

Who Has the Final Say? Academic Freedom, Censorship, and Governance in Higher Education

Carol J. Batker and Jennifer E. Turpin

Abstract

The last three years have witnessed an assault on academic freedom at US colleges and universities. The right-wing attack on higher education is nothing less than a nationwide, multiyear campaign that aims to silence faculty by banning course content and materials, surveilling classrooms, eliminating tenure, and defunding programs. These violations of academic freedom exacerbate a shift already underway, from faculty collective authority to external governance and control. This article examines the attack on academic freedom and opportunities for resistance. We argue that protecting academic freedom requires faculty to work toward the democratization of governance in higher education and to leverage power with union, accreditation, and civil rights organizations.

Faculty are being silenced. Although book bans, contract non-renewals, administrative discipline, and lawsuits are threatening what individual faculty can say, the faculty as a whole face a larger threat. This article examines legislative and other attacks on higher education, as well as on the professional work of faculty to pursue and tell the truth. Nationwide, the rich academic landscape of the faculty—the careful disciplinary work of recovering hidden and overlooked knowledge, of adjudicating difficult and conflicting sources of information, of interpreting texts anew as additional information and approaches emerge—is being seized, censored, and replaced with what, in some contexts, could be described as state propaganda. We will examine this attack, focusing on the displacement of faculty expertise across the country. This is a call for the faculty to organize, challenging structural disadvantages that have weakened our profession and even prefigured vehicles for the current attack. Initially, we survey the legislative, board, and administrative takeover of higher education. We look at how legislative gag orders are being implemented through surveillance, dismantling tenure, and defunding programs and institutions. Next, we reach back to examine how historical precedents have weakened faculty authority. Finally, we highlight areas for structural change, seeking to position faculty with more institutional power to protect academic freedom.

The Current Attack on Higher Education: Displacing Faculty Collective Action

The assault on academic freedom began in K–12 schools, which remain the primary targets of 90 percent of censorship legislation (Young and Friedman 2022). With tenure protecting academic freedom, higher education was regarded as less vulnerable to political intrusion. Between January 2021 and March 2023, however, 101 measures targeted critical race theory in higher education across 30 states. The UCLA School of Law has tracked these measures, which include legislation, executive orders, state attorney general opinion letters, state and local school board policies, resolutions, agency guidance and law and policymaker statements (Alexander et. al. n.d.). Eight states have enacted legislation that PEN America calls “education gag orders,” targeting entire public university systems. “Gag order” legislation has been enacted in Florida, Idaho, Iowa, Mississippi, North Dakota, Oklahoma, South Carolina, and Tennessee. In addition, the *Chronicle of Higher Education* is tracking forty cases of legislation targeting diversity, equity, and inclusion (DEI) programming in twenty-two states. Some of this legislation—such as Florida S.B. 266, which passed in July 2023—extends DEI bans to general education courses (Chronicle staff 2023). What constitutes a violation of these laws is often vague and ill-defined. Yet the consequences are becoming more severe, including mandated curriculum changes, faculty terminations, lawsuits, and funding cuts for the college or university.

In September 2020, Donald Trump issued the blueprint for much of this legislation, his “Executive Order on Combating Race and Sex Stereotyping” (EO13950). Current legislation has expanded, prohibiting systemic analyses of racism and sexism, implicit bias, privilege, affirmative action, gender studies, African American or “un-American” history, and LGBTQIA+ curricula. It also aims to suppress discussions of the evidence and methods that scholars use to establish truth. Many of the laws explicitly ban theories or frameworks for analysis, like intersectionality and critical race theory. Right-wing legislators use the old canards of “reverse racism,” “threats to children,” and “indoctrination,” even as they pass surveillance measures, ban books, and criminalize a wide range of race and gender justice speech.

