Notify the Board office of dissemination method and population size (By April 15, 2022)

Each university will submit a completed template, exhibit A below, via the Data Request System <https://prod.flbog.net:4445/pls/apex/f?p=760> no later than April 15, 2022.

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Exhibit A

2022 Intellectual Freedom and Viewpoint Diversity Survey

Survey Type	Distribution Method	Count
Student		
Staff		

Once steps 1-6 are complete, no further action is required of any institution. The Board office will compile and the Board of Governors will report the results annually, with the first report of the survey results published by September 1, 2022.

Contact

Should you have any questions, please contact the Florida Board of Governors at SUSsurvey@fbog.edu

RETRIEVED FROM DEMOCRACYDOCKET.COM

EXHIBIT D

RETRIEVED FROM DEMOCRACYDOCKET.COM

From: Chancellor, Board of Governors

Sent: Wednesday, March 23, 2022 3:40 PM

To: Robinson, Larry <larry.robinson@fam.u.edu>

Cc: #SUS Data Administrators <SUS_DataAdministrators@fldoe.org>; #SUS Chief Information Officers <SUSChiefInformationOfficers@fldoe.org>; #SUS Council for Student Affairs <SUSCouncilforStudentAffairs2@fldoe.org>; #SUS CAVP <SUS_CAVP@fldoe.org>; bdlamb76@hotmail.com

Subject: Intellectual Freedom and Viewpoint Diversity Survey

Good afternoon President Robinson,

Attached is a letter, which includes the attachments, from me regarding the Intellectual Freedom and Viewpoint Diversity Survey.

Let me know if you have any questions.

Marshall

Marshall M. Criser III
Chancellor

Board of Governors
State University System of Florida
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Tallahassee, Florida 32399
(850) 245-9687 | Fax (850) 245-9685
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State University System of Florida
325 West Gaines Street, Suite 1614
Tallahassee, FL 32399
Phone 850.245.0466
Fax: 850.245.9685
www.flbog.edu

March 23, 2022

Dr. Larry Robinson
President
Florida A&M University
400 Lee Hall
Tallahassee, Florida 32307-3100

Dear President Robinson,

The 2021 Florida Legislature passed House Bill 233 to promote Intellectual Freedom and Viewpoint Diversity within the State University System of Florida and the Florida College System. The Florida Board of Governors (FLBOG) was asked to create “an objective, nonpartisan, and statistically valid survey to be used by each institution which considers the extent to which competing ideas and perspectives are presented and members of the college community, including students, faculty, and staff, feel free to express their beliefs and viewpoints on campus and in the classroom.”

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Your responsiveness and support of this important project will be appreciated.

Sincerely,

Marshall M. Criser III
Chancellor

- c: Brian Lamb, Chair, Board of Governors
- SUS Council of Academic Vice Presidents
- SUS Council for Student Affairs
- University Data Administrators
- University CIOs

Appendix A: Instructions**Intellectual Freedom and Viewpoint Diversity - Instructions for Survey Dissemination****Background**

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Step 3: Send pre-survey notification (March 31, 2022)

On Thursday, March 31, 2022, each institution will send students and employees a pre-survey notification using the text provided. Modify [platform] to reflect the method of dissemination your institution is using for that population. **As a reminder: do not group students and employees in the same notification, as the survey URLs will be different.**

Student Notification

Dear Student:

Early next week, you will receive a communication via [platform] inviting you to fill out a survey for an important study being conducted by the Florida Board of Governors. The purpose of this survey is to assess the extent to which you feel free to express your beliefs and viewpoints on campus.

Here are a few things to keep in mind:

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- Your participation in this survey is completely voluntary. You are free to not answer any question or withdraw from the survey at any time.
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- Don't share the survey with anyone else.
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Should you have any questions, please contact the Florida Board of Governors at SUSsurvey@flbog.edu.

Employee Notification

Dear Employee:

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Should you have any questions, please contact the Florida Board of Governors at SUSsurvey@flbog.edu.

RETRIEVED FROM DEMOCRACYDOCKET.COM

Step 4: Send survey invitation (April 4, 2022)

On Monday, April 4, 2022, each institution will send a survey invitation using the text provided. **As a reminder: do not group students and employees in the same notification, as the survey URLs will be different.**

Student Invitation

Dear Student:

You are invited to participate in a survey on Intellectual Freedom and Viewpoint Diversity. This survey is designed to assess the extent to which you feel free to express your beliefs and viewpoints on campus. This survey is being conducted by the Florida Board of Governors as part of implementation of House Bill 233, which passed during the 2021 legislative session.

Please follow this link (or copy and paste the link into your web browser) to complete the brief survey, which should take 5-10 minutes: <https://flbog.research.net/r/FAMU-Student973>

Your participation in this survey is completely voluntary. You are free to not answer any question or withdraw from the survey at any time. No personally identifiable information will be associated with your responses. This survey is anonymous, and responses will only be reported at the group level, not at the individual level.

Should you have any questions, please contact the Florida Board of Governors at SUSsurvey@flbog.edu.

Thank you for your time and consideration.

Employee Invitation

Dear Employee:

You are invited to participate in a survey on Intellectual Freedom and Viewpoint Diversity. This survey is designed to assess the extent to which you feel free to express your beliefs and viewpoints on campus. This survey is being conducted by the Florida Board of Governors as part of implementation of House Bill 233, which passed during the 2021 legislative session.

Please follow this link (or copy and paste the link into your web browser) to complete the brief survey, which should take 5-10 minutes: <https://flbog.research.net/r/FAMU-Staff549>

Your participation in this survey is completely voluntary. You are free to not answer any question or withdraw from the survey at any time. No personally identifiable information will be associated with your responses. This survey is anonymous, and responses will only be reported at the group level, not at the individual level.

Should you have any questions, please contact the Florida Board of Governors at SUSsurvey@flbog.edu.

Thank you for your time and consideration.

Step 5: Send survey reminder (April 7, 2022)

On Thursday, April 7, 2022, each university will send students and employees a reminder to complete the survey using the text provided. Because the survey responses are not linked to individuals, the reminder email should be disseminated to all students and employees.

Student Reminder

Dear Student:

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If you have already completed the survey, please accept our thanks.

PLEASE NOTE: Your participation in this survey is completely voluntary. You are free to not answer any question or withdraw from the survey at any time. All responses are anonymous. Surveys will close on April 8, 2022, at 11:59 p.m. ET.

Should you have any questions, please contact the Florida Board of Governors at SUSsurvey@flbog.edu.

Thank you for your participation.

Employee Reminder

Dear Employee:

You were recently invited to participate in a survey on Intellectual Freedom and Viewpoint Diversity, aimed at understanding the extent to which you feel free to express your beliefs and viewpoints on campus. If you have not already completed the survey, please do so before Friday, April 8, 2022, at 11:59pm Eastern Time. Access the survey at: <https://flbog.research.net/r/FAMU-Staff549>

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Thank you for your participation.

Step 6: Notify the Board office of dissemination method and population size (By April 15, 2022)

Each university will submit a completed template, exhibit A below, via the Data Request System <https://prod.flbog.net:4445/pls/apex/f?p=760> no later than April 15, 2022.

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Exhibit A

2022 Intellectual Freedom and Viewpoint Diversity Survey

Survey Type	Distribution Method	Count
Student		
Staff		

Once steps 1-6 are complete, no further action is required of any institution. The Board office will compile and the Board of Governors will report the results annually, with the first report of the survey results published by September 1, 2022.

Contact

Should you have any questions, please contact the Florida Board of Governors at SUSsurvey@fbog.edu

RETRIEVED FROM DEMOCRACYDOCKET.COM

EXHIBIT E

RETRIEVED FROM DEMOCRACYDOCKET.COM

From: Chancellor, Board of Governors
Sent: Wednesday, March 23, 2022 6:23 PM
To: Avent, Randy <ravent@floridapoly.edu>
Cc: Parker, Terry <tparker@floridapoly.edu>; Miller, Kathryn <kmiller@floridapoly.edu>; Data Admin, FLPoly <Sus-dataadmin@floridapoly.edu>; mdieckmann@floridapoly.edu; bdlamb76@hotmail.com
Subject: Intellectual Freedom and Viewpoint Diversity Survey

Good afternoon President Avent,

Attached is a letter, which includes attachments, from me regarding the Intellectual Freedom and Viewpoint Diversity Survey.

Let me know if you have any questions.

Marshall

Marshall M. Criser III
Chancellor

Board of Governors
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Tallahassee, Florida 32399
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Florida Board of Governors
State University System of Florida
325 West Gaines Street, Suite 1614
Tallahassee, FL 32399
Phone 850.245.0466
Fax: 850.245.9685
www.flbog.edu

March 23, 2022

Mr. Randy Avent
President
Florida Polytechnic University
4700 Research Way
Lakeland, Florida 33805-8531

Dear President Avent:

The 2021 Florida Legislature passed House Bill 233 to promote Intellectual Freedom and Viewpoint Diversity within the State University System of Florida and the Florida College System. The Florida Board of Governors (FLBOG) was asked to create "an objective, nonpartisan, and statistically valid survey to be used by each institution which considers the extent to which competing ideas and perspectives are presented and members of the college community, including students, faculty, and staff, feel free to express their beliefs and viewpoints on campus and in the classroom."

A survey instrument has been created for use by the State University System and the Florida College System. The anonymous survey is intended to obtain opinions on intellectual freedom and viewpoint diversity at the public postsecondary institutions. To that end, the Board of Governors requests your assistance in administering the survey to your student and employee population according to an established timeline and procedures that are provided in the attached documents.

The Board of Governors will aggregate the university responses and only grouped responses will be reported. Any data or results that might compromise a respondent's identity will not be published. The Board will then produce a summary report for the State University System to be submitted to the Legislature by September 1, 2022.

Your responsiveness and support of this important project will be appreciated.

Sincerely,

Marshall M. Criser III
Chancellor

- c: Brian Lamb, Chair, Board of Governors
- Academic Vice President
- Council for Student Affairs Representative
- University Data Administrator
- University Chief Information Officer

Appendix A: Instructions**Intellectual Freedom and Viewpoint Diversity - Instructions for Survey Dissemination****Background**

House Bill (HB) 233 amended sections (ss.) 1001.03 and 1001.706, Florida Statutes (F.S.), to define the terms “intellectual freedom and viewpoint diversity” and “shield.” The bill also added a requirement for Florida College System (FCS) and State University System (SUS) institutions to conduct an annual assessment of intellectual freedom and viewpoint diversity. The annual survey is required to be objective, nonpartisan and statistically valid. The instrument assesses the extent to which students, faculty and staff feel free to express their beliefs and viewpoints on campus and that competing ideas are presented on campus.

Public postsecondary colleges and universities have as their primary aim the preparation of students to become informed citizens of a democratic society. This requires students to cultivate the skills necessary to become intellectually autonomous, critical thinkers, and empathetic and ethical actors. This survey will inform state leaders with data and information about the extent to which students, faculty, and staff feel a part of a campus and intellectual environment conducive to achieving these aims.

Key Dates

Each university is responsible for assisting the Board of Governors in disseminating the survey to its students and employees in accordance with the following deadlines.

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- Results By September 1, 2022 – The Board of Governors publishes the results annually, with the first report of the survey results submitted to the Legislature by September 1, 2022.

Instructions**Step 1: Survey link for your university (as soon as possible)**

The survey instruments have been created for use by the State University System and the Florida College System. Each university will administer the survey to its student and employee population according to the above schedule. The Board of Governors will aggregate the university responses and produce a system-wide report for the Legislature.

Institutions are requested to share the web-based collector link with their student and employee populations, respectively. **These should be separate notifications—one notification to all students with the student URL and one notification to all employees with the staff URL. Do not group students and employees in the same notification, as the survey URLs will be different.**

The Board office will aggregate the responses and produce a system-wide report for the Board of Governors.

Step 2: Determine method of dissemination (as soon as possible)

Each university will use the most appropriate student/staff notification system to disseminate the survey link. The notification system must provide a distinct count of recipients and is anticipated to reach the full population. For consistency, Institutions should select only one method of distribution per cohort type.

After distribution, the University will return to the Board office a certified count of the number of students and staff that the link was distributed to using the Board's Data Request System as outlined in step six.

Step 3: Send pre-survey notification (March 31, 2022)

On Thursday, March 31, 2022, each institution will send students and employees a pre-survey notification using the text provided. Modify [platform] to reflect the method of dissemination your institution is using for that population. **As a reminder: do not group students and employees in the same notification, as the survey URLs will be different.**

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Dear Student:

Early next week, you will receive a communication via [platform] inviting you to fill out a survey for an important study being conducted by the Florida Board of Governors. The purpose of this survey is to assess the extent to which you feel free to express your beliefs and viewpoints on campus.

Here are a few things to keep in mind:

- Only complete the survey once. It will take approximately 5-10 minutes to complete.
- Your participation in this survey is completely voluntary. You are free to not answer any question or withdraw from the survey at any time.
- This is an anonymous survey that is being conducted by the Florida Board of Governors and Florida State College System. Responses will only be reported at the group level, not at the individual level.
- Don't share the survey with anyone else.
- Look out for a notification by the end of the day on Monday, April 4, 2022. If you miss the first notification, a reminder will be sent out prior to the survey close date of April 8, 2022.

Should you have any questions, please contact the Florida Board of Governors at SUSsurvey@flbog.edu.

Employee Notification

Dear Employee:

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RETRIEVED FROM DEMOCRACYDOCKET.COM

Step 4: Send survey invitation (April 4, 2022)

On Monday, April 4, 2022, each institution will send a survey invitation using the text provided. **As a reminder: do not group students and employees in the same notification, as the survey URLs will be different.**

Student Invitation

Dear Student:

You are invited to participate in a survey on Intellectual Freedom and Viewpoint Diversity. This survey is designed to assess the extent to which you feel free to express your beliefs and viewpoints on campus. This survey is being conducted by the Florida Board of Governors as part of implementation of House Bill 233, which passed during the 2021 legislative session.

Please follow this link (or copy and paste the link into your web browser) to complete the brief survey, which should take 5-10 minutes: <https://flbog.research.net/r/FLPOLY-Student449>

Your participation in this survey is completely voluntary. You are free to not answer any question or withdraw from the survey at any time. No personally identifiable information will be associated with your responses. This survey is anonymous, and responses will only be reported at the group level, not at the individual level.

Should you have any questions, please contact the Florida Board of Governors at SUSsurvey@flbog.edu.

Thank you for your time and consideration.

