

# KEY CONSIDERATIONS

FOR COLLEGE AND UNIVERSITY LEADERS:

*When Conflicts and Divisive Incidents Arise*

A Guide by the Divided Community Project



DIVIDED COMMUNITY PROJECT

THE OHIO STATE UNIVERSITY MORITZ COLLEGE OF LAW PROGRAM ON DISPUTE RESOLUTION

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**THE OHIO STATE UNIVERSITY**

MORITZ COLLEGE OF LAW

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Other publications by the Divided Community Project are available as follows:

- ⚙ Planning in Advance of Community Unrest (2d ed., 2020), <https://go.osu.edu/dcppia>.
- ⚙ Key Considerations for Leaders in the Face of Community Unrest (2d ed., 2020) <https://go.osu.edu/dcpkc>.
- ⚙ Divided Communities and Social Media (2017), <https://go.osu.edu/dcpsm>.
- ⚙ Community Resiliency Initiative Case Studies (2018), <https://go.osu.edu/dcpcri>.
- ⚙ Simulations for Leadership During Crisis (2017 and 2019) are available upon request. Contact DCP’s Deputy Director at [Froehlich.28@osu.edu](mailto:Froehlich.28@osu.edu).
- ⚙ Hosting American Spirit Conversations: A Brief Guide with 18 Ideas (2019), [www.AmericanSpirit.osu.edu](http://www.AmericanSpirit.osu.edu).
- ⚙ Identifying a Community Spirit (2019), [www.AmericanSpirit.osu.edu](http://www.AmericanSpirit.osu.edu).

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## EXECUTIVE SUMMARY

When first aware of a concern, conflict, or divisive incident, college and university leaders should consider working with others to take – roughly simultaneously – the following steps, all discussed in more detail in this guide:

- 🌟 **REACT EARLY:** *Become engaged right away*, asking other campus leaders to do the same, and augment resources as necessary to respond quickly and effectively. Support students, consult widely, and search for safe and effective avenues for students to pursue their goals.
- 🌟 **FRAME:** *Issue a statement that “frames the matter”* by summarizing what has occurred, recognizing the impact, describing issues, announcing decisions, acknowledging who has been consulted, identifying the processes and values that will be applied to address the issues – all with an authentic voice and delivered by a person whose message will be trusted.
- 🌟 **TEACH AND CREATE OPTIONS:** *Capture the opportunity* presented by divisive incidents and conflicts for students to learn to advocate, negotiate, facilitate, and understand each other, laws regarding freedom of expression, and conflict resolution techniques. Offer students safe and effective options to meet their needs and goals.
- 🌟 **COMMUNICATE:** *Develop communications plans* and engage in constant messaging.
- 🌟 **LISTEN:** *Stay in touch* with students, faculty, staff and other key groups, using both informal techniques and mediators.
- 🌟 **DEVELOP PROTOCOLS:** *Create protocols with safety agencies*, especially regarding disruptive activities that do not threaten safety, consider the common message that all will convey, and let the campus community know that this has occurred.
- 🌟 **HELP FACULTY:** *Prepare the faculty* for the ways that issues will play out in classrooms.

Once volatile events cease, university leaders should organize staff, faculty, students, and other constituencies to:

- 🌟 **CONTINUE SOLVING PROBLEMS:** *Develop and implement solutions* to both immediate concerns and longer-term problems.
- 🌟 **CONTINUE TO COMMUNICATE:** *Issue regular reports* to let these constituencies know how issues are being addressed.
- 🌟 **LEARN:** *Learn how to respond more effectively* next time through an after-incident analysis.
- 🌟 **PLAN:** *Develop plans* for responding to the next crisis, based on lessons learned.<sup>1</sup>
- 🌟 **RECONCILE:** *Work to improve relationships* that were strained during the conflict.



