



Promoting
Academic
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ACTA's Armand Alacbay Appointed to GMU Board



We are delighted to report that on June 28, 2023, ACTA Chief of Staff & Senior Vice President Armand Alacbay was one of four new members appointed by Virginia Governor Glenn Youngkin to serve a four-year term on the George Mason University (GMU) Board of Visitors. Governor Youngkin stated that the new appointees “will help the Commonwealth’s higher education institutions build on our history of excellence. Some of the country’s best colleges are right here in Virginia and I look forward to our board members’ continued emphasis on diversity of thought, commitment to students and development of a talent pipeline to ensure that Virginia’s education systems are vibrant for years to come.”

Mr. Alacbay oversees ACTA’s Trustee & Government Affairs Department and helps determine and guide all of ACTA’s

programming priorities. Through ACTA’s Institute for Effective Governance®, he has advised trustees and regents on institutional governance across the country. His research and commentary on higher education policy issues have been featured in the *Wall Street Journal*, the *Associated Press*, FOX News, *Forbes*, and other outlets. Before coming to ACTA, Mr. Alacbay worked in private practice as a trial attorney and managed an educational services startup company. He is a graduate of GMU’s Antonin Scalia Law School.

Commenting on his appointment to GMU’s Board of Visitors, Mr. Alacbay said, “As a lifelong Virginian and a Fairfax County resident for over three decades, I am honored and humbled to be asked by Governor Youngkin to serve on the governing board of my alma mater. I am grateful for the governor’s vision for public higher

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See ATHENA ROUNDTABLE Invite Inside!

ACTA’s **2023 ATHENA Roundtable** will be held on **October 27** at the Ronald Reagan Building in Washington, DC. Join us for “Dare to be Wise: Enlightenment and the American College Campus,” a morning discussion with higher education leaders; a keynote address by ACTA’s Hero of Intellectual Freedom, **Dr. Carole Hooven**; and a gala dinner featuring the presentation of the 18th annual Philip Merrill Award to **Dr. Alan Charles Kors**, Henry Charles Lea Professor Emeritus at the University of Pennsylvania. For more information or to register for the event, please visit www.GoACTA.org/events/ATHENA.

ACTA Surveys Find Students Are Prone to Self-Censorship and Condone Shouting Down Speakers

In order to determine the most effective strategies for fostering a culture of free expression and viewpoint diversity on campus, college leaders must understand the specific experiences of their student bodies. ACTA recently released the results of two surveys that assess student attitudes toward free speech and viewpoint diversity at Ohio State University (OSU) and the University of Texas (UT)—Austin.

In partnership with College Pulse, ACTA surveyed 2,003 students at OSU during the 2022–23 academic year. We found that many OSU students do not feel encouraged to express themselves—or to allow others to express themselves—freely. Thirty-five percent of students responded that it is “always acceptable” or “sometimes acceptable” to shout down invited speakers.

We also found that half of all students (50%) and three in four conservative students (76%) reported feeling that at

least occasionally they could not express themselves. These overall numbers are troubling, but the differences between conservative and liberal students are even more alarming. While only 9% of liberal students said they self-censor “fairly often” or “very often,” a disturbingly high 51% of conservative students said the same. In addition, 28% of conservative students reported having lost friends due to their political views, compared to only 8% of liberal students.

Overall, one-third of students said it is “not very clear” or “not at all clear” that the OSU administration protects free speech on campus, while half of conservative students said the same.

ACTA and College Pulse surveyed 1,003 students at UT—Austin. Forty-four percent of students said it is acceptable to shout down a campus speaker. Further, 18% of students said using violence to disrupt a guest speaker is “sometimes

acceptable” or “always acceptable.” Given the willingness to stop guest speakers from sharing their views, it is perhaps not surprising that 47% of respondents said they have at least occasionally felt like they could not express an opinion because of how students, a professor, or the university administration would respond. While only 14% said they feel this way “fairly often” or “very often,” the experience of liberal and conservative students again diverge, with 9% of liberal students saying they could not express themselves fairly or very often, compared to 36% of conservatives.

Students who reported that they self-censor very often were also more likely to be unsure about the willingness of the UT—Austin administration to protect free speech. Forty-nine percent of these students said the administration’s position is “not very clear” or “not at all clear.”

ACTA’s findings provide a starting

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Armand Alacbay, *continued from 1*

education in the Commonwealth, and I look forward to helping George Mason University continue to fulfill its mission in service to the people of Virginia.”

