University of Denver Faculty Senate

Minutes
April 21, 2017
Special Events Room
Anderson Academics Commons

Senators (or proxies) present:

Doug Allen, Anneliese Armschler Andrews, Lynn Baker, Jeff Bowen, Victor Castellani, Fred Cheever, Frédérique Chevillot, Kate Crowe, Jared Del Rosso (also proxy for Paul Colomy and Raúl Pérez), Ron DeLyser, Claude d'Estrée, Kingshuk Ghosh, James Gilroy, Jennifer Greenfield, Sarah Hart-Micke, Cynthia Hazel, Annabeth Headricks, John Hill, Scott Howard, Barb Hurtt, Scott Johns, Arthur Jones, Nadia Kaneva, Megan Kelly, Cheyne Kirkpatrick (also proxy for Melanie Witt), Judy Kiyama, Rick Leaman, Jing Li, Zulema Lopez, Steven Mayer, Eleanor McNees, Gloria Miller, Ved Nanda, Sarah Pessin (also proxy for Laleh Mehran), George Potts, Tom Quinn, Carl Raschke, Magdelana Red (proxy for Michelle Kruse-Croker), Chip Reichardt, Martin Rhodes, Dale Rothman, Dean Saitta, Nancy Sampson, Jonathan Sciarcon, Jamie Shapiro, Orna Shaughnessy, Derigan Silver, Dan Singer, Shannon Sliva, Mary Stansbury, Kate Stoker, Billy J. Stratton, Matthew Taylor, Nicole Taylor, Ron Throupe (also proxy for Amrik Singh), John Tiedemann, Armond Towns, Greg Ungar, Robert Urquhart, Gwen Vogel Mitchell, Kate Willink, and Joshua Wilson

Call to Order & Approval of Minutes

Kate Willink, Senate President, called the meeting to order at 12:00 PM.

A motion to approve the minutes from the March 31, 2017 meeting was seconded and approved.

Important Upcoming Events

President Willink opened the meeting by announcing important upcoming events.

- At the next Senate Meeting on 4/28, we will vote on the Constitutional Revisions.
 - Per the Senate Constitution, this requires a quorum of 75% of Senators. If you cannot attend, please send a proxy or arrange for another senator to be your proxy.
- Our final Senate meeting on May 19th will last for 2 hours, from noon until 2:00. Please plan accordingly.
- Finally, Senators are invited to provide feedback wordsmithing or conceptual feedback on the Policies and Procedures for Faculty Development Document at events on Tuesday (April 25) from 12-1:30 and Wednesday (April 26) from 4-5:30. Both discussions will be held at the Gottesfeld Room AAC (Room 313).

In response to a question from the audience, President Willink clarified that there would likely be extra room for non-Senators to attend the discussions of the Policies and Procedures for Faculty Development.

President Willink then informed the Senate that Megan Kelly, Communications Officer, has added a new tab for Faculty Senate Initiatives to the Senate webpage. Documents related to the Policies and Procedures for Faculty Development are there. Most notably, you'll find the three models of Peer-to-Peer conversations & FAQs there. Please direct people to those.

Discussion of the Ad-Hoc Faculty Senate Freedom of Expression Committee's Statement of Policy and Principles on Freedom of Expression

President Willink then described the purpose of the meeting on **the Statement of Policy and Principles on Freedom of Expression** (hereafter "the Statement") for the Ad-Hoc Faculty Senate Freedom of Expression Committee (hereafter "the Committee") and the Senate.

<u>Purpose for the Committee</u>: To gather feedback from Faculty Senators for the Ad Hoc Faculty Freedom of Expression Committee to consider as it makes any revisions in preparation for the 5/19 second meeting and vote.

<u>Purpose for Senators</u>: That Senators share their thoughts about the Statement, have a deeper understanding of it, and walk away well-versed in the Statement and major issues of freedom of expression to engage colleagues in conversations.

President Willink then introduced and thanked the Committee for its work.