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## PREFACE

Approaches by college and university leaders that seemed constructive a few years ago when conflicts or divisive incidents occurred on campus may meet different reactions today. Intensified conflict and increased divisive incidents on campuses parallel the increasingly rancorous national political debate. Some portions of society, and therefore of the campus community, may feel disrespected and under attack. These students may become further alienated if others, those who are neither targeted nor most directly affected, seem dismissive when these students speak out. Students advocating a progressive agenda for change are more likely today to spark a conservative counter movement, and vice versa. To add to the challenge, information, including false information, now travels swiftly on social media, and events unfold at a rapid pace. Though most of this activity is entirely peaceful, the obligation to protect the safety of students and others understandably looms large in the minds of administrators.

While these changed dynamics present challenges, they also create opportunities for higher education leaders. Campus conflicts provide teachable moments, a time to encourage students to engage in the issues of the day and learn to advocate, negotiate, facilitate and understand each other. Students become motivated to understand the relationships between democracy and constitutional rights. If offered counseling and other support, they may grow in character and compassion.

Given the heightened challenges and opportunities, and the importance of getting it right, it may be helpful for college and university leaders to learn from the experience of their colleagues at other institutions. These leaders' experiences can provide insight into additional alternative strategies, including those that allow for both learning and safety, for both inclusion and freedom of expression, and for the development of future leaders.

This guide was developed to distill that experience and wisdom for college and university leaders. The Executive Summary can serve as a real-time checklist. The table of contents will take the reader to a list of strategies for implementation along with explanations and illustrations from a number of universities. The guide ends with additional resources.

Throughout, we use the term "divisive incidents and conflicts." The considerations in this guide come into play whenever an incident or conflict threatens to hurt or alienate a group of students or increase campus division. This broad umbrella covers a wide range of activities – from political statements that disparage one group to what would be legally defined as "hate speech" or even "hate crimes;" from small gatherings to huge demonstrations, sit-ins, or destructive activities. Given the wide variety, the considerations will not always apply to a particular situation or context.

The Divided Community Project followed its characteristic approach – listening for sound strategies that leaders facing division have found useful or wish that they had tried and sharing their valuable experience with other leaders. On January 10, 2020, the Divided Community Project at The Ohio State University Moritz College of Law convened approximately 45 such campus and community leaders to examine and discuss these challenges; Project researchers interviewed student and other campus leaders. The approach in this publication reflects the Divided Community Project's goal of using collaborative methods to transform division into constructive change and the Project's respect for the experience of leaders who have confronted similar challenges.

# ACKNOWLEDGEMENTS

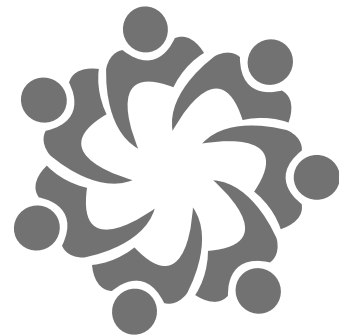
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# WHEN FIRST AWARE OF A CONFLICT OR DIVISIVE INCIDENT

**College and university leaders face many tough choices, all in a short time period, when they learn about a conflict or a divisive incident. Points I through VII of the checklist identify tasks to execute beginning the first day of disruptive activities and throughout their duration. Points VIII through XI address the aftermath.**

We use the terms “conflict or divisive incident” for simplicity. The actual circumstances that fall within those terms may vary widely. Consider the following situations. Animal rights proponents demonstrate outside the university administration building, demanding names and home addresses of medical researchers who use animals. Marchers surround a statue to demand its removal or, conversely, because they fear that the statue will be removed. A professor disparages women, GLBTQ students, and members of racial minorities, and students request the professor’s discharge. Gun rights advocates wear empty holsters to class to protest a rule banning weapons on campus, and other students seek protection from what they view as threatening conduct. Students conduct a sit-in in a campus building issuing demands for university leaders to build a more welcoming environment for minority students and recent immigrants. The common thread in these conflicts and divisive incidents is that they hold the positive potential to achieve constructive change and to help students learn to engage effectively in democracy. But they also hold the negative potential to increase alienation, division, distrust, disruptions, and potentially even violence.

