

Oregon State University

Procedures for Response to Protest

Including our institutional responsibilities, priorities,
and guiding philosophy

Composed and maintained by the
Office of Student Life at Oregon State University¹

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¹ Special thanks to the Robinson-Edley report from the University of California system, which guided the development of this policy. Brostrom, N., & Tierney, L. (2014, February 14). University of California - Response to Protests on UC Campuses. Retrieved September 15, 2016, from <http://campusprotestreport.universityofcalifornia.edu/>

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Purpose

Oregon State University is committed to being a campus community that supports the right to assemble for many reasons, such as: to express differing opinions, to communicate dissent, or to request certain actions from the University. We believe that supporting these rights requires that we have a fully transparent plan.

The Procedures for Response to Protest is the document that supports those rights and helps us come to an understanding as a community about our shared approach and priorities. This document also allows us formally and broadly share our expectations (e.g. to use the lowest level of response that is appropriate) and philosophical structure (seeking to engage with demonstrators and recognizing express as an important value of our institution) across all levels of leadership and those working to respond to demonstrators on the ground. This document should be used in conjunction with [OSU's Time Place Manner Policy](#), as well as the [University's Freedom of Expression statement](#).

We intend for this document to provide guidance to university representatives at every level, so that we all understand how our engagement with protest must be consistent with our shared priorities and institutional values.

Priorities

Our priorities when responding to a protest on campus are as follows:

1. Attend to the physical safety of demonstrators and the campus community
2. Engage with demonstrators about their issues of concern
3. Commit to working with demonstrators and follow up on any of their issues of concern that are identified as being directed at the University

Philosophy

As a land grant institution, Oregon State University is an incubator of innovative thought and perspectives as diverse as our state. We embrace our diversity as a foundation from which to build our campus community. Our university mission calls us to promote economic, social, cultural and environmental progress for the people of Oregon, the nation and the world. This mission is advanced by ensuring a pursuit of learning and exchange of ideas that extends to every corner of our diverse human experience.

Oregon State endeavors to create responsible citizens of the world who exercise critical thinking. We commit to nurture a campus environment where differences of opinion and experience will be a part of our community. And at times, members of the OSU community or other community members may choose to assemble and protest in order to express those differing opinions, communicate dissent, or request certain actions from the University or others.

Protecting and promoting freedom of speech and expression is not only a fundamental human right, it is the very bedrock of learning and should be at the center of university experience. Generating and exploring innovative ideas and realities requires us to advance multiple perspectives at once and engage in dynamic discourse.

We commit to respecting freedom of speech and expression, while also advancing our values of equity for all community members. In instances where the content of a protest contrasts with our institutional values, counter speech by the university may be appropriate. As an institution, we reserve the right to speak against messages that are contrary to our educational mission and values, encourage more dialogue, and continue to provide opportunities for learning. Oregon State University commits to the following values when responding to campus protests:

We commit to a safe campus environment: Our foremost duty as an institution is to ensure the safety of our community members. Our goal will be to listen to concerns, work to understand issues presented, and determine what response is needed. A situation will be deemed unsafe if there is physical harm, or viable threat of physical harm, to people or property. Additionally, our first responders must respond quickly to any emergency situation involving physical threat, regardless of the protest at hand. We will work in collaboration with our campus first responders to assess each situation and determine the best campus response.

We believe every voice matters: We affirm the right of every student, faculty, and staff member to share their voice on our campus community.

We commit to engage first with demonstrators and as university representatives, unless an emergency situation demands otherwise. Any law enforcement engagement, outside of emergencies, will be determined by the Protest Response Team.

We acknowledge our history, present and future: Campus activism has been a vehicle for institutional and community progress throughout the history of higher education. We stand in gratitude of such activism, which made significant strides toward equity in higher education and created educational opportunities that exist today.

We seek to understand: We will seek to understand the issues that lead people to protest both in the moment of protest and beyond. We believe understanding and maintaining lines of communication with campus leaders may help build relationship and trust. We believe extending opportunities for communication with campus leaders may offer additional avenues to voicing concerns and working in collaboration toward solving larger issues.

