

Reps. Runestad, Graves, Reilly, Canfield, Bellino, Glenn, Barrett, Lucido, Kelly, Miller, Hernandez, Hornberger, Allor, Chirkun, Ellison, Kahle, Rendon and Sneller offered the following resolution:

House Resolution No. 163.

A resolution to declare October 1-7, 2017, as Free Speech Week in the state of Michigan.

Whereas, The First Amendment of the Constitution of the United States guarantees freedom of speech and assembly as inalienable rights; and

Whereas, It is the duty of public institutions to preserve and protect the basic human rights guaranteed by the United States Constitution; and

Whereas, The free speech movement emerged from the civil rights movement and became an integral part of campus communities in Michigan; and

Whereas, The expression of diverse viewpoints is basic to the process of learning. In response to the free speech movement, Michigan's public universities adopted policies to explicitly protect the rights of free expression, speech, assembly, worship, and distribution of literature; and

Whereas, To maximize liberty and learning, political discussion on campus must allow for the expression of diverse intellectual and political perspectives; and

Whereas, Violence, whether instigated by students, faculty, or outside groups, should be repudiated in the strongest possible terms. Suppressing the speech of those with whom we disagree must be eschewed in favor of meeting one argument with a better argument; and

Whereas, Michigan's institutions of higher education must recognize the constitutional rights of faculty, staff and students to participate, either as individuals or as members of groups, in the political process, supporting diverse viewpoints, candidates for public office or any other political activity; and

Whereas, Michigan's institutions of higher learning must protect the rights of all students to participate in student activities and must not withhold funding from student activities based on their policies or message (*Rosenberger v. Rector and Visitors of the University of Virginia*, 515 U.S. 819 (1995)); and

Whereas, The time, place, and manner of public expression on campus should be limited or regulated only by the least restrictive means and only in furtherance of a compelling governmental interest, so as to safeguard our First Amendment rights; and

Whereas, In 1989, the United States District Court for the Eastern District of Michigan struck down a speech code at the University of Michigan, whereby speech codes that broadly restrict free speech violate the First Amendment (*Doe v University of Michigan*: 721 F. Supp. 852 (E.D. Mich 1989)) ; and

Whereas, Protesters in Michigan have shouted down and terminated debates on college campuses, institutions in Michigan have restricted free speech to specific zones which has been challenged and resulted in legal settlements, and university policies have been critiqued as restrictive of free speech; and

Whereas, The precarious and endangered condition of free speech on Michigan's public college campuses highlights the need for all state institutions of higher education to restate and confirm their commitment to free expression in both word and policy; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare October 1-7, 2017, as Free Speech Week in the state of Michigan; and be it further

Resolved, That copies of this resolution be sent to the student governing bodies and governing boards of each of the public institutions of higher learning in the state of Michigan.