Employee Invitation

Dear Employee:

You are invited to participate in a survey on Intellectual Freedom and Viewpoint Diversity. This survey is designed to assess the extent to which you feel free to express your beliefs and viewpoints on campus. This survey is being conducted by the Florida Board of Governors as part of implementation of House Bill 233, which passed during the 2021 legislative session.

Please follow this link (or copy and paste the link into your web browser) to complete the brief survey, which should take 5-10 minutes: <https://flbog.research.net/r/FLPOLY-Staff790>

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Should you have any questions, please contact the Florida Board of Governors at SUSsurvey@flbog.edu.

Thank you for your time and consideration.

Step 5: Send survey reminder (April 7, 2022)

On Thursday, April 7, 2022, each university will send students and employees a reminder to complete the survey using the text provided. Because the survey responses are not linked to individuals, the reminder email should be disseminated to all students and employees.

Student Reminder

Dear Student:

You were recently invited to participate in a survey on Intellectual Freedom and Viewpoint Diversity, aimed at understanding the extent to which you feel free to express your beliefs and viewpoints on campus. If you have not already completed the survey, please do so before Friday, April 8, 2022, at 11:59pm Eastern Time. Access the survey at: <https://flbog.research.net/r/FLPOLY-Student449>

If you have already completed the survey, please accept our thanks.

PLEASE NOTE: Your participation in this survey is completely voluntary. You are free to not answer any question or withdraw from the survey at any time. All responses are anonymous. Surveys will close on April 8, 2022, at 11:59 p.m. ET.

Should you have any questions, please contact the Florida Board of Governors at SUSsurvey@flbog.edu.

Thank you for your participation.

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Dear Employee:

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Should you have any questions, please contact the Florida Board of Governors at SUSsurvey@flbog.edu.

Thank you for your participation.

Step 6: Notify the Board office of dissemination method and population size (By April 15, 2022)

Each university will submit a completed template, exhibit A below, via the Data Request System <https://prod.flbog.net:4445/pls/apex/f?p=760> no later than April 15, 2022.

Should you have any questions regarding this information, please contact SUSsurvey@fbog.edu.

Exhibit A

2022 Intellectual Freedom and Viewpoint Diversity Survey

Survey Type	Distribution Method	Count
Student		
Staff		

Once steps 1-6 are complete, no further action is required of any institution. The Board office will compile and the Board of Governors will report the results annually, with the first report of the survey results published by September 1, 2022.

Contact

Should you have any questions, please contact the Florida Board of Governors at SUSsurvey@fbog.edu

RETRIEVED FROM DEMOCRACYDOCKET.COM

EXHIBIT F

RETRIEVED FROM DEMOCRACYDOCKET.COM

From: Chancellor, Board of Governors
Sent: Wednesday, March 23, 2022 6:24 PM
To: McCullough, Richard <rmccullough@fsu.edu>
Cc: bdlamb76@hotmail.com; Clark, James <jclark5@fsu.edu>; Hecht, Amy <ahecht@fsu.edu>; Data Admin, FSU <sus-dataadmin@fsu.edu>; rburnette@admin.fsu.edu
Subject: Intellectual Freedom and Viewpoint Diversity Survey

Good afternoon President McCullough,

Attached is a letter, which includes attachments, from me regarding the Intellectual Freedom and Viewpoint Diversity Survey.

Let me know if you have any questions.

Marshall

Marshall M. Criser III
Chancellor

Board of Governors
State University System of Florida
325 West Gaines Street, Suite 1614
Tallahassee, Florida 32399
(850) 245-9687 | Fax (850) 245-9685
www.flbog.edu





Florida Board of Governors
State University System of Florida
325 West Gaines Street, Suite 1614
Tallahassee, FL 32399
Phone 850.245.0466
Fax: 850.245.9685
www.flbog.edu

March 23, 2022

Dr. Richard McCullough
President
Florida State University
211 Westcott Building
Tallahassee, Florida 32306

Dear President McCullough:


The 2021 Florida Legislature passed House Bill 233 to promote Intellectual Freedom and Viewpoint Diversity within the State University System of Florida and the Florida College System. The Florida Board of Governors (FLBOG) was asked to create “an objective, nonpartisan, and statistically valid survey to be used by each institution which considers the extent to which competing ideas and perspectives are presented and members of the college community, including students, faculty, and staff, feel free to express their beliefs and viewpoints on campus and in the classroom.”

A survey instrument has been created for use by the State University System and the Florida College System. The anonymous survey is intended to obtain opinions on intellectual freedom and viewpoint diversity at the public postsecondary institutions. To that end, the Board of Governors requests your assistance in administering the survey to your student and employee population according to an established timeline and procedures that are provided in the attached documents.

The Board of Governors will aggregate the university responses and only grouped responses will be reported. Any data or results that might compromise a respondent’s identity will not be published. The Board will then produce a summary report for the State University System to be submitted to the Legislature by September 1, 2022.

Your responsiveness and support of this important project will be appreciated.

Sincerely,


Marshall M. Criser III
Chancellor

- c: Brian Lamb, Chair, Board of Governors
- Academic Vice President
- Council for Student Affairs Representative
- University Data Administrator
- University Chief Information Officer

Appendix A: Instructions**Intellectual Freedom and Viewpoint Diversity - Instructions for Survey Dissemination****Background**

House Bill (HB) 233 amended sections (ss.) 1001.03 and 1001.706, Florida Statutes (F.S.), to define the terms “intellectual freedom and viewpoint diversity” and “shield.” The bill also added a requirement for Florida College System (FCS) and State University System (SUS) institutions to conduct an annual assessment of intellectual freedom and viewpoint diversity. The annual survey is required to be objective, nonpartisan and statistically valid. The instrument assesses the extent to which students, faculty and staff feel free to express their beliefs and viewpoints on campus and that competing ideas are presented on campus.

Public postsecondary colleges and universities have as their primary aim the preparation of students to become informed citizens of a democratic society. This requires students to cultivate the skills necessary to become intellectually autonomous, critical thinkers, and empathetic and ethical actors. This survey will inform state leaders with data and information about the extent to which students, faculty, and staff feel a part of a campus and intellectual environment conducive to achieving these aims.

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Instructions**Step 1: Survey link for your university (as soon as possible)**

The survey instruments have been created for use by the State University System and the Florida College System. Each university will administer the survey to its student and employee population according to the above schedule. The Board of Governors will aggregate the university responses and produce a system-wide report for the Legislature.

Institutions are requested to share the web-based collector link with their student and employee populations, respectively. **These should be separate notifications—one notification to all students with the student URL and one notification to all employees with the staff URL. Do not group students and employees in the same notification, as the survey URLs will be different.**

The Board office will aggregate the responses and produce a system-wide report for the Board of Governors.

Step 2: Determine method of dissemination (as soon as possible)

Each university will use the most appropriate student/staff notification system to disseminate the survey link. The notification system must provide a distinct count of recipients and is anticipated to reach the full population. For consistency, Institutions should select only one method of distribution per cohort type.

After distribution, the University will return to the Board office a certified count of the number of students and staff that the link was distributed to using the Board's Data Request System as outlined in step six.

Step 3: Send pre-survey notification (March 31, 2022)

On Thursday, March 31, 2022, each institution will send students and employees a pre-survey notification using the text provided. Modify [platform] to reflect the method of dissemination your institution is using for that population. **As a reminder: do not group students and employees in the same notification, as the survey URLs will be different.**

Student Notification

Dear Student:

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Here are a few things to keep in mind:

- Only complete the survey once. It will take approximately 5-10 minutes to complete.
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- Don't share the survey with anyone else.
- Look out for a notification by the end of the day on Monday, April 4, 2022. If you miss the first notification, a reminder will be sent out prior to the survey close date of April 8, 2022.

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Employee Notification

Dear Employee:

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Should you have any questions, please contact the Florida Board of Governors at SUSsurvey@flbog.edu.

Step 4: Send survey invitation (April 4, 2022)

On Monday, April 4, 2022, each institution will send a survey invitation using the text provided. **As a reminder: do not group students and employees in the same notification, as the survey URLs will be different.**

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Please follow this link (or copy and paste the link into your web browser) to complete the brief survey, which should take 5-10 minutes: <https://flbog.research.net/r/FSU-Student364>

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Please follow this link (or copy and paste the link into your web browser) to complete the brief survey, which should take 5-10 minutes: <https://flbog.research.net/r/FSU-Staff438>

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Thank you for your time and consideration.

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If you have already completed the survey, please accept our thanks.

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Exhibit A

2022 Intellectual Freedom and Viewpoint Diversity Survey

Survey Type	Distribution Method	Count
Student		
Staff		

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Contact

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RETRIEVED FROM DEMOCRACYDOCKET.COM

EXHIBIT G

RETRIEVED FROM DEMOCRACYDOCKET.COM

From: Chancellor, Board of Governors
Sent: Wednesday, March 23, 2022 6:26 PM
To: patokker@ncf.edu

Cc: Sherman, Suzanne <sherman@ncf.edu>; Thomas, S.Marjorie <smthomas@ncf.edu>; Data Admin, NCF <sus-dataadmin@ncf.edu>; Foss, Ben <bfoss@ncf.edu>; bdlamb76@hotmail.com

Subject: Intellectual Freedom and Viewpoint Diversity Survey

Good afternoon President Okker,

Attached is a letter, which includes attachments, from me regarding the Intellectual Freedom and Viewpoint Diversity Survey.

Let me know if you have any questions.

Marshall

Marshall M. Criser III
Chancellor

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Tallahassee, FL 32399
Phone 850.245.0466
Fax: 850.245.9685
www.flbog.edu

March 23, 2022

Dr. Patricia Okker
President
New College of Florida
COH 204
5800 Bay Shore Road
Sarasota, Florida 34243

Dear President Okker:

The 2021 Florida Legislature passed House Bill 233 to promote Intellectual Freedom and Viewpoint Diversity within the State University System of Florida and the Florida College System. The Florida Board of Governors (FLBOG) was asked to create “an objective, nonpartisan, and statistically valid survey to be used by each institution which considers the extent to which competing ideas and perspectives are presented and members of the college community, including students, faculty, and staff, feel free to express their beliefs and viewpoints on campus and in the classroom.”

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Chancellor

- c: Brian Lamb, Chair, Board of Governors
- Academic Vice President
- Council for Student Affairs Representative
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Step 4: Send survey invitation (April 4, 2022)

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Student Invitation

Dear Student:

You are invited to participate in a survey on Intellectual Freedom and Viewpoint Diversity. This survey is designed to assess the extent to which you feel free to express your beliefs and viewpoints on campus. This survey is being conducted by the Florida Board of Governors as part of implementation of House Bill 233, which passed during the 2021 legislative session.

Please follow this link (or copy and paste the link into your web browser) to complete the brief survey, which should take 5-10 minutes: <https://flbog.research.net/r/NCF-Student833>

Your participation in this survey is completely voluntary. You are free to not answer any question or withdraw from the survey at any time. No personally identifiable information will be associated with your responses. This survey is anonymous, and responses will only be reported at the group level, not at the individual level.

Should you have any questions, please contact the Florida Board of Governors at SUSsurvey@flbog.edu.

Thank you for your time and consideration.

Employee Invitation

Dear Employee:

You are invited to participate in a survey on Intellectual Freedom and Viewpoint Diversity. This survey is designed to assess the extent to which you feel free to express your beliefs and viewpoints on campus. This survey is being conducted by the Florida Board of Governors as part of implementation of House Bill 233, which passed during the 2021 legislative session.

Please follow this link (or copy and paste the link into your web browser) to complete the brief survey, which should take 5-10 minutes: <https://flbog.research.net/r/NCF-Staff991>

Your participation in this survey is completely voluntary. You are free to not answer any question or withdraw from the survey at any time. No personally identifiable information will be associated with your responses. This survey is anonymous, and responses will only be reported at the group level, not at the individual level.

Should you have any questions, please contact the Florida Board of Governors at SUSsurvey@flbog.edu.

Thank you for your time and consideration.

Step 5: Send survey reminder (April 7, 2022)

On Thursday, April 7, 2022, each university will send students and employees a reminder to complete the survey using the text provided. Because the survey responses are not linked to individuals, the reminder email should be disseminated to all students and employees.

Student Reminder

Dear Student:

You were recently invited to participate in a survey on Intellectual Freedom and Viewpoint Diversity, aimed at understanding the extent to which you feel free to express your beliefs and viewpoints on campus. If you have not already completed the survey, please do so before Friday, April 8, 2022, at 11:59pm Eastern Time. Access the survey at: <https://flbog.research.net/r/NCF-Student833>

If you have already completed the survey, please accept our thanks.

PLEASE NOTE: Your participation in this survey is completely voluntary. You are free to not answer any question or withdraw from the survey at any time. All responses are anonymous. Surveys will close on April 8, 2022, at 11:59 p.m. ET.

Should you have any questions, please contact the Florida Board of Governors at SUSsurvey@flbog.edu.

Thank you for your participation.

Employee Reminder

Dear Employee:

You were recently invited to participate in a survey on Intellectual Freedom and Viewpoint Diversity, aimed at understanding the extent to which you feel free to express your beliefs and viewpoints on campus. If you have not already completed the survey, please do so before Friday, April 8, 2022, at 11:59pm Eastern Time. Access the survey at: <https://flbog.research.net/r/NCF-Staff991>

PLEASE NOTE: Your participation in this survey is completely voluntary. You are free to not answer any question or withdraw from the survey at any time. All responses are anonymous. Surveys will close on April 8, 2022, at 11:59 p.m. ET.

If you have already completed the survey, please accept our thanks.

Should you have any questions, please contact the Florida Board of Governors at SUSsurvey@flbog.edu.

Thank you for your participation.

Step 6: Notify the Board office of dissemination method and population size (By April 15, 2022)

Each university will submit a completed template, exhibit A below, via the Data Request System <https://prod.flbog.net:4445/pls/apex/f?p=760> no later than April 15, 2022.

Should you have any questions regarding this information, please contact SUSsurvey@fbog.edu.

Exhibit A

2022 Intellectual Freedom and Viewpoint Diversity Survey

Survey Type	Distribution Method	Count
Student		
Staff		

Once steps 1-6 are complete, no further action is required of any institution. The Board office will compile and the Board of Governors will report the results annually, with the first report of the survey results published by September 1, 2022.

