



ROBIN J. VOS

SPEAKER OF THE WISCONSIN STATE ASSEMBLY

Testimony on Senate Bill 792
Senate Committee on Universities and Technical Colleges
February 10, 2022

Mr. Chairman, members of the committee, thank you for the opportunity to provide written testimony on Senate Bill 792. Over the years, and especially in recent years, we have seen a continued decline of diverse ideas, thoughts, and open discussion in the public square, including our universities. Sadly, we have seen a decline in respect for differing opinions, as well.

Senate Bill 792 ensures that among the requirements a university places on students, courses in the Constitution and Bill of Rights are included as a course that meets the general education requirement for diversity or ethnic studies.

The United States is one of the most ethnically diverse countries in the world, with people from all different beliefs and backgrounds. Our country has excelled in many ways and has made mistakes. From our mistakes, we have learned and become a better, stronger nation.

Our founding documents inspire hope and show that the objective has always been equality and opportunity for all. Students should be encouraged to engage in a deeper understanding of these documents and the impact they have on the diverse country we live in today.

Our universities must strive to do better and seek to provide robust course work for students. Senate Bill 792 will help universities achieve this goal.

Thank you for your consideration.



DUEY STROEBEL

STATE SENATOR • 20TH DISTRICT

Testimony on SB 792

February 10, 2022

Thank you Chairman Roth and members of the Senate Committee on Universities and Technical Colleges for holding a public hearing on Senate Bill 792, a bill I authored with Speaker Vos to provide that a course in the US Constitution and Bill of Rights would satisfy any diversity or ethnic studies general education requirement at a UW-System campus.

SB 792 states that, if a UW System institution were to impose a diversity or ethnic studies course as a general education requirement, a course in the US Constitution and Bill of Rights may satisfy that requirement. SB 792 places no limitations on any course offering, course content, or speech of any student or professor. Any course qualifying under SB 792 would be organized and prepared by the university and its educators. I strongly suspect every single UW campus current offers at least one course that would qualify or could be easily adapted to qualify. SB 792's operative language is one sentence and crafted specifically to not limit the specific content of any course.

The goal of cultural understanding and social harmony is indisputably laudable. Meeting, befriending and engaging with people of all backgrounds and viewpoints is a key part of a liberal arts education. However, the divisive cultural disagreements and polarization of recent years clearly show that trying to forcibly educate someone into a particular worldview is counterproductive. One does not learn empathy and understanding through coercion.

A 2016 poll¹ of over 12,000 professors found 8.5 Democrat professors for every Republican professor. This ratio jumps up to 27:1 for sociology professors. Conformity in professorial opinion, along with the shift away from a classical liberal prism to a group identity prism, has resulted in education of a particular world view around certain issues. Forcing students to complete classes that view racial and cultural conflict through only one specific lens will not achieve the stated objective. By contrast, America's founding documents show the great aspiration for equality and opportunity for all, alongside where America fell short of its aspirations.

Thank you for your consideration of SB 792.

¹ <https://www.nas.org/blogs/article/partisan-registration-and-contributions-of-faculty-in-flagship-colleges>



DATE: February 10, 2022

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

FROM: Shanny Luft, Associate Professor of Religious Studies, Associate Dean of General Education
and Honors at the University of Wisconsin at Stevens Point

RE: Testimony on Senate Bill 792 and Assembly Bill 844

I am Shanny Luft, an associate professor of Religious Studies at the University of Wisconsin Stevens Point since 2009, where I have taught many courses introducing students to the diversity of religious experience in the United States. In addition, I am the Associate Dean of General Education and Honors at UWSP. In my courses we explore diverse communities and experiences, offering college students vital skills they will need as they enter the 21st century job market. Were Senate Bill 792/ Assembly Bill 884 to become law, it would diminish the education of Wisconsin college students and leave them less prepared for the world they are entering.

