

**Minutes  
Student Life Committee  
April 11, 2002**

**Attending:** Kris Bartanen, Duane Hulbert, Diane Kelley, Ben Shelton, Ryan Sweeney, Carrie Washburn, Peter Wimberger

The meeting was called to order at 2:10 p.m. The minutes of March 28 were approved.

We initially discussed the process for looking through the Student Bill of Rights and Responsibilities (SBRR) and revisited our charge from the Senate to examine the "feasibility" of such a document.

We agreed that it was our job to be a consulting committee for the SBRR drafting committee. We would read through the document and provide feedback, but it was not our job to approve or not approve the document. We would look at each Article, noting problems, providing suggestions or potential solutions and send these back to the Drafting Committee. ASUPS could request that the Senate charge next year's SLC with providing further input if they so desired. The Committee noted that it would be useful to receive the document earlier next year if further comments were desired. Shelton assured us that the SBRR would be a summer project.

We commenced a close reading of the SBRR.

"We, the Associated Students of the University of Puget Sound, hereby declare the following rights and responsibilities to be ours in the interest of ensuring a fair, safe, extraordinary, and diverse living and learning environment."

Comments: What does "extraordinary living and learning environment" mean? "Extraordinary" is a comparative word, while "fair," "safe" and "diverse" are not. Sometimes an "ordinary" living and learning environment is preferable... either eliminate or clarify what is meant by "extraordinary." "Exceptional" was one suggestion.

**Article I. Students have the right to an environment conducive to intellectual freedom and well-being. Members of the campus community, in the classroom or in conference, should encourage and protect free discussion, inquiry, and expression.**

Comments: We wondered to what extent the Integrity Code covered this right. We noted that the Integrity Code provides freedom from harm, an objective different from that expressed in Article I, which is designed to protect free expression. What happens when "free expression" (Article I) and "being allowed to express views" (Article II) result in "discrimination" or "unfair treatment" (Article IV), e.g., someone speaking or chalking the sidewalk with hateful comments about another's race, sexual orientation, etc.? Are there no qualifications on, or responsibilities with respect to, free expression? There is a tension between freedom of expression and well being. How will the SBRR treat this tension? Please clarify and compare to what other University documents state. One suggestion was to look at the Faculty Code language covering academic freedom thinking that it might provide some insight. Does this Article infringe at all on professors' rights to conduct classes and conferences according to their best judgment? Perhaps we could look at the Mission statements and use the term "apt expression of ideas." We thought that there should be some nod to appropriateness here.

**Article II. Students have the right to open and fair discourse among all members of the UPS community, being allowed, individually and collectively, to express their views on institutional issues and policies of interest to the student body.**

Comments: We wondered whether students need to be "allowed" to express views. Don't they already express their views on institutional issues about which they are concerned? The article

as written suggests that the University or another unidentified agent has to seek the views of students on all institutional policies that might affect students. If students have this right, then the question of being “allowed” to express views is moot.

How is students’ right to “express their views” in Article 2 different from that of “free expression” in Article 1?

What exactly is meant here by “express their views?” In what form? Is this a question of consultation on, for example, the formation of University issues and policies, or is it rather a question of students’ right to free speech? If the issue is the former, then there may be disagreement over the extent to which policies are for the faculty or students. There are probably numerous issues and policies that are “of interest” to students but the object of the policy may be another group. For instance, the Professional Standards Committee designs faculty evaluation forms, which certainly are of interest to students, but which are designed for use by faculty in the evaluation process. We thought that this article needed clarification.

**Article III. Students have the right to attend any and all open meetings as well as to attend or create any other open forums for discussion.**

Comments: Usually there are time, place and manner restrictions placed on open fora on a campus, i.e., rallies, fora, or protests must not disrupt the regular educational operations of the university. Article III contains no qualifications about time, place and manner.

**Article IV. Students have the right and responsibility to live in, learn in, and support an environment free from discrimination based on, but not limited to, a person’s age, background and ethnicity, disability, gender, organizational affiliation, political ideology, marital status, prior conduct issue, religion, sexual-orientation, parental status, or socio-economic class.**

Comments:  
Skipped Article 4, as it had been previously discussed.

**Article V. Students have the right to a student-run media whose voices and publications are to remain free from censorship, subject to the student media head. The institutional control of campus facilities shall not be used as a device of censorship.**

Comments: Has Article V been compared to the provisions of the ASUPS ByLaws regarding Media Board? Someone should check to make sure that they agree. We asked whether students were asserting their right to operate media free of prior restraint. Student run media groups at state institutions have such a right, but at private institutions, such as UPS, the institution has the First Amendment right. However, at UPS it has been set up that students do have the right to a student-run media free of prior restraint.

Media operations are subject not just to the media heads, but also to oversight by a Media Board and the Board of Trustees. What principles underlie assertion of students’ right to a photoservice, a webmaster, a yearbook, a literary magazine, a radio station, or a newspaper? We suggest inserting “and the Student Media Board” after “student media head.”

**Article VI. Students have the right to retain the autonomy of their student-initiated and student-run organizations. If campus advisors are required, each organization shall be free to choose its own advisor.**

Comments: How do we know which of our campus organizations were/are student-initiated vs. not? (e.g., Food Salvage was student-initiated, but has now requested “institutionalization” under CIAC). We wondered what the history behind the erection of this article was. In some instances, the organizations award activity credit. Because credit is awarded, the Dean or the department

appoints the advisor. A different type of loss of autonomy occurs when off-campus groups try to run campus groups.

Why, in a learning environment, is staff or faculty advising seen as undesirable or a threat? Particularly when members of organizations represent the University publicly through artistic, athletic, oral or written performances--such as athletics, debate, theatre, music ensembles, Trail, KUPS, etc.--why should the University retain no interest in the selection of advisers?

We suggest changing "choose" to "collaborate in the selection of," since there are situations that would require that a certain advisor need be assigned to a certain group (in the case of, for example, activity credit being granted for the organization, etc). "Collaboration" is also a better word since there may be situations in which the person that a student organization chooses simply cannot be an advisor in the case of, for example, an overburdened staff member (imagine that...) who is forbidden from taking on any new responsibilities, etc.

**Article VII. Students have the right to peacefully and safely assemble on University premises. As citizens, students shall enjoy the freedom of speech, peaceful assembly, and petition.**

Comments: Needs qualification like Article III, "in accord with policies on appropriate use of University facilities." Did anyone on the drafting committee look at University facilities use policies? Does the drafting committee intend to consult with the Office of Finance and Administration regarding these policies?

**Article VIII. Students have the right to keep their academic and conduct records confidential.**

Comments: Confidential from whom? This statement needs qualification, "in accord with provisions of state and federal law." Did anyone on the drafting committee look into the Family Educational Rights and Privacy Act and University responsibilities with respect to the Article?

**Article IX. Students have the right to quality and confidential healthcare and counseling from the Counseling, Health and Wellness Services provider of their choice.**

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What is meant by "quality?" High quality? Low quality? Mediocre? Who determines this "quality?" Needs clarification. What is the main issue – quality or choice?

CHWS "provider of ...choice:" If students behave badly (e.g., physically threatening the care provider), can they be refused care? Did anyone on the drafting committee look into the Counseling, Health and Wellness policies or consult with CHWS staff?

If the student chooses a healthcare provider, issues of insurance coverage might become an issue and conflict with the SBRR.

With that we adjourned.

Respectfully submitted,

Peter Wimberger (with copious help from Diane Kelley's excellent summary of the SBRR issues)