

Resolution for the Adoption of a University Policy Opposing Unacceptable Behavior Demeaning Individuals or Groups on Campus and Prohibiting the Use of University Funds or Facilities by Those Making Such Statements

Whereas, on the evening of August 26, 2004, at a performance on campus to which the public was invited, a comedian hired by The University of Alabama used against a University student statements which were, and were intended to be, derogatory of gay persons, harassing and insulting both the student and all gay persons;

Whereas, the Faculty Senate of The University of Alabama on March 21, 2000, unanimously resolved that "The University of Alabama Faculty is dedicated to the creation and maintenance of a learning environment which respects and enhances the potential of all members of its community," that "acceptance of diversity in terms of race, ethnicity, religion, culture, gender, sexual orientation or physical challenges is critical to responsible leadership and citizenship," that "silence in response to individual and institutional racism, sexism, and bigotry, facilitates their perpetuation if not contagious expansion," and "that The University of Alabama Faculty Senate reaffirms its commitment to promote respect for and appreciation and celebration of diversity in all aspects of University life";

Whereas, The University of Alabama Board of Trustees in September 2003 "Resolved that the Board embraces the development of a diverse learning environment, which enhances the quality of the educational product, and the Board applauds those individuals on each campus who have shown their dedication to increasing diversity";

Whereas, despite being theoretically committed to "programming that is free of bigotry and malicious aggression," the University was unprepared to deal with the August 26, 2004, incident, its officials on the spot failing to recognize at the time that the comedian's statements were bigoted and maliciously aggressive, and in its statements after the event to date failing explicitly to recognize that gay persons are a normal part of our University community along with everyone else;

Whereas, the University has commendably called this a "shameful incident" of "bigotry and malicious aggression" which was a "personal attack" upon a student, has commendably stated that this comedian "will not appear at UA again," and has commendably undertaken to review and revise its protocols concerning program presentation at the University "to prevent these kinds of incidents in the future";

Whereas, it is never appropriate to demean or reduce an individual based on group affiliation or personal characteristics;

Whereas, it is never appropriate to promote hate or discrimination;

Whereas, the faculty of The University of Alabama cherishes freedom of speech as a fundamental right and strongly advocates freedom of speech in all aspects of University life;

Whereas, the faculty of The University of Alabama recognizes that the right to freedom of speech is not absolute and is subject to both legal restrictions and standards of civility; and

Whereas, The University of Alabama has a duty reflected both in law and in standards of civility to control behavior which demeans or reduces an individual based on group affiliation or personal characteristics, or which promotes hate or discrimination, in all formal programs and activities;

Therefore, be it resolved by the Faculty Senate of The University of Alabama, that what occurred on Aug. 26, 2004, was a shameful incident of bigotry and malicious aggression against a gay student and against all gay persons;

Be it further resolved, that University officials in charge of student programming develop clear policies restricting any behavior which demeans or reduces an individual based on group affiliation or personal characteristics, or which promotes hate or discrimination, in any approved University program or activity, and

that these policies be incorporated into any contract entered into by the University regarding participation in formal University student programs;

Be it further resolved, that while freedom of speech should be less restricted in activities that are not formally recognized or facilitated by the University, all members of the University community and guests should be encouraged to behave in a civil manner and to avoid any behavior which demeans or reduces an individual based on group affiliation or personal characteristics or which promotes hate or discrimination; and

Be it further resolved, that representatives of the Faculty Senate and of other organizations on the University campus dedicated to opposing bigotry and malicious aggression be invited by the University administration to offer commentary on the proposed protocols at a time when such commentary can possibly be incorporated into the protocols.

Adopted by Faculty Senate

September 21, 2004