Contact

Should you have any questions, please contact the Florida Board of Governors at SUSsurvey@fbog.edu

RETRIEVED FROM DEMOCRACYDOCKET.COM

EXHIBIT H

RETRIEVED FROM DEMOCRACYDOCKET.COM

From: Chancellor, Board of Governors

Sent: Wednesday, March 23, 2022 6:27 PM

To: Cartwright, Alexander <Alexander.Cartwright@ucf.edu>

Cc: bdlamb76@hotmail.com; Johnson, Michael <Michael.johnson@ucf.edu>; Frame, Adrienne <Adrienne.frame@ucf.edu>; Data Admin, UCF <sus-dataadmin@ucf.edu>; Hall, Matthew <Matthew.Hall@ucf.edu>

Subject: Intellectual Freedom and Viewpoint Diversity Survey

Good afternoon President Cartwright,

Attached is a letter, which includes attachments, from me regarding the Intellectual Freedom and Viewpoint Diversity Survey.

Let me know if you have any questions.

Marshall

Marshall M. Criser III
Chancellor

Board of Governors
State University System of Florida
325 West Gaines Street, Suite 1614
Tallahassee, Florida 32399
(850) 245-9687 | Fax (850) 245-9685
www.flbog.edu





Florida Board of Governors
State University System of Florida
325 West Gaines Street, Suite 1614
Tallahassee, FL 32399
Phone 850.245.0466
Fax: 850.245.9685
www.flbog.edu

March 23, 2022

Dr. Alexander Cartwright
President
University of Central Florida
Post Office Box 160002
Orlando, Florida 32816-0002

Dear President Cartwright:

The 2021 Florida Legislature passed House Bill 233 to promote Intellectual Freedom and Viewpoint Diversity within the State University System of Florida and the Florida College System. The Florida Board of Governors (FLBOG) was asked to create “an objective, nonpartisan, and statistically valid survey to be used by each institution which considers the extent to which competing ideas and perspectives are presented and members of the college community, including students, faculty, and staff, feel free to express their beliefs and viewpoints on campus and in the classroom.”

A survey instrument has been created for use by the State University System and the Florida College System. The anonymous survey is intended to obtain opinions on intellectual freedom and viewpoint diversity at the public postsecondary institutions. To that end, the Board of Governors requests your assistance in administering the survey to your student and employee population according to an established timeline and procedures that are provided in the attached documents.

The Board of Governors will aggregate the university responses and only grouped responses will be reported. Any data or results that might compromise a respondent’s identity will not be published. The Board will then produce a summary report for the State University System to be submitted to the Legislature by September 1, 2022.

Your responsiveness and support of this important project will be appreciated.

Sincerely,

Marshall M. Criser III
Chancellor

- c: Brian Lamb, Chair, Board of Governors
- Academic Vice President
- Council for Student Affairs Representative
- University Data Administrator
- University Chief Information Officer

Appendix A: Instructions**Intellectual Freedom and Viewpoint Diversity - Instructions for Survey Dissemination****Background**

House Bill (HB) 233 amended sections (ss.) 1001.03 and 1001.706, Florida Statutes (F.S.), to define the terms “intellectual freedom and viewpoint diversity” and “shield.” The bill also added a requirement for Florida College System (FCS) and State University System (SUS) institutions to conduct an annual assessment of intellectual freedom and viewpoint diversity. The annual survey is required to be objective, nonpartisan and statistically valid. The instrument assesses the extent to which students, faculty and staff feel free to express their beliefs and viewpoints on campus and that competing ideas are presented on campus.

Public postsecondary colleges and universities have as their primary aim the preparation of students to become informed citizens of a democratic society. This requires students to cultivate the skills necessary to become intellectually autonomous, critical thinkers, and empathetic and ethical actors. This survey will inform state leaders with data and information about the extent to which students, faculty, and staff feel a part of a campus and intellectual environment conducive to achieving these aims.

Key Dates

Each university is responsible for assisting the Board of Governors in disseminating the survey to its students and employees in accordance with the following deadlines.

- Pre-notification March 31, 2022 – Each university sends pre-survey notifications to students and employees, respectively.
- Survey April 4, 2022, – each University sends survey invitations to students and employees, respectively.
- Reminders April 7, 2022 – each University sends survey reminders to students and employees, respectively.
- Closing April 8, 2022 – Survey collectors close at 11:59 p.m. ET.
- Certification No later than Friday, April 15, 2022
- Results By September 1, 2022 – The Board of Governors publishes the results annually, with the first report of the survey results submitted to the Legislature by September 1, 2022.

Instructions**Step 1: Survey link for your university (as soon as possible)**

The survey instruments have been created for use by the State University System and the Florida College System. Each university will administer the survey to its student and employee population according to the above schedule. The Board of Governors will aggregate the university responses and produce a system-wide report for the Legislature.

Institutions are requested to share the web-based collector link with their student and employee populations, respectively. **These should be separate notifications—one notification to all students with the student URL and one notification to all employees with the staff URL. Do not group students and employees in the same notification, as the survey URLs will be different.**

The Board office will aggregate the responses and produce a system-wide report for the Board of Governors.

Step 2: Determine method of dissemination (as soon as possible)

Each university will use the most appropriate student/staff notification system to disseminate the survey link. The notification system must provide a distinct count of recipients and is anticipated to reach the full population. For consistency, Institutions should select only one method of distribution per cohort type.

After distribution, the University will return to the Board office a certified count of the number of students and staff that the link was distributed to using the Board's Data Request System as outlined in step six.

Step 3: Send pre-survey notification (March 31, 2022)

On Thursday, March 31, 2022, each institution will send students and employees a pre-survey notification using the text provided. Modify [platform] to reflect the method of dissemination your institution is using for that population. **As a reminder: do not group students and employees in the same notification, as the survey URLs will be different.**

Student Notification

Dear Student:

Early next week, you will receive a communication via [platform] inviting you to fill out a survey for an important study being conducted by the Florida Board of Governors. The purpose of this survey is to assess the extent to which you feel free to express your beliefs and viewpoints on campus.

Here are a few things to keep in mind:

- Only complete the survey once. It will take approximately 5-10 minutes to complete.
- Your participation in this survey is completely voluntary. You are free to not answer any question or withdraw from the survey at any time.
- This is an anonymous survey that is being conducted by the Florida Board of Governors and Florida State College System. Responses will only be reported at the group level, not at the individual level.
- Don't share the survey with anyone else.
- Look out for a notification by the end of the day on Monday, April 4, 2022. If you miss the first notification, a reminder will be sent out prior to the survey close date of April 8, 2022.

Should you have any questions, please contact the Florida Board of Governors at SUSsurvey@flbog.edu.

Employee Notification

Dear Employee:

Early next week, you will receive a communication via [platform] inviting you to fill out a survey for an important study being conducted by the Florida Board of Governors. The purpose of this survey is to assess the extent to which you feel free to express your beliefs and viewpoints on campus.

Here are a few things to keep in mind:

- Only complete the survey once. It will take approximately 5-10 minutes to complete.
- Your participation in this survey is completely voluntary. You are free to not answer any question or withdraw from the survey at any time.
- This is an anonymous survey that is being conducted by the Florida Board of Governors and Florida State College System. Responses will only be reported at the group level, not at the individual level.
- Don't share the survey with anyone else.
- Look out for a notification by the end of the day on Monday, April 4, 2022. If you miss the first notification, a reminder will be sent out prior to the survey close date of April 8, 2022.

Should you have any questions, please contact the Florida Board of Governors at SUSsurvey@flbog.edu.

Step 4: Send survey invitation (April 4, 2022)

On Monday, April 4, 2022, each institution will send a survey invitation using the text provided. **As a reminder: do not group students and employees in the same notification, as the survey URLs will be different.**

Student Invitation

Dear Student:

You are invited to participate in a survey on Intellectual Freedom and Viewpoint Diversity. This survey is designed to assess the extent to which you feel free to express your beliefs and viewpoints on campus. This survey is being conducted by the Florida Board of Governors as part of implementation of House Bill 233, which passed during the 2021 legislative session.

Please follow this link (or copy and paste the link into your web browser) to complete the brief survey, which should take 5-10 minutes: <https://flbog.research.net/r/UCF-Student336>

Your participation in this survey is completely voluntary. You are free to not answer any question or withdraw from the survey at any time. No personally identifiable information will be associated with your responses. This survey is anonymous, and responses will only be reported at the group level, not at the individual level.

Should you have any questions, please contact the Florida Board of Governors at SUSsurvey@flbog.edu.

Thank you for your time and consideration.

Employee Invitation

Dear Employee:

You are invited to participate in a survey on Intellectual Freedom and Viewpoint Diversity. This survey is designed to assess the extent to which you feel free to express your beliefs and viewpoints on campus. This survey is being conducted by the Florida Board of Governors as part of implementation of House Bill 233, which passed during the 2021 legislative session.

Please follow this link (or copy and paste the link into your web browser) to complete the brief survey, which should take 5-10 minutes: <https://flbog.research.net/r/UCF-Staff737>

Your participation in this survey is completely voluntary. You are free to not answer any question or withdraw from the survey at any time. No personally identifiable information will be associated with your responses. This survey is anonymous, and responses will only be reported at the group level, not at the individual level.

Should you have any questions, please contact the Florida Board of Governors at SUSsurvey@flbog.edu.

Thank you for your time and consideration.

Step 5: Send survey reminder (April 7, 2022)

On Thursday, April 7, 2022, each university will send students and employees a reminder to complete the survey using the text provided. Because the survey responses are not linked to individuals, the reminder email should be disseminated to all students and employees.

Student Reminder

Dear Student:

You were recently invited to participate in a survey on Intellectual Freedom and Viewpoint Diversity, aimed at understanding the extent to which you feel free to express your beliefs and viewpoints on campus. If you have not already completed the survey, please do so before Friday, April 8, 2022, at 11:59pm Eastern Time. Access the survey at: <https://flbog.research.net/r/UCF-Student336>

If you have already completed the survey, please accept our thanks.

PLEASE NOTE: Your participation in this survey is completely voluntary. You are free to not answer any question or withdraw from the survey at any time. All responses are anonymous. Surveys will close on April 8, 2022, at 11:59 p.m. ET.

Should you have any questions, please contact the Florida Board of Governors at SUSsurvey@flbog.edu.

Thank you for your participation.

Employee Reminder

Dear Employee:

You were recently invited to participate in a survey on Intellectual Freedom and Viewpoint Diversity, aimed at understanding the extent to which you feel free to express your beliefs and viewpoints on campus. If you have not already completed the survey, please do so before Friday, April 8, 2022, at 11:59pm Eastern Time. Access the survey at: <https://flbog.research.net/r/UCF-Staff737>

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Should you have any questions, please contact the Florida Board of Governors at SUSsurvey@flbog.edu.

Thank you for your participation.

Step 6: Notify the Board office of dissemination method and population size (By April 15, 2022)

Each university will submit a completed template, exhibit A below, via the Data Request System <https://prod.flbog.net:4445/pls/apex/f?p=760> no later than April 15, 2022.

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Exhibit A

2022 Intellectual Freedom and Viewpoint Diversity Survey

Survey Type	Distribution Method	Count
Student		
Staff		

Once steps 1-6 are complete, no further action is required of any institution. The Board office will compile and the Board of Governors will report the results annually, with the first report of the survey results published by September 1, 2022.

Contact

Should you have any questions, please contact the Florida Board of Governors at SUSsurvey@fbog.edu

RETRIEVED FROM DEMOCRACYDOCKET.COM

EXHIBIT I

RETRIEVED FROM DEMOCRACYDOCKET.COM

From: Chancellor, Board of Governors
Sent: Wednesday, March 23, 2022 6:29 PM
To: Fuchs, Kent <kent.fuchs@ufl.edu>
Cc: bdlamb76@hotmail.com; Glover, Joe <JGlover@aa.ufl.edu>; Mull, D'Andra <dmull@ufsa.ufl.edu>; Data Admin, UFL <sus-dataadmin@aa.ufl.edu>; Eldayrie, Elias G. <eldayrie@ufl.edu>
Subject: Intellectual Freedom and Viewpoint Diversity Survey

Good afternoon President Fuchs,

Attached is a letter, which includes attachments, from me regarding the Intellectual Freedom and Viewpoint Diversity Survey.

Let me know if you have any questions.

Marshall

Marshall M. Criser III
Chancellor

Board of Governors
State University System of Florida
325 West Gaines Street, Suite 1614
Tallahassee, Florida 32399
(850) 245-9687 | Fax (850) 245-9685
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State University System of Florida
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Tallahassee, FL 32399
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Fax: 850.245.9685
www.flbog.edu

March 23, 2022

Dr. Kent Fuchs
President
University of Florida
Post Office Box 113150
Gainesville, Florida 32611

Dear President Fuchs:

The 2021 Florida Legislature passed House Bill 233 to promote Intellectual Freedom and Viewpoint Diversity within the State University System of Florida and the Florida College System. The Florida Board of Governors (FLBOG) was asked to create “an objective, nonpartisan, and statistically valid survey to be used by each institution which considers the extent to which competing ideas and perspectives are presented and members of the college community, including students, faculty, and staff, feel free to express their beliefs and viewpoints on campus and in the classroom.”

A survey instrument has been created for use by the State University System and the Florida College System. The anonymous survey is intended to obtain opinions on intellectual freedom and viewpoint diversity at the public postsecondary institutions. To that end, the Board of Governors requests your assistance in administering the survey to your student and employee population according to an established timeline and procedures that are provided in the attached documents.

The Board of Governors will aggregate the university responses and only grouped responses will be reported. Any data or results that might compromise a respondent’s identity will not be published. The Board will then produce a summary report for the State University System to be submitted to the Legislature by September 1, 2022.

Your responsiveness and support of this important project will be appreciated.

Sincerely,

Marshall M. Criser III
Chancellor

- c: Brian Lamb, Chair, Board of Governors
- Academic Vice President
- Council for Student Affairs Representative
- University Data Administrator
- University Chief Information Officer

Appendix A: Instructions**Intellectual Freedom and Viewpoint Diversity - Instructions for Survey Dissemination****Background**

House Bill (HB) 233 amended sections (ss.) 1001.03 and 1001.706, Florida Statutes (F.S.), to define the terms “intellectual freedom and viewpoint diversity” and “shield.” The bill also added a requirement for Florida College System (FCS) and State University System (SUS) institutions to conduct an annual assessment of intellectual freedom and viewpoint diversity. The annual survey is required to be objective, nonpartisan and statistically valid. The instrument assesses the extent to which students, faculty and staff feel free to express their beliefs and viewpoints on campus and that competing ideas are presented on campus.