What gets lost in the attempt to catalog these violations of academic freedom in higher education is the shift they enact from faculty collective authority to external governance and control. It is no exaggeration to suggest that state-sponsored initiatives like Florida’s H.B. 7 “Stop W.O.K.E. Act” and S.B. 266 are designed to enact complete governmental control over what can be said in colleges and universities. Calling H.B. 7 “positively dystopian,” chief US district judge Mark Walker issued a preliminary injunction in 2022 and exposed the extremity of Florida’s legislation. He characterized the Florida Board of Governors’ position as arguing that “anything professors utter in a state university classroom during ‘in-class instruction’ is government speech, and [that] thus, the government can both determine the content of that speech and prohibit the expression of certain viewpoints” (Walker 2022, 2, 19). This claim dismisses professional “collectively established norms of relevance, coherence, and evidence” that typically govern the faculty and replaces them with the partisan goals of politicians (Cherniavsky 2021, 7). Attorney

general rulings, state executive officers, boards of governors, and university administrative actions have similarly usurped faculty authority and claimed the power to decide what can be said in higher education. State attorneys general have issued opinions claiming that antiracism and critical race theory could violate federal and state law. Former Arkansas attorney general Leslie Rutledge (2021, 1, 10) claimed that “instituting practices based on critical race theory, professed ‘antiracism,’ or associated ideas can violate Title VI, the Equal Protection Clause, and Article II of the Arkansas Constitution.” In Montana, a similar opinion became legally binding (Samuels 2021). Politicians like Florida governor Ron DeSantis have exploited the outsized power of governance boards to undermine faculty control and implement their agendas. Boards are the most powerful decision-making bodies, with fiduciary and regulatory power over colleges and universities. Most state system board members are political appointments. Increasingly partisan, the Wisconsin board had fourteen of eighteen politically appointed members in 2020, while in North Carolina this was true of all twenty-four (Ellis, Stripling, and Bauman 2020). Fourteen out of the seventeen Florida Board of Governors members are appointed by the governor, and they, in turn, appoint five of the thirteen board of trustee members for each public university (SUSF n.d.). In a notorious example of partisan control, Governor DeSantis appointed six right-wing board of trustee members at the small public New College of Florida. Then the board replaced the president with DeSantis ally Richard Corcoran (Anderson 2023).

Strategies of Control: Surveillance, Dismantling Tenure, and Defunding

Republican legislators also use higher education boards to penalize universities by banning spending on diversity, equity, and inclusion, which often includes required courses with race- and gender-justice curricula. The Florida Board of Regents collected information on DEI in “individual programs, offices, and courses, and the staffing and funding for each” (Diep and Pettit 2023). Responding to legislators, the Kansas State Board of Regents asked six universities to list any courses that included critical race theory (Hennessy 2021).

Kansas, Oklahoma, and South Carolina followed Florida’s lead, accounting for how much money was being spent on these initiatives systemwide (Berger et al. 2023). Surveillance legislation designed to censor what can be said in higher education includes the monitoring of faculty political views. Florida’s H.B. 233 “empowers the state to require faculty and students to reveal their privately held beliefs and associations” on a survey and “allows students to record classroom lectures without giving prior notice to their instructor or other students and without consent” (FEA 2021). Executive offices are also being used to surveil and penalize faculty. For example, Idaho lieutenant governor Janice McGeachin created the Task Force on Indoctrination to investigate individual professors and institutions (Corbin 2021).

Higher education boards and state executive officers are also increasingly using their power to dismantle tenure. After the Kansas Board of Regents passed a policy “suspending existing university regulations governing faculty dismissals for financial reasons,” Emporia State

University fired tenured faculty in a mass layoff (AAUP 2022b). After the passage of S.B. 7044, Florida Board of Governors regulations mandated a five-year review of tenured faculty and the ability to terminate based on student complaints, violations of gag-order legislation, or “unsatisfactory” ratings (Bauer-Wolf 2023). Last year, the AAUP (2022a) censured the Georgia System for a similar policy. This year, Texas S.B. 18, which banned tenure for new hires, passed the state Senate, but it was revised in the House and ended up including “tenure in state law,” even as it opened the door for board policies like those in Florida (McGee 2023). Tenure has been under attack even in states led by Democrats. The University of Hawaii Board of Regents suggested limiting tenure in 2021 over budgetary concerns, and in 2022 legislation was introduced but did not pass due to faculty opposition (University of Hawaii Professional Assembly 2022). Because tenure provides one of the few institutional mechanisms to restrict administrative power over faculty research and teaching, it is a specific target of this legislative campaign.