“I am grateful for the governor’s vision for public higher education in the Commonwealth, and I look forward to helping George Mason University continue to fulfill its mission in service to the people of Virginia.”

ACTA President Michael Poliakoff remarked, “Mr. Alacbay is a visionary chief of staff. His expertise in college finance, governance, and accreditation is legendary. In appointing Armand Alacbay to the George Mason University Board of Visitors, Governor Youngkin has placed a public servant of integrity and brilliance on the board of an outstanding public university whose importance to Virginia and the nation will grow greater every year.”



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ACTA Announces the Hillen Fellow in American History & Civic Education, Dr. Stephen Balch

ACTA is pleased to announce that Dr. Stephen Balch, founding president of the National Association of Scholars (NAS), joined ACTA in August to serve as our Hillen Fellow in American History & Civic Education. This position is generously supported by The Honorable John Hillen, one of the nation's most dedicated advocates of the liberal arts. Dr. Balch will lead an exciting new ACTA project to help public universities create centers for the study of America's Founding principles and their role in our nation today. His duties will include working with schools and state legislatures to build their commitment to increasing resources for strong, new civic education programs. Dr. Balch will also organize a national commission aimed at restoring the American history requirement at all colleges and universities. The Hillen Fellow will help to reverse our country's civic literacy crisis and inspire college graduates to the informed, engaged citizenship that is the strength of our free society.

Dr. Balch founded NAS in 1987 as a membership organization of college faculty who seek to improve teaching and research in the humanities and social sciences and to promote reasoned debate and academic pluralism in higher education. As president of NAS for over 20 years, he raised the alarm about vanishing academic standards. He led the production of the 1996 report, *The Dissolution of General Education: 1914–1993*, and co-authored the influential 1999 study, *Losing the Big Picture: The Fragmentation of the English Major Since 1964*. He received the National Humanities Medal from President George W. Bush in 2007.

Prior to founding NAS, Dr. Balch was a professor in the John Jay College of Criminal Justice at the City University of New York (CUNY) and has recently retired as director of Texas Tech University's Institute for the Study of Western Civilization. He received his B.A. from CUNY–Brooklyn College and



his M.A. and Ph.D. from the University of California–Berkeley.

The Honorable John Hillen was confirmed by the Senate as assistant secretary of state for political-military affairs in 2005, following upon 12 years of service as a reconnaissance officer and paratrooper in the U.S. Army. Dr. Hillen currently serves as the Wheat Visiting Professor in Leadership at Hampden-Sydney College, and from 2013 to 2019, he was executive-in-residence and professor of practice in the School of Business at George Mason University. He has served as CEO of Everwatch Solutions and as president and CEO of Sotera Defense Solutions, Inc.

Commenting on Dr. Balch's new position at ACTA, Dr. Hillen observed, "America needs to reconnect with the values and principles that make us a nation. The absence of a common baseline of knowledge about American civics and history has deepened political divisions in our country and increased partisan rancor, obstructing the function of our self-governing constitutional republic. James Madison warned us that 'a people who mean to be their own Governors, must arm themselves with the power which knowledge gives.' I am excited to work with ACTA and Dr. Balch to promote the reinvigoration of the common experience of American civics and history." ●

Kansas Passes Historic Law to Protect Donor Intent

Kansas Governor Laura Kelly recently signed into law the Donor Intent Protection Act, with bipartisan support in both houses. The law allows donors to seek legal recourse if a charitable organization breaks or ignores the terms of a donor's gift agreement. ACTA's Fund for Academic Renewal (FAR) commends the Kansas Legislature on this historic action to empower donors to enforce the terms of their gift agreements, rather than relying solely on state attorneys general who are often overwhelmed with large caseloads. The law streamlines the appeals process, allowing individuals to file a complaint within two years of discovering a violation, but not more than 40 years after the gift agreement's start date. If a court finds that a charity violated a gift agreement, it can rule that the charity return to compliance, implement accounting practices, restore the value of the gift, or transfer the gift to another charity of the donor's choosing. FAR Director Rebecca Richards applauded Kansas's law, saying, "No other state statute in the country offers donors such clear legal guardrails to protect their endowment gifts." If you are planning a gift to a college or university, FAR can help you protect your intent. For more information, contact FAR at info@AcademicRenewal.org. ●

