

**A RESOLUTION OF THE STUDENT GOVERNMENT ASSOCIATION OF NORTHERN KENTUCKY UNIVERSITY, HIGHLAND HEIGHTS, KENTUCKY, REQUESTING THE UNIVERSITY MAKE A COMMITMENT TO NEVER INFRINGE ON STUDENTS RIGHTS TO: DISTRIBUTE OR RECEIVE CONTRACEPTIVES; OR MAKE DISPLAYS ENCOURAGING THEIR USE. ALSO, IT SHALL BE MADE CLEAR THAT UNIVERSITY ADMINISTRATORS CAN NOT DEEM MEDICALLY SOUND INFORMATION ABOUT SEX AND FAMILY PLANNING AS “INAPPROPRIATE” OR “SEXUAL INNUENDO”.**

- WHEREAS: On July 31<sup>st</sup>, 2008, an NKU student representing a registered student organization was ordered to leave a Freshman orientation event for having signs promoting safe sex education and distributing contraceptives with informative pamphlets of medically sound information about pregnancy and disease. Believing he was within his rights as an American citizen he decided to stay and collect signatures after condoms and information were confiscated and he was subsequently arrested, and
- WHEREAS: The very next day the Center for Disease Control corrected a previous study and found that HIV infections were actually 40 percent higher than the previous CDC study estimate. The previous estimate put new infections at 40,000 per year in 2006, while the real rate had been revised to 56,300, and
- WHEREAS: It is blatantly obvious that HIV/AIDS is a huge problem, especially for young people, and condoms can greatly reduce the risk of contracting the disease, and
- WHEREAS: In Eisenstadt v. Baird. 405 U.S. 438 (1972), the U.S. Supreme Court invalidated a Massachusetts state law that prohibited the sale or gift of nonprescription contraceptives. Because Baird gave a can of spermicidal foam to an adult unmarried woman, this case upholds the right of unmarried adults to use contraceptives, and
- WHEREAS: In Carey v. Population Services International, 431 U.S. 678 (1977), the U.S. Supreme Court invalidated a New York state law that prohibited sale or distribution of contraceptive to people under the age of 16 years and also prohibited both advertising and display of contraceptives, even by pharmacists. Population Planning was a mail-order company in North Carolina that advertised contraceptives in New York state and sent contraceptives to residents of New York. This case upholds the right of minors to purchase contraceptives, and
- WHEREAS: Fundamentalist religious dogma has no place in the policies of institutions which are publicly funded with tax payer money; the student government affirms the constitutional concept of separation of church and state shall not be ignored by university administrators, and
- WHEREAS: NKU's core values state that the University is committed to “intellectual freedom”. Censoring student displays and speech is antithetical to the espoused views of the University, and
- WHEREAS: NKU's core values state that the University is committed to “multiculturalism”. Shaping a policy around any one religious value or belief is antithetical to this espoused commitment of the University, and

WHEREAS: No University Administrator should be removing student's displays because they deem it "inappropriate" when the very speech is protected by supreme court decisions, that supersede policy decisions of NKU administrators, and

WHEREAS: A petition of 200 student's signatures were collected in opposition to University administrators declaring rules to regulate speech regarding sexual health and disease prevention.

BE IT THEREFORE RESOLVED, on this 24<sup>th</sup> day of November 2008, that the Student Government Association request the University Administration make a commitment to never infringe on student's rights to: Distribute or receive contraceptives; or make displays providing medically sound information about sexual health in any circumstance.

Signed:

\_\_\_\_\_  
Gabriel W. Cronon  
President, NKUSGA

Attest:

\_\_\_\_\_  
Chris Tinsley  
Student Rights Committee Chair, NKUSGA

\_\_\_\_\_  
Dennis W. Chaney  
Senator, NKUSGA