Public postsecondary colleges and universities have as their primary aim the preparation of students to become informed citizens of a democratic society. This requires students to cultivate the skills necessary to become intellectually autonomous, critical thinkers, and empathetic and ethical actors. This survey will inform state leaders with data and information about the extent to which students, faculty, and staff feel a part of a campus and intellectual environment conducive to achieving these aims.

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Instructions**Step 1: Survey link for your university (as soon as possible)**

The survey instruments have been created for use by the State University System and the Florida College System. Each university will administer the survey to its student and employee population according to the above schedule. The Board of Governors will aggregate the university responses and produce a system-wide report for the Legislature.

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Each university will use the most appropriate student/staff notification system to disseminate the survey link. The notification system must provide a distinct count of recipients and is anticipated to reach the full population. For consistency, Institutions should select only one method of distribution per cohort type.

After distribution, the University will return to the Board office a certified count of the number of students and staff that the link was distributed to using the Board's Data Request System as outlined in step six.

Step 3: Send pre-survey notification (March 31, 2022)

On Thursday, March 31, 2022, each institution will send students and employees a pre-survey notification using the text provided. Modify [platform] to reflect the method of dissemination your institution is using for that population. **As a reminder: do not group students and employees in the same notification, as the survey URLs will be different.**

Student Notification

Dear Student:

Early next week, you will receive a communication via [platform] inviting you to fill out a survey for an important study being conducted by the Florida Board of Governors. The purpose of this survey is to assess the extent to which you feel free to express your beliefs and viewpoints on campus.

Here are a few things to keep in mind:

- Only complete the survey once. It will take approximately 5-10 minutes to complete.
- Your participation in this survey is completely voluntary. You are free to not answer any question or withdraw from the survey at any time.
- This is an anonymous survey that is being conducted by the Florida Board of Governors and Florida State College System. Responses will only be reported at the group level, not at the individual level.
- Don't share the survey with anyone else.
- Look out for a notification by the end of the day on Monday, April 4, 2022. If you miss the first notification, a reminder will be sent out prior to the survey close date of April 8, 2022.

Should you have any questions, please contact the Florida Board of Governors at SUSsurvey@flbog.edu.

Employee Notification

Dear Employee:

Early next week, you will receive a communication via [platform] inviting you to fill out a survey for an important study being conducted by the Florida Board of Governors. The purpose of this survey is to assess the extent to which you feel free to express your beliefs and viewpoints on campus.

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- Don't share the survey with anyone else.
- Look out for a notification by the end of the day on Monday, April 4, 2022. If you miss the first notification, a reminder will be sent out prior to the survey close date of April 8, 2022.

Should you have any questions, please contact the Florida Board of Governors at SUSsurvey@flbog.edu.

Step 4: Send survey invitation (April 4, 2022)

On Monday, April 4, 2022, each institution will send a survey invitation using the text provided. **As a reminder: do not group students and employees in the same notification, as the survey URLs will be different.**

Student Invitation

Dear Student:

You are invited to participate in a survey on Intellectual Freedom and Viewpoint Diversity. This survey is designed to assess the extent to which you feel free to express your beliefs and viewpoints on campus. This survey is being conducted by the Florida Board of Governors as part of implementation of House Bill 233, which passed during the 2021 legislative session.

Please follow this link (or copy and paste the link into your web browser) to complete the brief survey, which should take 5-10 minutes: <https://flbog.research.net/r/UF-Student204>

Your participation in this survey is completely voluntary. You are free to not answer any question or withdraw from the survey at any time. No personally identifiable information will be associated with your responses. This survey is anonymous, and responses will only be reported at the group level, not at the individual level.

Should you have any questions, please contact the Florida Board of Governors at SUSsurvey@flbog.edu.

Thank you for your time and consideration.

Employee Invitation

Dear Employee:

You are invited to participate in a survey on Intellectual Freedom and Viewpoint Diversity. This survey is designed to assess the extent to which you feel free to express your beliefs and viewpoints on campus. This survey is being conducted by the Florida Board of Governors as part of implementation of House Bill 233, which passed during the 2021 legislative session.

Please follow this link (or copy and paste the link into your web browser) to complete the brief survey, which should take 5-10 minutes: <https://flbog.research.net/r/UF-Staff543>

Your participation in this survey is completely voluntary. You are free to not answer any question or withdraw from the survey at any time. No personally identifiable information will be associated with your responses. This survey is anonymous, and responses will only be reported at the group level, not at the individual level.

Should you have any questions, please contact the Florida Board of Governors at SUSsurvey@flbog.edu.

Thank you for your time and consideration.

Step 5: Send survey reminder (April 7, 2022)

On Thursday, April 7, 2022, each university will send students and employees a reminder to complete the survey using the text provided. Because the survey responses are not linked to individuals, the reminder email should be disseminated to all students and employees.

Student Reminder

Dear Student:

You were recently invited to participate in a survey on Intellectual Freedom and Viewpoint Diversity, aimed at understanding the extent to which you feel free to express your beliefs and viewpoints on campus. If you have not already completed the survey, please do so before Friday, April 8, 2022, at 11:59pm Eastern Time. Access the survey at: <https://flbog.research.net/r/UF-Student204>

If you have already completed the survey, please accept our thanks.

PLEASE NOTE: Your participation in this survey is completely voluntary. You are free to not answer any question or withdraw from the survey at any time. All responses are anonymous. Surveys will close on April 8, 2022, at 11:59 p.m. ET.

Should you have any questions, please contact the Florida Board of Governors at SUSsurvey@flbog.edu.

Thank you for your participation.

Employee Reminder

Dear Employee:

You were recently invited to participate in a survey on Intellectual Freedom and Viewpoint Diversity, aimed at understanding the extent to which you feel free to express your beliefs and viewpoints on campus. If you have not already completed the survey, please do so before Friday, April 8, 2022, at 11:59pm Eastern Time. Access the survey at: <https://flbog.research.net/r/UF-Staff543>

If you have already completed the survey, please accept our thanks.

PLEASE NOTE: Your participation in this survey is completely voluntary. You are free to not answer any question or withdraw from the survey at any time. All responses are anonymous. Surveys will close on April 8, 2022, at 11:59 p.m. ET.

Should you have any questions, please contact the Florida Board of Governors at SUSsurvey@flbog.edu.

Thank you for your participation.

Step 6: Notify the Board office of dissemination method and population size (By April 15, 2022)

Each university will submit a completed template, exhibit A below, via the Data Request System <https://prod.flbog.net:4445/pls/apex/f?p=760> no later than April 15, 2022.

Should you have any questions regarding this information, please contact SUSsurvey@flbog.edu.

Exhibit A

2022 Intellectual Freedom and Viewpoint Diversity Survey

Survey Type	Distribution Method	Count
Student		
Staff		

Once steps 1-6 are complete, no further action is required of any institution. The Board office will compile and the Board of Governors will report the results annually, with the first report of the survey results published by September 1, 2022.

Contact

Should you have any questions, please contact the Florida Board of Governors at SUSsurvey@flbog.edu

RETRIEVED FROM DEMOCRACYDOCKET.COM

RETRIEVED FROM DEMOCRACYDOCKET.COM

EXHIBIT J

RETRIEVED FROM DEMOCRACYDOCKET.COM

From: Chancellor, Board of Governors

Sent: Wednesday, March 23, 2022 6:31 PM

To: Chally, Pam <pchally@unf.edu>

Cc: Patterson, Karen <Karen.patterson@unf.edu>; Lopez, Ruth <rlopez@unf.edu>; Data Admin, UNF <sus-dataadmin@unf.edu>; Verkamp, Brian <brian.verkamp@unf.edu>; 'bdlamb76@hotmail.com' <bdlamb76@hotmail.com>

Subject: Intellectual Freedom and Viewpoint Diversity Survey

Good afternoon Interim President Chally,

Attached is a letter, which includes attachments, from me regarding the Intellectual Freedom and Viewpoint Diversity Survey.

Let me know if you have any questions.

Marshall

Marshall M. Criser III
Chancellor

Board of Governors
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Fax: 850.245.9685
www.flbog.edu

March 23, 2022

Dr. Pamela Chally
Interim President
University of North Florida
1 UNF Drive
Jacksonville, Florida 32224

Dear Interim President Chally:

The 2021 Florida Legislature passed House Bill 233 to promote Intellectual Freedom and Viewpoint Diversity within the State University System of Florida and the Florida College System. The Florida Board of Governors (FLBOG) was asked to create “an objective, nonpartisan, and statistically valid survey to be used by each institution which considers the extent to which competing ideas and perspectives are presented and members of the college community, including students, faculty, and staff, feel free to express their beliefs and viewpoints on campus and in the classroom.”

A survey instrument has been created for use by the State University System and the Florida College System. The anonymous survey is intended to obtain opinions on intellectual freedom and viewpoint diversity at the public postsecondary institutions. To that end, the Board of Governors requests your assistance in administering the survey to your student and employee population according to an established timeline and procedures that are provided in the attached documents.

The Board of Governors will aggregate the university responses and only grouped responses will be reported. Any data or results that might compromise a respondent’s identity will not be published. The Board will then produce a summary report for the State University System to be submitted to the Legislature by September 1, 2022.

Your responsiveness and support of this important project will be appreciated.

Sincerely,

Marshall M. Criser III
Chancellor

- c: Brian Lamb, Chair, Board of Governors
- Academic Vice President
- Council for Student Affairs Representative
- University Data Administrator
- University Chief Information Officer

Appendix A: Instructions**Intellectual Freedom and Viewpoint Diversity - Instructions for Survey Dissemination****Background**

House Bill (HB) 233 amended sections (ss.) 1001.03 and 1001.706, Florida Statutes (F.S.), to define the terms “intellectual freedom and viewpoint diversity” and “shield.” The bill also added a requirement for Florida College System (FCS) and State University System (SUS) institutions to conduct an annual assessment of intellectual freedom and viewpoint diversity. The annual survey is required to be objective, nonpartisan and statistically valid. The instrument assesses the extent to which students, faculty and staff feel free to express their beliefs and viewpoints on campus and that competing ideas are presented on campus.

Public postsecondary colleges and universities have as their primary aim the preparation of students to become informed citizens of a democratic society. This requires students to cultivate the skills necessary to become intellectually autonomous, critical thinkers, and empathetic and ethical actors. This survey will inform state leaders with data and information about the extent to which students, faculty, and staff feel a part of a campus and intellectual environment conducive to achieving these aims.

Key Dates

Each university is responsible for assisting the Board of Governors in disseminating the survey to its students and employees in accordance with the following deadlines.

- Pre-notification March 31, 2022 – Each university sends pre-survey notifications to students and employees, respectively.
- Survey April 4, 2022, – each University sends survey invitations to students and employees, respectively.
- Reminders April 7, 2022 – each University sends survey reminders to students and employees, respectively.
- Closing April 8, 2022 – Survey collectors close at 11:59 p.m. ET.
- Certification No later than Friday, April 15, 2022
- Results By September 1, 2022 – The Board of Governors publishes the results annually, with the first report of the survey results submitted to the Legislature by September 1, 2022.

Instructions**Step 1: Survey link for your university (as soon as possible)**

The survey instruments have been created for use by the State University System and the Florida College System. Each university will administer the survey to its student and employee population according to the above schedule. The Board of Governors will aggregate the university responses and produce a system-wide report for the Legislature.

Institutions are requested to share the web-based collector link with their student and employee populations, respectively. **These should be separate notifications—one notification to all students with the student URL and one notification to all employees with the staff URL. Do not group students and employees in the same notification, as the survey URLs will be different.**

The Board office will aggregate the responses and produce a system-wide report for the Board of Governors.

Step 2: Determine method of dissemination (as soon as possible)

Each university will use the most appropriate student/staff notification system to disseminate the survey link. The notification system must provide a distinct count of recipients and is anticipated to reach the full population. For consistency, Institutions should select only one method of distribution per cohort type.

After distribution, the University will return to the Board office a certified count of the number of students and staff that the link was distributed to using the Board's Data Request System as outlined in step six.

Step 3: Send pre-survey notification (March 31, 2022)

On Thursday, March 31, 2022, each institution will send students and employees a pre-survey notification using the text provided. Modify [platform] to reflect the method of dissemination your institution is using for that population. **As a reminder: do not group students and employees in the same notification, as the survey URLs will be different.**

Student Notification

Dear Student:

Early next week, you will receive a communication via [platform] inviting you to fill out a survey for an important study being conducted by the Florida Board of Governors. The purpose of this survey is to assess the extent to which you feel free to express your beliefs and viewpoints on campus.

Here are a few things to keep in mind:

- Only complete the survey once. It will take approximately 5-10 minutes to complete.
- Your participation in this survey is completely voluntary. You are free to not answer any question or withdraw from the survey at any time.
- This is an anonymous survey that is being conducted by the Florida Board of Governors and Florida State College System. Responses will only be reported at the group level, not at the individual level.
- Don't share the survey with anyone else.
- Look out for a notification by the end of the day on Monday, April 4, 2022. If you miss the first notification, a reminder will be sent out prior to the survey close date of April 8, 2022.

Should you have any questions, please contact the Florida Board of Governors at SUSsurvey@flbog.edu.

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Student Invitation

Dear Student:

You are invited to participate in a survey on Intellectual Freedom and Viewpoint Diversity. This survey is designed to assess the extent to which you feel free to express your beliefs and viewpoints on campus. This survey is being conducted by the Florida Board of Governors as part of implementation of House Bill 233, which passed during the 2021 legislative session.

Please follow this link (or copy and paste the link into your web browser) to complete the brief survey, which should take 5-10 minutes: <https://flbog.research.net/r/UNF-Student108>

Your participation in this survey is completely voluntary. You are free to not answer any question or withdraw from the survey at any time. No personally identifiable information will be associated with your responses. This survey is anonymous, and responses will only be reported at the group level, not at the individual level.

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Thank you for your time and consideration.

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Please follow this link (or copy and paste the link into your web browser) to complete the brief survey, which should take 5-10 minutes: <https://flbog.research.net/r/UNF-Staff571>

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Should you have any questions, please contact the Florida Board of Governors at SUSsurvey@flbog.edu.

Thank you for your time and consideration.

Step 5: Send survey reminder (April 7, 2022)

On Thursday, April 7, 2022, each university will send students and employees a reminder to complete the survey using the text provided. Because the survey responses are not linked to individuals, the reminder email should be disseminated to all students and employees.

