

# Resolution 56: Affirming the Responsibility of the Shared Governance System to Uphold Freedom of Expression

**Abstract:** This resolution acknowledges the essential importance of consulting the organs of shared governance in policy making that directly affects undergraduate life, especially policies concerning freedom of expression; it recognizes the fifty-year history of consultation between the University President and the Student Assembly as the crucial mechanism to develop a cohesive social contract on campus; it recognizes the role of the University President to administer the University; and it recommends the interim Expressive Activity Policy not be renewed absent the formal advice, consideration and review of the assemblies.

**Sponsored by:** J.P. Swenson '25, Patrick Kuehl '24, Claire Ting '25, Clyde Lederman '26, Suraj Parikh '24

**Reviewed by:** Student Assembly, 02/22/2024, [fill-in vote count]

**Type of Action:** Sense-of-the-Assembly

**Originally Presented:** 02/22/2024

**Current Status:** [To Be Placed on the Agenda for the February 22 meeting via a Suspension of the Rules]

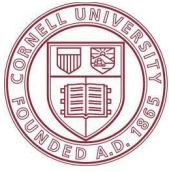
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**Whereas,** the system of shared governance was developed at Cornell University five decades ago as a fair and effective mechanism to create a binding social contract of community norms during a period of intensive national political, social, and generational divisions;

**Whereas,** the Charter of the Student Assembly sets forth that the purpose of the Assembly is “to effect more extensive involvement in campus governance in the undergraduate student body.”

**Whereas,** the Charter of the Student Assembly charges the Assembly with “the authority and the responsibility to examine any matters which involve the interests or concern the welfare of the student community.”

**Whereas,** on January 24, 2024, the interim Expressive Activity Policy (University Policy 4.23) at Cornell University entered into force;



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28 **Whereas**, this policy was enacted by the University administration absent the formal advice of the  
29 bodies of shared governance at Cornell, including the Faculty Senate, Graduate Student Assembly,  
30 and Student Assembly;

31 **Whereas**, the only feedback permitted to be provided by the Student Assembly was required by  
32 the Dean of Students to be done in a sixty-minute confidential meeting and with only six of the  
33 thirty-one members of the Student Assembly present;

34 **Whereas**, the aforementioned confidential meeting occurred twelve days prior to the enactment  
35 of Policy 4.23, yet the University Administration claims this policy has been in development for  
36 many years;

37 **Whereas**, none of the feedback offered during the aforementioned meeting was implemented;

38 **Whereas**, the confidential nature of this process with stakeholders chosen by the University deeply  
39 undermines the spirit of collaboration and representative participation that undergirds the half-  
40 century old system of shared governance;

41 **Whereas**, the directly elected trustees representing undergraduate and graduate students were  
42 entirely unaware of the development of this policy, as well as other on campus constituency-  
43 elected trustees;

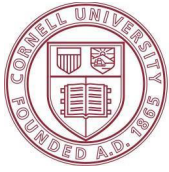
44 **Whereas**, the Student Assembly acknowledges the legal mandates that instruct the nature of  
45 University regulations on expressive activity, including by the Rules for the Maintenance of Public  
46 Order (RMPO);

47 **Whereas**, the Student Assembly affirms that the University President, pursuant to Article V(1) of  
48 the University Bylaws, "is charged with responsibility for providing general supervision to all  
49 affairs of the University";

50 **Whereas**, for fifty years the Board of Trustees and University Presidents have affirmatively,  
51 formally, and seriously consulted the organs of shared governance in the exercise of their duties  
52 for the sake of campus unity and effective policymaking;

53 **Be it therefore resolved**, that is the sense of the Student Assembly that the fifty-year history of  
54 consultation between the University President and the Student Assembly is crucial mechanism to  
55 develop a cohesive social contract on campus;

56 **Resolved**, that is the sense of the Student Assembly that formal participation of democratically  
57 elected representatives in policy making is essential when issues as fundamental to university life  
58 as the regulation of public assemblies are concerned;



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59 **Resolved**, that is the sense of the Student Assembly that implementation of policies governing free  
60 expression and protest activity absent the formal advice of the assemblies severely strains the  
61 social contract at the University that is essential for a community of safety and belonging;

62 **Resolved**, that is the sense of the Student Assembly that the undergraduate student body is keenly  
63 and extraordinarily concerned with the provisions of University Policy 4.23 because of its outsized  
64 and restrictive effect on the exercise of freedom of expression;

65 **Resolved**, Student Assembly requests, petitions, and recommends that the University President  
66 and the Executive Policy Review Group not renew University Policy 4.23 beyond the first instance  
67 of its expiration without the formal advice of the assemblies in a process to be developed between  
68 University Assembly and the University President; and

69 **Resolved**, it is the intention of the Student Assembly to develop a comprehensive process to solicit  
70 feedback from undergraduate students and provide detailed amendments to University Policy 4.23  
71 prior to the conclusion of the 2024 Spring Semester.

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73 **Respectfully submitted,**

74 J.P. Swenson '25

75 *Student Elected Trustee, Cornell University*

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77 Patrick Kuehl '24

78 *President, Student Assembly*

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80 Claire Ting '25

81 *Executive Vice President, Student Assembly*

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83 Clyde Lederman '26

84 *Vice President for Internal Operations, Student Assembly*

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86 Suraj Parikh '24

87 *Vice President for External Affairs, Student Assembly*