Effective TRUSTEESHIP



ACTA Releases New Guide to Selecting a College President

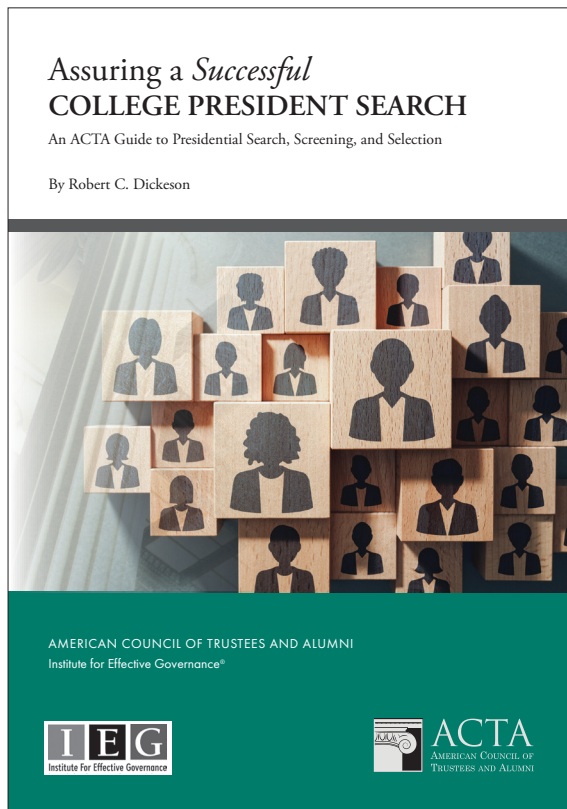
Selecting a new president is a labor-intensive undertaking for any board. To help make this task more manageable, ACTA released in July a new guide entitled, *Assuring a Successful College President Search: An ACTA Guide to Presidential Search, Screening, and Selection* by Robert C. Dickeson. Dr. Dickeson is the former president of the University of Northern Colorado, former senior vice president of the Lumina Foundation, and a higher education consultant.

Assuring a Successful College President Search takes readers through 12 elements of the presidential search process, from setting realistic expectations, to hiring a search consultant or a search firm, to negotiating a contract. Dr. Dickeson writes, “The board and only the board has the authority and responsibility to select the president. All others are advisory. All others make recommendations. You will want to listen carefully to input about the selection, but such input cannot be held responsible. Only you have the fiduciary duty to perform this important task.”

The guide provides several practical resources, including a presidential search checklist and a draft search calendar. Particularly helpful is the guide’s discussion of how to engage a search firm or consultant, which covers warning signs for how to spot an unethical firm; a sample template of a request for proposals; and a list of suggested questions for interviewing search firms.

The guide also discusses how to form a search & screening committee, stressing the importance of a campuswide perspective. Dr. Dickeson comments, “Each member of the committee is deemed to be a ‘trustee’ of the entire institution, not a ‘delegate’ from any part of the campus. We are engaged in the process of finding a leader for the entire institution. Therefore, in our decisions and deliberations, the best interests of the institution should be paramount.”

Following a thoughtful, thorough presidential search plan will help trustees avoid common pitfalls; inspire trust in the board’s leadership; and ultimately improve the chances of finding a successful leader. Download a copy of the guide on GoACTA.org. ●



Dr. Carole Hooven Honored as ACTA Hero of Intellectual Freedom



ACTA has selected evolutionary biologist Carole Hooven as the recipient of its 2023 Hero of Intellectual Freedom award. Dr. Hooven currently works in the lab of Steven Pinker in Harvard University’s Department of Psychology. She has taught at Harvard for 17 years, serving as lecturer and codirector of undergraduate studies in the Department of Human Evolutionary Biology. Her research focuses on how hormones shape human behavior (and vice versa), specifically related to sex differences, and her *Hormones and Behavior* course was named one of the “top ten tried and true” by the *Harvard Crimson*.

Professor Hooven became a target of cancel culture after the publication of her book, *T: The Story of Testosterone, the Hormone that Dominates and Divides Us*. In 2021, she appeared on *Fox and Friends* to discuss the pressure some academics feel to refrain from using terms like “pregnant women” and “male and female.” On the segment, she said, “The facts are that there are . . . two sexes . . . there are male and female, and those sexes are designated by the kinds of gametes we produce.” The director of her department’s diversity, inclusion, and belonging

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H E A R D

C A M P U S ON

ACTA on the Supreme Court Ruling

On June 29, the U.S. Supreme Court struck down affirmative action in college admissions. In a pair of cases brought against Harvard University and the University of North Carolina, the court ruled 6-3 in favor of the plaintiff.

