

TEXAS  STATE  
UNIVERSITY


*The rising STAR of Texas*

SG Legislation  
received by: *rw*  
received date: *5/22/19*

MEMORANDUM

TO: Dean of Students Dr. Margarita Arellano  
Assistant Dean of Students Kathryn Weiser

DATE: Monday, May 13, 2019

FROM: Corey Benbow, Student Body President 

SUBJECT: S.R. 12 Immunity Acknowledgement Resolution

I approve of this legislation passed by the Student Government Senate which is requesting immunity for student protestors from Texas State University and Texas State University System administration.

Furthermore, while Student Government may not be able to grant the student protestors immunity. It is important we stand in solidarity with our fellow Texas State students who exercised their rights to protest injustices in our campus community. I agree protests are vital to maintaining a civically aware citizenry, and therefore should not be stifled with unnecessary burden, including threats by their government/administration.

As such, I believe punishment and enforcement of the Student Code of Conduct cannot arbitrarily be applied in this case. More specifically, violation of the Student Code of Conduct Section 2.02(C) failing to comply with a directive from a university official, including a summons to the office of an administrative officer at a designated time, and Student Code of Conduct Section 2.02(U) entering university buildings or facilities or using university equipment or resources without authorization, neither can be applied in the case due to the following:

- A) A directive would need to be given to each individual student.
- B) Students did not enter a university building or facilities without authorization, because students entered the building during an authorize period of time.

I hope you would consider if the charge of students in these instances was an attempt to silence student protest and there forth are not warranted.

X 

Corey F. Benbow

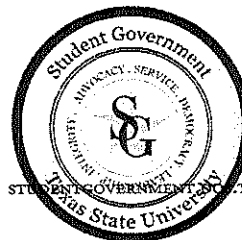
Student Body President '20

STUDENT GOVERNMENT

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*Texas State University was founded in 1899.*

MEMBER THE TEXAS STATE UNIVERSITY SYSTEM



**Author**

Senator Tichy, James

**Sponsors**

Senator Halter, Colton  
Senator Gasponi, Claudia

**S.R. 2019-2020.12**

**Date of First Reading May 8, 2019**

**A Resolution**

To be entitled the "Immunity Acknowledgement Resolution of May 2019," requesting immunity for student protestors from Texas State University and Texas State University System administration.

1 **WHEREAS:** The University Policy and Procedure Statements (UPPS)  
2 combined with the Student Code of Conduct outlines the code of  
3 conduct by which students must adhere in order to exercise their  
4 first amendment rights to freedom of speech and assembly,  
5 specifically Student Code of Conduct Section 2.02 Conduct  
6 Prohibited, and the UPPS Disruptive Activities Policy; and  
7

8 **WHEREAS:** Those who participated or are currently participating  
9 in the Texas State Sit In 2 have abided by these policies and  
10 procedures to the best of their ability while retaining the  
11 ability to organize peacefully; and  
12

13 **WHEREAS:** Protests are vital to maintaining a civically aware  
14 citizenry, and therefore, should not be stifled with unnecessary  
15 burden, including threats by their government/administration;  
16 therefore,  
17

18 **BE IT RESOLVED:** That students who participated in the Texas  
19 State Sit In 2 be immune to student conduct sanctions by Texas  
20 State University; and  
21

22 **BE IT FURTHER RESOLVED:** That disciplinary action taken against  
23 students who violate(d) the University Policies: Policy and  
24 Procedure Statements not result in expulsion, but rather proceed  
25 through an avenue of discipline by which the actions of the  
26 students are reviewed by their peers; and  
27

28 **BE IT FURTHER RESOLVED:** That the Student Senate believes that  
29 any Texas State faculty member or administrators that showed

30 support for student protestors be protected from any  
31 disciplinary action; and

32  
33 **BE IT FURTHER RESOLVED:** That Texas State University Student  
34 Senate oppose any attempt by the administration to threaten  
35 students who exercise their first amendment rights with  
36 expulsion, arrest, or any other type of excessive punishment in  
37 hopes of disbanding a peaceful assembly; and

38  
39 **BE IT FURTHER RESOLVED:** That upon passage this legislation be  
40 forwarded to the Student Body President for further action.