A Resolution To Defend Demonstration Rights
Passed by the Associated Students of Pomona College Senate
November 2, 2015

WHEREAS, the current Claremont Colleges Demonstration Policy states that each of the member institutions “respects the rights of free speech and peaceable assembly and supports their exercise”; AND

WHEREAS, students, faculty, and staff at the intersections have had and will presumably continue to have cause to demonstrate in order to ensure fair treatment and pay, to express solidarity with and participate in national and international movements for justice, in response to campus injustices, and in order to call for change; AND

WHEREAS, demonstrations have and have had a pivotal role in holding power structures accountable and catalyzing social change, as shown by the strong legacy of demonstrations at the Claremont Colleges. Demonstrations have been an especially effective medium for enabling marginalized communities to advocate for their needs. Institutions such as the Women’s Union, the Queer Resource Center, the Office of Black Student Affairs, the Chicano Latino Student Association, the Asian American Resource Center, Ethnic Studies departments, and the Pomona College dining hall worker’s union have grown and developed on account of student and worker demonstrations; AND

WHEREAS, iterations and manifestations of structural injustices are present on these and other college campuses, recent examples of which include but are not limited to expressed instances of campus safety violence and racial profiling, policies that fail to adequately address sexual violence, the defacement of handicapped parking signs, the defacement of a Black Lives Matter mural, and the defacement of a Rosa Parks mural; AND

WHEREAS, the administrations of the Claremont Colleges have expressed an aspiration to be transparent and accountable; AND

WHEREAS, the administrations of the Claremont Colleges and the Claremont University Consortium (CUC) Department of Campus Safety have a history of suppressing student demonstrations, including the arrest of nine students peacefully protesting the then-planned location of the Keck Graduate Institute in 2001; AND

WHEREAS, the students of the Claremont Colleges have a history of demonstrating in a responsible manner, as exemplified most recently by the conduct of the Black Lives Matter march in May 2015; AND

WHEREAS, the revised Claremont Colleges Demonstration Policy approved by the Council of Presidents on October 6, 2015 preserves extremely vague language in the current policy that
gives officials the ability to shut down almost any demonstration. Under the revised policy, participation in “disruptive” demonstrations is prohibited, despite the fact that effective demonstrations are, by definition, disruptive (disruption being the only way for a protest to externally communicate its message to and pressure its intended recipient(s)). The revised policy explicitly classifies several effective forms of protest, including the use of “amplified sound that can be heard inside of classrooms or other TCC [The Claremont Colleges] or CUC buildings during times of use,” “impeding the ingress and egress of any facility,” and “the stationary positioning of demonstrators upon any roadway on or adjacent to any of the colleges that blocks passage” as disruptive; AND

WHEREAS, the revised policy’s language (refer below) regarding enforcement is broad, allowing any officer or designee to pursue any action toward students ranging from disciplinary procedures at students’ home colleges to arrest. There is too much room for discrimination and unnecessary escalation from an increasingly threatening campus safety force, which has shown the haste with which it involves police without consulting the deans of the home institution. “Any officer or designee of an affected college or the CUC, on that person’s home campus, is authorized to address… Actions may include arrest, other legal action, or notice of disciplinary charges to be handled through the appropriate disciplinary procedures of the home college or the CUC”;

AND

WHEREAS, no student input was sought in the development of the revised policy, nor were students made aware that the policy was under review, nor were students at any of the Claremont Colleges except Pomona College initially informed that revisions had even been made to the policy;

WHEREAS, banning participation in demonstrations on the basis that they are disruptive violates our rights as citizens and as students;

NOW THEREFORE BE IT RESOLVED, the Associated Students of Pomona College (ASPC) unequivocally affirms students’ rights:

a) To assemble and demonstrate peacefully without being threatened or harassed, acknowledging that peaceful demonstrations are any and all demonstrations that are nonviolent in nature,

b) To receive reasonable academic extensions or accommodations to account for their engagement in campus demonstrations,

c) To be protected from any forms of negative retaliation, including harassment, violence, and discrimination, by members of the Claremont Colleges community or by individuals uninvolved with the colleges, in reaction to participation in demonstration;

BE IT FURTHER RESOLVED, ASPC explicitly supports the use of chanting, noise amplification, and marching through the campuses during demonstrations;
BE IT FURTHER RESOLVED, ASPC demands that:

a) The aforementioned rights be protected, and that guidelines for and rights to demonstrate be detailed and enumerated in the Student Handbook

b) No official may suspend students for their participation in a demonstration without thorough review

c) Attempts to discipline students for their participation in demonstrations must be corroborated with evidence indicating the threat of violence or significant property damage,

d) No official may temporarily revoke any or all student privileges or take any extrajudicial steps to end a demonstration,

e) CUC and its member institutions be prohibited from sanctioning, terminating, or otherwise discriminating against any employee on the basis of their participation in a demonstration,

f) No official may involve state or federal authorities unless there is clear and present danger to an individual or property;

BE IT FURTHER RESOLVED, ASPC calls upon the Claremont Colleges to demonstrate their receptivity to demonstrations by committing to mandated responses, whereby the President(s) or CUC Chief Executive must respond to any demonstration addressed to their institution via a written statement that:

a) explains their position on the issue at hand and is published within a week of the demonstration;

b) host a question and answer forum for students that:

1) is held at a time convenient for students,

2) is within two weeks of the demonstration, and

3) is announced at least 48 hours in advance;

BE IT FURTHER RESOLVED, the role of Campus Safety in the event of demonstrations is primarily that of peacekeeping to ensure the physical safety of all involved and that, in the event of an incident, unless there is clear and present danger, their first reflex must be towards de-escalation. To this effect, the ASPC demands the CUC to initiate a comprehensive review of the Department of Campus Safety (to be conducted in a transparent manner and with significant student involvement) to ensure that they are following best practices surrounding the de-escalation of potential conflicts that might arise during demonstrations; sensitivity to racial, gendered, and other identity-based issues; and the preservation of free speech rights. The reports of this review will be made public so that students, staff, and faculty can examine it jointly in order to codify Campus Safety’s role in preserving a peaceful campus and demonstrations;

BE IT FURTHER RESOLVED, ASPC demands that the CUC grant demonstration rights paralleling the rights delineated in this document to all faculty and staff affiliated with the Claremont Colleges;
BE IT FURTHER RESOLVED, ASPC commits to review this resolution in Fall 2016 to examine the extent to which the measures it calls for have been implemented, and to consider additional measures at that time if unsatisfactory progress has been made;

AND BE IT FINALLY RESOLVED that ASPC expects the Pomona College Board of Trustees, Pomona College President David Oxtoby, and Pomona College Dean of Students Miriam Feldblum to read and respond to this resolution.

Resolution of the Associated Students of Pomona College Senate