In winter 2016, the Faculty Senate voted to convene an Ad-Hoc Faculty Senate Freedom of Expression Committee. In spring 2016, the committee members were chosen:

- Alan K. Chen, Chair (Professor, Law)
- Terri M. Davis (Associate Professor, GSPP)
- Darrin Hicks (Professor, Communication Studies)
- Greg Robbins (Associate Professor, Religious Studies)
- Derigan Silver (Associate Professor, Media, Film & Journalism Studies)
- John Tiedemann (Teaching Associate Professor, Writing Program)

President Willink then briefly reviewed the process for consideration of the Statement. Today's meeting is a first reading of the Statement. On May 19, the Senate will have a second reading and potentially vote on the Statement. If the Senate votes to support the Statement, it would then go to the full faculty for a vote. Should the full faculty vote to support the Statement, it would then go to FEAC and the Board for a vote to affirm it.

President Willink then briefly reviewed the format for the first reading. Senators would have a two minute time limit (per comment), but could speak multiple times. Comments would be recorded by Communicators Officer Kelly, who would provide them to the Committee. Finally,

the goal of the discussion would be to surface as many ideas as possible and create room for many voices to participate in the discussion. To that end, the Committee would not respond point-by-point; however, during lulls in the conversation or after a critical mass of comments, they could respond.

Finally, Senator John Tiedemann put forward the motion that the Senate would vote on on May 19th: "Motion: The Senate recommends the University of Denver Statement of Policy and Principles on Freedom of Expression be sent to the full faculty for a vote."

President Willink then invited Alan Chen to discuss the Committee's process.

Chen:

Thanks for coming. I want to thank the Committee. They were a fantastic group to work with and engaged in a thoughtful, deliberative process. We were not always in agreement, but we always had a respectful discussion of the difficult task before us.

Our committee was appointed last May. We convened in June last year. In the course of doing this, we reviewed free speech policies from around the country, reviewed the almost daily reports of controversies surrounding expression and speech that have arisen over the past year at colleges, and reviewed historical controversies. And this is probably the 8th or 9th time I've spoken on campus about this policy, including to FEAC.

Our charge was to develop a freedom of expression statement. That's the guidance we had. We understood the charge to mean that we'd set forth a statement of basic principles that would guide the university in addressing free speech controversies across campus. We didn't see it as our job to create rules to resolve such controversies. Instead, we'd develop a set of principles that the university could use to develop those policies. If you wanted a policy around a controversial speaker, or around speech in the dorms versus the green, they can be developed with these principles in mind. We thought that if we tried to develop rules for every for every situation it would be a fool's errand. As a committee, we're uniformly supportive of the document.

Willink:

Some of you may be well aware and some of you may be shocked, but we discussed this in the fall. The "Driscoll wall" – known by other terms at other times – has a camera that covers it. It's covered 24/7. There are 600+ cameras on campus, many of which cover exits, entrances, and elevators. The camera surveilling the wall already existed; it already covered the Driscoll entrance. Campus security redirected the camera to include the wall, particularly after there was an incident at the wall this year.

Campus safety reviews the recordings if there is an incident; if they pick up any other activities, they don't pursue them. The cameras are only used to address safety issues.

Faculty Senate Minutes April 21, 2017 Page 3 of 15 The Senate then opened for discussion. Senators and other guests in attendance addressed the Committee from a microphone in the front of the Special Events Room.

Senator Towns:

I appreciate the time and effort to create this document. I think there are some problems in it that I'd like to hear more discussion about. I'm worried that the document treats speech as a neutral, contextless thing. On page two, for instance, the document equates Milo Yiannopoulos's speech with civil rights speech. This seems strange, especially in the context section. I don't think we can make this comparison, unless we want to strip speech of context. Yiannopoulos directs racist and sexist speech at people. Civil rights speech addressed the violence of racism. This comparison seems to be an appropriation of the civil rights movement.

I would also like to hear more about basic principles. It is interesting that Title VI is missing. The document could address racism, classism, sexism, and homophobia.