Of the seven states that passed educational gag orders, reduced funding has generally been used as an implementation and enforcement mechanism. Florida is the most egregious example, with S.B. 266 banning funding for DEI, which includes curricula such as required general education courses that examine systemic oppression as inherent in US institutions (Sachs and Young 2023). In addition, presidents of twenty-eight colleges in the Florida College System voluntarily offered to defund “any institutional practice, policy, or academic requirement that compels belief in critical race theory or related concepts” (Weissman 2023). Similarly, H.B. 377 prohibits the Idaho State Board of Education or any “public institution of higher education” from spending funds that support any banned concepts, like critical race theory (Idaho Legislature 2021, 2). Mississippi’s S.B. 2113 prohibits funding in higher education “for any purpose that would violate this act” (Mississippi Legislature 2022). This is not a battle between liberals and conservatives. It is a battle between truth-seekers and propagandists. The Far Right’s attack on higher education is nothing less than a nationwide, multiyear campaign to limit what students can learn and what faculty can teach.

Structural Problems in Higher Education: Displacing Faculty Authority over Time

The current Republican censorship campaign has taken a page from an old playbook. This is not the first time that political leaders have tried to control what university faculty say and do. In the 1950s, McCarthyism spread across college campuses (Schrecker 1986). Vice President Richard Nixon tried to impose the teaching of procapitalist and anticommunist ideas. In fact, Nixon visited our campus and gave a letter of commendation to the university’s Government Department, praising their required course on anticommunism. The displacement of what Eva Cherniavsky (2021) calls “the collective right of faculty to set the norms of academic debate, free from interference by administration, governing boards, or the state,” has historical precedents.

The political composition of higher education boards is only part of a larger structural problem. Even politically independent board members' financial rather than academic priorities make them a strategic and easy tool for partisan control. Rather than defending the professional authority of the faculty to determine content, pedagogy, and program investment, boards have increasingly usurped these prerogatives with "business decisions" harmful to academic goals. The business orientation of boards has increased the financialization of higher education, for example, prioritizing wealth accumulation and capital investment over educational excellence. This finds its most destructive form in the for-profit sector, where profit for investors is the explicit goal of the institution. Program closures and decisions made by administrators and boards, who decide what is worthy of funding and what is not, presage some of the worst pieces of the current legislation. In other words, the stage was set prior to the current legislative attacks. Claiming administrative power and the primacy of business interests has not only weakened the educational foundations of colleges and universities and made them more vulnerable to attack, it also has created the template for usurping academic freedom and provided the financial rationales and mechanisms to implement its undoing.

The managerial model in higher education has also dramatically compromised tenure. The most consequential threat to academic freedom in higher education has been the casualization and exploitation of faculty labor. Henry Reichman and many others have sounded this alarm, with only 26.5 percent of faculty tenured and 10.5 percent on tenure-track lines in 2019, while 63 percent were contingent (Tiede 2022). The vast majority of faculty in higher education are now contingent, low-wage workers vulnerable to dismissal through nonrenewal of contracts or firing. In fact, even when boards of regents have worked against legislative attempts to dismantle tenure, as they did in Iowa, budget cuts have diminished the tenured faculty significantly. Lois Cox and Katherine Tachau's (2023) research on Iowa demonstrates how this has happened since 2005: "Just as the state appropriation has dropped from 47.1 to 29.2 percent of the general education fund during that time, so has the percentage of the total faculty on tenured and tenure-track appointments dropped from 64.8 to 44.1 percent." Gathering similar information on the decline in tenured faculty in the California State System (CSU), Marc Stein (2023) discovered that "from 2004 to 2021, as student enrollment grew from 397,000 to 477,000, tenure density in the CSU declined from 66.6 to 54.4 percent." Financial models throughout higher education depend on this exploitation and job insecurity for the majority of faculty.

Avenues for Structural Change: Empowering the Faculty

With all this turmoil, where should faculty and students direct their efforts? Resisting this legislation and other state intrusions requires us to confront the structural problems in our university governance systems and processes, making them more democratic and faculty-centric. The composition of boards and institutional governance structures will emerge from the ashes of the current firestorm as important, if long-term, avenues for change. In fact, there is a robust body

of literature on alternative models of university governance. Colleges and universities in the United Kingdom and the success of worker-owned cooperative governance at Mondragon University in Spain provide evidence that faculty can drive university governance (Woodin 2018). Rather than being limited to advisory or nominal representation, faculty power should be institutionalized where it counts. This is not as far-fetched as it may seem. Many European nations had a tradition of faculty electing their university presidents before managerial “reforms” swept these countries in the 2000s (OECD 2003; Poutanen et al. 2022). In Turkey, faculty elected the university rector of Boğaziçi University – until President Recep Tayyip Erdoğan assumed that role in 2021, provoking outrage (Kirişci and Kirişci 2021). Democratic elections still prevail at public universities in Japan and Korea (Shin, Huang, and Chi Hou 2022). In the United States, Adrianna Kezar, Tom DePaola, and Daniel Scott (2019, 152) offer the democratic management structure of College of the Mainland in Texas City as an alternative to hierarchical and inequitable governance. At the very least, measures to secure truly independent boards could counteract partisan takeovers, like the one at New College.