The applicability of various considerations offered in this guide depends on the situation. Higher education leaders, for example, confront different challenges if the concerns are focused entirely on national events or other occurrences outside the campus. Leaders may then be asked to focus on providing a safe forum for discussion and debate. Even if the chances of a university-focused occurrence appear remote, leaders should note the tendency for those concerned with national events to develop a university connection as well, such as the choice of a speaker, a building name, a university investment,

etc. For example, a group may target vulnerable students for disparagement, and student concerns may quickly move to broader concerns about university policies regarding diversity and inclusion. Further, a decision by the college or university leadership to ask safety agencies to forcibly clear a sit-in or take other actions involving the use of force may create lifelong consequences for students and a secondary reaction against university leaders when students hold them responsible for what ensues. Because the direction and intensity of a concern tends to shift, we do not separate the analysis even though some considerations relate primarily to one sort of concern, incident, or conflict.



## (I) **TIMING:**

*Become engaged right away, ask other campus leaders to do the same, and augment resources as necessary to respond quickly and effectively. Support students, consult widely, and search for safe and effective avenues for students to pursue their goals.*

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### **POSSIBLE STRATEGIES**

- ✿ Develop avenues for students to safely achieve change.
- ✿ Reach out to students and members of the university or college community with support and counseling.
- ✿ Consult with those who have a stake in the matter as well as those who might be bridge-builders in the campus community.
- ✿ Plan initial communications that frame what is occurring and describe how the college/university will act (more on this in Part II.)
- ✿ Assess whether it will help to expand resources, particularly in terms of counseling, communications, and mediation.

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### **WHY TAKE THIS STEP?**

Campus leaders gave reasons for responding immediately to conflicts or divisive incidents -- with the same urgency they would give to health or safety emergencies.

Students may be pleased to work with responsive campus leaders, faculty, and staff to achieve their goals and may benefit from working with these individuals. This seems particularly likely to be the case if those reaching out to students are not trying to rid the campus of protest but rather attempting to identify and put in place avenues for students to effectively and safely engage in achieving change. Administrators may want to consider the following questions: What do the students hope to accomplish (not just the demands but their underlying aims)? Should the university help them find avenues to achieve that? What do students want to discuss? What methods or forums can be provided for them to do so?

Results such as those noted above are most likely to succeed before anyone reaches an “unalterable” stance. It becomes more difficult to reach consensus on future actions if someone involved must first back away from a well-publicized firm demand or refusal. As experts on community division explain, “Many conflicts start with a resolvable problem and grow beyond hope of resolution because they are not dealt with early. . . One or more parties choose not to acknowledge that a problem exists. Other groups are forced to escalate their activities to gain recognition for their concerns. Eventually everyone engages in



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*Kent Syverud, Chancellor and President of Syracuse University, pointed out that many university officials are accustomed to gathering 100 percent of the facts before acting, so they will caution leaders to wait. But, he emphasized, the compelling reasons for acting quickly change the calculus. You must explain to staff the importance of acting with what you know, being forthright about what you do and don't know and the fact that you are acting before you have had time to do a thorough review of the facts.*

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an adversarial battle, throwing more time and money into 'winning' than into solving the problem" (Carpenter and Kennedy, 1988: 3-4).

The best moment for reaching out with support and counseling for those most hurt is right when an incident occurs. This applies especially in the context of activities that disparage or even threaten a group of students, but may be applicable in situations when students become involved with a conflict that grows well beyond what they anticipated. It may be necessary to assign staff to increase counseling capacity rapidly through contracts with other professionals. Staff as well as students may also need support. A university administrator noted that in his experience it is also important to recognize that in the context of divisive activities, administrators who may share a part of their identity with

the targeted community feel that they are under even greater pressure to respond in a way that accurately reflects the harm inflicted.

Early consultation with those with a stake in the matters as well as potential bridge-builders can help university and college leaders understand the nature of the pressing matters and the underlying reasons for their importance to the individuals affected. Also, early consultation establishes a basis for continuing involvement of these persons as administrators move to other steps.