Senator Wilson:

I spoke with my colleagues, who felt that the proposed "University Committee for the Promotion of Free Expression" sounds *1984*-ish. Part A of that committee's charge doesn't make sense.

Turning to the basic principles, you might add that the First Amendment, "allows for the regulation of speech," in terms of time, place, and manner.

You might bring clarity to who is included as protected speakers: faculty, staff, and students. But does this also mean invited speakers? We get to regulate who speaks and how and it should be addressed.

Senator Howard:

Thanks for the hard work. Did you take into consideration the five-fold dimension of free speech (freedom of religion, freedom of speech, freedom of the press, the right to assemble, and the right to petition the Government for a redress of grievances)? I recognize that this is not a governmental document, but I would like to know.

Senator d'Estrée:

I want to reinforce the sensibility of the earlier comments about the absence of Title VI. This is important and should be addressed.

Turning to the second page, paragraph 1. I believe the Senate should create this proposed committee, not the university. It is our prerogative. Our university administration seems to always want to appoint these committees.

committees.

On safe spaces and trigger warnings. The Statement points to classroom issues, but these can't be reduced to a few terms of art. I suggest that the Committee take these out or develop the discussion around classroom

Faculty Senate Minutes April 21, 2017 Page 4 of 15 issues far more completely. I think take it out and address classroom issues on its own terms.

Senator Raschke:

I want to share some historical context, having been involved in the free speech movement. If we're going to cite that...we need to know what we're citing. That movement addressed efforts of the university to regulate tables that displayed political messages, including ones that addressed racism and sexism. The university administration tried to regulate speech, saying the speech would offend. From there, a dirty free speech movement emerged, which circulated pornography and vulgar language. The message was that we know this will offend, but we have the right. The *Skokie* Supreme Court decision about the KKK affirmed this. The movement's slogan was free speech cannot be qualified.

At this point, President Willink asked the Committee to respond to comments.

Chen:

On Title VI: we could have included specific legal provisions like Title VI and Colorado criminal law. Instead, there's a catchall paragraph about legally actionable speech that's not protected. The Committee decided that, rather than be very specific, the Statement should support the very general principles on legally actionable speech. There are limitations to Title VI as well, pursuant to freedom of speech.

The 1984 comment: the university is like the government. The government can take positions; there are no freedom of speech regulations on government speech about itself. The university shouldn't be censoring speech, but it can take its own position and speak out against certain types of speech, such as racist or sexist speech. The university, like the government, has its own powerful platform to do this. If for instance a "Milo" was invited, the university can say we abhor his views and that wouldn't be an intrusion on that speaker's speech.

The comparison to Berkeley: Like the government, the university can take positions but can't prohibit positions. The university has a duty to protect speakers. In both cases, that of speech at Berkeley and responses to Yiannopoulos, the university is imposing rules that limit others' speech. The government must take and the university should take viewpoint neutrality. It's protection not from other speakers, but from powerful regulations.

Derigan Silver:

The document, I think, is clear that speech that is regulated already isn't necessarily protected. We have a strong IE statement here that says speech that interferes with education, such as violence or incitement, can be prohibited. But the term "hate speech" is not useful; it means nothing.

Faculty Senate Minutes April 21, 2017 Page 5 of 15 I like Claude's point that the Faculty Senate makes committee.

Also, there is the negative approach and the positive approach to freedom of expression. The government can't stop speech, which I believe in; this is the negative approach. The positive approach is that there is a proactive requirement of the government to encourage free speech. We don't think the university does enough to encourage the positive approach. So this is not just an absence of government regulation, but a proactive dialogue to create more dialogue.

John Tiedemann:

I would second Derigan's point that it is not about policing speech, but encouraging dialogue. If you believe in this, you should be proactive and I think that's a responsibility. As for the proposed committee...free speech is one of many values that the university holds. Sometimes those values can come in to tension or conflict. Rather than take a hands off approach, the idea is to be intentional and be actively engaging in dialogue about dialogue.