At UWSP, courses that satisfy the U.S. Diversity General Education requirement introduce students to a wide range of perspectives and communities in order to broaden their knowledge, encourage empathy, and provide essential workplace competences. Diversity education helps students appreciate the value of different experiences and perspectives, and to work in diverse environments where the ability to consider problems from multiple perspectives is an asset.

For example, several years ago in my course, Introduction to the Study of Religion, I met a new student who had recently returned from Iraq as a war veteran. She went on to take multiple courses in Religious Studies, as well as in History and Anthropology. Today that student is a police officer in the Waukesha Police Department. We have stayed in touch, and she recently shared with me that the diversity education she received in college regularly helps her as an officer. She feels better able to engage and connect with members of the community in which she works, as well as with colleagues who have a broad range of life experiences and perspectives.

Apart from the ways that diversity education can benefit our communities, it can also make our students more competitive and successful as they enter the 21st century workplace. In a new survey of nearly 500 executives and hiring managers, 84% indicated that they were more likely to hire a candidate who had "global learning experience that included exposure to diverse experiences and perspectives."¹ The reason why corporations prize candidates with diverse educational experience is

¹ Ashley Finley, "How College Contributes to Workforce Success: Employer Views on What Matters Most." The Association of American Colleges and Universities, 2021. <https://dgm81phvh63.cloudfront.net/content/user-photos/Research/PDFs/AACUEmployerReport2021.pdf>. This research has been re-confirmed for the last decade. See "It Takes More than a Major: Employer Priorities for College Learning and Student Success," a survey of 318 executives at private sector and nonprofit organizations. https://www.aacu.org/sites/default/files/files/LEAP/2013_EmployerSurvey.pdf

clear. Diverse workplace cultures boost innovation and yield financial results. As a 2019 Wall Street Journal study of corporate diversity discovered: “Diverse and inclusive cultures are providing companies with a competitive edge over their peers.”² Additional research confirms the Wall Street Journal’s conclusion: diverse corporate communities are better able to approach problems from multiple perspectives and propose innovative solutions. Wisconsin college students need to be prepared for these increasingly diverse corporate environments. Their ability to comfortably engage with people from a variety of backgrounds, beliefs, and identities will provide them skills that corporations have repeatedly indicated that they prize.

Finally, college courses about the U.S. Constitution are valuable for understanding our nation’s history, government, and legal foundation. But studying the Constitution is not a suitable alternative for diversity education. As an essay from the Heritage Foundation pointed out: “Nowhere in the Constitution...are human beings classified according to race, skin color, or ethnicity.... Our founding principles are colorblind.”³ While the Constitution expresses fundamental ideals about equality, it is not the proper tool to prepare students to navigate the increasingly diverse communities and workplaces they are entering.

Diversity education introduces students to ideas and perspectives that many of our students have not encountered prior to college, but will certainly encounter in Wisconsin workplaces. These skills are critical for Wisconsin students to be successful, productive, and profitable long after graduation. Thank you.

² Holger Dieter. “The Business Case for More Diversity; Wall Street Journal Research Analysts Rank Industries and Companies for Diversity and Inclusion—and Find a Link to Performance.” Wall Street Journal. New York, N.Y. October 26, 2019. See also S.R. Levine, “Diversity confirmed to boost innovation and financial results.” Forbes. January 15, 2020.

<<https://www.forbes.com/sites/forbesinsights/2020/01/15/diversity-confirmed-to-boost-innovation-and-financial-results/?sh=6e566c84c4a6>> And: David Rock and Heidi Grant, “Why Diverse Teams are Smarter.” Harvard Business Review. November 4, 2016. <<https://hbr.org/2016/11/why-diverse-teams-are-smarter>>

³ David Azerrad, “What the Constitution Really Says about Race and Slavery.” The Heritage Foundation. December 28, 2015, from <https://www.heritage.org/the-constitution/commentary/what-the-constitution-really-says-about-race-and-slavery>



Office of Government Relations
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DATE: February 10, 2022
TO: Members of the Senate Committee on Universities and Technical Colleges
FROM: Jeff Buhrandt, Interim Vice President for University Relations
RE: Written Testimony on Senate Bill 792