Delays in responding make it more difficult to retain student trust. When leaders' responses are delayed, the message itself may appear to be insincere – as in: "Waiting did not work, so the administration is now attempting to appease and stop the disruption or damaging publicity." Moreover, students also lose trust when officials ignore their sense of urgency about a resolution for their concerns. Kent Syverud, Chancellor and President of Syracuse University, pointed out that many university officials are accustomed to gathering 100 percent of the facts before acting, so they will caution leaders to wait. But, he emphasized, the compelling reasons for acting quickly change the calculus. You must explain to staff the importance of acting with what you know, being forthright about what you do and don't know and the fact that you are acting before you have time to do a thorough review of the facts.

Waiting may also have the detrimental effect of legitimizing disparaging discourse. In the context of such speech, waiting may appear to normalize it. Research indicates, for example, that hate speech expands when people sense that it is normal, and this increases the chances of violence (Argo, et al., 2019: 9, 12).

Acting quickly, however, allows the leader to "frame" the situation, the topic of Part II.

## **MORE ON THESE STRATEGIES**

Social media has created generational differences regarding what represents a prompt response. A noted mediation scholar offers two compelling illustrations of the point that minutes, not hours, make a difference when responding to students:

"A few years ago my co-teacher was leading a segment on dealing with diversity in mediation and made a comment, while debriefing an identity exercise, that everyone in the room was white. There was one Asian American student (and likely one or two others who identified as other than white). I heard the comment and made a quick call (which I regret) not to say anything in the moment because I did not want to embarrass the student. We had a break coming up in 5 minutes and I immediately went to talk to the student and apologized. We continued the discussion in my office a few days later. The student told me she wished I had said something immediately and that, in any case, within 30 seconds after the comment, the student had sent a text to a group of her friends. Another example comes from the incident at Harvard Law School where someone defaced photographs of some African-American professors with black tape. I was told that news of the defacing reached the Dean's

Office at 9 a.m. and that Dean Martha Minow and her team turned to gathering information and preparing a statement. At 10 a.m. Dean Minow went off to teach her Constitutional Law class, which was disrupted by students protesting and asking her to cancel class.”

Those involved point out the importance of consulting with people who understand a pertinent viewpoint and are trusted by others with similar viewpoints – not solely consulting those who put themselves forward as the leaders. Michael Moffitt, a former dean at the University of Oregon School of Law and a dispute resolution scholar, explained, “Some students will be appalled by the stances of some other students. Some faculty members will be horrified by the actions of some of their colleagues. This is true even if—sometimes especially if—the person in question holds some authority to speak on behalf of the larger group.”

## ILLUSTRATION

*Faculty and staff whom students trust may help students find avenues to achieve their goals. Molly Peirano of the Ohio State University Office of Institutional Equity explained, “I was at a student speak-out that was organized in partnership with a university office. I heard the students mention they were planning to march to the President’s office the next day with demands. I approached the students and reminded them they have the right to march, and then I asked if they would be willing to meet with me or another administrator about their demands, since it might be more efficient and effective. We arranged to meet the next day and reviewed their written demands and signatures, and then I shared them with other appropriate university administrators. I worked to get their changes implemented where possible and appropriate. I also followed back up with the students to let them know the progress. We are supposed to meet again this coming month.”*



## (II) FRAMING:

***Issue a statement that “frames the matter” by summarizing what has occurred, recognizing the impact, describing issues, announcing decisions, identifying the processes and values that will be applied to address the issues – all with an authentic voice and delivered by a person whose message will be trusted.***

## POSSIBLE STRATEGIES

- ✿ Summarize what occurred in ways that demonstrate an understanding of the depth and breadth of the issues as the students are experiencing them.
- ✿ If a divisive incident has occurred, be prompt, open, and detailed in announcing what has occurred, condemning it, explaining why the targeted group is suffering from this, announcing decisions, and assuring that all individuals at the university have the shared goal of protecting each other from being targeted.
- ✿ Continue consulting (see Part I) with those who have a stake in the conflict or those who can help the campus come together and listen to expressed concerns. Let the campus community know about these consultations.
- ✿ When a conflict or concern is raised, in addition to the clearly articulated dispute, identify the roots of the problem.