Next, all colleges and universities should take action to increase job security and access to tenure. Worcester Polytechnic Institute, for example, has created a teaching track to tenure, with a goal of tenuring 40 percent of its contingent faculty by August 2023 (Kezar and Harper 2023). Teaching institutions were central to securing tenure, as Henry Reichman (2023) reminds us, “The high-water mark of tenure’s reach came in the 1960s and early 1970s, with the immense growth of community colleges and state technical and teacher-training institutions.” In 2021, unions and associations mounted a campaign to include elements of the “College for All Act” in federal legislation, including the provision that within five years “not less than 75 percent of instruction at public institutions of higher education . . . [be] provided by tenured or tenure-track faculty” (Sanders 2017, 22). Seeking job security for all contingent faculty, some unions have advocated a single-tier system with pay equity and tenure “for both term and regular faculty” (CPFA 2021).

In the absence of significant revision to governance structures, unions are essential avenues for the exercise of faculty power. Based on the 1940 *Statement of Principles on Academic Freedom and Tenure*, the AAUP provides model language on academic freedom for union collective bargaining agreements (Tiede 2021). In addition, union challenges to legislation and legal advice to faculty are necessary forms of resistance. The United Faculty of Florida, for example, joined a lawsuit challenging H.B. 233 and successfully organized faculty and students to boycott its “viewpoint diversity” survey (Call 2022). Similarly, the University of Oklahoma chapter of the AAUP has sued to overturn H.B. 1775 on constitutional grounds, but the case has been delayed (Gelfand 2023). Faculty are also working in coalitions with civil rights organizations such as the American Civil Liberties Union (ACLU) to successfully challenge legislation. The ACLU (2023) filed a lawsuit and won a temporary injunction challenging Florida’s H.B. 7. The complaint alleged that the legislation violates the Equal Protection Clause, because it was enacted with a racially discriminatory purpose and has a disparate impact on Black students and educators. The order

also recognized that students have the right to receive information. The ACLU (2021a, 2021b) is engaged in other collaborative legal action to protect academic freedom in Oklahoma and New Hampshire. Organizations like Action Network and the African American Policy Forum (n.d.) have mobilized faculty at over sixty colleges and universities to pass resolutions against censorship legislation and to protest specific issues such as the College Board's censorship of an Advanced Placement African American history course. Similarly, thirty Black LGBTQIA+ organizations have "denounced the 'relentless attacks that have led to book-banning, curriculum censorship, politically motivated purges of educators, and an exodus of skilled teachers'" (Coates et al. 2023). This broad union and civil rights coalition-building with faculty across the country is essential and ongoing.

Higher education accreditation agencies can offer another avenue for faculty power. These agencies provide a double-edged sword when it comes to faculty control and autonomy. On the one hand, they employ the language of "learning outcomes" and "assessment" to determine, from the outside, whether appropriate learning is taking place. On the other, they serve as a protective mechanism for academic freedom: "Regional accreditation, a requirement for universities to receive federal financial aid, demands that boards be independent and, in many cases, specifically requires members to be free of undue influence from lawmakers, donors, or any other external groups" (Ellis, Stripling, and Bauman 2020). The AAUP has underscored the role of accrediting agencies and has made recommendations for securing academic freedom (CHEA 2012). As Kezar, DePaola, and Scott (2019, 158) argue, accreditors should "leverage their power in the course of initial accreditation and reaccreditation processes" to strengthen the faculty role in governance. This leverage is clear in Idaho, where the possible loss of accreditation is limiting the power of the partisan North Idaho College Board of Trustees, whose decisions have resulted in multiple presidencies, lawsuits, and a downgraded financial status (Homans 2023). Similarly, in 2021, the Higher Learning Commission placed Southwest Baptist University in Missouri on probation for violations of academic freedom (Bonilla 2021).

