**REPORT ON UFC RESPONSE TO HO PLAZA COMMITTEE’S RECOMMENDATION**

Dean Burns: “So we have two items that go back to the last meeting of the senate, and my intention here is to merely list what the faculty committee on the Ho Plaza incident reported out and then tell you what the UFC had to say about this. If you'll remember, this is an incident between people supporting Israel and another group endorsing Palestine that had a confrontation on Ho Plaza on November 19th. The University's handling of this confrontation pointed out inconsistencies between the campus code and the university's permit process.

“It's worthwhile in our own conversations here to realize that the campus code, which is subject to revision, is not our responsibility, but rather is the responsibility of the University's Assembly, to which we contribute. And thus, our faculty response that is in this report, as well as the minutes of the May meeting and the minutes of this meeting are strictly advisory to the University's Assembly.

“So at the May meeting, I was asked to please say what the recommendations were or how the UFC handled the recommendations from the full committee and what we decided to do with them. So I will do that here, and my plan is to just summarize each of the five responses.

“I will quickly state the five recommendations, very briefly say what the UFC response to each was, and then give three minutes per recommendation for comments from the Senate. And three is not divisible by two minutes per speaker, so maybe we could even make it one minute per speaker, if we want to get some feedback that you'd like to have the university assembly know about, and then we'll move on.

“These are the five items, five recommendations from our committee; had to do with changes in the employee ID cards. Questions about faculty rights of free expression and so forth versus being considered agents of the university, unless we follow the rules and tell students what to do, if the police request us.

“There was a conflict, which is the major one, I think, between what's written in the campus code, what's on the UUP form. There's an issue about whether amplified sound is any different in terms of freedom of expression, and a recommendation on how event managers should be trained.

“So the first thing that the UFC in its preamble said that we generally endorsed this report and commended the committee for its excellent and balanced document. On the first recommendation, that recommendation stated that the phrase -- and if you want to pull out your ID, in the back it says you must show this identification upon request. It's weird. Not all (Cornell-issued) IDs actually have that, but the vast majority of our IDs have that. And the committee suggested that maybe should not be there.

“We suggest that it should remain on the campus ID cards, but it must be clarified exactly what's meant, under what circumstances should that ID be shown. And the UFC also felt that the university counsel's office should be consulted in any rewrite of this. Does anybody have an opinion on this that they would like to share?

“Okay, let's move on to the second recommendation. Second recommendation -- yes. Why don't we wait, please, Elizabeth. Yes, could you please identify yourself, Elizabeth?”

Professor Elizabeth Sanders, Government: “Is there not a chance to decide –“

Dean Burns: “You can state your own opinion.”

Professor Sanders: “I don't know what the stages of these contrasting resolutions -- is UFC's position dominant, or –“

Dean Burns: “It is dominant insofar as we are passing these recommendations on to higher up and to different parts. If you want to say I don't agree with this and this ought to come back to the whole senate as a whole, I suppose we could do that.”

Professor Sanders: “…That sentence, or to go with the UFC's.”

Dean Burns: “Motions need to be, of course, put out in advance. So if you wish to make a resolution, we'll bring it back to the UFC for consideration.

“The second point was that the UFC believed that the faculty's right to freedom of expression, peaceful assembly and academic freedom should take priority over their responsibility to act as agents of the university.

“So this is coming from the recommendation, and the UFC believes that this should be highlighted in the background training that is given to the university police officers, so that they realize they can't be requesting faculty members to be agents of the university, if faculty members would feel like this is the more important thing to do. Is there anyone who would like to make a comment on this position?

“The next of these is the committee felt that when the codes and judicial committee of the UA rewrites the campus code, it's important to preserve the ability of groups to assemble spontaneously. And while it is generally desirable to have advance notice of meetings, it should not be mandatory to receive a UPP permit -- that is a use of the university property permit -- in advance of any meetings.

“This is the UFC's position down here. We believe that it is desirable to have an advanced notice, such as you would get by using this permit, but it should not be mandatory. And that's what we're recommending that the UUP say, when they modify this.