Writing for the majority, Chief Justice John Roberts said, “Eliminating racial discrimination means eliminating all of it.” He continued, “Many universities have for too long wrongly concluded that the touchstone of an individual’s identity is not challenges bested, skills built, or lessons learned, but the color of their skin. This Nation’s constitutional history does not tolerate that choice.”

In a press release, ACTA President Michael Poliakoff observed, “Setting a higher or lower barrier for students of one race or another is as ethically bankrupt a concept as establishing a different criminal code for one race or another. SCOTUS has upheld the principle of equality under the law; it has rejected the dictum of the acolytes of Ibram X. Kendi, who argue that ‘The only remedy to past discrimination is present discrimination.’

“Harvard, remarkably, admitted early in this case that Asian high school students do not receive a letter from its recruiters unless they score at least 1350 on the combined verbal and quantitative SAT exams; black and Hispanic students hear from recruiters with a score at or above 1100. White students in rural states such as Nevada and Montana need at least a 1310. Harvard’s “personality index,” used to determine the admissions decision, has been a sly, subtle, and arguably discriminatory barrier in the path of Asian students whose academic records and extracurricular activities should have earned them a place at Harvard.

“The promotion of a narrowly focused vision of diversity has nearly displaced the pursuit of excellence, corrupting the very soul of the academy. Implementing the good work of pursuing merit, excellence, and fairness will now be the task of the citizens of the academy and the citizens of the nation. We must be ready to do it with fidelity.”

University of Austin Encourages Students to Ask Controversial Questions

In June, the University of Austin—a

recently established university led by founding president Pano Kanelos and devoted to free inquiry and civil discourse—sponsored its annual “Forbidden Courses” summer program in Dallas, Texas. Over 100 students from colleges across the country attended the two-week program to explore pressing questions with academics and higher education leaders.

Several ACTA friends were among the participating academics. University of Chicago geophysicist Dorian Abbot, who received ACTA’s Hero of Intellectual Freedom Award in 2021, led a seminar exploring the topic, “Do Christianity and science flourish together . . . or are they fundamentally at odds?” Luana Maroja, chair of the Biochemistry & Molecular Biology Program at Williams College and also a recipient of ACTA’s Hero of Intellectual Freedom award, taught a seminar entitled, “The Invasion of Biology into Evolutionary Biology.” And Brown University Professor Glenn Loury, who was a featured speaker at our ATHENA Roundtable last year, gave a lecture entitled, “Racial Inequality in America.” ●

Hero of Intellectual Freedom, *continued from 4*

taskforce called her remarks “transphobic” and “dangerous” and accused her of perpetuating “a system of discrimination against non-cis people within the med system.” A petition was circulated against her, and she was attacked along the same lines by official representatives of other universities, without receiving any support from Harvard.

She has continued to provide courageous and eloquent defenses of scientific truth and academic freedom in the face of these attacks. In an article entitled “Academic Freedom Is Social Justice: Sex, Gender, and Cancel Culture on Campus,” she wrote, “By saying in public what I believe to be the truth, I violated a taboo. I failed to follow the directions of fellow scientists to ‘Stop Using Phony Science to Justify Transphobia’ as one *Scientific American* headline directed. . . . While some activists insist that asserting the biological reality of the sex

‘binary’ is entirely wrong-headed and pernicious, the true threat to science, and to human dignity is the idea that in order to support anyone’s rights we must deny or ignore reality.”

ACTA will honor Professor Hooven at our 2023 ATHENA Roundtable on October 27. ●

ACTA Surveys, *continued from 2*

point for leaders at these universities to begin dismantling barriers to free speech and empowering students and faculty to engage in the robust dialogue that academic inquiry relies upon. An important first step for both universities is to help students understand the purpose of free expression in the university context by implementing a free speech unit in new-student orientation. ACTA’s Gold Standard for Freedom of Expression™ offers additional classroom- and campus-level recommendations for addressing the problems revealed by these surveys. ●

IN MEMORIAM: Benno C. Schmidt, Jr., By Michael Poliakoff

Benno Schmidt, an extraordinary educator and an extraordinary friend to ACTA, has died. We deeply mourn his loss. There are few who brought such versatility of vision and intellect to the most important issues in education. He was a fierce and consistent defender of campus freedom of expression, deeply committed to the First Amendment and to the principles of Yale University's C. Vann Woodward Committee Report.