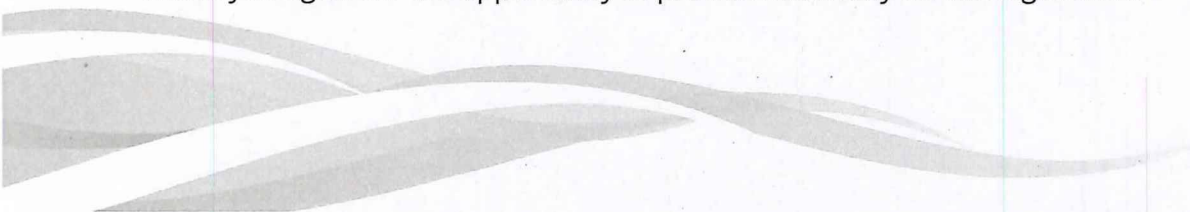
Thank you, Chair Roth and committee members, for providing the UW System (UWS) an opportunity to provide testimony on Senate Bill 792 (SB 792).

The diversity and ethnic studies component of our general education courses is an important and valued educational experience. For a student, the objective of general education is to gain knowledge and skill in a variety of subject-matter areas to cultivate independent thinking. The diversity and ethnic study course offerings aim to improve an individual's ability to consider problems from multiple perspectives and enter a diverse workforce. That is why 88% of employers surveyed prefer that colleges either maintain or increase their current focus on diversity education.

Each of our 13 universities offer an average of 52 courses to students to meet this general education requirement. The objective of this component is to gain competence in intercultural knowledge to interact and work with people from diverse backgrounds and cultures. Courses offered at our universities are varied, and credits to satisfy this requirement can be found in an array of disciplines—including history and political science. In fact, UW-Parkside offers 89 courses in 11 curricular areas. Several of our campuses offer coursework that does meet the diversity requirement, with content that includes the U.S. Constitution.

While we agree that the U.S. Constitution and the Bill of Rights are important subject matter for all citizens to have, we have concerns with the legislature limiting academic freedom by imposing courses or select content that must be offered at our universities. Our diversity and ethnic study requirement serves to fulfill marketplace demand and educational outcomes as outlined in system policy. These outcomes are necessary for both UWS policy and the Higher Learning Commission (HLC) accreditation, but we do not interfere with the academic freedom provided to our faculty to develop course content. It is for this reason, we provide such a wide array of courses for students to choose from to meet this general education requirement. Currently, students have a range of options to satisfy this 3-6 credit requirement. If instituted, we believe this legislation could set a precedent of limiting academic freedom at our universities.

Thank you again for the opportunity to provide testimony on this legislation.

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WISCONSIN
UNIVERSITY OF WISCONSIN-MADISON

Senate Committee on Universities & Technical Colleges
2021 Senate Bill 792

Courses satisfying University of Wisconsin System core general education requirements

February 10, 2022

Chairman Roth and members of the Committee:

Thank you for the opportunity to testify today.

My name is John Zumbrunnen. I'm appearing today in my capacity as Vice Provost for Teaching and Learning at UW-Madison. In that role, I work with colleagues across campus to provide support for UW-Madison's teaching and learning mission. I'm proud to represent my University in this discussion of our general education requirements.

I am also, though, a faculty member and instructor. I joined the Department of Political Science at UW-Madison in fall 2008, having spent the previous eight years before that at a small liberal arts college in upstate New York. UW's commitment to the Wisconsin Idea and so to serving the state which we call home has always been deeply meaningful to me. I have in particular always taken very seriously what I take to be my responsibility (and the University's responsibility) to help students discover their own pathways to engaged, informed and constructive citizenship.