“Any comment on that position? Yes. Risa.

Professor Risa Lieberwitz, School of Industrial and Labor Relations. “I think this is very much at the heart of the debate and should be recognized that notion of whether demonstrations or other kinds of rallies to actually promote free speech, it should include some sort of advanced notice.

“Even stating it's desirable is taking a position, so I think it should be recognized that this is the UFC's position, as the UFC existed prior to this year that's being passed along to the University Assembly; but it may be that along with what Elizabeth was saying, that some of these are particularly important and perhaps could come back here as resolutions, because it certainly is not the position of the senate. This is a position of the UFC as it existed at that time.

Dean Burns: “Speaker in the back.”

David Delchamps, Electrical and Computer Engineering. “I was on the UFC last year -- I'm not on UFC anymore -- and I sort of disagree with this position actually. And I'll tell you exactly how I disagree with it. My personal view is that a protest is a protest. It's not a bake sale, it's not trust days.

“And the campus code of conduct should make absolutely no reference at all to anything like a UUP or anything. That's my personal opinion. Tempering that is the fact that the campus code is not the faculty's creature. It's the creature of the UA. And anyone here who has ever interacted with the University Assembly, tried to get a change to anything, it's a body, it has opinions, it has a view of its role, and I think it's dangerous for a faculty committee such as the UFC or even the faculty senate to go and say this is how the code should be. I think we can advise them on what we think.

“So I wanted to say that there was sort of a minority report associated with UFC last year, and also that there is that danger that we'll appear arrogant and overbearing if we force our view on them.”

Dean Burns: “Is there another comment on the other side?

Associate Professor Clare Fewtrell, Molecular Medicine: “I am and was on the UFC, and I think I basically support the motion as proposed for the reasons that David mentioned just now. I think there's a real concern from the UA, as I understand it, that they would not be in favor of even perhaps something as mild as this, because of the concerns about disrupting previously organized things.

“And I think this is a very good compromise, which clearly gives people the opportunity to protest at very short notice on issues that they feel are important, but also encourages them, if possible, to notify other people that this is going to happen. There's no advantage to doing that. It's more of a courtesy, and I think this is a good compromise.”

Dean Burns: “Is there a final speaker who would like to speak against this motion, against this position? Peter.

Professor Emeritus, Peter Stein, Physics: “I sure believe in free expression, but I've been in a lot of demonstrations in my life, and they almost always were -- there was advance notice. Not on the campus I'm talking about, but in Washington, in New York City, and it's accepted by everybody that while you have a right to make a free statement, you don't have the right of using your voice to obstruct somebody else or some other activity.

“And it's common, and I don't think anyone in the public sector has ever complained about this for police departments in various cities to make sure that the demonstrations don't obstruct traffic, that the demonstrations are not used as a way of depriving someone else of their rights.

“I don't know anything about this particular issue, but the statement that says that everybody has a right to come to any place and make as much noise as they want, I'm not sure that I'm going along with that. I think that it makes a certain amount of sense to have these various demonstrations phased and brought to an appropriate place. Of course, that power shouldn't be such that nobody can hear what you're saying, but to say that anyone can go anywhere in as large a group as they want, I think that to me it goes beyond what's necessary –“

Dean Burns: “Thank you very much. Thank you. I think we have to move on, David. I'm sorry. The next of these, Number 4, deals a little bit with what Peter was talking about, I think. There was an issue about whether or not there should be specific rules for amplified sound.

“And the comment of the UFC on this was that all members maintain that the goal of the final campus code should be to encourage civil discourse that reflects the values of the university community. Most of the UFC members believe that the question of special restrictions on the use of amplified sound should be specifically addressed by the campus codes and judicial committee. Any comment on this?

“Okay, the last of these is that the UFC strongly recommends that event managers receive additional training and safety in crowd management. They further believe that the faculty members should be encouraged to serve as event managers and also to help in the training of these individuals. Any comment on that position? Okay, that's the end of the UFC's response to the recommendations of the committee.”