Resolution to Refer Senate Action S-09/10-25 to the Board of Trustees

Whereas, at its General Meeting of May 13, 2010, the Academic Senate approved a revised preamble to the External Speaker and Public Event Policy (S-09/10-2, October 1, 2009) and reported the revision to the Provost and President as Senate Action S-9/10-25;

Whereas, the Provost responded to the Senate in a timely fashion on 1 July, 2010, in relevant part:

I have begun initial discussions of the “New Preamble for the Speaker Policy” with the President, and I understand that he does not wish to be quoted in the Faculty Handbook. Therefore, I support Senate Action S-09/10-25 with omission of the third paragraph, beginning “That is also the charge of a university.” . . . Of course, further consideration of this action depends on the response of the President and action of the Board, if the President decides to forward it to them for approval.

Whereas, the Academic Senate is in receipt of no further response from the President; while the Past Chair and Senate Representative to the Board of Trustees reports that he informed the Board of Senate Action S-9/10-25 in his presentation at the Trustees’ October, 2010 meeting and that the Board of Trustees has not formally received Senate Action S-9/10-25, either in whole or in part;

Whereas, the Faculty Handbook provides (1.6.1.2.10, at 3): “When the Senate deems it appropriate, they may request that [a] motion and the Provost’s concerns be sent to the President and/or the Board of Trustees. Such an action would require a two-thirds majority vote of the Senate”;

Therefore, be it resolved that Senate Action S-9/10-25, the Revised Preamble to the External Speaker and Public Event Policy be sent, together with the Provost’s July 1, 2010 response to the Senate Action, to the Board of Trustees via the Academic Affairs Committee of the Board of Trustees.

(For the Convenience of the Senators, the text of Senate Action S-09/10-25 follows:

(A NEW PREAMBLE FOR THE SPEAKER POLICY

(Be it resolved, the preamble to the speaker policy passed by the Academic Senate on October 1, 2009 should be replaced by the following preamble which should be read as supplying the interpretive spirit with which the protocols of the policy should be implemented.

(Saint Mary’s College of California is a Catholic institution of higher education in the Lasallian tradition where the liberal arts inform, enrich, and shape all areas of learning and where special importance is placed on fostering the intellectual skills, habits of mind, and activities which liberate persons to probe deeply the mystery of existence and live authentically in response to the truths they discover.

(Our mission challenges us to pursue truth wherever it can be found, confident that between faith and reason there can be no fundamental conflict. Fr. Ted Hesburgh, the President Emeritus of Notre Dame, speaks of how a Catholic college must not only strive to be like a lighthouse, standing apart and illuminating issues with the moral and spiritual wisdom of the Catholic tradition, but that it must also serve as a crossroads “where all the intellectual and moral currents of our times meet and are thoughtfully considered,”
a place where people of many different perspectives, backgrounds, faiths, and cultures are received with charity, are able to speak, be heard, and engage in responsible and reasoned dialogue.

(That is also the charge of a university. As our President Brother Ronald Gallagher writes in an open letter to the College community, “Institutions of higher education serve society and their local communities by providing a place for opinions and ideas of all types to be examined, questioned and discussed. It is in these ‘academic cities’ that the arts of reason and inquiry are brought to bear on the controversial issues of today and of all time. For students, faculty, staff, and the public, the College provides special opportunities to step away from the often overheated and polarized rhetoric of contemporary culture and examine difficult and controversial issues in the somewhat cooler light of reason.” Brother Ronald continues his letter with an appeal to the educational traditions upon which our College is based: “As a College with a Great Books tradition, we have a responsibility to defend the rights of those with controversial viewpoints to speak. To live up to our great tradition, we must remain an academic community where the free and open discussion of ideas, even those with which we strongly disagree, is possible.”

(As part of that Great Books tradition, we are reminded of what Cardinal Newman writes in his *The Idea of a University*: “It is not the way to learn to swim in troubled waters never to have gone into them.” If our students are to be tested in their critical thinking, we do not serve them well by insulating them from controversial views; instead, we are called to expose them to a breadth of viewpoints and experiences and to foster free and open discussion of controversial issues.

(Occasionally the President will be pressured to deny or rescind a requested invitation. In almost all situations the President is called to defend academic freedom and explain the basic educational mission of the College and the unique role of universities as a place for ideas to be exchanged while also making clear to all that invitations do not represent endorsements. The cost to the College is virtually always higher when a presenter is silenced. Ideas, we believe, are better answered with thought and conversation than censorship.

(*While we place a high value on freedom of inquiry and discussion, and on the opportunity for intellectual stimulation, which can be the product of controversial content, with this freedom also comes fiduciary responsibility. The policy which follows outlines reasonable precautions for the scheduling of controversial events, which are designed to foster authentic dialogue and to protect the reputation of the alma mater we all cherish.*

([The italicized passages indicate parts of the preamble passed by the Senate on October 1, 2009])