

Resolution Status: Approved on Special Order



Student Government

UNIVERSITY OF COLORADO **BOULDER**

**University of Colorado Student Government
Legislative Council**

04/15/2021

**94 LCR18 - A Resolution to Censure
President Mark Kennedy for Failed
Leadership with Respect to
Diversity, Equity and Inclusion**

Sponsored by:	
Nikky Garaga	Representative-at-Large
Amalia Frommelt	Tri-Executive
Mia Rodriguez	Treasurer Leeds School of Business Senator
Evangelyne Eliason	Representative Council Vice Speaker Representative-at-Large
Sophia Khan	Legislative Whip Arts and Sciences Co-Senator
Samantha Martin	Arts and Sciences Co-Senator
Erin Bender	School of Education Senator

Authored by:	
Shubhashika Singh	Representative-at-Large

**A Resolution to Censure CU President Mark Kennedy for Failed
Leadership with Respect to Diversity, Equity, and Inclusion**

Resolution History

On April 29, 2021, the Boulder Faculty Assembly (BFA) will be voting on a motion that calls for a vote of censure of the University of Colorado (CU) President Mark Kennedy for a failure of leadership with respect to diversity, equity, and inclusion, and for the motion to be shared with the Board of Regents for consideration in their evaluation of President Mark Kennedy's appointment and contract at the upcoming Board of Regents meeting in June. On April 1, 2021, the

University of Colorado Faculty Council's Executive Committee passed a Resolution on Reprimand of President Mark Kennedy that moves to strongly condemn and officially reprimand President Mark Kennedy for his failure of leadership in regard to shared governance as outlined in CU Regent Law and Policy.

Resolution Summary

The CUSG Legislative Council censures CU President Mark Kennedy for failed leadership with respect to diversity, equity and inclusion. Prior to his appointment as the CU System President, CU Boulder students rallied against his nomination to become the CU System President. They publicly criticized his poor track record on diversity, inclusion, and equity in his prior positions. As current CU President, Mark Kennedy has continued to make racist and problematic remarks. In August of 2020, President Mark Kennedy used the phrase "Trail of Tears" as an idiom, comparing it to the hardships universities are facing due to the COVID-19 pandemic. Using the genocide and oppression of the Indigenous community in such a casual way is disrespectful and offensive.

Additionally, in October 2020, President Mark Kennedy released a Land Recognition Statement that described the genocide of Indigenous People as "ill treatment," a poor choice of words that severely diminishes the genocides and invalidates the historical and ongoing misrepresentation of the experiences of Indigenous communities in the U.S. This concern has been heightened as CU Boulder students recognize that the University of Colorado of Boulder was constructed on Indigenous lands, unjustly and unfairly stolen. In his work previous to his time at CU, President Kennedy publicly voted to ban same-sex marriage and has since written an open letter where he stated that his stance on same-sex marriage has "evolved." However, he has not taken any action or developed specific plans to demonstrate his evolved perspective to the LGBTQ+ community at all four CU campuses. Furthermore, President Kennedy failed to protect the University's academic freedom and free speech by not resisting the Trump Administration's executive orders around international student visas and anti-equity training. President Mark Kennedy's inaction when pertaining to current and prospective international students signals an unwillingness of the system to support a student population that arguably provides fundamental perspective and diversity to the university. Contrary to President Kennedy's response on the issue, 200 Universities including Harvard and MIT sued the U.S. Immigration and Customs Enforcement in federal court regarding this issue. President Mark Kennedy failed to stand in solidarity with the Asian American Pacific-Islander (AAPI) community following the shootings in Atlanta, nor has he acknowledged the 150% rise in anti-Asian hate crimes across the US that have raised concerns among AAPI students of CU Boulder. Instead, President Kennedy "paralleled" his support for the AAPI community in a statement following the mass shootings in Atlanta and Boulder.

In conclusion, the University of Colorado's Guiding Principles includes "Promot[ing] faculty, student, and staff diversity to ensure the rich interchange of

ideas in the pursuit of truth and learning.” Secondly, the University of Colorado’s Vision Statement reads “CU will expand student success, diversity and the economic foundation of the State of Colorado.” President Mark Kennedy has failed to lead or represent the CU community in a way that is synchronous to the stated values of the community and the intended commitment of CU leaders to foster student growth and success. President Mark Kennedy has proved time and again to students, staff, faculty, and the Boulder community that he has not adequately met the diversity, equity, and inclusion requirements or expectations of his appointment to President.

Whereas, President Mark Kennedy has made multiple remarks in statements and at speaking engagements that are considered to be racist or problematic to the BIPOC students and community of CU Boulder during his time as President; and,

Whereas, President Mark Kennedy has shown incredible insensitivity and disrespect to the Indigenous community; and,

Whereas, President Mark Kennedy has failed to show specific plans for and has not taken any significant actions to demonstrate his solidarity with the LGBTQ+ community of CU Boulder; and,

Whereas, President Mark Kennedy has failed to protect the University’s academic freedom and free speech by not resisting the Trump Administration’s executive orders regarding international student visas and anti-equity training; and,

Whereas, President Mark Kennedy has failed to stand in solidarity with the Asian American Pacific-Islander (AAPI) community when students expressed a need for leadership to step forward to condemn racism and racist attacks against AAPI communities; and,

Whereas, President Mark Kennedy has failed to lead and demonstrate his commitment to diversity as one of CU’s Guiding Principles, as well as CU’s Vision Statement, which has been detrimental to the student learning experience and community of CU Boulder; and,

Whereas, President Mark Kennedy has had a harmful effect on student experience; and,

Whereas, CUSG, as the representative body of the associated students of the University of Colorado Boulder, finds that President Mark Kennedy has failed to lead with respect to diversity, equity, and inclusion.

THEREFORE, BE IT RESOLVED by the Legislative Council of the University of Colorado Boulder Student Government, THAT:

Section 1: The University of Colorado Boulder Student Government censures CU President Mark Kennedy for failed leadership with respect to diversity, equity, and inclusion.


Section 2: CU Student Government encourages and supports CU Boulder faculty to vote in favor of the “Resolution for a Vote of Censure President Kennedy” put forward by the Executive Committee of the Boulder Faculty Assembly for an upcoming vote by the BFA of the University of Colorado Boulder.

Section 3: The relevant parties affected by this legislation that shall be notified upon its passage by the Legislative Council and upon either obtaining the signatures of two Tri-Executives or the lapse of six days without actions by the Tri-Executives are: the **Boulder Faculty Assembly, the Staff Council, the Graduate and Professional Student Government, the Chancellor’s office, and the CU Regents.**

Section 4: This resolution shall take effect upon final passage by the Legislative Council and upon either obtaining the signatures of two Tri-Executives or the lapse of six days without actions by the Tri-Executives.

Vote Count:

Date	Motion	Vote
04.15.21	Approve on Special Order	13-1-0


DocuSigned by:

47FA4E2190E3404...
 Amalia Frommelt
 Student Body President

DocuSigned by:

3A988CECF540413...
 Isaiah Chavous
 Student Body President

DocuSigned by:

10B8E4E2DC02412...
 George Conway
 Student Body President

DocuSigned by:

0A21B19A1E0E4E1...
 Julia Foley
 Legislative Council President