

**RESOLUTION ON FREE SPEECH
(#04-98/99-EX)**

- WHEREAS, The administration of Humboldt State University recently prohibited the distribution of the CFA *California Faculty* magazine through intra-campus mail, a practice that both Article 6.3 of the Collective Bargaining Agreement (CBA) ("intra-campus mail shall be made available to CFA at no cost for official CFA communications") and years of past practice have permitted; and
- WHEREAS, The justification for this action is a 1976 court case from which the CSU concludes that California law prohibits the use of public funds or other public resources for purposes of political advocacy; and,
- WHEREAS, The *California Faculty* consisted of collective bargaining news and CFA endorsements for the upcoming State elections, topics any reasonable person would expect in a union publication; and
- WHEREAS, The CFA and the CSU currently are embroiled in contentious collective bargaining, and the denial of the right to use intra-campus mail is an impediment to CFA's ability to inform the faculty of ongoing negotiations; and
- WHEREAS, Given CBA Article 6.3, years of past practice, the contents of the publication, the timing of such an administrative decision, and the reasonable person standard, this administrative action constitutes the censorship of an agent of the faculty; and
- WHEREAS, The university is and must continue to be a bastion of free speech and must respond passionately when this inviolate right is denied to any member of the academic community; therefore, be it
- RESOLVED: That the Academic Senate of Humboldt State University profoundly oppose censorship of members and/or agencies of our campus community; and be it further
- RESOLVED: That the Academic Senate of Humboldt State University fiercely support the tenets of free speech; and be it further
- RESOLVED: That the Academic Senate of Humboldt State University communicate its grave concerns regarding this apparent disregard for free speech directly to the Chancellor, the CSU Trustees, the CFA, and the California State Employees Association (CSEA); and be it further
- RESOLVED: That the Academic Senate of Humboldt State University recommend that this resolution be forwarded to other CSU senates and to the Statewide Academic Senate, urging that they endorse this resolution.