

To whom it may concern:

Following numerous policy violations by Institute staff and a de-facto suspension of student rights on campus on April 9, I request that the Joint Board be convened to consider the violations of Institute rules, rights, and regulations by Rensselaer staff. Reasonable attempts to resolve the situation have proved unsuccessful, and have been met with dissembling, denial and disinformation by the staff responsible. The actions outlined here have undermined the Handbook's provisions so thoroughly and at so basic a level as to merit immediate review.

On April 9, students in the act of placing posters on campus or about to do so were approached by officers of the Department of Public Safety. Upon asking "We're protected by the Student Handbook, aren't we? It says that..." the student is cut off and told by the officer "not today." Full transcript, audio, and video are attached for your consideration. Essentially, Institute employees (deputized as law enforcement officers) relayed to students a change in policy that had the effect of suspending their rights under the Student Handbook of Rights and Responsibilities and proceeded to themselves recklessly violate Institute policy in the removal of policy-compliant signs.

In light of the audiovisual evidence, it's sufficient and accurate to say that students were blatantly denied their rights under Article (V), Section (D) of the Handbook; Article (III), Section (A), paragraph (2) of the Institute Sign Policy; Article (V), Section (B) of the Institute Sign Policy; and Article (V), Section (B), paragraph (6) of the Rules and Elections Handbook, which governs the Extended Sign Policy.

There are two essential disputes in this case. The first is whether the signs on campus were, as Vice President Rounds claimed in an interview, in violation of sign policy, and thus taken down properly. The second is whether the Sign Policy and related handbook provisions were in fact suspended in their operation.

Since no notification of violation was ever received by students postering, there can be no violation to defend. But it's important to be clear why their removal was so contrary to both policy and student political rights on campus. First, during GM Week, the Extended Sign Policy is in effect, which permits posting on nearly all campus buildings. While the policy is not explicitly scoped to election-related material, the Save the Union posters clearly fall into that category as they address the referendum questions on the ballot for the student body. The posters themselves contained issue-based information and were neither untrue (containing quotes from audio/video sources), libelous, or in any other way contrary to policy. Furthermore, the video of the Public Safety officers make it clear that they targeted Save the Union posters in particular

and their statements show that they were tasked with removing political posters of the sort that Institute officials found distasteful.

The only serious defense to these violations might be that the relevant policies were changed or waived. The President, Grand Marshal, and Institute vice presidents can do so under Institute Sign Policy Article (V), Section (C). However, that provision explicitly calls for notification and discussion of the matter and is not a unilateral waiver ability.

In the same vein, the Handbook's preamble (which may or may not be part of the binding language) provides: "Rensselaer reserves the right to change [...] any other regulation or policy affecting its students, including this handbook. Such changes take effect whenever Rensselaer authorities deem necessary whether or not there is actual notice to individual students." Again, this language is not an ability to discard the rules at a whim. All students and their campus news outlets were surprised to find their rights suspended on April 9. Nowhere in the record is there any evidence that a single RPI staff member took any measure to notify any member of the student body or their representatives. And when Public Safety Officers, deputized by Rensselaer County to employ force at their discretion, compel behavior of students and the surrender of their property, their actions and statements have the effect of policy. Whether the actions of April 9 represented a de-facto waiver of the Handbook or simply an arrogant and reckless disregard for basic Institute policy leads to the same conclusion; neither the Public Safety officers nor their superiors cared a whit for the rules, the rights of students, the edicts of the Trustees, or the reputation of the Institute.

The actions taken by administrators and their staff on April 9 were odious, and they are contrary to the values that we in higher education and in America generally hold dear. The notion that rules may be ignored or suspended at will by those in power to suit their political objectives is contrary to the whole conception of a Handbook of rules that binds the community. Certainly, it undermines the legitimacy and authority of the Board of Trustees, who have guaranteed the rights and responsibilities therein to students. And of course, changing or suspending the rules means nothing if the people subject to the change aren't told until they've trespassed upon the change, in the fashion of an *ex post facto* law.

It is worth mentioning that the illegitimate actions of Institute management, in addition to bringing disrepute upon the Institute as a whole, have also put the employment and integrity of the staff involved in jeopardy. Parts (11) and (18) of the Employee Handbook prohibit disrespecting the property of others and conduct that places Rensselaer or its agents in public disrepute, respectively. Brazenly engaging in prohibited acts of censorship and confiscating students' rightfully owned posters from their person surely fit these criteria. We have no wish to

see staff members with no serious choice in their actions reprimanded, but if our University is to have rules at all, responsibility for willful and blatant disregard for them must rest somewhere.

In a situation such as this, which viciously strikes at the bedrock of the rule of law and essential Institute values, a remedy is a difficult matter indeed. We believe that a condemnation from this Board of the decisions and behavior that brought this matter forward and put the Institute into disrepute is crucial. Further, we ask that a faculty and a student monitor be appointed to oversee all Dean of Students Office decisions impacting free speech exercise on campus with the authority to enjoin enforcement actions pending a further review by this Board. Lastly, we request that this Board refer the conduct of the decision-maker in this incident to the Human Resources Department for the aforementioned violations of the Employee Handbook and relevant Institute Policy cited above.

Respectfully submitted