Darrin Hicks:

I think we can amend the document to move Yiannopoulos into a different section. The most important part of free speech is to be able to dissent, especially against structures of systemic violence. If it is unclear by the document, it should be known that this is our goal.

What's the goal of equity? It can't be a general rule; it's context specific. We can promote a context specific approach whereby every speaker has an equal opportunity to speak.

And I think the document can be amended to affirm our commitment to things like Title VI.

Following these remarks from the Committee, Senators were again invited to speak about the Statement.

Senator Headrick: The Faculty Senate needs to advocate the right of the Senate to appoint

this proposed committee. I won't vote for anything else that allows the

administration to appoint committees.

Senator Cheever: I applaud the work of the committee. The divestment group is having a

protest with lunch. It's peaceful. It's right outside of this window. It was here because until recently the Board was going to have a meeting right here. But they've decamped to an undisclosed location. To what extent does this Statement address the free speech ramifications of actions like

these?

Faculty Senate Minutes April 21, 2017 Page 6 of 15 In response to Senator Cheever's point, President Willink clarified that the Board hadn't necessarily decamped but moved to a different room in Anderson Academic Commons.

Senator McNees: On page 4, the Statement says, "University community members must not

obstruct or otherwise interfere with the freedom of others to express views that such members disagree with, however passionately." What does "interfere with freedom" mean? Passive protest, block entrances?

Senator Towns: Back to Title VI: I'm not saying that there shouldn't be speakers, but I'm

acknowledging different positions and forms of speech. Title VI is about preventing a hostile environment – punches thrown, eggs thrown. Some speech comes from that violence. Some speech is about acknowledging the context of that violence (such as the speech of Black Lives Matter) while other speech is about using that violence (Yiannopoulos saying

black woman are inhuman).

Senator Howard: To speak in support of Annabeth's concerns about committee

appointments and to reiterate my concerns about the First Amendment: how does the Statement protect people at DU and support the right of DU citizenry "to petition the 'Government' for a redress of grievances"?

The Committee then responded to the second round of remarks.

Chen: In terms of free speech, we're only looking at freedom of expression.

There are other elements to the First Amendment, but I don't think we saw

that as our charge.

Hicks: We think freedom of expression is the mechanism by which the other

elements of First Amendment are realized – religion, assembly, etc.

Chen: On the appointment of the proposed committee: We didn't mean the

Provost and the Chancellor should appoint members; we meant it as a

university committee. We can make that change.

I didn't know of Divest DU's protests. But trustees can move; you can avoid speech. However, if they take any formal moves to restrict the right

of the protests that would violate ten or more things in here.

On obstruction: it's a physical thing. You can turn your back on a speaker;

that's fine. But physically assaulting, clearly that's out of bounds.

Shouting out a speaker would probably be obstructive; standing outside

and protesting or encouraging others not to listen, that'd be fine.

Silver: We tried to generate ideas and listen a lot. On the Driscoll wall – the

controversies surrounding it were not just about what was expressed, but

Faculty Senate Minutes April 21, 2017 Page 7 of 15 how speech drowned out other voices. Free speech should never be used to drown out others speech.

The problem of equitable speech is really hard. It's perhaps not achievable by DU, maybe anyone. But free speech is not the right to silence.

Hicks:

Back to Title VI and back to something Alan said earlier. One of things we're advocating is that the university exercises its First Amendment right to condemn speech. Through our proposed committee and the university, a very strong statement of condemnation and calls for open dialogue could be made in response to objectionable speech.

Following Hicks' comment, the Senate again invited remarks from faculty and Senators.

Santhosh

Chandrashekar: On page four, the Statement states that "there is a natural impulse by those

in the majority to want to suppress minority viewpoints." The biggest problem with this document is that it has decontextualized free speech. We're seeing the weaponization of anything the civil rights movement gained used to attack minorities. So free speech is being used by Yiannopoulos and Coulter to attack racial minorities. Another context is the post-news, post-fact context. What is responsibility of the university to pose real question about what is fact and what is not? Finally, I see law as

the context for this document. But what about morality – especially when we think of the history in this country of racism, sexism, colonialism?