By organizing around institutional levers of power and by forming coalitions that span academic, labor, legal, and civil rights communities, we can shift educational authority back to the faculty, reining in political actors, higher education boards, and politically beholden administrations run amok. Legislation that defends students' rights to learn, and faculty's rights to teach—whether it be about race, gender, or any other politicized subject—has shown promise. Similarly, union collaborations across the nation over issues of pay equity, tenure, and academic freedom will help protect faculty and programs. Restructuring and limiting board power through democratic workplace initiatives and reforms should be another focal point for organizing, albeit over the long term.

Today we face the possibility of our nation's history being rewritten and students being provided a false education. By understanding the legislation targeted at colleges and universities, faculty can reclaim power over academic matters, push for policy and institutional change, and

protect the free and independent exchange of ideas central to our work. Reichman (2022) reminds us that “the need to defend freedom of inquiry and debate has become a primary responsibility of all those who teach and conduct research.” Academic freedom undergirds both education and democracy. This moment requires a commitment to those principles, as well as courageous resistance.

Carol J. Batker is a professor of English at the University of San Francisco, where she previously served as vice provost for branch campuses and online education. She has held faculty and administrative positions in Florida, New York, and California. Jennifer E. Turpin is a professor of sociology and director of the Gender and Sexualities Studies Program at the University of San Francisco. She has previously served as provost and academic vice president and as dean of the College of Arts and Sciences at the University of San Francisco.

References

- AAUP. 1940. “1940 Statement on Principles of Academic Freedom and Tenure.” <https://www.aaup.org/report/1940-statement-principles-academic-freedom-and-tenure>.
- AAUP. 2022a. “Academic Freedom and Tenure: University System of Georgia.” <https://www.aaup.org/report/academic-freedom-and-tenure-university-system-georgia>.
- AAUP. 2022b. “The AAUP Launches Investigation into Emporia State University Mass Layoffs.” October 19. <https://www.aaup.org/media-release/aaup-launches-investigation-emporia-state-university-mass-layoffs>.
- ACLU (American Civil Liberties Union). 2021a. “Amended Complaint.” November 9. <https://www.aclu.org/legal-document/amended-complaint-6?redirect=legal-document/bert-v-oconnor-complaint>.
- ACLU. 2021b. “Complaint Challenging NH Divisive Concepts Bill HB2.” December 20. <https://www.aclu.org/legal-document/complaint-challenging-nh-divisive-concepts-bill-hb2>.
- ACLU. 2023. “Pernell v. Lamb.” April 17. <https://www.aclu.org/cases/pernell-v-lamb>.
- African American Policy Forum. n.d. “Faculty Senate Resolutions.” https://docs.google.com/document/d/1gN93avmQQmNKACdnDPU_bIw3ZG02_pxIo3okI0OJX_Bs/edit.
- Alexander, Taifha Natalee, LaToya Baldwin Clark, Isabel Flores-Ganely, Cheryl Harris, Jasleen Kohli, Lynn McLelland, Paton Moody, et al. n.d. “CRT Forward.” Accessed March 7, 2023. <http://www.crtforward.law.ucla.edu>.

-
- Anderson, Zac. 2023. "New College Board Fires President, Installs Former GOP House Speaker, DeSantis Ally." *Sarasota Herald-Tribune*, January 31. <https://www.heraldtribune.com/story/news/local/sarasota/2023/01/31/richard-corcoran-becomes-interim-president-of-sarasotas-new-college/69858928007/>.
- Bauer-Wolf, Jeremy. 2023. "Florida University System Approves New Tenure Policy, Spurning Faculty Critics." *Higher Ed Dive*, March 30. <https://www.highereddive.com/news/florida-university-system-approves-new-tenure-policy-spurning-faculty-crit/646466/>.
- Berger, Savannah, Ishan Bhabha, Lauren Hartz, Axel Hufford, and Kathryn Wynbrandt. 2023. "State Anti-DEI Initiatives Are Gaining Momentum: What Does It Mean for Your Organization?" *JD Supra*, February 23. <https://www.jdsupra.com/legalnews/state-anti-dei-initiatives-are-gaining-9819065/>.
- Bonilla, Peter. 2021. "An Accreditor Tells an Institution to Do Better on Academic Freedom. Will More Follow?" *The Fire*, November 12. <https://www.thefire.org/news/accreditor-tells-institution-do-better-academic-freedom-will-more-follow>.
- Call, James. 2022. "Florida Students Ignore Lawmakers' Free Speech Survey; Expert Calls Response Rate Dismal." *Tallahassee Democrat*, August 26. <https://www.tallahassee.com/story/news/politics/elections/2022/08/26/florida-university-free-speech-survey-responses-desantis-fsu-famu-campus-legislature-lawmakers/7902761001/>.
- CHEA (Council for Higher Education Accreditation). 2012. "Accreditation and Academic Freedom." October. <https://www.chea.org/sites/default/files/other-content/AAUP-CHEA%20-%20FINAL.pdf>.
- Cherniavsky, Eva. 2021. "Against the Common Sense: Academic Freedom as a Collective Right." *Journal of Academic Freedom* 12: 1–13. <https://www.aaup.org/reportspubs/journal-academic-freedom/volume-12>.
- Chronicle staff. 2023. *Chronicle of Higher Education*. Updated July 14. "DEI Legislation Tracker." <https://www.chronicle.com/article/here-are-the-states-where-lawmakers-are-seeking-to-ban-colleges-dei-efforts>.
- Coates, Ta-Nehisi, Angela Davis, Nikole Hannah-Jones, Ibram X. Kendi, Gloria Steinem, Cornel West, et al. 2023. "US Educational Authorities Must Resist 'Anti-woke' Censorship." *The Guardian*, March 8. <https://www.theguardian.com/commentisfree/2023/mar/08/anti-woke-censorship-colleges-open-letter>.