We communicate and engage with people in protest: We will always strive to create and maintain active communication with demonstrators and protest organizers during a protest and may call upon campus leaders to help in this endeavor. We believe creating and maintaining lines of communication before, during, and after protest gives us the best opportunity to ensure safety and find opportunities for common understanding.

Definitions

The intention of this section is provide common language around which to support freedom of expression on our campus. These definitions will help guide our response as an institution and ensure protection of all of our rights.

Activism – “The action of using vigorous campaigning to bring about political or social change.”²

Protest - “An organized public demonstration expressing strong objection to a policy or course of action adopted by those in authority.”³

It is worth noting that though “activism” and “protest” may sometimes be used interchangeably, generally a protest is a form of activism. Activism can include other forms of action to achieve a goal, such as signing petitions, social media campaigns, lobbying, campaigning, and so forth.

Civil Disobedience – A specific act of protest whereby the demonstrator engages in nonviolent techniques, such as boycotting or picketing, and is willing to accept the consequences of such action, which is by definition, against the law or policy one is protesting.⁴

Classroom disruption – Protest activities during a class in session is not a protected right. Disruption is defined as “repeated, continuous, or multiple student behaviors that prevent an instructor from teaching and/or students from learning.”⁵

Viewpoint neutral – A phrase describing how any actions, or reactions, by the core protest response team and any responders must be due to the protest groups’ actions, not the viewpoint of their speech.

Counter speech – The university embraces counter speech as a method of expression, both for university community members and for itself. If demonstrations run counter to OSU’s commitment to inclusive and equitable educational opportunities, the University reserves the right to exercise its speech rights.⁶

First Amendment protected speech – The protected right to express one’s views on any topic at hand. Does not guarantee the right to engage in civil disobedience without consequences or to be exempt from any time, place, or manner restrictions placed by the government, including the University.⁷ To determine if particular speech in a particular context is protected under the federal or state constitution, consult the Office of General Counsel.

² Activism - definition of activism in English | Oxford Dictionaries. (n.d.). Retrieved September 15, 2016, from <https://en.oxforddictionaries.com/definition/us/activism>

³ Protest - definition of protest in English | Oxford Dictionaries. (n.d.). Retrieved September 15, 2016, from <https://en.oxforddictionaries.com/definition/us/protest>

⁴ Edley, C. F., Jr., & Robinson, C. F. (2012, September 13). Response to Protests on UC Campuses. Retrieved September 15, 2016, from <http://campusprotestreport.universityofcalifornia.edu/documents/protest-report-091312.pdf>

⁵ Faculty Senate. (n.d.). Retrieved October 11, 2016, from <http://oregonstate.edu/senate/committees/aac/agen/reports/20030409rep1.html>

⁶ Freedom of Expression. (2016). Retrieved September 28, 2016, from <http://main.oregonstate.edu/freedom-expression>

⁷ Edley, C. F., Jr., & Robinson, C. F. (2012, September 13). Response to Protests on UC Campuses. Retrieved September 15, 2016, from <http://campusprotestreport.universityofcalifornia.edu/documents/protest-report-091312.pdf>

First responder – A trained professional who is called to a scene for imminent life, safety, or property threats. These typically include firefighters, EMTs, and other certified pre-hospital medical professionals.

Law Enforcement – Oregon State Police are the professionals who respond to needs for law enforcement and consultation on Oregon State University’s Corvallis campus. Cascades and Hatfield campuses should consult local law enforcement, along with Oregon State Police, as needed.

Observer – A trained university staff member who is an observer. They are not participants, nor involved in resolving the concerns of the demonstrators. Their only role is to observe the situation and report what they see and hear and to provide an additional perspective of the event.

Responder – A trained university staff member who responds to a protest with the intention of ensuring the safety of the campus community and responding to the protest. This person takes an active role in communicating with demonstrators, acts on direction from the protest response team, and serves as a liaison between demonstrators and police, if needed and appropriate.

