Some sample proposals for resolving the discrepancy between the Code of Conduct and the UUP policy.

Proposal 1: Leave the Code as it is. Any discrepancy between the code and UUP policies must be resolved by changing the latter.

*Rationale: Rights are more important than convenience. It may well be the case that the current UUP regulations requiring advance permits for outdoor demonstrations put an undue burden on free expression. This proposal does not intend to abolish all permit requirements (the University might still ask for permits for events involving alcohol, or which produce a great deal of noise).*

Proposal 2: Remove references to "reasonable time, place, and manner restrictions" from the Code (in Title I, Article III.B.1 (c), Title IV, Article 2.A.9, and whatever I've missed) and replace them with a clear statement that limits free expression only when it threatens the safety of persons or property, or prevents others from exercising their rights (including their right to free expression).

Title I, Article III.B.1 would be changed as follows:

**B. Protests and Demonstrations on Campus**

1. Protected Expressive Conduct in General

The University will treat as within the basic protection of a right to free expression such lawful conduct as satisfies the following tests, where lawful means not in violation of state or federal law. The conduct should (a) be intended for expressive purposes, (b) be reasonably understood as such by the University community, and ~~(c) comply with such reasonable time, place, and manner restrictions as are consistent with the other provisions of this Article and as may be authorized from time to time by the President.~~ **and c) does not threaten the safety of persons or property, or prevent others from exercising their rights (including their right to free expression).**

~~Even in regard to conduct that is intentionally expressive and perceived as such, the University may impose reasonable time, place, and manner restrictions on such conduct to preserve other important values and interests of the University community. An accused charged with such conduct may assert as a defense that he or she has complied with such time, place, and manner restrictions.~~

All protection and regulation of expressive conduct should be content-neutral. A group's persuasion or point of view should have no bearing on ~~the grant of permission or~~ the conditions regulating that group's expressive conduct.

Title IV, Article 2.A.9 would be eliminated:

~~9. To fail to comply with any time, place, and manner regulation authorized by Article III of Title One.~~

*Rationale: Same as above. Morever, the phrase "reasonable time, place, and manner restriction" is too vague, and gives too much latitude to administrators. Restrictions are only acceptable where they protect something really important. These changes put the focus where it ought to be, on the prohibition of bad behavior, rather than on whether or not someone has a permit.*