- ✿ The framing of issues can simultaneously remind the community what might be gained by looking forward and it can summarize past events.
  - ✿ Make and announce quickly decisions that can reassure students that they belong on this campus and will be safe.
  - ✿ Identify the process that will be put in place for future deliberation regarding immediate and underlying concerns and the values that will be applied in addressing this incident or underlying concerns.
  - ✿ Reaffirm the college/university's overall values and aspirations.
  - ✿ Explain issues related to freedom of expression.
  - ✿ Use an authentic voice.
  - ✿ Identify a spokesperson whose voice will be trusted.
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## WHY TAKE THIS STEP?

Some conflicts arise or escalate because there is a lack of trust. Early statements can either build or diminish the trust. Silence or a lack of openness can weaken trust. Framing an issue as “us versus them” can lead to some doubting whether leadership considers it their duty to serve students. Further, treating something as “business as usual” (“We’ll get to it when there is time.”) can lead students to question whether officials genuinely care about them. A student leader at The Ohio State University characterized the situation involving a polarizing issue this way:

Administrators need to frame an issue in a way that makes it easier for students to understand. The worst thing that can happen is a board or university that is silent and the media is talking. [In one such situation] students were in a waiting game, [and] people were speculating. When you allow people to wonder what is happening, that’s when you really have the issue of rumors being started. That creates a huge divide between administrators and student concerns.

Framing the matter in a manner that reflects how various students as well as others see the situation, not just the administrators’ views, requires a lot of listening, but it might convey that university leaders have taken other’s view into account. Time, though, is often short. One undergraduate student, a president of the Black Student Association, suggested finding out how the affected students view the situation. Do these students view it as a major matter? If so, leaders should also view it that way.

College and university leaders suggest focusing on why the incident is hurtful (e.g., “It’s okay to be Christian” may sound harmless but is a slogan used for some time by a white supremacist group that targets minority racial and religious groups and is designed to frighten members of these groups by letting them know its presence on campus.) and praising those who are trying to help, rather than giving publicity to the perpetrator. While leaders seek to avoid “giving a megaphone to groups seeking to hurt particular groups of students,” (providing so much publicity that more such groups will come to campus, or making more

people feel afraid, hurt, or alienated), those who study such incidents across campuses note that the affected groups will eventually hear about the incident through the grapevine. Further, one might ask whether these groups will continue targeting vulnerable groups until they get noticed. While the circumstances clearly will differ depending on the nature of the event and other situational factors, one university leader noted that if the university has not quickly and explicitly condemned the actions, the targeted individuals will feel unprotected while others may think that such speech or actions are no big deal, which may encourage more of it. Further, general statements such as “We have had some

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*One leader concludes, “Silence isn’t the solution. Somebody needs to come out and condemn the hate speech. We can’t just say, ‘Hey, let’s all get along.’ If you don’t speak out, it may appear that you condone it, that the hate speech is not out of the ordinary. So the question is how we amplify the affected community [rather than the perpetrator] and make sure they feel safe.”*

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unfortunate language” convey to the targeted individuals that university leaders fail to understand the depth of their pain and, often, their fear.

How issues are initially described can determine what actions people think will be taken to address the issues. Issues are not defined by demands or proposed resolutions but shaped by the concerns underlying them. Professor Ted Mason, Kenyon College, suggests asking: “What is the single precipitating thing that made this happen, and what is the larger narrative around the nation that this . . . immediate, local issue hit?”

