

Proposed Amendments to the Draft  
**Cornell Statement on Academic Freedom and  
Freedom of Speech and Expression**

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## **AMENDMENT #1**

[new language in **RED**]

Cornell University is committed to fundamental principles of academic freedom and rights of free expression. Freedoms to engage in research and scholarship, to teach and to learn, to express oneself and to be heard, and to assemble and to protest peacefully and lawfully, are essential to the function of the University as an educational institution. **Cornell University will abide by the protections of academic freedom and freedom of speech and expression as set forth in the following Statement and in other Cornell policies.**

## **Rationale for amendment #1**

The amended language confirms that Cornell University will apply the protections in relevant actions, e.g. in pursuing any disciplinary actions.

## AMENDMENT #2

[new language in RED]

### *Responsibilities*

The Cornell community, including the University Assembly and other elected governance bodies, have a responsibility for protecting academic freedom and freedom of speech **of faculty, students, and staff**. Towards that end, the President or the President's designee shall consult with the University Assembly, Faculty Senate, Student Assembly, Graduate and Professional Student Assembly, Employee Assembly, and other elected campus governance bodies on a regular basis to ensure that the community's fundamental commitments to free expression, academic freedom, and respect for others are safeguarded.

## **Rationale for amendment #2**

The amendment reinforces that the Statement applies to the full Cornell community, i.e. faculty, students, and staff.

[Note: The order of the terms “academic freedom and freedom speech” is reversed from the original, but does not change the substance.]

## AMENDMENT #3

[new language in RED; deleted language crossed through and bracketed]

Responsible enjoyment and exercise of these rights includes respect for the rights of all. Infringement upon the rights of others, including the rights to speak and to be heard, or interference with the peaceful and lawful use and enjoyment of University premises, facilities, and programs, violate this principle. Though the necessity is rare, the University has long affirmed the President's authority and duty to protect the community and maintain public order where imminent **severe** threats to health and safety require it. However, any intervention by the President or the President's designee in campus rights of expression and assembly shall be reported **promptly** ~~in a timely fashion~~ to the **Cornell** community, **including the elected campus governance bodies**, with an explanation of the bases for the actions taken **and the plan for restoring full rights of expression and assembly as expeditiously as possible.**

## **Rationale for amendment #3**

- Clarifies that the President must have a strong justification for exercising authority to intervene in campus rights of expression and assembly.
- Clarifies the importance that the President act promptly to explain the reasons for intervening and the plan for restoring rights full and expeditiously.
- Reinforces the importance of shared governance.

## AMENDMENT #4

[new language in RED; deleted language crossed through and bracketed]

The University is committed to protecting academic freedom and to creating a learning, living, and working environment free of discrimination, harassment, and sexual and related misconduct. Based on the protections afforded by academic freedom, speech and other expression will not be considered prohibited conduct unless this speech or expression meets the definition of [~~discrimination,~~ **protected status** harassment [~~,and sexual and related misconduct~~] under Cornell [~~policy~~] **policies and procedures**, and also meets one or both of the following criteria: a reasonable person in the setting would find it to be abusive or humiliating toward a specific **individual** [~~person~~] or **specific individuals** [~~persons~~]; or it persists despite the reasonable objection of the **specific individual or individuals** [~~person or persons~~] targeted by the speech.



## Rationale for amendment #4

- The term “protected status” is more clear and inclusive in describing harassment covered by Cornell policies and procedures.
- Issues of academic freedom and freedom of speech are most relevant to defining “harassment” under Cornell policies and procedures.
- The terms “specific individual” and “specific individuals” describe “targets” of speech more clearly than the terms “specific person or persons.”