



**Cornell University**  
**Student Assembly**

Resolution #	79
Originally Presented On	4/21/2010
Sponsor(s)	Andrew Brokman '11
Subject of Resolution	Calling for a Student Bill of Rights to be Promulgated
Type of Action	Legislation
Status/Result	New Business

**WHEREAS**, The rights of free expression and assembly are fundamental human rights; and

**WHEREAS**, These rights are especially relevant to a University community; and

**WHEREAS**, The explicit application of these rights to the Cornell community serves the interest of justice; and

**WHEREAS**, No such statement for the entire Cornell community has been promulgated; and

**WHEREAS**, The Cornell University Board of Trustees called upon this Body's predecessor, the Cornell University Senate, to draft a Statement of Community Rights (see Cornell University Senate Charter, Article I, Section 8); and

**WHEREAS**, The Cornell Student Assembly held a Convention on April 21<sup>st</sup> 2011 to draft a Student Bill of Rights; now, therefore, be it

**RESOLVED**, That the Cornell University Student Assembly calls on the Office of the Dean of Students to distribute the attached "Student Bill of Rights" to all incoming students as part of their orientation programming.

**RESOLVED**, That the Cornell University Student Assembly calls on the Office of the Dean of Students to post this "Student Bill of Rights" on the University's website.

**RESOLVED**, That this "Student Bill of Rights" be sent to the University Assembly, Graduate and Professional Student Assembly, Employee Assembly, the Faculty Senate, and the President for ratification.

*Respectfully submitted,*

**Andrew Brokman '11**  
*Student Assembly At-Large Representative*

## **Preamble**

We, the student body of Cornell University, in order to preserve a culture of tolerance, promote higher learning, and protect all students from harassment and intimidation, do hereby declare our desire for the following principles to be observed:

## **Article I: Right to Expression, Association, and Protest**

Students shall be free and encouraged to express opinions publically and privately, and to support causes by assembly and petition. Students may use the facilities of the University to assemble and to hear any person of their own choosing. Students shall be free to protest peacefully anywhere on Cornell's campus. (See Campus Code of Conduct: Title One, Article I).

## **Article II: Right to Publication**

Students shall be free and encouraged to publish and communicate their opinions. Students may not be penalized for conveying written, oral, or electronic material on campus without prior approval. Student publications may not be penalized for their editorial policy or content.

## **Article III: Right to Participate**

Students shall be free and encouraged to participate in the formulation of institutional policy through representation on the Student Assembly, the Graduate and Professional Student Assembly, the University Assembly, and on committees affecting academic and student affairs. The actions of each Assembly and committee within the areas of its jurisdiction should be made available for public viewing.

## **Article IV: Right to Privacy**

The institution or residence hall officials should not search a student's room unless "probable cause" exists that the student is participating in an illegal activity or one which will endanger the student, the rest of the student body, or college property. When the institution seeks access to a student's room in a residence hall to determine compliance with provisions of applicable multiple dwelling unit laws, University regulations, or for improvement or repairs, the occupant normally shall be notified in writing of such action not less than twenty-four (24) hours in advance.

## **Article V: Right to Private Records**

Students shall have the right to express their views, religious beliefs, sexual orientation, and political associations to counselors, faculty members, and administrative staff in confidence. Administrative staff and faculty members should respect confidential information about students that they acquire in the course of their work. Information from educational records and disciplinary files shall not be available to unauthorized persons without the express

written consent of the student involved except under legal compulsion, in cases of a health or safety emergency, and in limited circumstances consistent with the Family Educational Rights and Privacy Act. (See Cornell University Policy 4.5: Access to Student Information, Procedures, Releasing Educational Records).

## **Article VI: Right to Academic Freedom**

Students shall be free and encouraged to express differences of opinion or to disagree with data or views offered in any course of study as long as they maintain standards of academic performance established for the course. Student performance should be evaluated solely on an academic basis, not on opinions or conduct in matters unrelated to academic standards. Selection of speakers, allocation of funds for speakers programs and other student activities will observe the principles of academic freedom and promote intellectual pluralism.

## **Article VII: Right to Due Process**

Students have a right to pursue a formal hearing before the established judicial institution when faced with serious penalties for misconduct. The process requires that the student be informed of the nature of the charges and be given an opportunity to refute them, that the institution not be arbitrary in its actions, and that the student be allowed to appeal the decision. (See Campus Code of Conduct: Title Three, Article III)

## **Article VIII: Right to Information**

Students shall not face sanctions that are not published and made available. The Cornell community shall be informed that such rules and regulations are available in the Campus Code of Conduct, which is available on the University website.

## **Article IX: Right to Be Free From Discrimination and Harassment**

Students shall not be discriminated against on the basis of his or her actual or perceived age, ancestry or ethnicity, color, creed, disability, gender, gender identity or expression, height, immigration or citizenship status, marital status, national origin, race, religion, religious practice, sexual orientation, socioeconomic status, veteran status or weight in the operation of the University's educational programs and activities including, but not limited to, admissions policies, membership in institutional-related organizations, athletic and all other programs.

Students shall not be harassed by another individual because of his or her actual or perceived age, ancestry or ethnicity, color, creed, disability, gender, gender identity or expression, height, immigration or citizenship status, marital status, national origin, race, religion, religious practice, sexual orientation, socioeconomic status, veteran status or weight, when these behaviors are sufficiently severe or pervasive to have the effect of unreasonably interfering with that individual's educational experience, working conditions, or living

conditions by creating an intimidating, hostile, or offensive environment. (See Cornell University Policy 6.4: Prohibited Discrimination, Protected Status (Including Sexual), Harassment and Bias Activity)

## **Article X: Amendments**

Amendments to this document shall become effective upon approval by the Student Assembly, the Graduate and Professional Student Assembly, the University Assembly, the Faculty Senate, the Employee Assembly, and the President of the University. Any amendment requires a majority of all members in each of the aforementioned Assemblies.

## **Article XI: Ratification**

This document shall be distributed by the Dean of Students Office upon approval by the Student Assembly, the Graduate and Professional Student Assembly, the University Assembly, the Faculty Senate, the Employee Assembly, and the President of Cornell University.