In that regard, I consider myself fortunate to teach in the field of Political Theory. I regularly teach precisely the texts and ideas which Senate Bill 792 puts front and center: the United States Constitution and the Bill of Rights. Those texts appear in various courses I teach, including History of American Political Thought (covering the colonial period to the end of the 19th century) and Contemporary American Political Thought (covering the Progressive Era to the present day). This spring I'm teaching a course on citizenship and the environment. The Constitution and the Bill of Rights aren't on the syllabus; but just last week my students and I read and discussed the Declaration of Independence and the 14th Amendment, along with some excerpts from John Locke, since I don't think you can teach the Declaration fully without some of Locke's *Second Treatise of Government*. And I don't think you can stop with the Constitution and the Bill of Rights or the Declaration or Locke. And so in various courses I teach the federalists and anti-federalists and the early disputes between Jefferson and Hamilton about the new federal government and its powers, and Lincoln and the abolitionists and the 19th century

suffragists – and on down the list of texts that are essential for appreciating and grappling with the American political tradition.

Teaching those texts for me means working to draw students towards their authors' deepest insights; thinking about the context in which they were written and the sources upon which their authors drew; considering the ways in which they have been both inspirational and the subject of sometimes heated controversy; and exploring their ongoing relevance for politics and citizenship today. I've never found it particularly difficult to get students to think and talk and argue about these texts and the ideas they contain. And I continue to find doing so to be deeply rewarding.

Drawing in part on that teaching experience, I am here today respectfully to offer my own and UW-Madison's feedback on Senate Bill 792 and its mandate that courses on the U.S. Constitution and Bill of Rights be allowed to fulfill our General Education Ethnic Studies Requirement. Though I will raise some questions about that mandate, let me say clearly that I would never deny the importance of teaching those texts, which, again, has been an important part of my work for over 25 years. Nor do I mean to say that teaching the Constitution and Bill of Rights is somehow incompatible with or opposed to teaching ethnic studies – in a moment, I'll argue that the opposite can be true.

I instead wish to make two basic points. First, UW Madison's ethnic studies requirement rests on well thought out and clearly articulated learning goals that may or may not be served by courses on the Constitution and Bill of Rights. And, second, whether a course on the Constitution and Bill of Rights fulfills those learning goals can be and is appropriately accomplished through established university governance processes.

To the first point, UW-Madison's general education policy states that to fulfill the ethnic studies requirement, a course must be "centrally focused on the circumstances, conditions, and experiences of persistently marginalized racial and ethnic minorities and/or indigenous peoples in the United States." The exploration of those "circumstances, conditions, and experiences" might involve consideration of constitutional, political or legal matters. But ethnic studies courses often take other approaches: economic, cultural, artistic, social.

Indeed, over the last five years, 159 courses taught in 48 departments at UW-Madison have been approved as fulfilling the Ethnic Studies Requirement. Those courses naturally differ widely from one to the next. What they all have in common, though, is a commitment to facilitating student knowledge of, again, "the circumstances, conditions, and experiences of persistently marginalized racial and ethnic minorities and/or indigenous peoples in the United States."

One can, I think, easily imagine courses that would *both* focus on the experiences of racial or ethnic minorities or indigenous peoples *and* involve teaching the U.S. Constitution and Bill of Rights. A course on race and politics in the United States will surely involve a serious consideration of the Constitution as written in the 1780s and amended since. Similarly, a course on criminal justice might spend a great deal of time on the protections for the accused enshrined in the Bill of Rights, and such a course might well take race and ethnicity as a sustained angle of approach in understanding those protections.

At the same time, the courses on American Political Thought that I teach and in which the Constitution and Bill of Rights prominently figure are, quite properly, *not* approved to fulfill the ethnic studies requirement. I think those courses offer students important learning opportunities that will enrich their civic lives. But, while race, ethnicity and indigeneity do figure on the syllabus, those courses are not “centrally focused” on those matters. And so they are, again quite properly, not ethnic studies courses.