Student Reminder

Dear Student:

You were recently invited to participate in a survey on Intellectual Freedom and Viewpoint Diversity, aimed at understanding the extent to which you feel free to express your beliefs and viewpoints on campus. If you have not already completed the survey, please do so before Friday, April 8, 2022, at 11:59pm Eastern Time. Access the survey at: <https://flbog.research.net/r/UNF-Student108>

If you have already completed the survey, please accept our thanks.

PLEASE NOTE: Your participation in this survey is completely voluntary. You are free to not answer any question or withdraw from the survey at any time. All responses are anonymous. Surveys will close on April 8, 2022, at 11:59 p.m. ET.

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Thank you for your participation.

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Should you have any questions, please contact the Florida Board of Governors at SUSsurvey@flbog.edu.

Thank you for your participation.

Step 6: Notify the Board office of dissemination method and population size (By April 15, 2022)

Each university will submit a completed template, exhibit A below, via the Data Request System <https://prod.flbog.net:4445/pls/apex/f?p=760> no later than April 15, 2022.

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Exhibit A

2022 Intellectual Freedom and Viewpoint Diversity Survey

Survey Type	Distribution Method	Count
Student		
Staff		

Once steps 1-6 are complete, no further action is required of any institution. The Board office will compile and the Board of Governors will report the results annually, with the first report of the survey results published by September 1, 2022.

Contact

Should you have any questions, please contact the Florida Board of Governors at SUSsurvey@fbog.edu

RETRIEVED FROM DEMOCRACYDOCKET.COM

EXHIBIT K

RETRIEVED FROM DEMOCRACYDOCKET.COM

From: Chancellor, Board of Governors

Sent: Wednesday, March 23, 2022 6:34 PM

To: Law, Rhea <rhealaw@usf.edu>

Cc: bdlamb76@hotmail.com; rcwilcox@usf.edu; Dosal, Paul <pdosal@usf.edu>; Data Admin, USF <sus-dataadmin@usf.edu>;
Fernandes, Sidney <sfernand@health.usf.edu>

Subject: Intellectual Freedom and Viewpoint Diversity Survey

Good afternoon Interim President Law,

Attached is a letter, which includes attachments, from me regarding the Intellectual Freedom and Viewpoint Diversity Survey.

Let me know if you have any questions.

Marshall

Marshall M. Criser III
Chancellor

Board of Governors
State University System of Florida
325 West Gaines Street, Suite 1614
Tallahassee, Florida 32399
(850) 245-9687 | Fax (850) 245-9685
www.flbog.edu





Florida Board of Governors
State University System of Florida
325 West Gaines Street, Suite 1614
Tallahassee, FL 32399
Phone 850.245.0466
Fax: 850.245.9685
www.flbog.edu

March 23, 2022

Ms. Rhea Law
Interim President
University of South Florida
ADM 241
4202 East Fowler Avenue
Tampa, Florida 33620-6250

Dear Interim President Law:

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Sincerely,

Marshall M. Criser III
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- c: Brian Lamb, Chair, Board of Governors
- Academic Vice President
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House Bill (HB) 233 amended sections (ss.) 1001.03 and 1001.706, Florida Statutes (F.S.), to define the terms “intellectual freedom and viewpoint diversity” and “shield.” The bill also added a requirement for Florida College System (FCS) and State University System (SUS) institutions to conduct an annual assessment of intellectual freedom and viewpoint diversity. The annual survey is required to be objective, nonpartisan and statistically valid. The instrument assesses the extent to which students, faculty and staff feel free to express their beliefs and viewpoints on campus and that competing ideas are presented on campus.

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Step 4: Send survey invitation (April 4, 2022)

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Please follow this link (or copy and paste the link into your web browser) to complete the brief survey, which should take 5-10 minutes: <https://flbog.research.net/r/USF-Student851>

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Thank you for your time and consideration.

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Please follow this link (or copy and paste the link into your web browser) to complete the brief survey, which should take 5-10 minutes: <https://flbog.research.net/r/USF-Staff367>

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Step 5: Send survey reminder (April 7, 2022)

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If you have already completed the survey, please accept our thanks.

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Exhibit A

2022 Intellectual Freedom and Viewpoint Diversity Survey

Survey Type	Distribution Method	Count
Student		
Staff		

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Contact

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RETRIEVED FROM DEMOCRACYDOCKET.COM

EXHIBIT L

RETRIEVED FROM DEMOCRACYDOCKET.COM

From: Chancellor, Board of Governors
Sent: Wednesday, March 23, 2022 6:36 PM
To: Saunders, Martha <msaunders@uwf.edu>
Cc: Ellenberg, George <GEllenberg@uwf.edu>; Tomso, Greg <gtomso@uwf.edu>; Data Admin, UWF <sus-dataadmin@uwf.edu>; Golding, Geissler <ggolding@uwf.edu>; bdlamb76@hotmail.com
Subject: Intellectual Freedom and Viewpoint Diversity Survey

Good afternoon President Saunders,

Attached is a letter, which includes attachments, from me regarding the Intellectual Freedom and Viewpoint Diversity Survey.

Let me know if you have any questions.

Marshall

Marshall M. Criser III
Chancellor

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March 23, 2022

Dr. Martha D. Saunders
President
University of West Florida
11000 University Parkway
Pensacola, Florida 32514-5750

Dear President Saunders:

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Early next week, you will receive a communication via [platform] inviting you to fill out a survey for an important study being conducted by the Florida Board of Governors. The purpose of this survey is to assess the extent to which you feel free to express your beliefs and viewpoints on campus.

Here are a few things to keep in mind:

- Only complete the survey once. It will take approximately 5-10 minutes to complete.
- Your participation in this survey is completely voluntary. You are free to not answer any question or withdraw from the survey at any time.
- This is an anonymous survey that is being conducted by the Florida Board of Governors and Florida State College System. Responses will only be reported at the group level, not at the individual level.
- Don't share the survey with anyone else.
- Look out for a notification by the end of the day on Monday, April 4, 2022. If you miss the first notification, a reminder will be sent out prior to the survey close date of April 8, 2022.

Should you have any questions, please contact the Florida Board of Governors at SUSsurvey@flbog.edu.

Step 4: Send survey invitation (April 4, 2022)

On Monday, April 4, 2022, each institution will send a survey invitation using the text provided. **As a reminder: do not group students and employees in the same notification, as the survey URLs will be different.**

Student Invitation

Dear Student:

You are invited to participate in a survey on Intellectual Freedom and Viewpoint Diversity. This survey is designed to assess the extent to which you feel free to express your beliefs and viewpoints on campus. This survey is being conducted by the Florida Board of Governors as part of implementation of House Bill 233, which passed during the 2021 legislative session.

Please follow this link (or copy and paste the link into your web browser) to complete the brief survey, which should take 5-10 minutes: <https://flbog.research.net/r/UWF-Student976>

Your participation in this survey is completely voluntary. You are free to not answer any question or withdraw from the survey at any time. No personally identifiable information will be associated with your responses. This survey is anonymous, and responses will only be reported at the group level, not at the individual level.

Should you have any questions, please contact the Florida Board of Governors at SUSsurvey@flbog.edu.

Thank you for your time and consideration.

Employee Invitation

Dear Employee:

You are invited to participate in a survey on Intellectual Freedom and Viewpoint Diversity. This survey is designed to assess the extent to which you feel free to express your beliefs and viewpoints on campus. This survey is being conducted by the Florida Board of Governors as part of implementation of House Bill 233, which passed during the 2021 legislative session.

Please follow this link (or copy and paste the link into your web browser) to complete the brief survey, which should take 5-10 minutes: <https://flbog.research.net/r/UWF-Staff914>

Your participation in this survey is completely voluntary. You are free to not answer any question or withdraw from the survey at any time. No personally identifiable information will be associated with your responses. This survey is anonymous, and responses will only be reported at the group level, not at the individual level.

Should you have any questions, please contact the Florida Board of Governors at SUSsurvey@flbog.edu.

Thank you for your time and consideration.

Step 5: Send survey reminder (April 7, 2022)

On Thursday, April 7, 2022, each university will send students and employees a reminder to complete the survey using the text provided. Because the survey responses are not linked to individuals, the reminder email should be disseminated to all students and employees.

Student Reminder

Dear Student:

You were recently invited to participate in a survey on Intellectual Freedom and Viewpoint Diversity, aimed at understanding the extent to which you feel free to express your beliefs and viewpoints on campus. If you have not already completed the survey, please do so before Friday, April 8, 2022, at 11:59pm Eastern Time. Access the survey at: <https://flbog.research.net/r/UWF-Student976>

If you have already completed the survey, please accept our thanks.

PLEASE NOTE: Your participation in this survey is completely voluntary. You are free to not answer any question or withdraw from the survey at any time. All responses are anonymous. Surveys will close on Friday, April 8, 2022, at 11:59 p.m. ET.

Should you have any questions, please contact the Florida Board of Governors at SUSsurvey@flbog.edu.

Thank you for your participation.

Employee Reminder

Dear Employee:

You were recently invited to participate in a survey on Intellectual Freedom and Viewpoint Diversity, aimed at understanding the extent to which you feel free to express your beliefs and viewpoints on campus. If you have not already completed the survey, please do so before Friday, April 8, 2022, at 11:59pm Eastern Time. Access the survey at: <https://flbog.research.net/r/UWF-Staff914>

If you have already completed the survey, please accept our thanks.

PLEASE NOTE: Your participation in this survey is completely voluntary. You are free to not answer any question or withdraw from the survey at any time. All responses are anonymous. Surveys will close on Friday, April 8, 2022, at 11:59 p.m. ET.

Should you have any questions, please contact the Florida Board of Governors at SUSsurvey@flbog.edu.

Thank you for your participation.

Step 6: Notify the Board office of dissemination method and population size (By April 15, 2022)

Each university will submit a completed template, exhibit A below, via the Data Request System <https://prod.flbog.net:4445/pls/apex/f?p=760> no later than April 15, 2022.

Should you have any questions regarding this information, please contact SUSsurvey@fbog.edu.

Exhibit A

2022 Intellectual Freedom and Viewpoint Diversity Survey

Survey Type	Distribution Method	Count
Student		
Staff		

Once steps 1-6 are complete, no further action is required of any institution. The Board office will compile and the Board of Governors will report the results annually, with the first report of the survey results published by September 1, 2022.

Contact

Should you have any questions, please contact the Florida Board of Governors at SUSsurvey@fbog.edu

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EXHIBIT M

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Intellectual Freedom and Viewpoint Diversity: Employee Survey

In spring 2021, the Florida Legislature passed House Bill 233 to promote intellectual freedom and viewpoint diversity within the State of Florida's State University System and Florida College System. This survey attempts to discover the extent to which all viewpoints, conservative, liberal, and otherwise, are welcomed and provided appropriate attention on your campus and in the classroom.

This survey is anonymous. You are free to not answer any question or withdraw from the survey at any time. Responses will only be reported at the group level, not at the individual level. Respondents' identities will never be published or compromised in any way.

For the following survey items, please select the extent to which you agree or disagree with the given statements.

1. My institution provides an environment for free expression of ideas, opinions, and beliefs.

- | | |
|--|---|
| <input type="radio"/> Strongly agree | <input type="radio"/> Disagree |
| <input type="radio"/> Agree | <input type="radio"/> Strongly disagree |
| <input type="radio"/> Neither agree nor disagree | |

2. I see examples of free and welcomed expression (such as speeches, debates with other students or instructors, class assignments, etc.) on my campus regularly.

- | | |
|--|---|
| <input type="radio"/> Strongly agree | <input type="radio"/> Disagree |
| <input type="radio"/> Agree | <input type="radio"/> Strongly disagree |
| <input type="radio"/> Neither agree nor disagree | |

3. Students at my institution are encouraged to consider a wide variety of viewpoints and perspectives.

- | | |
|--|---|
| <input type="radio"/> Strongly agree | <input type="radio"/> Disagree |
| <input type="radio"/> Agree | <input type="radio"/> Strongly disagree |
| <input type="radio"/> Neither agree nor disagree | |

4. Students at my institution are not shielded from ideas and opinions they find unwelcome, disagreeable or even deeply offensive.

- | | |
|--|---|
| <input type="radio"/> Strongly agree | <input type="radio"/> Disagree |
| <input type="radio"/> Agree | <input type="radio"/> Strongly disagree |
| <input type="radio"/> Neither agree nor disagree | |

5. Employees at my institution are encouraged to consider a wide variety of viewpoints and perspectives.

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

6. Employees at my institution are not shielded from ideas and opinions they find unwelcome, disagreeable, or even deeply offensive.

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

7. I have felt intimidated to share my ideas or political opinions because they were different from those of my colleagues.

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

8. My institution is equally tolerant and welcoming of both liberal and conservative ideas and beliefs.

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

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Intellectual Freedom and Viewpoint Diversity: Employee Survey

9. If you “disagree” or “strongly disagree” that your institution is equally tolerant and welcoming of both liberal and conservative ideas and beliefs, indicate the ideas and beliefs that are more prevalent.

- Liberal
- Conservative
- Other

Intellectual Freedom and Viewpoint Diversity: Employee Survey

10. What category describes your primary employment with your institution?

- Faculty with continuing contract/tenure
- Faculty/instructor without continuing contract/tenure
- Administrator
- Staff
- Other

Intellectual Freedom and Viewpoint Diversity: Employee Survey

For faculty or instructional personnel only. For the following survey items, please select the extent to which you agree or disagree with the given statements.

11. Students in my classes are exposed to competing arguments and multiple perspectives on a topic.

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

12. I rarely inject my own political ideas and beliefs into my classes.

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

13. An expectation of receiving continuing contract/tenure is that faculty ascribe to a particular political viewpoint.

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

Intellectual Freedom and Viewpoint Diversity: Employee Survey

14. If you "agree" or "strongly agree" that an expectation of receiving continuing contract/tenure is that faculty ascribe to a particular political viewpoint, indicate which political viewpoint is the expectation:

- Liberal
- Conservative
- Other

Intellectual Freedom and Viewpoint Diversity: Employee Survey

For the following survey item, please select the extent to which you agree or disagree with the given statement.

15. My institution encourages research, publications, dissertations, etc. on topics that span both liberal and conservative viewpoints.

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

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Intellectual Freedom and Viewpoint Diversity: Employee Survey

16. If you "disagree" or "strongly disagree" that your institution encourages research, publications, dissertations, etc. on topics that span both liberal and conservative viewpoints, indicate the ideas and beliefs that are more prevalent or encouraged.

