

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

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8 **LONG TITLE**

9 **Committee Note:**

10                   The Administrative Rules Review Committee recommended this bill.

11 **General Description:**

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

15 **Highlighted Provisions:**

16                   This resolution:

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

19 Constitution and the Utah Constitution;

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

23 students through policies that reflect constitutional protections; and

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

26 **Special Clauses:**

27                   None



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

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

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

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

WHEREAS, state institutions of higher education are uniquely positioned to expose minds to diverse ideas, people, and experiences;

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

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

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

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

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