This leads to my second point, which concerns how we determine whether a course is or is not appropriate as a way to fulfill the ethnic studies requirement. New courses at UW-Madison are proposed by instructors and then are subject to review at the department, school/college and campus level. Those reviews are serious, rigorous, and often lengthy. It is not at all uncommon for a course proposal to be sent back—sometimes more than once—for revision, as colleagues carefully attend to our very high expectations for rigorous instructional design. Any course intended to fulfill a general education requirement, including the ethnic studies requirement, is subject to another round of review by the campus level general education committee, which is charged with ensuring that general education courses effectively pursue the learning goals established by the general education curriculum.

For me, and for UW-Madison, those learning goals are what matter most. Gaining knowledge of the Constitution and Bill of Rights—and, more generally, of American political thought and history—is a worthy learning goal. That learning goal is, though, distinct from the learning goal reflected in our ethnic studies requirement. Again, it is eminently possible that a course might quite effectively pursue both the learning goal of gaining knowledge of the American political tradition *and* the learning goal of gaining knowledge of “the circumstances, conditions, and experiences of persistently marginalized racial and ethnic minorities and/or indigenous peoples in the United States.” Whether any particular UW-Madison course accomplishes this is appropriately addressed through our established curricular review processes. Thank you again for your time and I am open to questions from members of the committee.

Office of University Relations

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Senate Committee on Universities and Technical Colleges

2021 Senate Bill 792

Courses satisfying University of Wisconsin System core general education requirements

February 10th, 2022

Chair Roth and members of the Senate Committee on Universities and Technical Colleges:

The Associated Students of Madison (ASM), the Student Government of the University of Wisconsin-Madison thanks the committee for the opportunity to provide written testimony on Senate Bill 792, relating to courses satisfying University of Wisconsin System core general education requirements. ASM opposes the passage of SB 792 for the reasons discussed below.

Students are required to go through the Ethnic Studies Requirement (ESR) as part of their undergraduate studies. This is a requirement that all students take a 3-credit course that considers ethnic/racial minorities that have been marginalized or discriminated against in the U.S. Through the ESR the University is fostering a better understanding and appreciation of diversity on campus. Substituting this requirement with a course on the United States Constitution, and/or the Bill of Rights does not accomplish the goals set forth by the ESR.

The ESR better prepares students for life and careers in an increasingly multicultural U.S environment. By offering students the opportunity to draw connections between historical and present day circumstances, students are able to consider perceptions and cultural assumptions when examining questions and making decisions.

By completing the required course(s), students will be educated on some of the effects the past has had on present day circumstances, including disparities of race within the U.S. As well as being able to recognize and question cultural assumptions, rules, biases, and knowledge claims as they relate to race and ethnicity. The skills learned in an ESR course will be used both inside and outside the classroom, further enhancing students' ability to participate in a multicultural society more effectively, and respectfully.

In contrast, a course on the U.S Constitution or the Bill of Rights may teach students about the origins of the amendments and our basic rights as Americans, but will not teach students about the struggles of those who for the majority of our history were not considered nor treated as Americans.

On top of this, the majority of students attending UW-Madison are those who have graduated high school from Wisconsin. The State of Wisconsin already requires high schools to give a 100 question civics exam to students as a high school graduation requirement, which has led to many high schools creating a course just for the civics exam. A basic course on the U.S Constitution, or the Bill of Rights would likely be a repeat of what students have already learned in high school.

Furthermore, the ESR expands a students' knowledge about the world around us. It encompasses the study of varying populations, cultures, and ethnicities including those of the United States but also Europe, Asia and various regions of the world. The ESR presents students with a non-centric education of the United States, which is critical for the modern workplace environment of this generation

Finally, ASM believes that maintaining the current requirements regarding the ESR is a key aspect of the Wisconsin Idea. The general principal surrounding the Wisconsin Idea is that education should influence people's lives beyond the boundaries of the classroom. The perspectives and skills learned by taking an ESR course is exactly within the scope of the Wisconsin Idea.

For these reasons, The Associated Students of Madison stands opposed to the passage of SB 792.

Thank you for the opportunity to submit written testimony on the impact this legislation would have on UW-Madison students. If you have any questions, please reach out to ASM's Legislative Affairs Chair MGR Govindarajan at legislative@asm.wisc.edu.