Senator Urquhart:

Free speech can be used by people like Coulter & Yiannopoulos. But that's not a reason to give up on free speech. The document affirms this but could so more. Free speech, if you have it, will be messy. That's why dictators hate it. I think we need to acknowledge and recognize this. It's not just a matter of having free speech; encouraging dialogue is one thing. Dialogue has certain principles in it, such as equality. This can be stressed.

I have a question about the statement that freedom of expression can be limited "to maintain the functioning of the University." Who is making this statement? Is it the university? Some of us have been involved in protests to interfere with functioning of university...and we appreciated

faculty support.

Senator Kaneva: I have a

I have a question about next steps. Specifically this proposed committee. I'm confused by the function and powers of the committee. I assume it may be a Faculty Senate committee. I can see some positive, proactive functions of the committee in organizing dialogue. But the other part is to address such controversies as they arise. What would this entail? Is there a

Faculty Senate Minutes April 21, 2017 Page 8 of 15 disciplinary function to it? Would this work alongside other disciplinary processes and offices? I realize this isn't the purpose of the document, but how do you envision a process for clarifying this rather than creating a committee without guidance.

Senator Pessin:

Thank you to the Committee for adding in more overt statements about inclusive excellence. That said, at a university we have an opportunity to do something more robust around that than in other contexts. Given the fact that this document will be used in so many ways at the university to approach a lot of different issues, it is a mistake to not say more about inclusive excellence. I'm not arguing for less free speech, but I'm concerned about in the framing. I would like to recommend a shift in the tone. For example, on page 1, the Statement offers, "To claim that freedom of expression is crucial to our values and goals is not, however, to ignore the fact that a commitment to speech can, on occasion, create tension within those same values and goals. For example, as recent events across the country and on our own campus have shown, a commitment to freedom of expression and a commitment to the value of inclusiveness do not always or easily align. The committee therefore recognizes that, in a society confronting social, racial, religious, and economic inequality, where historically some voices and some communities have been marginalized, excluded, or silenced, a commitment to free speech must, at the same time, include a commitment to insure that all members of our community feel equally welcome to participate in discourse and receive divergent information."

To include systemic racism as something that might "create tension" is flippant. There's a much stronger sentence to talk overtly about systemic racism that can be included here. But not, again, to limit speech.

The Committee then addressed this round of remarks.

Chen:

I'm struggling a lot with comments about conservative speech. The context of liberal and conservative speech is different in some ways, but it in some ways not. Today, conservative students feel marginalized. You might think that's stupid, inaccurate, or not true because of white privilege. But they feel like they're treated by the institution as if they have no value. Free speech is about protecting against that. This is my own view; I'm not representing the view of the Committee.

As for the functioning of the university. There is a difference between civil disobedience and free speech. Civil disobedience is not protected speech. But you can't be arrested for speaking out. There's a difference

Faculty Senate Minutes April 21, 2017 Page 9 of 15 between protest and speech, at least under current doctrine. Interference with the university, shutting it down...the university can punish that.

On the proposed committee's next steps...we wanted to leave some of that for future development. But we realized that there is no mechanism for a student or faculty or staff who is being disciplined, regulated, punished, or expelled under other university policies to make a free speech assertion as a defense. If we were ever to confront one of those situations, there needs to be a neutral, representative body to resolve those disputes. We couldn't make a document for every context. And the proactive part of the proposed committee is what we're most excited for.

After his remarks (around 1:00 PM), Chen left the meeting to teach. The Committee continued to address feedback on the Statement.

Terri Davis: I can hear that there is a sense of community, inclusivity, and dialogue to

this. I'm a psychologist, not a law professor. I think some of the words in these remarks can be added to it. Also, I know this is a Faculty Senate document, but students will be affected by this. So how do we hold their

voices to this?

