



Student Government  
UNIVERSITY OF COLORADO BOULDER

University of Colorado Student Government  
Legislative Council

08 July 2016

85LCR 02 — In Support of Free Speech on Campus

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Arts & Science Co-Senator  
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**Authored by:**

Marcus Fotenos

President of External Affairs

**A Resolution in Support of Free Speech on Campus**

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**Resolution History**

Throughout the nation there are several discussions surrounding the topic of “free speech zones” on college campuses. As of recently, campuses are increasingly

sanctioning free-speech zones and in turn creating an environment that discourages open discussion, debate, intellectual diversity and true learning.

Unfortunately, the University of Colorado at Boulder is one of the campuses that currently limits free speech to certain zones on campus. According to the Campus Use of University Facilities<sup>1</sup> (CUUF) policy, free speech is limited to the Dalton Trumbo Fountain Court<sup>2</sup>. There are numerous requirements that must be fulfilled in order to be in compliance with the policy and the concept constricts student's ability to voice their opinions freely.

Also, according to the existing CUUF policy, canvassing is restricted for an event scheduled in accordance with the policy or on any sidewalk bordering a street. Per the policy, "canvassing" means soliciting a donation, soliciting a signature for a petition; soliciting for an email address, phone number or other contact information; offering information about services or sales; and/or distributing any Literature, flier, coupon book, sample, promotional item, coupon or any other tangible item. This is significant because the solicitation of signatures for a petition involves protected speech.

In all, the University of Colorado at Boulder's current policies regarding free speech are violating the right of students protected by the First Amendment of the United States Constitution.

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### Resolution Summary

This resolution is in support of free speech throughout campus and the elimination of designated free speech zones.

**Whereas**, free speech zones limit students' ability to progress through open inquiry and the free exchange of ideas;

**Whereas**, college is a place where students can explore different ideas and perspectives;

**Whereas**, free speech creates and increases diversity of thought on campus;

**Whereas**, Virginia, Missouri, and Arizona have passed legislation outlining that institutions of higher education may not limit any area on campus where free speech may be exercised;

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<sup>1</sup> <http://www.colorado.edu/policies/campus-use-university-facilities>

<sup>2</sup> [http://www.colorado.edu/sites/default/files/attached-files/fountain\\_area\\_free\\_speech\\_zone.pdf](http://www.colorado.edu/sites/default/files/attached-files/fountain_area_free_speech_zone.pdf)

**Whereas**, in 2012 a federal judge ruled that limiting students' ability to canvass on a college campus violates the First Amendment<sup>3</sup>; and,

**Whereas**, free speech throughout campus benefits all students.

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**THEREFORE, BE IT RESOLVED by the Legislative Council of the University of Colorado Boulder Student Government, THAT:**

**Section 1:** The First Amendment of the United States Constitution should apply to every square inch of the public forum<sup>4</sup> at the University of Colorado at Boulder.

**Section 2:** Leaders in CU Student Government will work with administration in the process of developing a solution to the concerns of students.

**Section 3:** The resolution shall take effect upon final passage in Legislative Council and upon either obtaining the signature of two Tri-Executives and the Legislative Council President or the lapse of six days without action by the Tri-Executives.

**Vote Count:**

**7/14/16  
7/28/16**

**Passed on 1<sup>st</sup> Reading  
Passed on 2<sup>nd</sup> Reading**

**Acclamation  
Acclamation**

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Lucas Larson  
Legislative Council President

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Marcus Fotenos  
President of External Affairs

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Madalena DeAndrea  
President of Internal Affairs

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Colton Lyons  
President of Student Affairs

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<sup>3</sup> <https://d28htnjz2elwuj.cloudfront.net/pdfs/7d8ffca326aa1eabf802cb3f388def9c.pdf>

<sup>4</sup> "Public forum", as defined by Arizona HB2615, is made up of both a traditional public forum, which is any open, outdoor area on the campus of a university or community college, and a designated public forum, which is any facility, building or part of a building that the university or community college has opened to students or student organizations for expression