- Liberal
- Conservative
- Other

Intellectual Freedom and Viewpoint Diversity: Employee Survey

17. In what subject area do you teach?

- Liberal Arts and Humanities
- Communication and Design
- Business
- Education
- Health Sciences
- Industry/Manufacturing and Construction
- Public Safety
- Science, Technology, Engineering, and Mathematics
- Social and Behavioral Sciences and Human Services

Intellectual Freedom and Viewpoint Diversity: Employee Survey

For the following survey items, please select the extent to which you agree or disagree with the given statements.

18. Students are afforded the opportunity to pursue projects, dissertations, theses, or research regardless of whether the topics defend conservative or liberal viewpoints/theoretical frameworks.

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

Intellectual Freedom and Viewpoint Diversity: Employee Survey

19. If you "disagree" or "strongly disagree" that students are afforded the opportunity to pursue projects, dissertations, theses, or research regardless of whether the topics defend conservative or liberal viewpoints/theoretical frameworks, indicate the ideas and beliefs that are more prevalent or encouraged.

- Liberal
- Conservative
- Other

Intellectual Freedom and Viewpoint Diversity: Employee Survey

The following questions are intended to collect information about survey respondents' backgrounds as a whole. As a reminder, no responses will be attributed to any single individual.

20. Please identify if you are employed by:

- A state or community college (two year or four year)
- A state university (four year and above)

21. Please identify your race:

- American Indian or Alaskan Native
- Asian or Asian American
- Black or African American
- Caucasian or White
- Other
- Prefer not to respond

22. Are you of Hispanic, Latin or Spanish Origin?

- Yes
- No

23. Gender:

- Female
- Male
- Prefer not to respond

24. Where would you place yourself on the following scale?

- Conservative
- Liberal
- Moderate
- None of the Above

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EXHIBIT N

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Intellectual Freedom and Viewpoint Diversity: Student Survey

In spring 2021, the Florida Legislature passed House Bill 233 to promote intellectual freedom and viewpoint diversity within the State of Florida's State University System and Florida College System. This survey attempts to discover the extent to which all viewpoints, conservative, liberal, and otherwise, are welcomed and provided appropriate attention on your campus and in the classroom.

This survey is anonymous. You are free to not answer any question or withdraw from the survey at any time. Responses will only be reported at the group level, not at the individual level. Respondents' identities will never be published or compromised in any way.

For the following survey items, please select the extent to which you agree or disagree with the given statements.

1. I feel that it is important to be able to express my political viewpoints without fear of negative consequences.

- Strongly agree Disagree
 Agree Strongly disagree
 Neither agree nor disagree

2. My college or university campus provides an environment for free expression of ideas, opinions, and beliefs.

- Strongly agree Disagree
 Agree Strongly disagree
 Neither agree nor disagree

3. My college or university classes provide an environment for free expression of ideas, opinions, and beliefs.

- Strongly agree Disagree
 Agree Strongly disagree
 Neither agree nor disagree

4. I see examples of free and welcomed expression (such as speeches, debates with other students or instructors, class assignments, etc.) in my classes regularly.

- Strongly agree Disagree
 Agree Strongly disagree
 Neither agree nor disagree

5. My professors or course instructors use class time to express their own social or political beliefs without objectively discussing opposing social or political beliefs.

- Strongly agree Disagree
- Agree Strongly disagree
- Neither agree nor disagree

Intellectual Freedom and Viewpoint Diversity: Student Survey

6. If you “agree” or “strongly agree” that your instructors use class time to express their own beliefs, indicate the ideas and beliefs that are more prevalent.

- Liberal
- Conservative
- Other

Intellectual Freedom and Viewpoint Diversity: Student Survey

For the following survey items, please select the extent to which you agree or disagree with the given statements.

7. Students at my college or university are encouraged to consider a wide variety of viewpoints and perspectives.

- Strongly agree Disagree
- Agree Strongly disagree
- Neither agree nor disagree

8. I feel comfortable speaking up and giving my views on noncontroversial topics.

- Strongly agree Disagree
- Agree Strongly disagree
- Neither agree nor disagree

9. I feel comfortable speaking up and giving my views on controversial topics.

- Strongly agree Disagree
- Agree Strongly disagree
- Neither agree nor disagree

10. My college or university is doing a good job when it comes to promoting or encouraging diverse political viewpoints.

- Strongly agree Disagree
 Agree Strongly disagree
 Neither agree nor disagree

11. I would be concerned if most of my professors or course instructors held the same political beliefs.

- Strongly agree Disagree
 Agree Strongly disagree
 Neither agree nor disagree

12. I have felt intimidated to share my ideas or political opinions because they were different from those of my professors.

- Strongly agree Disagree
 Agree Strongly disagree
 Neither agree nor disagree

Intellectual Freedom and Viewpoint Diversity: Student Survey

For the following survey items, select the option that best describes your perception of your professors, course instructors, college, or university with respect to political beliefs.

13. My professors or course instructors are generally more:

- Conservative
 Liberal
 Other
 Don't know

14. My college or university is generally:

- More tolerant of liberal ideas and beliefs
 More tolerant of conservative ideas and beliefs
 Equally tolerant of both liberal and conservative ideas and beliefs

Intellectual Freedom and Viewpoint Diversity: Student Survey

The following questions are intended to collect information about survey respondents' backgrounds as a whole. As a reminder, no responses will be attributed to any single individual.

15. Please identify your enrollment status:

- Full time
- Part time

16. Which of the following best describes your coursework:

- Entirely online
- Mostly online
- Mostly face to face
- Entirely face to face

17. Please identify your race:

- American Indian or Alaskan Native
- Asian or Asian American
- Black or African American
- Caucasian or White
- Other
- Prefer not to respond

18. Are you of Hispanic, Latin or Spanish Origin?

- Yes
- No

19. Gender:

- Female
- Male
- Prefer not to respond

20. Please identify if you attend:

- A state or community college (two year or four year)
- A state university (four year and above)

21. What is your current level of study?

- Certificate
- Associate in Arts
- Associate in Science
- Baccalaureate
- Graduate
- Other

EXHIBIT 2

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION

WILLIAM A. LINK, *et al.*,

Plaintiffs,

v.

RICHARD CORCORAN, *et al.*,

Defendants.

Case No. 4:21-cv-00271-MW-MAF

**AMENDED DECLARATION OF DR. SYLVIA HURTADO IN SUPPORT
OF PLAINTIFFS' EMERGENCY MOTION FOR TEMPORARY
RESTRAINING ORDER OR IN THE ALTERNATIVE FOR
PRELIMINARY INJUNCTION**

I, Sylvia Hurtado, hereby declare as follows:

1. I am a Professor of Education in the School of Education and Information Studies at the University of California, Los Angeles (UCLA), and I was director of UCLA's Higher Education Research Institute (HERI) for over a decade (2004-2015). HERI is the home of the longest running survey of college students and faculty, with over 50 years of data collection in higher education. This work involved survey administration and longitudinal research to assist campuses in evaluating their students' outcomes, faculty work, and campus programs.

2. In my scholarship, I have written on diverse students' college experiences, improving STEM pathways for underrepresented groups, and equity

and inclusion in higher education. During the course of my career, I have developed 12 new surveys of higher education and, as director of HERI, was responsible for overseeing the administration, revision, and research emerging from three annual student surveys and a triennial faculty survey administered to institutions across the country. My areas of teaching include courses on the Foundations of U.S. Higher Education, Intergroup Dialogue: Building Facilitation Skills, and Research Design. I also study STEM undergraduate education, using survey data, case studies, and mixed quantitative and qualitative methods.

3. In recognition of my research, I was elected to the National Academy of Education in 2019, and I will receive the 2022 Association for Institutional Research Sidney Suslow Award, which is a career award for advancing institutional research in higher education. In 2015, I received the Exemplary Research Achievement award from the American Educational Research Association (AERA), Division J Postsecondary Education, and I was elected to be an AERA Fellow in 2011. I also served on the Executive Board and Council of AERA from 2019-2022. Additionally, I have received several multi-million dollar awards from the National Institutes of Health (R01-funded projects) to study the long term effects of undergraduate STEM education and diversification of the scientific training workforce.

4. I have been retained by Plaintiffs in this litigation as an expert in survey design, drafting, and administration, including as it specifically relates to the use of surveys in the higher education context. I am being compensated at a rate of \$400 per hour. My compensation is in no way connected with my opinions or the resolution of this matter.

5. In connection with the preparation of this declaration, I examined the final versions of the surveys as well as multiple drafts of the surveys that the survey drafters had prepared for possible use by the Florida Board of Governors to, in compliance with its obligations under § 1001.706(13)(b), Fla. Stat. (2021), cause to be administered to faculty and students at post-secondary institutions in Florida's University System. Those draft surveys are attached as exhibits A-II to my declaration dated March 26, 2022, ECF No. 75-4, and ECF Nos. 79-1 (employee survey) and 79-2 (student survey) are the final versions of the surveys referenced herein.

6. What follows is my expert opinion on the quality of the surveys' purposes, design, and administration, as well as the potential utility of the results should they become available. My opinions as set forth in this declaration are based on my extensive experience in survey design, drafting, and implementation, including specifically as it relates to the survey of students and faculty in higher education.

7. Foremost among my concerns is that the surveys lack a clear educational purpose or connection to learning outcomes. Normal safeguards and research ethics for studies that require the participation of human subjects include that participants be honestly informed of (a) a survey's purpose, and (b) how its results will be used so that participants can weigh the relative harms and benefits of participation. If the purpose or use of the information will be withheld from participants, the institutional review board requires the researcher to provide a statement at the time of consent about information that is being withheld and that subjects will receive additional information, or debriefing at the end of their participation. *See* ECF No. 75-1, Ex. R to Velez Decl. at FSU001975. Because the educational purpose of these surveys, and thus the potential benefit of participation, remains unarticulated, subjects will have no clear benefit to weigh against the potential harms that could result from revealing their viewpoints. This is likely to result in the surveys' responses comprising a sample that will lack representativeness as a basis for projections regarding the total population. This issue is likely to worsen in subsequent years that the surveys are administered as the novelty of the surveys and the accompanying boost to participation lessens with time, with respondents being mostly new entrants or employees who are unable to adequately assess the environment. The surveys fail to inquire as to how long a respondent has been at the institution in any manner—for example, the student survey does not inquire as to class

year—precluding the ability to control for exposure to the environment which informs the validity of a respondent's assessment.

8. There is limited faculty turnover and for this reason HERI offers those surveys on a triennial basis; the same respondents are unlikely to respond to the same survey every year if they feel like they have accomplished this task for the goal of the survey. Students today receive multiple surveys in the same academic year. This survey could also interfere with and affect the response rate to other student surveys or assessments central to educational goals.

9. The highly charged political context surrounding these surveys will compound this issue. Faculty and staff who believe that the surveys are a form of harassment, aimed at bringing to light viewpoints that differ from those the State government believes acceptable so that they may be punished, are likely to abstain because they view the potential harms of participation as far outweighing its benefits. Those who do choose to participate may do so because they see a benefit in influencing the data one way or the other for political reasons. This inevitable self-selection will further ensure that the responses are not representative of views found in the total population. The few who do participate may skew the aggregated data, undermining the integrity of the survey results.

10. Further, the lack of nationally comparative information suggests that interpretations of the survey results may lead to erroneous conclusions. Florida

institutions may actually reflect national norms, and participation in several national surveys would be a better approach to put Florida's own higher education institutions in context. These national instruments have been in use for several years and also offer greater assurances of institutional use for educational improvement. *See infra*,

¶ 21. For example, the Higher Education Data Sharing Consortium ("HEDS") survey captures a variety of diverse viewpoints, including political, but also captures experiences with faculty, staff and peers. It has a clear focus on multiple forms of diversity for the improvement of institutional policies and practices. Well-established and nationally recognized and accepted surveys like HEDS also provide safeguards for participants that HB 233, by definition, cannot. For example, as participants are advised when they receive a HEDS survey, the data that a survey participant provides to HEDS goes to the survey entity and is subject to strong protections, including but not limited to strict protocols that information that could potentially personally identify a survey recipient (e.g., email, name, IP address) is kept entirely secure and out of the hands of the institution or any other entity with whom the data are shared to guarantee that the results remain truly anonymous and guard against misuse of the data. The survey required by HB 233 in contrast is an instrument of the state itself, and the data that it collects, by definition, goes back to the state in addition to the lead researcher charged with analysis. It may even be subject to public records requests. I see nothing in the materials provided by the

Defendants that would come anywhere near the safeguards that are considered sacrosanct by survey scientists when inquiring into sensitive topics, and I see a lot of things that cause great concern.

11. These are just some of the fundamental flaws in the HB 233 surveys that ensure that, regardless of the form and methodology involved, the data that results from these surveys will not be useful for any meaningful purpose.

12. Some of these concerns reflect basic violations of best practices of survey drafting. For example, to clarify the information that is being sought from participants and to avoid participants confusing requests for their opinion with factual questions about the state of the world, best practices for these types of surveys is that the survey stems begin with “In your opinion . . .”, or at least clarifies that opinions are sought even if they do not reflect personal experience. None of the surveys I reviewed included this clarification. Further, direct experience is asked on only a few questions and these are actually preferable to opinions.

13. While some variation across surveys is to be expected based on the different roles that participants fill, several of the questions for students assume that faculty are a source of bias based narrowly on liberal or conservative views. *See, e.g.,* ECF No. 79-2 at 2 (inquiring whether “professors or course instructors use class time to express their own social or political beliefs without objectively discussing opposing social or political beliefs”); *id.* (“If you ‘agree’ or ‘strongly agree’ that your

instructors use class time to express their own beliefs, indicate the ideas and beliefs that are more prevalent,” with potential responses of “liberal,” “conservative,” or “other”); *id.* at 3 (“I have felt intimidated to share my ideas or political opinions because they were different from those of my professors.”). This indicates that the faculty are being targeted, which would be consistent with the view that the surveys are designed to produce data to justify the state government’s belief that faculty are “indoctrinating” students and limiting intellectual freedom.