Greg Robbins: Thank you, Sarah, for pointing out the potential problem about language.

> Our discussions of freedom of expression butted up against our commitment to inclusive excellence in ways that we didn't foresee.

On protests and the university's right to maintain its own functioning. This brings up ideas of time, place, and manner constraints, which are reflected in this documented. The university is within its rights to make sure we can

still teach classes.

Now, is the proposed committee a disciplinary board on students? No. It's an opportunity to create more dialogue on campus. I see it more as disciplining the university for restricting speech. Maybe there's a divestment protest that gets loud and obnoxious. Imagine if the Provost and Chancellor close it down. The proposed committee could potentially intervene if the response is overbroad and it could push back on

university.

I also want to commend Terri. I think she brought up a point that does not get enough attention here. This was a very legalistic document. Terri pointed this out and worked to help us make the language more positive and more about the community. We tried to capture that, but maybe we

could do more.

Silver:

Tiedemann:

Addressing Armond and Sarah: I think the committee shares these concerns. One of the documents we looked at was the University of Chicago's. It is a very robust defense of free speech in the abstract, but it stays entirely in abstract. It makes no effort to address freedom of expression in a practical sense or historical sense. We didn't want to do that. We wanted to try to deal with the ways that these values come into conflict in real and material ways. It is the nature of a document like this to be legalistic and formalistic. Once you start moving away from that to address material consequences, systematic violence...you can't make an absolute statement like Chicago makes. So what we intended to do is continue that dialogue, so it isn't an inert document that you file away. Instead, it becomes an occasion for further dialogue.

Following these remarks from the Committee, Senators were again invited to speak about the Statement.

Senator Wilson:

I want to clarify my initial points. The first principle: I think we should add the point about restricting or regulating speech; otherwise, people come in and think that speech allows anything. We need to address that right away so the statement isn't a trump card silencing opposition.

The 1984 remark concerned the lack of understanding of committee. Renaming the committee could clarify this.

As for speakers under DU power, such as invited speakers. I'm curious about *by whom* and *in what capacity*. Clarifying who is doing the inviting and what their standing is is important.

Senator Stratton:

I commend you for the work you've done. I have one question about nuance. On page one, the Statement addresses the fact that all members of the university have the "broadest ability to think, speak, write, listen, and challenge, which are each essential components of learning." I wish there was something that would acknowledge complex power relations that are in play. Grad students, adjunct faculty, assistant professors without tenure yet...the ways that the existing, oppressive relationships can impact speech for certain community members.

I also would like a broader definition of speech, related to academic freedom, and especially the role of corporations on campus, such as the bookstore. The bookstore dictates what books in AHSS we can use. This disproportionately affects marginalized voices, smaller presses, etc.

Senator Towns:

I want to address what Alan said about the white students feeling devalued. That's the context of the country; the idea that straight, white people are losing the country. The idea that there is a conservative student

Faculty Senate Minutes April 21, 2017 Page 11 of 15 who is most oppressed is ridiculous. We're at a university that is 80% white, so if they're losing, who's winning?¹

On the fifth principle—"It is for this very reason that one of the central tenets of freedom of expression is that those in positions of power, such as the government or the university, must take a position of neutrality with regard to the viewpoint of speakers who are under their power." I'm struck by this position of neutrality. The university has never been neutral. I don't know what that means. At a university structured off the death of Native Americans, what would be that neutrality? Neutrality typically only empowers the powerful.

Senator Pessin:

On page one—the acknowledgment that freedom of speech can come into strong tension with other values is in competition with the opening statement, "Properly understood, a commitment to freedom of expression supports all of these values; indeed, none of them can truly be practiced without it." If there's wordsmithing, it should reflect on this sentence as well. I'm not sure if they can all be supported at the same time. The document focuses more on free speech than inclusivity, which I understand given the purpose of the document. But it has the unintended consequence of suggesting to readers who are "bent out of shape" about inclusive excellence that they will get an explanation. This is probably unintentional.