When university and college leaders miss the underlying issue, students view the leaders as missing the point. For example, when students protested a homecoming video that pictured almost entirely white students, the university responded to a demand to make a more inclusive video, showing the more inclusive video at a football game half-time. The university did not acknowledge the underlying concern, which was about the initial exclusion of students of color. A black student’s response to the new video illustrates the problem of this narrow approach:

“For people who didn’t exactly know what was going on, they’re like, ‘Oh, yeah, that’s cute. People of color. Yay!’ But for people who do know what was going on, I feel like the university might try to use that as an excuse to say, ‘Oh, O.K., we did this for y’all. Now let’s go back to our regularly scheduled programming.’”<sup>2</sup>

How higher education leaders frame the issues can assure all involved that the leaders understand the various underlying concerns of different groups and plan to play a role in doing something about these longer-term concerns as well. But some may resist making it sound so serious. Kent Syverud, Chancellor and President of Syracuse University, warned, “There will be many in the institution and outside it who are not members of the targeted groups and who want the university to quickly and triumphantly declare that it is not a systemic situation and that the issue is an isolated incident. The impact of doing so can be sending a subtext to the affected groups that the incident is not important to the university.”

Setting out the process (e.g., facilitated discussions on this issue; task forces to investigate another issue) helps assure people who want to be involved in decision-making that there will be future opportunities to engage and communicates that underlying concerns will be addressed. It reassures all individuals that all they will have a role in identifying a long-term mediation strategy or another process.

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Identifying values that will guide leaders’ decision-making (e.g., transparency, student-centered, supportive of student engagement and freedom of expression) helps assure students, administrators, staff, and faculty that what they care about matters as decisions are implemented. One university leader noted that students may not realize university presidents and provosts want to welcome student engagement, including through demonstrations and protest. But staff, upon whom burdens may fall unevenly, may not necessarily immediately embrace this value. As one student leader recalled a recent racial conflict among students, “Some administrators really supported students and saw the importance of students action. [However,] some administrators were more focused on damage control and optics. [They had an] attitude that the needs of the many outweigh the few. So we were getting mixed messages.” It may not be easy to agree on the values. For example, some may urge more confidential discussions to encourage candor and others openness. The struggle seems worthwhile, nonetheless, because stating the values that will govern decision-making can help attain consistency in the decisions made by leaders and staff members and avoid mixed messages.

Reaffirming overall college or university aspirations (and perhaps acknowledging at the same time past failures in reaching these aspirations) during divisive moments reminds everyone about what nearly all share. If the college or university leaders have been living these values, stating them humanizes the conflict. This gives all concerned reasons to engage in the difficult work of talking with those they disagree with and reasons to trust that these values will inform that work.<sup>3</sup>

What decisions can be made quickly to reassure these students and assure their safety? When making an immediate decision, university and college leaders might

reflect upon who feels alienated or unsafe as the result of what occurred. One university leader whose students conducted a sit-in recently advised other leaders to make sure that they understand what current students' fears and concerns are; some may have different concerns than what previous students had or what most students now have. For example, students who have been through in-school active shooter trainings may have different levels of fear. International students may feel more at risk because of what they have heard from relatives about enhanced immigration enforcement.

Framing the matter is an opportunity to provide a teachable moment regarding freedom of expression. Some individuals from the campus community may view the First Amendment protections as working primarily on the side of those stoking fear, pain, alienation, and division, but university leaders can explain in their public statements that these protections also free campus leadership and all in the campus community to speak against those actions, to assemble, to bring in speakers, and more. This is an opportunity as well to quote the university's First Amendment scholars and to seek their help in holding discussions with students.<sup>4</sup> When educating about freedom of speech, it is important to frame First Amendment protections in a way that makes sense and is compelling to students who come from racially, ethnically, and ideologically diverse backgrounds. PEN America, an

organization of writers interested in protecting freedom of expression, suggests leading with inclusion in order not to alienate those hurt by the speech. For example, PEN suggests that leaders first state that the speech is offensive and only then, and as appropriate, note that the speech nevertheless enjoys First Amendment protections (PEN America, 2019).

Online communications have heightened the culture of informal language, especially among young people. One provost whose campus had been through a conflict pointed out: "Leaders need to speak in their own voices. Messages need to be conveyed like they're coming from a human being so that the true sense of urgency, importance, tact, and understanding of the situation are given."