- Corbin, Clark. 2021. "Task Force Members Vow to Root Out, Protect Students from Indoctrination in Idaho Schools." *Idaho Capital Sun*, May 27. <https://idahocapitalsun.com/2021/05/27/task-force-members-vow-to-root-out-protect-students-from-indoctrination-in-idaho-schools/>.
- Cox, Lois, and K. H. Tachau, "The Erosion of Support for Education and Tenure in Iowa," *Academe*, Winter 2023, 14–17.
- CPFA (California Part-Time Faculty Association). 2021. "New Vision for the College for All Act of 2021." July 15. <https://cpfa.org/alternate-vision-for-the-college-for-all-act-of-2021/>.
- Diep, Francie, and Emma Pettit. 2023. "DeSantis Asked Florida Universities to Detail Their Diversity Spending." *Chronicle of Higher Education*, February 3. <https://www-chronicle-com.eu1.proxy.openathens.net/article/desantis-asked-florida-universities-to-detail-their-diversity-spending-heres-how-they-answered>.
- Ellis, Lindsay, Jack Stripling, and Dan Bauman. 2020. "The New Order." *Chronicle of Higher Education*, September 25. <https://www-chroniclecom.eu1.proxy.openathens.net/article/the-new-order>.
- FEA (Florida Education Association). 2021. "United Faculty of Florida Joins Suit against State to Defend Freedoms of Students and Faculty." August 2. <https://feaweb.org/release/united-faculty-of-florida-uff-joins-suit-against-state-to-defend-freedoms-of-students-and-faculty/>.
- Gelfand, Sam. 2023. "Civil Rights Groups Say Oklahoma Stalling Major Education Lawsuit." *KTUL*, February 25. <https://ktul.com/news/local/civil-rights-groups-say-oklahoma-stalling-major-education-lawsuit>.
- Gottlieb, Andy. n.d. "PEN America Index of Educational Gag Orders." PEN America. Accessed March 7, 2023. https://docs.google.com/spreadsheets/d/1Tj5WQVBmB6SQg-zP_M8uZsQQGH09TxmBY73v23zpyr0/edit#gid=107383712.
- Hennessy, Joseph. 2021. "State Universities Share Which Are Teaching Critical Race Theory." *WIBW*, June 10. <https://www.wibw.com/2021/06/11/state-universities-share-which-are-teaching-critical-race-theory/>.
- Homans, Charles. 2023. "The MAGA-fication of North Idaho College." *New York Times*, March 6. <https://www.nytimes.com/2023/03/06/us/politics/north-idaho-college-republicans.html>.