Briefly, the document addresses Boone and the Driscoll Wall. It says the wall isn't a free speech, though some have referred to it in this way. It doesn't clarify *who* has done this. And perhaps the Statement can explain Boone, since the university has already taken a stand on this.

Senator Raschke:

This conversation mirrors conversations across the country, not just recently but since the free speech movement. I've tried to bring out differences. Then, it was a moment of asserting formal rights. Now, due to big changes, we're aware that free speech can cause harm, especially if the university is interested in inclusivity. My point is in a document like this, we have to be attentive to what we call it. Free speech is a formalistic principle that dates to the 18th century. The problem with formalistic principles is they only allow for limited exclusions. Much of the law is based on this formalistic principle. The presumption is that you have a right to say what you want to, unless others can demonstrate harm. Maybe

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¹ Having left the meeting to teach, Chen could not respond to Senator Towns' comments during the meeting. He asked to clarify, for the record, that he had referred to conservative students feeling marginalized and devalued, not white students.

think of us as a community, with our own values. Think of it as about speech not free speech.

Senator Allen:

I'd like to echo the comments of Terri Davis and others on the need to make this a document that embraces a sense of community. On page two, the Statement suggests that the proposed committee should help create community; this is its function "a." It seems to me that in some ways that should be the goal of this document. More of it should be supportive of that end. On page four of the Statement, it says that, "Communities are typically better served by providing opportunities and forums for meaningful, responsible engagement of diverse and opposing viewpoints than by silencing some members of the community, whatever their views and opinions." I would recommend, in addition to legalistic supports, the Statement avoid the position that those expressing opposing viewpoints are adversaries. Instead, embed the community-based views in the document so it becomes a basis of what the university does.

Senator Stansbury:

Even the title of the document weakens it. It's not university but Faculty Senate who is making this statement. Other places in the Statement give the impression that this is what the university thinks. I would like it more obvious that this is from the faculty.

Anna Wiersema:

I appreciate the document very much, especially its proactive attempts to support community. I want to speak out in favor of content-neutral regulations on speech. It's one thing to recognize the context-specific and never-neutral nature of speech and to affirm neutrality in terms of regulations.

Senator d'Estrée:

I want to echo what Billy said about hierarchy at the university. Having spent a lot of time working with military institutions, it's apparent to me that universities are second only to them in terms of hierarchy. It's hard here to speak truth to power. I was reminded more than once of my precariousness here before the changes to the APT. I would like to see the document address these power-laden relationships. I was acutely aware of this and felt the pain of it most of my time here. Speech is restricted by the very structure of the university.

Senator Rothman:

I think the Statement can use stronger language. For instance, don't *recommend* the creation of a committee; state that this should happen. Also, some of these committee references are unclear; it's hard to distinguish between the Ad Hoc Committee and the proposed Committee.

Following Senator Rothman's statement, President Willink asked members of the Committee to provide concluding remarks.

Faculty Senate Minutes April 21, 2017 Page 13 of 15 Silver: Thank you. I took lots of notes. We'll take these into consideration.

Tiedemann: Yes, thank you. I am really heartened to see the kind of conversations

about these issues.

Hicks: Yes, thank you. When we first convened we asked ourselves: why are we

here? It was in response to a series of campus conflicts. If we are going to do anything, we need to do something to mediate these conflicts. Tensions are emerging, but we need to do something. No doubt more will come. The process has to be agreed to by all parties. The stronger we make the

language the less likely this will be.

Davis: Thank you for externalizing our process. I look forward to presenting it to

you at the next reading.

Adjourn

President Willink thanked Senators and the Committee for their participation in the meeting. She then requested a motion to adjourn, which was quickly made and seconded from the floor. And so, at 1:30 PM, President Willink adjourned the meeting.

Prepared and submitted by

Jared Del Rosso Faculty Senate Secretary