The spokesperson(s) can be tailored for the situation. Sometimes a statement by a popular dean of student affairs or a group of faculty may be best received because many students know them. At other times, to convey the seriousness with which the university leaders take the matter, the president or provost should speak. In some situations, students need assurance that people have considered their point of view before making decisions, so a joint statement may be helpful, or perhaps a statement issued by the president but with other leaders standing with the president in support.

## ILLUSTRATION

*Indiana University's Provost, Lauren Robel, issued a statement in late 2019 regarding a business school professor who had maligned members of a number of groups on social media. There are no exemplars for statements by university and college leaders. Provost Robel's statement though illustrates the application of a number of the considerations just discussed: a high university official naming the professor, acknowledging what has occurred and the pain it has inflicted, explaining what the law permits as well as prohibits, framing the issues in terms of protecting all students from discriminatory actions, announcing decisions that reassure students that they belong and their safety will be protected, showing consultation, using an authentic voice, and expressing openness to considering other ideas:*

*"[This professor] has, for many years, used his private social media accounts to disseminate his racist, sexist, and homophobic views. When I label his views in this way, let me note that the labels are not a close call, nor do his posts require careful parsing to reach these conclusions. He has posted, among many other things, the following pernicious and false stereotypes:*

- \* That he believes that women do not belong in the workplace, particularly not in academia, and that he believes most women would prefer to have a boss than be one; he has used slurs in his posts about women;*
- \* That gay men should not be permitted in academia either, because he believes they are promiscuous and unable to avoid abusing students;*
- \* That he believes that black students are generally unqualified for attendance at elite institutions, and are generally inferior academically to white students.*



*Ordinarily, I would not dignify these bigoted statements with repetition, but we need to confront exactly what we are dealing with in [his] posts. His expressed views are stunningly ignorant, more consistent with someone who lived in the 18th century than the 21st. . . .*

*“His latest posts slurring women were picked up by a person with a heavily followed Twitter account, and various officials at Indiana University have been inundated in the last few days with demands that he be fired. We cannot, nor would we, fire [him] for his posts as a private citizen, as vile and stupid as they are, because the First Amendment of the United States Constitution forbids us to do so. That is not a close call.*

*Indiana University has a strong nondiscrimination policy, and as an institution adheres to values that are the opposite of [his] expressed values. We demand tolerance and respect in the workplace and in the classroom, and if [he] acted upon his expressed views in the workplace to judge his students or colleagues on the basis of their*

*gender, sexual orientation, or race to their detriment, such as in promotion and tenure decisions or in grading, he would be acting both illegally and in violation of our policies and we would investigate and address those allegations according to our processes. Moreover, in my view, students who are women, gay, or of color could reasonably be concerned that someone with [his] expressed prejudices and biases would not give them a fair shake in his classes, and that his expressed biases would infect his perceptions of their work. Given the strength and longstanding nature of his views, these concerns are reasonable.*

*“Therefore, the Kelley School [of Business] is taking a number of steps to ensure that students not add the baggage of bigotry to their learning experience:*

*No student will be forced to take [his] class . . . . The Kelley School will provide alternatives . . . .*

*[He] will use double-blind grading on assignments; if there are components of grading that cannot be subject to a double-blind procedure, the Kelley School will have another faculty member ensure that the grades are not subject to [his] prejudices.*

*If other steps are needed to protect our students or colleagues from bigoted actions, Indiana University will take them.*

*“The First Amendment is strong medicine, and works both ways. All of us are free to condemn views that we find reprehensible, and to do so as vehemently and publicly as [he] expresses his views. We are free to avoid his classes, and demand that the university ensure that he does not, or has not, acted on those views in ways that violate either the federal and state civil rights laws or IU’s nondiscrimination policies. I condemn, in the strongest terms, [his] views on race, gender, and sexuality, and I think others should condemn them. But my strong disagreement with his views—indeed, the fact that I find them loathsome—is not a reason for Indiana University to violate the Constitution of the United States.*

*“This is a lesson, unfortunately, that all of us need to take seriously, even as we support our colleagues and classmates in their perfectly reasonable anger and disgust that someone who is a professor at an elite institution would hold, and publicly proclaim, views that our country, and our university, have long rejected as wrong and immoral.”<sup>25</sup>*

