

DATE: October 15, 2025

TO: Members of the Senate Committee on Universities and Technical Colleges

FROM: Chris Patton, Interim Vice President for University Relations

RE: Testimony for Information Only on Senate Bill 498

Thank you, Chair Hutton, Vice-Chair Cabral-Guevara, and committee members for providing the Universities of Wisconsin (UWs) an opportunity to testify on Senate Bill 498 (SB 498).

Academic freedom and freedom of expression are not only rights enshrined to individuals in the U.S. Constitution but are fundamental to the vitality of our universities of higher learning. Academic freedom means protecting all viewpoints, not privileging any. Universities of Wisconsin President Jay Rothman has emphasized maintaining and protecting First Amendment rights across our universities since he took office in June of 2022. President Rothman took action by authorizing a student free speech survey, creating the Wisconsin Institute for Citizenship and Civil Dialogue (WICCD), and convening students across our campuses for “It’s Just Coffee” conversations about free speech and civil dialogue, to name just a few of the initiatives across our universities. He has made civic engagement and civic discourse an integral part of the UWs 2023-2028 Strategic Plan.

SB 498 establishes certain standards related to free speech and academic freedom at our universities and includes due process criteria to be used by the BOR in disciplinary proceedings for violations of these standards. This bill also requires that if one of our universities violates any of these due process provisions more than once in a five-year period, it must freeze tuition for all students for the following two academic years and the Board of Regents (BOR) must ensure that the university’s allocation of funding is reduced commensurate with the tuition freeze.

The UWs share the bill’s authors’ commitment to upholding the First Amendment at our universities, and it is our goal for the UWs to be a model of academic freedom, expression, and civic dialogue. However, we believe that our adherence to constitutional law and current board policy best serves to uphold this commitment. Many of the requirements in this legislation are already in practice by the UWs in Regent Policy Document 4-21 that was adopted in 2017, enshrining protections for academic freedom and free expression. In this case, adding additional requirements to statute is unnecessary.

Most importantly, the penalties for violations prescribed in this bill would put the financial health of our universities at serious risk. Reducing a university’s funding allocation would jeopardize not only the success of UW universities, but more importantly the educational experience the UWs deliver for students. State and tuition dollars help support academic programming, student

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success initiatives, retention of quality faculty, and other university operations. These penalties would only harm the future of our students.

The BOR has a robust and longstanding commitment to academic freedom and freedom of expression. In Regent Policy Document 4-21, the BOR has implemented various existing policy protections focusing on academic freedom and freedom of expression across our universities such as: 1. Annual instruction on First Amendment rights and academic freedom for all students and employees, 2. A written report to the BOR describing the implementation of efforts supporting academic freedom and freedom of expression, and a report of any policy violations, and 3. Neutral policies on time, place, and manner of speech that are aligned with First Amendment standards.

At the Universities of Wisconsin, we welcome conversations about strengthening First Amendment rights for all students and employees. Our current policy recognizes that each of our universities has a “solemn responsibility not only to promote lively and fearless exploration, deliberation, and debate of ideas, but also to protect those freedoms when others attempt to restrict them.” Our role is to create a space for rigorous debate, and we remain committed to ensuring that all members of our universities can live, work, and learn in an environment that actively promotes civility, academic freedom, and rights to freedom of expression.

Thank you again for providing the Universities of Wisconsin the opportunity to testify on this legislation.