



Central Student Government

Assembly Resolution 13-075

Student Speech Protection Act

Resolution Information

Sponsor(s)	Jarek Schmanski, Speaker, LSA Mario M. Thaqi, Finance Chair, LSA Meera Herle, President Erin Neely, Rackham Julia Odhiambo, Communication Vice-Chair, LSA
External author(s)	Shawn Kelly, DEI Intern
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Long title	A Declarative Resolution to Express Concern About the Proposed Disruptive Activity Policy
Author Summary	This resolution criticizes and comments on the proposed disruptive activity policy and reaffirms CSG's commitment to protecting student speech on campus. The draft policy is a massive punitive overstep and tarnishes the University's supposed commitment to its history of protest. Accordingly, CSG calls on the University to uphold its commitment to student speech and reconsider such draconian measures.

Assembly Information (to be completed by the Speaker)

Requirements	Reading in two separate meetings; simple majority vote; Presidential approval.
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Committees	Communications
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Committee Information (to be completed by the respective Committee Chairs)

Committee (if applicable)	Passed For First Reads (Y/N; Initials)	Passed For Second Reads (Y/N; Initials)
Rules		
Finance		
Communications	Y; AG (Sponsor Present)	N/A
Resolutions		

Attest

 Jarek Schmanski, LSA
 Speaker of the Assembly

Unanimous Consent

Date: 2 April 2024

Presidential Approval

 Meera Herle, Ford

 Date

Section 1.

The Central Student Government Assembly finds and declares all of the following:

WHEREAS,

Central Student Government is an elected body designed to serve and promote the interests of students at the University of Michigan; AND,

WHEREAS,

In the All-Campus Constitution, Article VIII Section 1 specifies that, “organizations must not infringe upon any student’s freedom of speech, freedom to publish, or freedom to peaceably assemble and seek redress of grievances”;¹ AND,

WHEREAS,

The University of Michigan is a public university and as such is legally obligated to protect everyone’s freedom to speak, peaceably assemble, and petition their government, under both the First Amendment of the United States Constitution (per consistent court precedent)² and Article I, Sections 3 and 5 of the Michigan Constitution;³ AND,

WHEREAS,

On January 16, 2024, the Board of Regents adopted a “Statement of Principles on Diversity of Thought and Free Expression,”⁴ the University’s commitment to the First Amendment which Regent Mark J. Bernstein described as “the north star of our University that sits next to our mission statement”; AND,

WHEREAS,

On March 24, 2024, the 101st Honors Convocation at Hill Auditorium was interrupted by a group of student protestors, causing President Santa J. Ono to suspend his remarks and end the ceremony early; AND,

WHEREAS,

Following this event, President Ono released a spirited statement⁵ in which he decried the “protesters’ intrusion on one of the university’s most important academic traditions” and declared that “one group’s right to protest does not supersede the right of others to participate in a joyous event”, warning that “those who participate in disruptive activity will be held accountable”; AND,

WHEREAS,

Shortly thereafter, the University Office of Public Affairs released a survey to gauge student opinions on a draft disruptive activity policy giving only a week’s time for the community to give feedback;⁶ AND,

WHEREAS,

The draft policy states that, “No Person without legal authority may prevent or impede the free flow of persons about campus,” nor shall students, “disrupt the University Operations of UM Facilities,” and that students found in violation of the policy “must comply with lawful requests to leave UM Facilities” and may be subject to any of the following sanctions: “formal reprimand, disciplinary probation, restitution, restriction from employment at the University, class/workshop attendance, educational project, service, removal from specific courses or activities, no contact with certain persons, suspension, or expulsion”; AND,

¹ [CSG All-Campus Constitution](#)

² [Does the First Amendment apply to public universities?](#) (University of Wisconsin - Milwaukee)

³ [Constitution of Michigan - Article I: Declaration of Rights](#)

⁴ [Statement of Principles on Diversity of Thought and Free Expression](#)

⁵ [Statement on Disruptions to University Events and Operations](#)

⁶ [Disruptive Activity Policy](#)

WHEREAS,

The University's draft policy has drawn the attention of major news outlets,⁷ potentially tarnishing the image of an otherwise distinguished and forward-thinking academic institution; AND,

