

Student Handbook

Student Handbook » General College Policies » Right to Dissent and Demonstration Policy

Right to Dissent and Demonstration Policy

Students are responsible for knowing the following:

For well over a century, Occidental 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 community have a responsibility to exemplify and support those freedoms in the interests of reasoned inquiry.

The right to dissent is essential to academic freedom and scholarly pursuits. Protest against a particular position, action or situation is permitted as long as the protest activity does not restrict the freedom of thought or movement of others who hold different views. 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.

Occidental College imposes on students, faculty members, administrators, and trustees an obligation to respect the dignity of others, to acknowledge their right to express differing opinions, and 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 shall not create the impression that she/he speaks or acts for the College. The expression of student dissent and the attempt to produce change may not be carried out in ways that injure individuals, or damage institutional facilities, or disrupt the operations of the College. Speakers on campus must not only be protected from violence, but also be given an opportunity to be heard. Students who seek to call attention to grievances must not do so in ways that impedes the functions of the institution.

However deeply or genuinely felt an act of protest may be, attempts by Occidental College students to counter such protest by physical means 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.

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, and infringes upon the rights of others, threatens property or public safety, or the conduct of business of Occidental College, the College will act according to this policy. Occidental has instituted procedures for presenting and peaceably resolving disagreements about policies. Officials at Occidental are willing to examine, discuss, and explain institutional policies to any member of the Occidental College community. Nevertheless, participation in a demonstration that is materially disruptive and non-peaceful or involves the substantial disorder or invasion of the rights of others on the property of Occidental College is prohibited. Determination of when a demonstration or action is non-peaceful or disruptive may be difficult, but Occidental College subscribes to the general guidelines listed below.

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.

A. General Guidelines

Student Handbook

Introduction

Academic Ethics

Code of Student Conduct

General College Policies

Res Ed & Housing Policies

Phone: (323) 259-2969

When the President of the College, or his/her designee, informs students in a given area that their collective actions are judged non-peaceful or disruptive and that they should disperse, students remaining may be charged, with a violation of this policy.

Any student acting in a non-peaceful or disruptive manner, whether he or she is 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 his/her designee, is authorized to take actions against any student violating this policy. Actions may include arrest, or other legal action, or notice of disciplinary charges and handled through the College's disciplinary procedures. The President may delegate his/her authority to act.

B. Enforcement Policy

In the event of a non-peaceful or disruptive action on the property of Occidental College, the College will act according to the following procedures:

1. The President of the College, or his/her designee, will determine whether or not negotiation will take place with those involved in the demonstration or disruption. The President, or his/her designee will also determine the actions to be taken including, but not limited to, interim suspension or arrest. The President of the College or his/her 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 adjudicated by the normal conduct process at the College. The President of the College, or his/her 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 his/her 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 disruptive or non-peaceful action 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. 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.

Last update January 6, 2016