14. Another major issue is that—across the surveys—the questions are so limited in scope that they fail to rule out alternative explanations for discomfort in speaking out in the classroom or outside of the classroom. This hinders interpretation because there are multiple possible explanations for students’ discomfort or inability to speak out, and many of them do not bear on intellectual freedom or viewpoint diversity (e.g., introverted personality type, conflict avoidance, size of classroom, lack of knowledge, etc.). The notion of ruling out alternative explanations is basic to rigorous social science evidence and research. Further, most evidence-based theories indicate that learning can be an uncomfortable experience, especially when students learn to distinguish between different forms of authority and are presented with science-based evidence that counter their embedded worldviews. The surveys fail to ask any questions about how faculty create spaces where diverse viewpoints are shared, students develop a sense of their personal voice, and students learn

deliberative processes that arise out of conflict. These are part of pedagogies for engaging differences and encouraging students to test their assumptions and revise their thinking. A survey focused on actually promoting intellectual freedom would want to capture these activities if it had educational purposes as a goal.

15. The surveys' very design and implementation also seem to be based on erroneous assumptions. The lead researcher intends to associate social/demographic characteristics with viewpoints and the study is predicated on the hypothesis that certain faculty are unduly influencing students in terms of political view. The survey questions appear to be aimed at confirming this supposition, but the design will not support this conclusion and it is not reflected in the evidence on the subject. First, students have choices in terms of their instructor, major, and courses that fulfill degree requirements, as well as their out-of-classroom activities. Requirements for degrees do require students to take courses outside of their comfort zone, but again there are many choices for students to fulfill general education requirements. Students are often in environments of their own choosing, and studies show that college peers are more influential than faculty in influencing a wide range of views and outcomes, especially at large public institutions where student contact with faculty is minimal.

16. In addition, there are a variety of questions on the employee survey that are so poorly worded as to be incoherent or unanswerable. For example, Question 4

of the employee survey asks whether “[s]tudents at my institution are not shielded from ideas and opinions they find unwelcome, disagreeable or even deeply offensive.” ECF No. 79-1 at 1. But it is not clear to respondents what the survey means by “shielding.” The question also requires respondents—who are employees—to guess at what students might find “unwelcome, disagreeable, or even deeply offensive.” It is also hard to interpret what agreement or disagreement means—is not shielding students from deeply offensive ideas considered harmful to those who could be targeted or is it an important element of viewpoint diversity on a campus?

17. Question 15 of the employee survey asks whether a respondent’s “institution encourages research, publications, dissertations, etc. on topics that span both liberal and conservative viewpoints.” *Id.* at 5. Question 16 asks, “[i]f you ‘disagree’ or ‘strongly disagree’ that your institution encourages research, publications, dissertations, etc., on topics that span both liberal and conservative viewpoints, indicate the ideas and beliefs that are more prevalent or encouraged,” with potential responses of “liberal,” “conservative,” or “other.” *Id.* These questions are deeply flawed. First, it would be difficult for a respondent to provide a meaningful answer because the scope of the questions is too broad: it is not possible to be familiar with all, or even a lot, of the “research, publications, dissertations, etc.” that are produced at a given institution of higher learning. This question is also not applicable to respondents at community colleges. Second, the question

incorrectly presumes a uniform culture across a university, failing to consider that there may be substantial departmental, or other, differences within the institution. Third, reducing all “research, publications, dissertations, etc.” to whether they are “liberal” or “conservative” makes no sense in most fields (e.g., science, engineering).

18. Question 18 and Question 19 are problematic for similar reasons. But they are also problematic because they require faculty to guess at what the experiences of students are like outside of the faculty respondent’s own classroom or mentorship. *Id.*

19. The student survey also has questions that are difficult to understand and thus accurately answer. For example, Question 13 asks whether the respondent’s “professors or course instructors are generally more” “conservative,” “liberal,” “other,” or “don’t know.” ECF No. 79-2 at 3. Like several of the questions on the faculty survey, this question requires students to speculate as to what their “professors or course instructors” believe.

20. Aside from the methodological shortcomings of the surveys, which will render their results questionable and useless for any academic purpose, I have grave concerns about the motivations underlying their administration. Higher education institutions in the U.S. are not and should not become instruments of the state, subject to the whims of politicians. American higher education is distinct from that

of other countries that control knowledge, student choice, and appoint new leadership of flagship institutions when political parties change in office. That is, post-secondary institutions in the U.S. not only have academic freedom (the freedom to teach and freedom to learn for individuals) but also freedom of the academy-- institutions with independence that stand apart from the state and can offer a critique of governmental authority, and also pursue areas of research that break boundaries in social and scientific areas. It is why we have the most outstanding graduate education in the world and lead in innovation. The quality of institutions is called into question when states and governing boards assert political leanings and disrupt administrative shared governance or faculty decision-making around the curriculum, instruction, and educational goals that ensure a prepared workforce and global citizens. To question our faculty is to question graduate education in the U.S., long-standing norms for shared governance supported by the American Association of University Professors, and numerous educational associations that establish quality standards for degrees.

21. For these and other reasons, my expert opinion is that these surveys should not be administered to students, faculty or staff at Florida's post-secondary institutions, and, if used, these surveys will not result in reliable, meaningful, or valid results. Finally, as any social scientist knows, even reliable data collected from a thoughtfully drafted and properly administered survey can be misused,

misconstrued, and mischaracterized to manufacture support for conclusions that are not actually scientifically supported. This is all the more true of surveys that inquire into sensitive and personal subjects, including political and ideological viewpoints. For this reason, it is critical that social scientists take extreme care in not only ensuring that the surveys they prepare, use, or interpret are drafted and administered in compliance with the utmost standards in the consideration of participants, but also that access to and use of the data is strictly limited. For surveys administered by HERI (and most research institutes offering surveys in higher education), reports and data are shared with institutional research offices that report directly to the President or Provost for use for educational purposes. No other entity receives the information without institutional approval of release, and findings are shared with campuses prior to public release. Because this survey data goes directly to a lead researcher and his students (to benefit their own research), it appears that the data and reports will bypass institutional involvement and will not be used for post-secondary improvement. In this way, too, I have grave concerns about the use of these surveys.

Pursuant to the provisions of 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 30th day of March, 2022, in Los Angeles,
California.

Sylvia Hurtado

Dr. Sylvia Hurtado

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EXHIBIT 3

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION

WILLIAM A. LINK, *et al.*,

Plaintiffs,

v.

RICHARD CORCORAN, *et al.*,

Defendants.

Case No. 4:21-cv-00271-MW-MAF

**DECLARATION OF DR. ISAAC KAMOLA IN SUPPORT OF
PLAINTIFFS' EMERGENCY MOTION FOR TEMPORARY
RESTRAINING ORDER OR IN THE ALTERNATIVE FOR
PRELIMINARY INJUNCTION**

I, Isaac Kamola, hereby declare as follows:

1. I am an Associate Professor of Political Science at Trinity College in Hartford, Connecticut. I have a doctorate in political science from the University of Minnesota, a master's degree in political science from the University of Minnesota, and a bachelor's degree in politics from Whitman College. Prior to my current position, I served as an American Council for Learned Sciences (ACLS) New Faculty Fellow, placed in the Johns Hopkins University Department of Political Science. Before that, I was the Andrew W. Mellon Postdoctoral Fellow at the Center for the Humanities at Wesleyan University.

2. For more than a decade, my research has examined the politics of higher education, in recent years focusing on the narrative of a "free speech crisis"

on college campuses. I have published several papers on this topic, including in peer-reviewed journals and top professional publications, *See, e.g.,* Samantha McCarthy & Isaac Kamola, *Sensationalized Surveillance: Campus Reform and the Targeted Harassment of Faculty*, NEW POLITICAL SCIENCE (2021) (peer-reviewed); Isaac Kamola, *Dear Administrators: To Protect Your Faculty from Right-Wing Attacks, Follow the Money*, 10 J. OF ACADEMIC FREEDOM 1 (2019) (peer-reviewed); Isaac Kamola, *Where Does the Bizarre Hysteria About ‘Critical Race Theory’ Come From? Follow the Money!*, Inside Higher Ed (Jun. 3, 2021); Isaac Kamola, *Crashing the Academic Conversation*, Chronicle of Higher Education (July 9, 2017), and Isaac Kamola et al., *Whom Does Campus Reform Target and What are the Effects*, Academe, American Association of University Professors (Spring 2021). In my recent book, co-authored with Ralph Wilson, *FREE SPEECH AND KOCH MONEY: MANUFACTURING A CAMPUS CULTURE WAR* (2021), I address the influence of right-wing political actors in manufacturing that narrative. In recent years much of my research and writing has focused specifically on the phenomenon of harassment of faculty related to the “free speech crisis” narrative.

3. My work in this area also led to the establishment of the Faculty First Responders Project, which I have run since 2020. In the course of that Project, we have compiled substantial first-hand evidence of attacks on faculty following their being written about in outlets like Campus Reform, College Fix, and others. We

also closely monitor right-wing media sources and how they represent—and often misrepresent—faculty research, teaching, and public speech.

4. I have been retained by Plaintiffs in this litigation as an expert examining the so-called “free speech crisis” on college campuses, and how it has been largely manufactured by partisan organizations. I also bring an understanding of how many of the same organizations that claim academic institutions routinely stifle conservatives also publishes materials that regularly culminate in harassment and adverse consequences for faculty being presented as “too liberal.” I am being compensated at a rate of \$250 per hour. My compensation is in no way connected with my opinions or the resolution of this matter.

5. As discussed in my published and academic work, one of the entities that is central to the manufactured speech crisis is Campus Reform. While Campus Reform claims to be a news organization, it is run by the right-wing political organization the Leadership Institute, which trains conservative activist on college campuses. Stories that Campus Reform publishes often fuel efforts to harass faculty, in the hopes that they will be discredited, disciplined, or even fired.

6. To author its “news” articles, Campus Reform recruits and pays students on American campuses to write articles asserting, or suggesting, that professors and universities express liberal bias, such as sensationalized reports of supposed incidents of progressive, liberal, or left-wing university faculty

“censoring,” “oppressing,” or “silencing” conservative students. These correspondents sign a contract with the Leadership Institute which indicates that “Campus Reform a project of LI [sic] desires to retain the Campus Correspondent for the purpose of assisting Campus Reform investigate and report on examples liberal bias [sic] and abuse occurring on U.S. college campuses.” Exhibit A, Campus Reform Campus Correspondent Agreement.

7. Many of the articles written by Campus Reform correspondents are wildly inaccurate, predicated on gross simplifications, and sometimes completely fabricated. Nevertheless, they often gain substantial traction within right-wing media outlets and can even spread to more mainstream media. These stories can have serious and extensive personal and professional consequences for the academics who are targeted. These sensationalized articles routinely gain considerable traction and result in targeted campaigns against faculty, including hate mail, online harassment, and death threats.

8. In 2020, I oversaw the creation of a database of all stories published by Campus Reform, identifying which stories named a professor they accused of engaging in liberal bias. Working with the Director of Research at the American Association of University Professors (AAUP), we fielded a survey of those faculty members. The survey concluded that of those faculty members named in a Campus Reform story: “Forty percent of respondents reported receiving threats of harm,

including physical violence or death, following Campus Reform stories about them. Of these, 89 percent reported having received threats by email; 57 percent reported having received threats through direct messages on social media; 45 percent reported having received threats by phone; 13 percent reported having received threats in other ways, including by text message; and 11 percent reported having receiving threats through letters in the mail.” Isaac Kamola et al., *Data Snapshot: Whom Does Campus Reform Target and What are the Effects*, Academe, American Association of University Professors (Spring 2021).¹ At least three faculty members reported losing their jobs as a result of the controversies that followed from being written about in Campus Reform. *Id.*

9. Campus Reform is active in Florida; it actively monitors the activities of institutions of higher learning there, including specifically those institutions to which the surveys will be distributed. Currently, the Campus Reform website lists over two dozen “Florida Campus Correspondents.” *Campus Correspondents*, Campus Reform (last accessed Mar. 30, 2022), <https://www.campusreform.org/correspondents>. These correspondents are located at: Florida Atlantic University; Florida International University; Florida State University; Gulf Coast State College; Jacksonville University; Miami Dade

¹ Available at <https://www.aaup.org/article/data-snapshot-whom-does-campus-reform-target-and-what-are-effects#.YkSgEOfMJPY>.

College; Pensacola State College; University of Central Florida; University of Florida; University of Miami; University of North Florida; and University of South Florida.

10. Campus Reform also routinely targets academics working at Florida institutions of higher learning in its “reporting.” For example, in March 2021, Campus Reform published an article with the headline “*FSU class on the ‘History of Karen’ uses KKK photo to promote class on ‘White womanhood.’*”² This article selectively cites elements of a poster advertising the course as well as the course book list and materials from the instructor’s professional biography. The Campus Reform correspondent portrayed the class—taught by a scholar of American racial and gendered violence—in ways that distorted the content of the class as well as the academic debates with which the course was intended to engage. The targeted Professor was harassed and FSU decided to cancel the class entirely. Campus Reform regularly posts reports of VICTORY! when its “reporting” results in negative professional consequences for the academics it targets. And, true to form, within weeks of posting the above article, Campus Reform claimed victory, reporting “*FSU cancels ‘History of Karen’ course after Campus Reform report.*”³

² Available at <https://www.campusreform.org/article?id=17101>.

³ Available at <https://www.campusreform.org/article?id=17184>.

11. In March 2021 Campus Reform published another article entitled “Anthropologists say this common practice in their own field is racist.” The piece criticizes research by a University of South Florida Associate Professor. Without substantively engaging debates within the discipline of Anthropology, or the argument of the article itself, the student correspondent used selective citations to belittle the professor’s argument that the discipline of forensic anthropology needs to reassess its continued usage of skull measurements.

12. And in April 2021 Campus Reform published another article with the headline “*‘Anti-racist’ prof with BLM syllabus offers ‘Diversity Bingo’ extra credit,*” publishing a class assignment designed by a University of Florida professor.⁴

13. Campus Reform also regularly publishes stories focusing on student groups, administrators, campus policies, and diversity initiatives in Florida schools, insinuating that they represent continued evidence of widespread liberal bias.

14. I have reviewed the text of House Bill 233, Chapter 2021-159, Laws of Florida (“HB 233”), and am concerned that it appears designed to fuel the false narrative of a free speech crisis on Florida campuses—and to obtain “evidence” to further this attack on higher education. In fact, it is my understanding that Campus Reform circulated a “Campus Correspondent” contract on the campus of a Florida

⁴ Available at <https://campusreform.org/article?id=17239>.

institution of higher learning shortly after the enactment of HB 233. *See* Exhibit A. Several aspects of HB 233 appear designed—and could very easily be utilized—to support exactly the type of false “reporting” that Campus Reform pays its students to engage in, specifically directing them to seek out and “report” on liberal bias. Ex. A.

