

Resolution on Interim Policy 24.014: Freedom of Expression and Revisions to Policy  
24.016: Use of Outdoor Spaces on the Athens Campus  
Executive Committee  
Faculty Senate  
First Reading  
October 16, 2017

Whereas freedom of expression is protected by the First Amendment and academic freedom is the cornerstone of higher education; and

Whereas broad policies such as the ones addressed in this resolution counteract the free exchange of ideas and freedom of speech and contradict our educational mission of fostering critical thinking, promoting civic engagement, and encouraging responsible political action of our young citizens; and

Whereas it is recognized that the University has a responsibility to provide safety for faculty, staff, students, and community members; and

Whereas the administration adopted Interim Policy 24.014 (“Freedom of Expression”) and revisions to Policy 24.016 (“Use of Outdoor Space on the Athens Campus”) without preliminary consultation with University constituencies such as the five university senates; and

Whereas there has been widespread criticism of both the substance of the new policy (24.014) and the policy revisions (24.016) and the processes by which they were formulated and adopted; and

Whereas both interim policies seriously curtail protected speech and protest activity and prohibit them in established public forums; and

Whereas these policies turn all indoor and outdoor facilities into quasi-private spaces, although Ohio University is a public university and should be open to the public whenever possible; and

Whereas the School of Journalism and the Scripps College Committee on Diversity have both unanimously called for these policies to be rescinded; and

Whereas the University administration needs to re-establish trust following its arrest of seventy students in Baker Center on February 1, 2017;

Therefore,

Be it resolved that Interim Policy 24.014 and the revisions to Policy 24.016 be immediately rescinded; and

Be it further resolved that a broadly representative task force, including faculty, be appointed that will make recommendations on the following:

1. The necessity of a policy on Freedom of Expression and, if deemed necessary, the draft of such a policy; and
2. The procedures that will be followed by the University in response to future protests, whether scheduled or spontaneous. Such procedures should detail which University officials will respond and require the University to make a good faith effort to negotiate and de-escalate situations of conflict; and

Be it further resolved that if the committee requested above drafts a policy, it adhere to the following principles:

1. There will be no blanket prohibitions of political speech and assembly, like the first sentence in Interim Policy C.4 (“Demonstrations, rallies, public speech-making, picketing, sit-ins, marches, protests, and similar assemblies are not permitted in the interior spaces of university buildings.”)
2. There will be provisions to accommodate spontaneous demonstrations outdoors and indoors; and
3. There will be clear definitions describing when an activity is “disruptive”, not the overly broad language in the interim policy.

Be if further resolved that any new policy be crafted in accordance with the process of shared governance.