

House Bill 154

By: Representatives Rice of the 51st, Hembree of the 67th, Mills of the 25th, Forster of the 3rd,
and Coleman of the 97th

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 2 of Article 2 of Chapter 3 of Title 20 of the Official Code of Georgia
2 Annotated, relating to the University System of Georgia, so as to enact the "Intellectual
3 Diversity in Higher Education Act"; to provide a short title; to provide legislative findings
4 and intent; to require all institutions under the control of the Board of Regents of the
5 University System of Georgia to submit annual reports to the General Assembly on their
6 efforts toward intellectual diversity; to provide for the content of such reports; to provide for
7 the posting of such reports on the institutions' website; to provide for related matters; to
8 repeal conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 style="text-align:center">**SECTION 1.**

11 This Act shall be known and may be cited as the "Intellectual Diversity in Higher Education
12 Act."

13 style="text-align:center">**SECTION 2.**

14 Part 2 of Article 2 of Chapter 3 of Title 20 of the Official Code of Georgia Annotated,
15 relating to the University System of Georgia, is amended by inserting a new Code Section
16 20-3-88 to read as follows:

17 "20-3-88.

18 (a) The General Assembly finds that:

19 (1) Intellectual diversity is the foundation of a learning environment that exposes
20 students to a variety of political, ideological, and other perspectives;

21 (2) Colleges and universities should welcome intellectual diversity and the free exchange
22 of ideas as values indispensable to a liberal education, teaching, and program
23 development;

- 1 (3) Teachers should not take unfair advantage of the immaturity of students by
 - 2 indoctrinating them with their own opinions before the students have had an opportunity
 - 3 to examine other opinions;
 - 4 (4) Academic decisions, including grades, should be based solely on considerations that
 - 5 are intellectually relevant to the subject matter under consideration;
 - 6 (5) Members of the campus community who believe that they have been treated unfairly
 - 7 on academic matters must have access to a clear institutional process by which grievances
 - 8 can be addressed;
 - 9 (6) Political and ideological bias in hiring, promotion, and tenure is unacceptable;
 - 10 (7) Intellectual diversity must be achieved in ways that protect such values as academic
 - 11 freedom, shared governance, and academic standards;
 - 12 (8) Faculty, administrators, and the board of regents should take the initiative in meeting
 - 13 the challenge of intellectual diversity;
 - 14 (9) There is a high degree of consensus on the principles set forth in 'Academic Rights
 - 15 and Responsibilities,' a statement issued by the American Council on Education on behalf
 - 16 of 30 higher education organizations;
 - 17 (10) Surveys revealing ideological imbalance in the classroom, evidence of
 - 18 politicization, and public concern over this issue continue to mount; and
 - 19 (11) It is the responsibility of governing boards to ensure that institutional policies and
 - 20 procedures promote an open atmosphere in which a range of viewpoints can be freely
 - 21 expressed for all students and faculty.
- 22 (b) As used in this Code section, the term 'intellectual diversity' means the foundation of
- 23 a learning environment that exposes students to a variety of political, ideological, and other
- 24 perspectives.
- 25 (c) Beginning in 2007, the board of regents shall require each institution under its control
- 26 to report annually to the General Assembly, detailing the steps that the institution is taking
- 27 to ensure intellectual diversity and the free exchange of ideas. Such report shall address
- 28 the specific measures taken by the institution to ensure and promote intellectual diversity
- 29 and academic freedom. The report may, but is not required to, include the steps taken by
- 30 the institution to:
- 31 (1) Conduct a study to assess the current state of intellectual diversity on its campus;
 - 32 (2) Incorporate intellectual diversity into institutional statements, grievance procedures,
 - 33 and activities on diversity;
 - 34 (3) Encourage a balanced variety of campus-wide panels and speakers and annually
 - 35 publish the names of panelists and speakers;
 - 36 (4) Establish clear campus policies that ensure that hecklers or threats of violence do not
 - 37 prevent speakers from speaking;

- 1 (5) Include intellectual diversity concerns in the institution's guidelines on teaching and
2 program development;
- 3 (6) Include intellectual diversity issues in student course evaluations;
- 4 (7) Develop hiring, tenure, and promotion policies that protect individuals against
5 political viewpoint discrimination and track any reported grievances in that regard;
- 6 (8) Establish clear campus policies to ensure freedom of the press for students and report
7 any incidents of student newspaper thefts or destruction;
- 8 (9) Establish clear campus policies to prohibit political bias in the distribution of student
9 fee funds;
- 10 (10) Eliminate any speech codes that restrict freedom of speech; and
- 11 (11) Create an institutional ombudsman on intellectual diversity.
- 12 (d) The reports shall be distributed to the members of the General Assembly no later than
13 December 31 of each year.
- 14 (e) Each reporting institution shall also post a copy of its report on its website."

15 **SECTION 2.**

16 All laws and parts of laws in conflict with this Act are repealed.