15. This declaration focuses specifically on HB 233’s Survey Provisions, and specifically the “viewpoint and intellectual diversity” survey that those provisions mandate. Having now examined the surveys that the Florida Board of Governors will, in compliance with its obligations under § 1001.706(13)(b), Fla. Stat. (2021), cause to be administered to faculty and students at post-secondary institutions in Florida’s University System, those surveys further support my concerns that the Survey is motivated by this false and repeatedly disproved narrative that left-leaning professors are impeding free speech in American higher education, as well as my concerns that HB 233 is intended to—and if effectuated, will succeed in—manufacturing a false evidentiary basis to justify further attacks on academics due to disagreements with the content of their speech.

16. Based on my research and experience, I conclude that the surveys are premised upon ideological assertions of partisan right-wing actors like Campus Reform and its funders. The phrasing of the questions on the surveys reflect those ideological assumptions. For example, Question 8 of the faculty survey asks, “My

institution is equally tolerant and welcoming of both liberal and conservative ideas and beliefs.” This question assumes that ideas are either “liberal” or “conservative,” and that these two sets of ideas are pitted against each other on a battlefield of ideas. The reality is that, in virtually every academic field, the categorization of viewpoints into one or the other category is rarely so simple and, as virtually any academic with expertise in their field will tell you, scholarship and teaching focuses on understanding the nuance of ideas. But the survey presumes not only that liberal and conservative are the two—and the only two—relevant buckets, but that survey respondents will intuitively know which “ideas and beliefs” fit into which bucket.

17. Similarly, Question 15 of the faculty survey inquires as to whether the respondent’s “institution encourages research, publications, dissertations, etc. on topics that span both liberal and conservative viewpoints.” ECF 79-1 at 5. The unspoken premise of this question is that *every idea* must be either liberal or conservative. Questions with similar assumptions appear on the student survey. *E.g.*, ECF 79-2 at 2 (asking “[i]f you ‘agree’ or ‘strongly agree’ that your instructors use class time to express their own beliefs, indicate the ideas and beliefs that are more prevalent.” and providing responses of “Liberal” or “Conservative” or “Other”). But the reality of higher education is not so Manichean; all good teachers and researchers understand that moral, political, cultural, and social questions are much more complicated than a liberal/conservative binary. For example, asking

students to take a complex thinker like John Locke and reduce his work to simple “liberal vs. conservative” does a great disservice to what educators try to do in the classroom: namely, encourage students to think about complex problems in complex ways. The survey, in its language and underlying assumptions, harmfully reinforces the narrative that academic ideas can either be “liberal” or “conservative.”

18. The design of the survey, therefore, explicitly demands and will necessarily provide unnuanced data that reproduces the “us” versus “them” culture war narrative that organization like Campus Reform traffic in. Consequently, in being required to take the survey, respondents will be effectively shoring up the legitimacy of a deeply ideological and politicized vision of higher education, one currently being advanced by partisan groups like Campus Reform.

19. Particularly alarming in light of my research is that data from the surveys may be obtainable through a public record request under state law. Whatever security measures the Defendants take in storing the data, it appears that ideologically driven and well-funded right-wing organizations like Campus Reform could easily and legally obtain the data and use it for their own purposes—misrepresenting or manipulating results to suggest that particular colleges, centers, or departments are “intolerant” of conservatives or conservative ideas, or are “indoctrinating” students. As I have discussed at length in my research, Campus

Reform and similar groups publicize information of this variety with little regard for its veracity. They often take academic concepts out of context, decontextualizing them for political purpose.

20. Campus Reform also regularly publishes Campus Profiles discussing how liberal or conservative an individual university is. These assessments are made by looking at: the breakdown of liberal vs. conservative student groups, political donations made by employees by party, the Foundation for Individual Rights in Education (FIRE) free speech rating, as well as stories written by Campus Reform about that institution. One could easily imagine the survey results being similarly used to paint whole universities as too liberal—where “liberal” and “conservative” are understood in simple ideological terms. And such “ratings” could have serious consequences for the institutions themselves, as well as the faculty and students who teach and attend school there, as has been made abundantly clear by not-so-veiled threats by Florida politicians to defund institutions deemed “too liberal.”

21. In light of the above, there is considerable reason to believe that the “Intellectual Freedom and Viewpoint Diversity” surveys which Defendants intend to distribute will post considerable harm to students, faculty, and academic institutions in Florida.

Pursuant to the provisions of 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 30th day of March, 2022, in Nashville, TN.

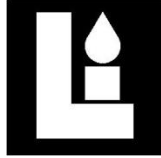


Dr. Isaac Kamola

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EXHIBIT A

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CAMPUS  **REFORM**

**Leadership Institute
Steven P.J. Wood Building
1101 North Highland Street
Arlington, VA 22201
(703) 247-2000, Fax (703) 247-2001**

CAMPUS REFORM CAMPUS CORRESPONDENT AGREEMENT

This agreement is entered into as of 1/10/17 by and between the Leadership Institute (LI), a Virginia non-profit corporation exempt from federal taxation under section 501 (c) (3) of the Internal Revenue Code, with its principal location at 1101 North Highland St., Arlington, VA 22201 and _____ (“Campus Correspondent”) (LI and Campus Correspondent, collectively, “the Parties”).

WHEREAS, the Campus Correspondent is a U.S. citizen currently enrolled in an accredited United States higher education institution, with a desire to expose and report on examples liberal bias and abuse occurring on U.S. college campuses;

WHEREAS, Campus Reform a project of LI desires to retain the Campus Correspondent for the purpose of assisting Campus Reform investigate and report on examples liberal bias and abuse occurring on U.S. college campuses;

NOW, THEREFORE, in consideration of the mutual agreements set out in this contract, and for other good and valuable consideration, receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

DEFINITIONS

The definition of each of the following words shall apply in this contract:

1. Tip/pitch: Information about a liberal bias or abuse that has been submitted to Campus Reform’s staff.
2. Site: www.CampusReform.org

3. Correspondent Training Manual: Document created by the Campus Reform staff to address stylistic and grammar preferences along with good journalistic practices.
4. Content: Article pitch, video, audio, pictures, or article.
5. Media interview: Interview conducted via TV, radio, or Facebook Live.

ARTICLE 1

DUTIES OF A CAMPUS CORRESPONDENT

1.1 Services Provided. Campus Reform Campus Correspondent agrees to help produce content for Campus Reform through exposing and reporting on incidents of liberal bias and abuse occurring on U.S. college campuses. The Campus Correspondent's work may include, but is not limited to: reporting news tips to Campus Reform, writing stories for publication on site, obtaining audio, video, and other forms of documentation for Campus Reform stories, conducting radio and television interviews on behalf of Campus Reform, recruiting new Campus Correspondents, promotion of Leadership Institute trainings, projects, and services, as follows:

- 1.1.1 Be a U.S. citizen currently enrolled in an accredited United States higher education institution.
- 1.1.2 Investigate, pitch, and report on incidents of liberal bias and abuse occurring in your own campus, within your state, and nationwide.
- 1.1.3 If a Campus Correspondent receives a request for a media interview related to any content published on site or any content created for publication on the site, the Correspondent will notify the appropriate Campus Reform staff as soon as they receive a media request. Campus Correspondents agree to allow LI to handle all media relations associated with interviews.
- 1.1.4 Campus Correspondents are expected to pitch and write all stories that address topics reported on by Campus Reform to Campus Reform staff before any other publications, and should only publish stories in other publications after receiving permission from Campus Reform staff.
- 1.1.5 If a Campus Correspondents does a media interview at the request of Campus Reform or in connection with a story published on site, they will agree to use the title "Campus Reform Campus Correspondent."
- 1.1.6 Campus Correspondents also agree to attempt to promote "the Leadership Institute's *Campus Reform*" during any and all media interviews.

1.2 Directives. The Campus Correspondent agrees that, in the performance of his/her duties under this contract, he or she shall routinely communicate with the Leadership

Institute's Campus Reform Program Coordinator or any other such employee as the Leadership Institute may designate. Any question regarding the Campus Correspondent position under this Agreement must be addressed with the Campus Reform Program Coordinator.

ARTICLE 2

DURATION, TIME OF THE ESSENCE

2.1 The Campus Correspondent agrees to provide the services set forth in this Agreement until the Campus Correspondent graduates or discontinues classes at an institute of higher education. The Correspondent may also terminate this agreement at any time under the condition that the Program Coordinator receives notice in writing.

ARTICLE 3

COMPENSATION

3.1 Compensation. For successful performance of the duties described in Article I, the Leadership Institute agrees to the following payments: The Campus Correspondent shall be paid a freelance writer compensation for all articles published on site through the following pay structure:

3.1.2 First article. The Campus Correspondent will receive \$50 freelance writer compensation after their first article is published on site.

3.1.3 Additional articles. For each additional published article, the Campus Correspondent shall receive \$100 freelance writer compensation.

3.1.4 Shared authorship. For published articles where the Campus Correspondent shares a byline or authorship with another Campus Reform Campus Correspondent or LI staff member, the freelance writer compensation will be set on a case-by-case basis at the discretion of the Editor-in-Chief of Campus Reform.

3.1.5 News Tip. When a Campus Correspondent provides Campus Reform with an exclusive news tip, which may or may not include audio, video, or other exclusive supporting documentation, and this information results in a published article on site, the Campus Correspondent will be awarded a \$50 freelance news lead bonus. An exclusive news tip is a one in which the only source of information for the article was provided by the Campus Correspondent.

3.1.6 Referral. If a Campus Correspondent refers a new, qualified student to the Campus Reform Campus Correspondent program, they will be compensated with a \$50 referral bonus after the referred Correspondent publishes their first article

on site. To receive the \$50 referral bonus, the existing Campus Correspondent must be solely responsible for the recruitment of the new Campus Correspondent.

3.1.7 Bonuses. In addition to the freelance writer compensation already described in this agreement, Campus Correspondents will be eligible for but not guaranteed possible performance bonuses. Performance bonuses will be awarded at the discretion of the Editor-in-Chief of Campus Reform.

ARTICLE 4

INDEPENDENT CONTRACTOR STATUS

4.1. The Parties agree that the Campus Correspondent shall be engaged as independent contractors of Campus Reform and the Leadership Institute. Nothing contained in this Agreement shall be construed to create the relationship of employer and employee, principal and agent, partnership or joint venture, or any other fiduciary relationship.

4.2. The Campus Correspondent may not act as agent for, or on behalf of, the Leadership Institute, or to represent LI, or to bind LI in any manner.

4.3. The Campus Correspondent shall not be entitled to worker's compensation, retirement, insurance or other benefits afforded to employees of the Leadership Institute.

4.4. This contract shall be non-exclusive. The Campus Correspondent may engage other clients, provided all services listed in Section 2 are completed.

4.5. The Campus Correspondent shall be responsible for all expenses incurred for the provision of services under this agreement. By way of example, Campus Correspondent must pay for all travel, lodging, food, and materials when covering a story for Campus Reform. The Leadership Institute shall not be obliged to reimburse expenses incurred by Campus Correspondent.

ARTICLE 5

CONFIDENTIALITY AND NON-DISCLOSURE

5.1 Confidential and Proprietary Information. All matters between the Parties, including but not limited to the provisions of this Agreement; articles published on site, videos created by a Campus Correspondent that were published on site or any other sites or social media accounts owned or operated by LI are, and shall remain the proprietary and confidential property of LI and shall not be transferred, communicated, or delivered to any third party, whether or not for compensation, without the express advance written consent of LI. These provisions are of indefinite duration and shall survive the termination of this agreement.

5.2 Non-Disclosure. The Campus Correspondent agrees not to communicate, directly or indirectly, with any members of the news media on behalf of, for, or about LI or Campus Reform, or any aspects of LI, without the express advance consent of the Editor-in-Chief of Campus Reform. These provisions shall extend for a period of three years beyond the expiration of this agreement or, if late, three years beyond the expiration of any other relationship between the Campus Correspondent and LI. The Campus Correspondent also agrees to not share the Correspondent Training Manual with anyone outside of the program.

ARTICLE 6

OWNERSHIP OF MATERIALS

6.1 LI Exclusive Ownership. Absent an explicit written understanding to the contrary which has been executed between the parties, signed by the Editor-in-Chief of Campus Reform, and appended to this Agreement, LI retains and reserves the rights of exclusive ownership and use of any document, videotape, audio recording, product, publication which is created by or for LI, or for the use of LI, including any such item that may result from the Campus Correspondent's creativity in performing this agreement. The Campus Correspondent and LI agree that the work described in Article I will be considered as "work for hire" for purposes of the U.S. Copyright law, 17 U.S.C. § 101 *et. Seq.* and that, accordingly, LI is the owner of all copyright rights in the work. The Campus Correspondent hereby assigns any and all property and exclusive ownership rights in the Campus Correspondent's work to LI.

ARTICLE 7

TERMINATION

7.1 Termination with Cause: LI may terminate this agreement at any time for any cause.

ARTICLE 8

PROHIBITED CONDUCT

8.1 LI is a non-profit, non-partisan 501(c) (3) educational foundation and public charity. LI does not endorse, support, or oppose candidates for public office or proposed legislation. LI has an open admissions policy. All programs are open to the public.

8.2 All contact between the Campus Correspondent and any person or organization shall be consistent with the LI policy summarized in Article 8.1. Any conduct or representation by the Campus Correspondent that is inconsistent with or violates the policy in Article 8.1 is expressly forbidden.

ARTICLE 9

GOVERNING LAW

9.1 The parties agree that the terms of this Agreement shall be deemed to be made under, governed by, and construed in accordance with, the laws of the Commonwealth of Virginia.

ARTICLE 10

HEADINGS

10.1 The headings in this Agreement are for the sole purpose of convenience of reference, and shall not in any way limit or affect the meaning or interpretation of any of the terms or provisions of this Agreement.

ARTICLE 11

SEVERABILITY

11.1 If any of the terms or provisions of this Agreement are held by a court of competent jurisdiction to be invalid, unenforceable, or void, the remaining terms and provisions shall continue to be in full force and effect.

IN WITNESS WHEREOF, the parties, acting individually or through their duly authorized officers or representatives, fully understand and execute this Agreement, in duplicate original, and agree to be bound by the terms and conditions herein. By signing below, the parties acknowledge they have read the contract in full and have additionally initialed each page of the contract.

Leadership Institute

X _____

Campus Correspondent

X _____

Date

X _____

Date

X _____

1/10/17 _____

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