

1 **CONCURRENT RESOLUTION ON THE IMPORTANCE OF**
2 **CIVIL LIBERTIES FOR STUDENTS**

3 2018 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Jim Dabakis**

6 House Sponsor: Kim F. Coleman

8 **LONG TITLE**

9 **General Description:**

10 This concurrent resolution of the Legislature and the Governor encourages state
11 institutions of higher education to defend the civil liberties of students and create an
12 avenue by which a student may appeal a school policy.

13 **Highlighted Provisions:**

14 This resolution:

- 15 ▶ recognizes some rights as inalienable;
- 16 ▶ emphasizes the protection of many inalienable rights in the United States

17 Constitution and the Utah Constitution;

- 18 ▶ recognizes the unique role of institutions of higher education;
- 19 ▶ recognizes state institutions of higher education as government actors;
- 20 ▶ encourages state institutions of higher education to defend the civil liberties of

21 students through policies that reflect constitutional protections; and

- 22 ▶ recommends that state institutions of higher education create avenues by which
23 students may appeal a policy.

24 **Special Clauses:**

25 None

27 *Be it resolved by the Legislature of the state of Utah, the Governor concurring therein:*

28 WHEREAS, it is one of the founding principles of our country that all humans have
29 certain inalienable rights upon which government may not infringe;

30 WHEREAS, both the United States Constitution and the Utah Constitution protect
31 these inalienable rights, including the freedom of expression, the freedom of speech, the
32 freedom of religion, the freedom of assembly, the right to due process, and the freedom of
33 conscience;

34 WHEREAS, the Supreme Court of the United States upholds these rights, setting them
35 as the standard by which all other laws are measured;

36 WHEREAS, higher education is an essential element of the state's continuous focus on
37 civic and character education in the public schools and institutions of higher education as
38 recognized and provided in sections [53G-10-204](#) and [67-1a-11](#) of the Utah Code;

39 WHEREAS, the achievement of graduating from an institution of higher education
40 provides a student with greater opportunities in the workforce; and

41 WHEREAS, state institutions of higher education are government actors, required to
42 abide by both the United States Constitution and the Utah Constitution:

43 NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah, the
44 Governor concurring therein, strongly encourages state institutions of higher education to
45 vigorously defend the civil liberties of students through policies that ensure the protection of
46 constitutional rights.

47 BE IT FURTHER RESOLVED that the Legislature of the state of Utah, the Governor
48 concurring therein, recommends that state institutions of higher education each develop an
49 appeal process for cases in which the institution's policies are challenged for failing to protect a
50 student's rights.

51 BE IT FURTHER RESOLVED that a copy of this resolution be sent to the State Board
52 of Regents and the president of each state institution of higher education in Utah.