



SENATE JOINT RESOLUTION 04-033

BY SENATOR(S) Andrews, Arnold, Chlouber, Dyer, Evans, Hagedorn, Hillman, Johnson S., Jones, Kester, and Teck;
also REPRESENTATIVE(S) Spradley, Briggs, Brophy, Cadman, Cloer, Crane, Decker, Fairbank, Garcia, Hall, Harvey, Hefley, Hoppe, Jahn, Johnson R., King, Lee, Lundberg, May M., McCluskey, Merrifield, Miller, Mitchell, Paccione, Rhodes, Rippy, Rose, Schultheis, Sinclair, Smith, Spence, Stafford, Stengel, Welker, White, Wiens, Williams S., Williams T., and Witwer.

CONCERNING ACADEMIC FREEDOM IN HIGHER EDUCATION.

WHEREAS, Higher education in Colorado is a prized institution that fosters learning, culture, and economic vitality; and

WHEREAS, Colorado's public institutions of higher education have often expressed their commitment to valuing and respecting diversity, including diverse intellectual and political viewpoints, and this commitment must remain strong; and

WHEREAS, Respecting intellectual and political diversity means that a student should never be penalized because of the political opinions he or she holds that differ from a professor's and that all students should be made to feel comfortable in exercising their right to listen critically and to challenge a professor's opinions; and

WHEREAS, Academic freedom of faculty and academic freedom of students are essential and complementary elements of successful education, so that policies that protect students' rights need not and must not cast doubt on professors' rights or vice versa; and

WHEREAS, Although the state of Colorado has a legitimate oversight role in state-sponsored higher education, the individual institutions and their governing bodies are in the best position to implement policies to safeguard

the academic freedom of students and faculty; and

WHEREAS, A memorandum of understanding addressing the foregoing points was signed at the State Capitol on March 18, 2004, by University of Colorado President Betsy Hoffman, Colorado State University President Larry Penley, Metropolitan State College of Denver Interim President Ray Kieft, and University of Northern Colorado President Kay Norton; now, therefore,

Be It Resolved by the Senate of the Sixty-fourth General Assembly of the State of Colorado, the House of Representatives concurring herein:

(1) That we, the members of the Sixty-fourth General Assembly, commend the signatory institutions for the memorandum of understanding to protect academic freedom, and encourage all other public institutions of higher education in Colorado to join in signing the memorandum of understanding.

(2) That each state-supported institution of higher education is encouraged to review its student rights and campus grievance procedures to ensure that intellectual and political diversity is explicitly recognized and protected and to ensure those rights are adequately publicized to students. Each institution is further encouraged to work with student leadership to ensure that the use of student activity fees meets the standards articulated by the United States Supreme Court for an open forum that is fair to all viewpoints.

(3) That leaders in higher education are encouraged to meet periodically in joint session with the Education Committees of the House of Representatives and the Senate during the next twelve months to discuss the ongoing effort to ensure that the campus environment across Colorado is open and inviting to students of all political viewpoints.

Be It Further Resolved, That a copy of this Joint Resolution be sent to Rick O'Donnell, the executive director of the Colorado commission on higher education with the request that copies of this Joint Resolution be forwarded to each member of the Colorado commission on higher education; the chairman of each higher education governing board in the state; and the president and the faculty council chairman of each state-supported institution of higher education in the state.

John Andrews
PRESIDENT OF
THE SENATE

Lola Spradley
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Mona Heustis
SECRETARY OF
THE SENATE

Judith Rodrigue
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES