

Dear Board of Regents, President Ono, and the Executive Officers of the University,

SACUA writes to express our concerns regarding the content of the draft “Disruptive Activity Policy,” the process by which feedback has been sought, and the adverse effects its implementation could have on freedom of expression and exchange within the University.

The proposed policy is one more in a series of anti-democratic orders that continue to harm students, including locking Ruthven during business hours to prohibit students from entering, the “outsized police response” [1] outside of Ruthven (both on November 17), and the cancellation of the November CSG vote. In fact, on December 19, 2023, the ACLU of Michigan cautioned University leadership about this “escalating pattern of suppression,” and “a pattern of actions by the University of Michigan . . . that demonstrates an increasing willingness to censor, suppress, and harshly punish student advocacy relating to the ongoing crisis in Palestine and Israel.” [2]

Our most serious reservations are as follows.

First, the language used in the draft is overbroad, vague, and overly punitive. It does not seek to understand protestors’ messages nor to engage in conversation and understanding toward mutual resolution. It seeks implementation outside of regular processes and also has disciplinary implications for every member of campus, including faculty, staff, contractors, and visitors. If implemented, this policy could easily be abused to undermine marginalized voices and community activism and could have a chilling effect across our three campuses.

Second, the university already has a policy about disrupting speakers, making the draft policy unnecessary. The Statement of Student Rights and Responsibilities, Point N in Section IV, addresses the violation of “Obstructing or disrupting classes, research projects, or other activities or programs of the University; or obstructing access to University facilities, property, or programs (except for behavior that is protected by the University’s policy on Freedom of Speech and Artistic Expression).” The recently updated SPG 601.01 on Freedom of Speech and Artistic Expression states that “When a speech or some form of artistic expression such as a play or concert is prevented by disruptive protest from taking place or concluding, the effect is just as surely an attack on freedom of speech or artistic expression as the deliberate suppression or prohibition of a speaker or artist by authorities. At the same time, however, the rights of free expression enjoyed by speakers or performers do not negate the rights of free expression of those who would protest the speech or performance.” Some SACUA members have lived under authoritarian regimes, in which policies ostensibly established to maintain peace end up creating an intimidating environment in which disagreement becomes disallowed.

Third, the draft effectively makes changes to the existing Statement of Student Rights and Responsibilities. However, that statement cannot be changed without the unanimous consent of the Vice-President of Student Life, the Chair of the Student Relations Advisory Committee (SRAC) of the Faculty Senate, and the CSG President [3]. Neither the SRAC Chair nor the CSG President were consulted about or approved the changes contained in the draft.

Last, there is a serious need for authentic dialogue between the administration and members of our community, including perspectives from students, staff, and faculty. Instead, individuals were provided with a draft and asked to supply feedback within one week, an approach that is seriously flawed and curtails community input. Most notably, SACUA, the Senate Assembly, and CSG are all advisory groups to administration, yet none were consulted beforehand. As CSG President Meera Herle stated in the March 28, 2024 Regents' Meeting, without representation in university governance, "students at U of M will view this decision-making body as the enemy. There will be no opportunities for conversation; there will only be incentives for confrontation."

Based on the above issues, the current draft cannot be implemented. We request that you engage in an interactive dialogue involving students, faculty, and staff to ensure that any new policy adopted is consistent with the values of the entire university community.

Sincerely,

Senate Advisory Committee on University Affairs (SACUA)

Approved: 04/03/2024

Endorsed by the Senate Assembly: 04/15/2024

[1] "Over 50 police cars from over 10 police departments." ACLU Michigan, Letter to President Ono and General Counsel Lynch, December 19, 2023, [https://www.aclumich.org/sites/default/files/field\\_documents/2023.12.19\\_letter\\_to\\_university\\_of\\_michigan.pdf](https://www.aclumich.org/sites/default/files/field_documents/2023.12.19_letter_to_university_of_michigan.pdf)

[2] *ibid.*

[3] <https://oscr.umich.edu/statement>