# Show University Assembly R. 6: Resolution to Clarify Responsible Free Expression in the Campus Code of Conduct

**Committee:** University Assembly

**Period:** 1 Jun 2012 - 31 May 2013

**Position:** 6

**Name:** Resolution to Clarify Responsible Free Expression in the Campus Code of Conduct

**Comments allowed until:** 2013-04-10 22:43:00 -0400

**Description:**

Resolution to Clarify Responsible Free Expression in the Campus Code of Conduct

**Content:**

WHEREAS the Campus Code of Conduct states that the principle of freedom with responsibility is central to Cornell University; and that the freedoms to teach and to learn, to express oneself and to be heard, and to assemble and to protest peacefully and lawfully are essential to academic freedom and the continuing function of the University as an educational institution; and

WHEREAS Cornell University students will be among the ones who will have to make the principles of American democracy, including the freedom of speech and freedom of peaceable assembly, work; and

WHEREAS the students and student groups of Cornell University must learn how to responsibly and effectively exercise the principles of freedom of speech and freedom of peaceable assembly; and

WHEREAS the faculty of Cornell University must encourage and teach the students and student groups how to responsibly and effectively exercise the principles of freedom of speech and freedom of peaceable assembly; and

WHEREAS two demonstrations took place on Ho Plaza on November 19th 2012 where the rights of free expression were questioned; and

WHEREAS on December 12, 2012, the Faculty Senate passed a Resolution on Investigation Concerning Free Expression that requested the that President Skorton issue a public written report of his findings concerning whether the rights of free expression, academic freedom or freedom of assembly were violated on November 19, 2012; and

WHEREAS on December 12, 2012, the Faculty Senate also passed an Alternative Resolution on Investigation concerning Freedom of Expression that requested that the Dean of Faculty and the University Faculty Committee form an ad hoc committee to investigate any interference with freedom of expression, academic freedom, and freedom of peaceable assembly during the events of November 19, 2012; and that the ad hoc committee report back to the Faculty Senate the committee’s recommendations to ensure that freedom of expression, academic freedom, and freedom of peaceable assembly be upheld at Cornell, including, rescinding administrative policies that are inconsistent with the campus code's presumption that permits are not required for outdoor events involving freedom of expression, academic freedom, and freedom of peaceable assembly; and

WHEREAS on January 30, 2012, the President issued a report known as the Mingle Report that found that there is a lack of clarity as to what policies govern outdoor rallies and demonstrations on university premises; and

WHEREAS The Mingle Report also found that the Campus Code, in Article I C, sets forth a general right of free expression, and that the Code also permits the University to “impose reasonable time, place, and manner restrictions” on expressive conduct (Campus Code Article III B.1); and

WHEREAS according to Article III of the Charter of the University Assembly, the University Assembly has authority over the Campus Code of Conduct

BE IT RESOLVED that the following changes (insertions in bold, deletions in italic) be made to Article III.B.3. of Title One of the Campus Code of Conduct so as to clearly establish the right of free expression and to give conditions where the University may impose reasonable time, place, and manner restrictions:

Because outdoor picketing, marches, rallies, and other demonstrations generally pose no threat of long-lasting exclusive use of University grounds or property, there appears to be **is** no need for a mandatory permit procedure for such outdoor activities **as long as those activities are in compliance with Title Four Article IIA, and consistent with the following guidelines describing the use of university property that allow the University to impose reasonable time, place and manner restrictions:**

**A Use of University Property Form (UUP) must be filled out for events with food and/or alcohol, events expected to attract 200 or more people, events where speakers use amplification, and any event involving the use of university property by a non-Cornell group or individual.**

**Sponsors:** Randy Wayne

Attachments:

No attachments.

Comments:

No comments.

## Events

| Date | Event | Description |
| --- | --- | --- |
| 2013-03-31 | propose |  |
| 2013-04-02 | refer |  |