WHEREAS,

This draft policy, combined with other troubling actions, such as canceling CSG elections⁸ and arresting protesters,⁹ demonstrates a pattern of disrespect for students' First Amendment rights at the University of Michigan; AND,

WHEREAS,

The University of Michigan student protests have catalyzed significant changes in how the university administration handles specific policies and procedures. Through their collective voice and organized demonstrations, students have successfully brought attention to various issues and compelled the administration to respond proactively; AND,

WHEREAS,

The Black Action Movement (BAM) was a series of protests by African American Students, including the Black Student Union, Black Law Student Alliance, Black Psychologists, and the Black Educational Caucus, among others at the University of Michigan that "garnered support from some U of M faculty and staff; other students, including some White and Latino students; and several African-American State Lawmakers, including state Sens. Basil Brown and Coleman A. Young, Democrats from Highland Park and Detroit, respectively."¹⁰ Against the policies and actions of the University of Michigan. The protests themselves took place on three occasions in 1970, 1975, and 1987, shown in Appendix A; AND

WHEREAS,

On September 29th, 2022 Students Allied for Freedom and Equality (SAFE), "relayed the stories of Palestinians killed or abused by Israeli occupation forces and settlers. The demonstration, which was first held in 2003, serves to express solidarity with Palestinians living under occupation and to demand the University of Michigan to divest from companies operating in occupied Palestinian territories";¹¹ AND

WHEREAS,

"Ann Arbor was a hotspot of counterculture in the 1960s. Within the spirit of antiwar protests, and more generally of resistance to the status quo, grew a growing awareness of a multiplicity of sexual expressions. The late 1960s and early 1970s marked a new era of greater visibility of lesbians and gay men, as well as a conservative backlash against it. With a growing demand on campus for an expansion of the University of Michigan's nondiscrimination bylaw to include protection from discrimination based on sexual orientation, in 1971, the university created the Human Sexuality Office, as an office to advocate for the concerns of gay and lesbian students, the first office of its kind in the United States. It was headed by James Toy and Cynthia Gair. This office has changed names many times in the past 49 years, with its current name as the Spectrum Center."¹² Evidence of the protest are show in Appendix B; AND

WHEREAS,

In 1983, through Native American Student Association (NASA) activism, the University established a Native American Studies program within the program in American Culture, now the Department of American Culture;¹³ AND

⁷ [WXYZ Detroit](#), [Detroit Free Press](#), [MLive](#)

⁸ [Canceled CSG Elections](#)

⁹ [Protesters Arrested at University of Michigan](#)

¹⁰ [On this day in 1970: U of M students fight for Black enrollment](#), Michigan Advance

¹¹ [Palestinian activism at the University of Michigan](#), Michigan Daily

¹² History of LGBTQ-Related Protests at UM

¹³ [Native American Studies | U-M LSA \(umich.edu\)](#)

WHEREAS,

“In March of 1965, a group of professors decided to cancel class to protest the US occupation of Vietnam. The professors faced hostility from both Governor George Romney and University President Harlan Hatcher. In addition to opposition from the administration and state government, not all faculty agreed about striking. After a series of meetings, however, the majority of the faculty agreed upon the strike option”;¹⁴ AND

WHEREAS,

The Anti-apartheid movement in the 1980s at the university of Michigan, gathered students, faculty, staff and Ann Arbor residents participated in a nationwide campus protest demanding University of Michigan to fully divest from any American corporations with ties to apartheid South Africa. The movement was launched by two student organizations: South African Liberation Committee and the African Students Association which played a pivotal role in forcing UM to divest fully from American firms with investments in South Africa;¹⁵ AND

WHEREAS,

The anti-Sweatshop Movement, United Students Against Sweatshops (USAS), and Student Organizing for Labor and Economic Equality (SOLE) at the University of Michigan, “it began as a response to the globalization of the garment industry, which often resulted in manufacturers moving to developing countries to cut labor costs, leading to sweatshop conditions.” This allowed students to come together since they noticed clothing tags with “made in Vietnam” or “made in indonesia” instead of “made in the USA”. “They pressured the University to terminate contracts with apparel manufacturers that exploited workers”;¹⁶ AND

WHEREAS,

Overall, the protests led by the University of Michigan students have been instrumental in effecting meaningful change in the way the university administration addresses critical issues facing the campus Climate. By amplifying their voices and advocating for reform, students have demonstrated the power of collective action in shaping institutional policies and fostering a more inclusive and equitable learning environment.