His career was legendary. After completing his undergraduate studies at Yale College in 1963, he gained his law degree from Yale Law School in 1966 and was clerk to Chief Justice of the United States Earl Warren. After his time in the judiciary, he joined the Department of Justice and subsequently achieved tenure as a professor at Columbia Law School at the age of 29. Later, at the age of 42, he was appointed dean of Columbia Law School. His illustrious trajectory continued as he assumed the presidency of Yale at age 44, serving from 1986 to 1992.

Benno Schmidt's tenure as president was one of high accomplishment. He successfully expanded the university's endowment, fostered a better relationship between Yale and New Haven, and

displayed visionary leadership by initiating a comprehensive series of renovations to Yale's buildings. After leaving Yale, Mr. Schmidt took on the role of chief executive officer at Edison Schools, an ambitious enterprise aimed at widening



access to high-quality K-12 education through the private management of public schools.

In 1998, he chaired a task force dedicated to revitalizing the City University of New York (CUNY). His passion for education led him to serve as vice chairman and then chairman of the CUNY Board of Trustees. Under his guidance, CUNY experienced significant

improvements, including the recruitment of hundreds of faculty members and the establishment of an honors college as well as several graduate schools. Toward the end of his career, he served as chairman of Avenues: The World School, an international system of private K-12 schools. He also contributed his expertise as a member of the board of the New-York Historical Society.

ACTA had the privilege in 2010 of presenting him with the Philip Merrill Award for Outstanding Contributions to Liberal Arts Education. Speaking in tribute to him that evening were Floyd Abrams, Colin Powell, and Matthew Goldstein. His message was eloquent and urgent: Governing boards must govern. The changes desperately needed in higher education can only come from focused and energetic board governance. In 2014, he chaired the Project on Governance for a New Era, leading a commission of 22 distinguished educators and government leaders to address the growing challenges colleges and universities face.

He leaves behind a profound legacy, having made invaluable contributions to constitutional law scholarship and reshaping the landscape of K-12 and higher education. ACTA mourns the loss of a great leader and a great friend. ●

ACTA Vice President of Development Michael Deshaies Retires

ACTA extends deepest thanks to Michael Deshaies, our talented and much-loved vice president of development & strategic partnerships, who retired at the end of July. His dedication to ACTA's mission of higher education reform and his expertise in conveying that mission to donors, university leaders, lawmakers, and the public have been a driving force behind the rapid growth of ACTA's staff and programs in the last five years. Under his leadership, we have greatly expanded our circle of donors and secured funding to launch several new programs, including our Campus Debates and Discourse Program, our Alumni Advocacy program, and our Campus Freedom Initiative™.

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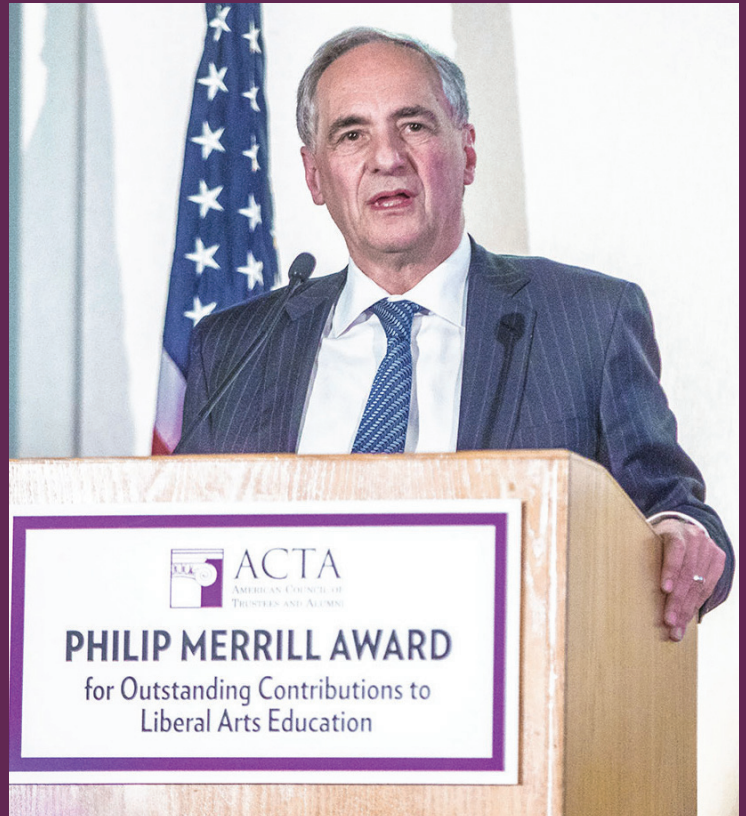
IN MEMORIAM: Robert J. Zimmer

By Michael Poliakoff

ACTA mourns the death of Robert J. Zimmer, an extraordinary ACTA friend and a hero of the American academy. His career as a scholar, teacher, and the president of the University of Chicago for 15 years secures his place among the greatest American educators: His work to revive and protect freedom of expression in higher education will continue to have a profound and positive impact on the values of our nation. In calling us to the principles of intellectual openness, intellectual integrity, and the scholar's duty of fair-mindedness, he showed us a path forward. The greatest tribute we can give to his memory is to stay unwaveringly on that path.