- Idaho Legislature. 2021. "House Bill 377." <https://legislature.idaho.gov/wp-content/uploads/sessioninfo/2021/legislation/H0377.pdf>.
- Kezar, Adrianna, and Jordan Harper, "Reprofessionalizing the Faculty," *Academe*, Winter 2023, 34–38.
- Kezar, Adrianna, Tom DePaola, and Daniel T. Scott. 2019. *The Gig Academy*. Baltimore: Johns Hopkins University Press.
- Kirişci, Ayşe Candan, and Kemal Kirişci. 2021. "A New Assault on a Democratic Citadel in Turkey, Too." Brookings Institution, January 15. <https://www.brookings.edu/blog/order-from-chaos/2021/01/15/a-new-assault-on-a-democratic-citadel-in-turkey-too/>.
- McGee, Kate. 2023. "Amended Bill Would Keep Tenure at Texas Public Universities." *Texas Tribune*, May 7. <https://www.texastribune.org/2023/05/07/texas-house-tenure-bill>.
- Mississippi Legislature. 2022. "Senate Bill 2113." November 16. <http://billstatus.ls.state.ms.us/2022/pdf/history/SB/SB2113.xml>.
- OECD (Organisation for Economic Co-operation and Development). 2003. "Changing Patterns of Governance in Education." Chap. 3 of *Education Policy Analysis*. Paris: OECD.
- Poutanen, Mikko, Tuukka Tomperi, Hanna Kuusela, Veera Kaleva, and Tuomas Tervasmäki. 2022. "From Democracy to Managerialism." *Journal of Education Policy* 37, no. 3: 419–42.
- Reichman, Henry. 2022. "'The Professors Are the Enemy.'" *Chronicle of Higher Education*, January 7.
- Reichman, Henry, "Eight Myths about Tenure," *Academe*, Winter 2023, 8–13.
- Rutledge, Leslie. 2021. "Opinion 2021-042." August 16. https://content.govdelivery.com/attachments/ARAG/2021/08/16/file_attachments/1907584/2021-042%20%2808.16.21%29.pdf.
- Sachs, Jeffrey, and Jeremy C. Young. 2023. "More Than Meets the DEI." PEN America, May 25. <https://pen.org/more-than-meets-the-dei/>.
- Samuels, Iris. 2021. "Montana's Top Prosecutor Bans Critical Race Theory Programs." *AP News*, May 27. <https://apnews.com/article/montana-race-and-ethnicity-racial-injustice-business-education-d8e267301cfc60af188886a6e29ca94b>.

- Sanders, Bernie. 2017. "College for All Act." <https://www.sanders.senate.gov/wp-content/uploads/college-for-all-act.pdf>.
- Schrecker, Ellen W. 1986. *No Ivory Tower*. Oxford: Oxford University Press.
- Shin, J. C., F. Huang, and A. Y. Chi Hou. 2022. "University Presidents in Japan, Korea, and Taiwan: Academic Training and Career Characteristics." In *International Perspectives on Leadership in Higher Education* 15, edited by Alasdair Blair, Darrell Evans, Christina Hughes, and Malcolm Tight. 61-76. Bingley, UK: Emerald.
- SUSF. n.d. "State University System of Florida." Accessed March 8, 2023. <https://www.flbog.edu/>.
- Stein, Marc, "The End of Faculty Tenure and the Transformation of Higher Education," *Academe*, Winter 2023, 18–24.
- Tiede, Hans-Joerg, "Guide on Academic Freedom Language in CBAs," *Academe*, Fall 2021, 8–17.
- Tiede, Hans-Joerg, "The AAUP 2022 Survey of Tenure Practices," in *Bulletin of the American Association of University Professors* (special issue of *Academe*), 2022, 112–20.
- University of Hawaii Professional Assembly. 2022. "Faculty Made a Difference!" March 18. <https://www.uhpa.org/legislative/big-news-on-sb3269-faculty-made-a-difference/>.
- Walker, Mark E. 2022. "Order Granting in Part and Denying in Part Motions for Preliminary Injunction." November 17. <https://storage.courtlistener.com/recap/gov.uscourts.flnd.443792/gov.uscourts.flnd.443792.44.0.pdf>.
- Weissman, Sara. 2023. "A Subtle Subterfuge, an Outrage or Both." *Inside Higher Ed*, February 3. <https://www.insidehighered.com/news/2023/02/03/outrage-follows-florida-college-presidents-statement-crt>.
- Woodin, Tom. 2018. "Co-operative Approaches to Leading and Learning." In *Exploring Consensual Leadership in Higher Education*, edited by Lynne Gornall, Brychan Thomas, and Lucy Sweetman, 71-88. London: Bloomsbury.
- Young, Jeremy C., and Jonathan Friedman. 2022. *America's Censored Classrooms*. August 17. New York: PEN America. <https://pen.org/report/americas-censored-classrooms/>.