Section 2.

THEREFORE it is, by the Students of the University of Michigan, through Central Student Government:

RESOLVED,

CSG expresses its concern that the draft policy on disruptive activity does not provide adequate definitions and context for how to distinguish free and protected speech from misconduct and thus could easily be abused to punish protected expression.

AND FURTHER RESOLVED,

CSG recognizes that a week is not enough time to gather student input on the proposed policy, and we urge the University to look at student, faculty, and staff engagement in a more holistic and intentional way rather than seeking feedback solely from a survey.

¹⁴ [A Decade of Dissent: Student Protests at the University of Michigan in the 1960s](#)

¹⁵ [Divestment for Humanity: The Anti-Apartheid Movement at the University of Michigan](#)

¹⁶ [United Students Against Sweatshops · Exhibit · Ending the Business of Injustice: Anti-Sweatshop Activism at the University of Michigan, 1999-2007](#)

AND FURTHER RESOLVED,

CSG disapproves of the University's decision to include an authentication process in the draft policy feedback survey to verify participant identity. We believe that by not preserving anonymity, the University is disincentivizing many from participation because some may fear retaliation.

AND FURTHER RESOLVED,

CSG calls on the University to follow proper process for adjusting policies outlined in the Statement of Student Rights and Responsibilities and involve students meaningfully in drafting any revisions rather than writing workaround policies to process disruptive incidents differentially.

AND FURTHER RESOLVED,

CSG calls on the University to uphold its commitment to the "Statement of Principles on Diversity of Thought and Free Expression" and respect students' First Amendment rights to freedom of speech and freedom to peaceably assemble.

AND FINALLY RESOLVED,

Upon passage, this resolution will be sent to:

- The Board of Regents
- President Santa J. Ono
- General Counsel Timothy G. Lynch
- Vice President of Student Life Martino Harmon
- The Department of Public Safety and Security
- The Office of Public Affairs
- Office of the Provost

Appendix A:

“The students went on strike for 18 days. In an article in the Ann Arbor Chronicle on March 30, 2010, titled “Open It Up or Shut It Down,” Alan Glenn observed that the strike led to a 75% decrease in class attendance.



University of Michigan. Safety Dept. “Raised Fists at Protest Convocation.” Safety Dept. (University of Michigan) Photograph Collection. University of Michigan Bentley Historical Library Image Bank, HS9774.

Gathering on the steps of Angell Hall after a meeting, in the picture above, students raised their fists in solidarity and protested after voting to go on strike until their demands were met.

In addition to picketing classroom buildings, students set up picket lines at dormitories and other university buildings.



Stubbs, Jack. "Cars Halted At University Power Plant." Ann Arbor News, Vol 136 pg. 15. Provided by the Ann Arbor District Library.

Lining around the block, cars in the image above wait while students block the street. As the protests continued they started having an effect on the operations of the University. Alan Glenn reported on how after President Fleming and the Regents refused to respond to the demands, about 25 protesters went to the Undergraduate Library and took hundreds of books off the shelves, forcing the building to close. The next morning BAM protesters met at the University administration building to demand action. President Fleming and the Regents once again refused, and a larger group of students went back to the library and disarranged thousands of books. Fleming responded by stationing Ann Arbor police officers at the University libraries. Over the next few weeks, more disruptions occurred including a blockade of the Michigan Union snack bar. Early in March, President Fleming announced an alternative proposal.”

[The Black Action Movements \(B.A.M.\) Michigan Library](#)

Appendix B:



“GAY RIGHTS PROTEST: Student protestors covered their heads with grocery bags Friday, as they marched around campus to demonstrate for gay rights. Their hour-long protest was silent, but slogans on their bags proclaimed, ‘Let me out of the closet.’ The 12-member group briefly occupied the office of U-M President Harold T. Shapiro. Shapiro was out of town, but the protestors left a message: ‘We won’t be silent anymore and we will be back.’ For more than a year, gay men and lesbians on campus have been pressuring U-M for a policy to prohibit discrimination against homosexuals” (Caption).

[History of LGBTQ-Related Protests at UM \(The Ann Arbor News archives, courtesy of oldnews.aadl.org\)](#)