OXY Occidental College

Right to Dissent and Demonstration Policy

Students are responsible for knowing the following:

For well over a century, Occidental College has acted upon the principles that colleges and universities serve the common good through learning, teaching, research, and scholarship; and that the fulfillment of this function necessarily rests upon the preservation of the intellectual freedoms of teaching, expression, research, and debate. All members of the Occidental College community have a responsibility to exemplify and support those freedoms in the interests of reasoned inquiry.

The rights to demonstration and dissent are essential to academic freedom and scholarly pursuits. Demonstrations against or in favor of a particular position, action or situation are permitted as long as the activity does not restrict others' movement or access to campus activities. Occidental College is an institution guided by a deep conviction of the worth and dignity of the advancement of knowledge. It encourages the free pursuit of learning and makes every reasonable effort to foster honest academic conduct. It respects and defends free inquiry by its constituents while expecting that in the exchange of criticism and ideas, all will show due respect for the opinions of others.

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to foster and defend intellectual honesty, freedom of inquiry and instruction, and free expression both on and off campus. When speaking or acting as a private person, members of the Occidental College community must actively dispel any impression that they speak or act for the College or any of its departments or units. The expression of student dissent and the attempt to produce change may not be carried out in ways that injure individuals, damage institutional facilities, or disrupt the operations of the College. Speakers on campus must not only be protected from violence and harassment, but also be given an opportunity to be heard. Students who seek to call attention to grievances must not do so in ways that impede the educational or other activities of the institution.

Any attempts to engage in protests or counter protests by means that are physically threatening, unlawful, or inconsistent with College policy are out of order and will not be condoned. According to Federal law, the College may limit the **time, place, and manner** of any form of dissent and/or protest. Without limiting the general parameters as described above, the College sets forth the following specific rules for demonstrations and protests on campus or in any College activity or program:

- Students and other community members are required to abide by the College's **Posting & Publicity Policy**, **Event and Space Usage guidelines**, and other College policies as may be in effect from time to time, including policies which set forth requirements for advance approval, registration, and management of campus events.
- Demonstrations may not impede access to or functioning of any College building, program, or activity.
- Demonstrations and protests may not be held on campus between 12am - 6am or inside any campus building outside of that building's regular business hours. (Business hours are 8am - 5pm unless otherwise indicated)

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- Bullhorns, speakers, and other sound-magnification devices may not be used near classrooms, residence halls, or libraries, or in any manner that disrupts regular College programs or activities.
- Demonstrators must provide identification to Campus Safety officers and other authorized College employees upon request.
- Demonstrators must disperse when instructed to do so by an authorized College official, including (without limitation) the President, Campus Safety officers, and the Dean of Students or designee.

Students are **strongly encouraged** to meet with a staff member in SLICE to plan for demonstrations, coordinate safety measures for both demonstrators and others, and ensure understanding of and adherence to this Right to Dissent & Demonstration Policy. The College has also provided some general tips, tools, and resources for demonstration organizers in the College's **Leadership Library**, including ways the College can support students in activism and leadership development.

Demonstrations

As noted, Occidental College respects the rights of free speech and peaceable assembly and supports their exercise as integral to academic freedom and scholarly pursuits. However, when the exercise of speech and assembly becomes disruptive or non-peaceable, infringes on the rights of others, threatens property or public safety, or impedes the conduct of business of Occidental College, the College will act according to this policy. The College has instituted procedures for presenting and peaceably resolving disagreements about policies. Officials at Occidental College are willing to examine, discuss, and explain institutional policies to any member of the College community. Nevertheless, participation in a demonstration that is materially disruptive, non-peaceful, or involves the substantial disorder or invasion of the rights of others on the

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1. Non-peaceful actions or demonstrations are those that endanger or injure, or threaten to endanger or injure, any person, or that damage or threaten to damage property.
2. Disruptive actions or demonstrations are those that restrict free movement, or interfere with, or impede access to, regular activities or facilities of the College.
3. Actions or demonstrations that invade the rights of others include those that create a hostile environment for another College community member(s); involve violation of the College's Discrimination, Harassment & Retaliation Policy, Sexual & Interpersonal Misconduct Policy, or similar policies, laws, or regulations; or involve intimidating, doxxing, or harassing conduct.

A. General Guidelines

When the President of the College, or their designee, informs students in a given area that their collective actions are judged to be inconsistent with this policy and that they should disperse, students remaining may be charged with a violation of this policy.

Any student acting in a manner that is inconsistent with this policy, whether they are acting individually or within a group, may be charged on the basis of the individual's or group's behavior with a violation of this policy. Ignorance of this policy or lack of intent to violate this policy is not an acceptable justification for violating it.

Lack of intent or lack of awareness of the existence of College policy will not excuse violations.

The President of the College or their designee, is authorized to take actions against any student violating this policy. Actions may include arrest, notice of disciplinary charges, or other legal actions, and they will be handled through the College's disciplinary procedures. The President may delegate their authority to act.

B. Enforcement Policy

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1. The President of the College, or their designee, will determine whether or not dialogue will take place with those involved in the demonstration or disruption. The President, or their designee will also determine the actions to be taken including, but not limited to, **interim suspension** or arrest. The President of the College or their designee, may place students on interim suspension for violating this policy.
2. Cases of disruption or non-peaceful action normally will be treated as a violation of the **Code of Student Conduct** and will be investigated and adjudicated by the normal conduct process at the College. The President of the College, or their designee, may put disruptive or non-peaceful students on notice that they are in violation of this policy and file charges against them. Nothing in this paragraph limits the President's or their designee's authority to place a student on interim suspension for violating this policy as set forth above.
3. All individuals who are engaged in actions inconsistent with this policy will be notified that they are trespassing. Persons who continue to trespass after notification are subject to arrest (by a Peace Officer or by Private Person, per California Penal Code Section 834).
4. Occidental College may bill students or file civil suits to recover damages and costs.
5. While officials may temporarily revoke any or all privileges or take steps to end disruptive or non-peaceful protests, the College will adjudicate complaints and make final decisions about alleged violations of conduct, apart from those decisions made by a court of law.

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