

PRESS RELEASE

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Motion to dismiss HB 233 lawsuit denied

In August 2021, United Faculty of Florida joined the federal lawsuit (Link et al v. Corcoran et al, Case No. 4:21-cv-00271) against the state of Florida regarding HB 233. Passed during the 2021 legislative session, HB 233 was designed to chill the First and Fourteenth Amendment rights and to invade the privacy of Florida’s higher education students, faculty, and staff.

Earlier today, Judge Mark E. Walker of the U.S. District Court for the Northern District of Florida denied the state’s motion to dismiss UFF’s lawsuit. In response, United Faculty of Florida President Andrew Gothard released this statement:

“The United Faculty of Florida is thrilled by this decision, as it indicates that the free speech rights of Florida’s higher education community will have their day in court. The ‘Viewpoint Discrimination’ law is yet another example of the desire many members of the Florida Legislature have to pass unconstitutional laws that harm Floridians rather than solving the important problems that hold back both our state and our people. We look forward to seeing this law struck down in court as an affront to democracy and the American way, and we will continue our fight for all of Florida’s students, faculty, staff, and higher ed community members until that day comes.”

Judge Walker’s decision comes only one day after the release of HB 233’s mandated “ideological viewpoint” survey of higher education faculty, staff, and students, which contains major problems of security and validity. Since the survey’s release, UFF has received multiple reports of students and employees sending the survey to friends and of individuals filling it out multiple times, since the survey’s distributions methods provide few if any safeguards against these actions. In addition, many faculty have noted that the survey does not provide questions about the impact higher ed administrators, local Boards of Trustees members, or members of the Florida Legislature are having upon a campus’s political environment—only the impact of faculty and student actions and speech.

UFF continues to call for all members of the higher education community to boycott this survey in order to protect fundamental freedoms on Florida’s university and college campuses as our lawsuit continues through the federal court system.