Safety – In this document, being unsafe does not equate to being uncomfortable or being emotionally impacted. Safety in these circumstances means physical safety from violence or harm, or safety from specific, imminent and targeted threat of physical harm. Additionally, noisy and/or annoying behavior or speech is not, in and of itself, enough to constitute a specific, imminent, and targeted threat of physical harm.

Pre-Activism

When university officials are notified of or suspect that students want to engage in protest on campus, they should work with the students to talk through the considerations in the pre-activism toolkit and any relevant policies. This helps to create clarity and ensure that the students are informed of their options, choices, responsibilities, and any possible consequences that could arise due to their actions. University officials should act as proactive educators and listen and engage with the intent to learn more about the issues at hand. We are then responsible to provide students with information and sound advising, but not plan protests for, with, or on behalf of students.

Students should be encouraged to share ideas toward the goal of minimizing the risk of safety concerns and policy violations for all involved. If students are interested in seeking advice or making asks of the University, they can contact the Office of Student Life at 541-737-8748 for help and support. **Students are not, however, required to consult with any university employee before engaging in protest.**

Stages of an incident

The activation of these procedures begins when the Dean of Student Life is notified of an imminent protest or protest underway on campus. If you know of an imminent protest or a protest underway on campus, call 541-737-8748 to reach the Dean. The intention of this document is to help university staff respond to the demonstrators, using the procedures as a guide to action. The visual guide, below the specific guide, is an overview of the general chronology and workflow of this procedure.

Phase 1

The first phase begins when the Dean is notified that a protest is happening on campus. This time period is for getting all of the right people in the right places to begin working on the action plan.

- Step 1 – The Dean will notify the protest initial response team and get all members or secondary contacts in immediate communication.
- Step 2 - Using information available, notify university leadership as needed for additional expertise or data for context.
- Step 3 - Call upon trained observers and trained responders to assemble at the site of the protest.
- Step 4 – Notify building occupants that a demonstration is imminent or in progress.

Phase 2

After the protest response team is convened in phase 1, they will assess the situation for safety, assess the situation for context of the event, and develop a plan to respond to the event.

- Step 1 - Dean of Student Life will convene the protest response team, and any additional leadership as determined in phase 1, to gather information about the protest.
 - Assess the safety of the protest.
 - Assess the context of the protest.
- Step 2 – Protest response team works with the information at hand to develop:
 - A response plan for the protest.
 - A communication plan for the protest.

Phase 3

After each person on the protest response team is working on their assigned tasks, this window of time allows continued work on response and reassessment if any changes happen that alter the plan.

- Step 1 - Reassess safety and context, if anything has changed substantially in 30 minutes.
- Step 2 - Continue communication plan, being transparent about progress made.

Phase 4 and ongoing (repeat phases 1-3)

After one hour, the protest response team should come back together for a 10-minute check-in, report back on tasks completed, and progress toward response.

- Step 1 - Replace observers and responders with new staff. Brief new staff on progress made toward response.
- Step 2 - Reassess safety and context, if anything has changed substantially in 30 minutes.
- Step 3 - Re-examine experts in the room and add anyone who needs to be at the table now.
- Step 4 - Continue communication and working on response to demonstrators.

Resolution

Continue conversations with demonstrators until they feel satisfied that their voices were heard, a peaceful resolution is agreed upon, or safety dictates that a police action is required.

- Option 1 – Work with the demonstrators to achieve resolution via mediation.
- **OR** Option 2 – Allow for the demonstrators to finish what they started in a graceful way.

- **OR** Option 3 – If safety concerns escalate, verbally warn demonstrators that police action will be required to ensure that the protest continues safely.
 - If deemed necessary by the protest response team, work with law enforcement to safely end the protest.

Post event follow-up

The event follow-up is to collect all of the data from the protest, assign staff to follow up on agreed upon action items, and communicate progress regularly to protest leaders. This allows us to meet our third stated goal of supporting protest by following up on any concerns raised in the event.