His career exemplified that union of cutting-edge research in his field, dedicated and careful teaching, an uncompromising commitment to intellectual freedom, and an embrace of the world of learning that vigorously included the humanities as well as his own mathematical specialty. His work on ergodic theory in combination with the theories of Sophus Lie gave birth to what is now known as the Zimmer Program. He was the author of two books and over 80 research articles. One of his University of Chicago doctoral students, William Dembski, remembered his plain-speaking commitment to deep learning that transcended the mechanical and his unwillingness to accept anything short of excellence. As provost at Brown University from 2002 to 2006, he spearheaded the launch of the Center for Computational Molecular Biology and also the Cogut Institute for the Humanities. Under his leadership as president of the University of Chicago, applications to the university more than tripled, and the university drew numerous large financial gifts that vastly increased its programs across many academic disciplines.

In October 2017, ACTA had the privilege of presenting to President Zimmer its Philip Merrill Award for Outstanding Contributions to Liberal Arts Education. . . . His acceptance speech bore the intriguing and evocative title: "Liberal Arts, Free Expression, and the Demosthenes-Feynman Trap." He captured in it wisdom ancient and modern that admonishes us not to capitulate to the easy and lazy path of self-deceit in our understanding of the world. He reminded us that the liberal arts can train us to work meaningfully with complexity, but



only in an environment in which the discomfort of challenging new ideas is a value to be prized and defended. Among the monuments to his values, of course, are the Chicago Principles on Freedom of Expression, an initiative that he put into motion and which remains the gold standard for colleges and universities that understand the imperative of unfettered freedom to explore, question, and challenge.

Not only soldiers and statesmen appear in the vision of the Elysian Fields, the abode of the Blessed, described in Virgil's *Aeneid* (a poem magnificently translated by President Zimmer's wife, Shadi Bartsch-Zimmer). In Virgil's vision, there also are those who made life better through their discoveries and those who won a place through their good work in the memory of those who came after. Robert Zimmer is there. May he rest with the good and the righteous of all nations, *b'gan Eden*, in Paradise. He will continue to inspire us. ●

Michael Deshaies, *continued from 6*

Prior to joining ACTA, Mr. Deshaies spent 10 years at the Jack Miller Center for Teaching America's Founding Principles and History, where he led the center's development and communications programs. He has also held several senior-level positions in corporate communications.

Mr. Deshaies delayed his retirement several times, for which we are truly grateful. Throughout his tenure, he offered valuable mentorship to junior employees and enlivened our day-to-day operations with humor and little-known baseball statistics. He will continue to be a central and beloved figure in the ACTA family. Mr. Deshaies returns to Delaware, where his wife, Leslie Deshaies—who served as our executive assistant for several years—resides. ●



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Reuben Jeffery Joins ACTA's Board



ACTA welcomes Reuben Jeffery III to our Board of Directors. Mr. Jeffery has led an impressive career in public service and corporate management, and we look forward to benefiting from his wisdom and rich experience.

From 2010 to 2018, Mr. Jeffery served as president and CEO and member of the board of Rockefeller & Co. and Rockefeller Financial Services, Inc. On April 16, 2007, he was nominated by President George Bush to serve as under secretary for economic, energy and agricultural affairs, and he also served as the State Department's coordinator for international energy affairs. Prior to this appointment, he was chairman of the Commodity Futures Trading Commission; special assistant to the president and senior director for international economic affairs at the National Security Council; and the representative and executive director of the Coalition Provisional Authority Office at the Pentagon, after having served as an advisor to Ambassador Paul Bremer in Iraq. He spent 18 years working for Goldman Sachs, where he was managing partner of Goldman Sachs in

Paris and the firm's European Financial Institutions Group in London.

Mr. Jeffery received his B.A. from Yale University in 1957 and his J.D. and M.B.A. from Stanford University in 1981. ●