## (III) TEACHING AND CREATING OPTIONS:

*Capture the opportunity presented by divisive incidents and conflicts for students to learn to advocate, negotiate, facilitate, and understand each other, laws regarding freedom of expression, and conflict resolution techniques. Offer students safe and effective options to meet their needs and goals.*

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### POSSIBLE STRATEGIES

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- ✿ Hold deliberative forums (e.g. inclusion and freedom of expression), with issue papers in advance, and facilitated processes for careful listening and persuasive speech.<sup>6</sup>
- ✿ Arrange vigils to allow expression of grief and other emotions.
- ✿ Publicize counter events when an offensive event will be occurring.
- ✿ Train students to help demonstrators understand what will keep them safe and compliant with the law.
- ✿ Model a negotiated approach by bringing in mediators and participating in a mediated process, perhaps focused initially on creating safe and effective opportunities for expression (see Part V, below).
- ✿ Provide ways for students to create websites, videos, plays, and other avenues to get out their messages.<sup>7</sup>
- ✿ Discuss with a facilitator whether the dynamics are right for a town hall type of meeting.
- ✿ Talk with faculty about offering short workshops on advocacy, negotiation, facilitation, freedom of expression, and other related topics.

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### WHY TAKE THIS STEP?

This is a “teachable moment” when students can learn skills that will help them lead within a democracy. With a campus in conflict, some leaders engage mediators with experience in volatile community conflicts to help develop safe avenues for students and other community members to learn, express their views and emotions, and begin to address the issues concerning them.

### MORE DETAIL ON STRATEGIES

Some campuses turn to town hall types of meetings with administrators, students, faculty, and staff during conflict in the hopes of improving communication across different groups. Town hall meetings can become shouting matches. In order to make the sessions as effective as possible, some with experience suggest:

Agreeing on the meeting topics that will initiate a satisfying discussion and make preparation for that discussion possible. For example, allowing discussion of personnel decisions at a town hall meeting may permit anonymous false statements to be made about a person with no opportunity to refute them, so that might be high on a list of items to discuss in a different format.

As several campus leaders point out, an experienced facilitator increases the chances of the meeting going well. Sometimes students will only agree to a student facilitator or perhaps co-facilitators, one of whom is a student.

If the person speaking for the college or university is candid and willing to announce decisions, as well as what the university does not yet know, the town hall may be more effective; the opposite type of leader may leave the students with greater frustration than before the town hall.

It may help to have an understanding of what will occur if disruptive participants interfere with the meeting; one approach might be clarity among all that the meeting will simply end if that occurs rather than bringing in law enforcement to clear the disruptive students, which is susceptible to creating yet another controversy.

## ILLUSTRATION 1

*Based on an invitation from a private Texas citizen, white nationalist Richard Spencer agreed to speak at Texas A&M University in 2016. In response, Texas A&M President Michael Young cited the First Amendment and the importance of free expression, stating in a lengthy statement that instead of cancelling the event, the university would instead host the counter event in the stadium across from the student union where Richard Spencer was speaking and at the same time.<sup>8</sup> On the Texas A&M website, the university described the counter event, “Aggies United,” as “an outlet for students and a positive antidote to the negative media attention.”<sup>9</sup> Texas A&M University System’s general counsel agreed, and told state lawmakers that the school’s handling of Spencer’s visit was “evidence of [the university’s] commitment to free speech.” The well-attended Texas A&M event included free t-shirts, big-name musicians, a string quartet, and an “expression wall” that event attendees could voice their opinions and draw on.<sup>10</sup>*

*After the visit by Spencer in 2016, the university redrafted some of its free speech policies to require that external speakers have a sponsorship by a recognized on-campus organization in order to use school facilities. The updated policy, while recognizing the First Amendment, allows anyone to give a speech in open areas on the campus.<sup>11</sup>*

## ILLUSTRATION 2

*In 2016 an African-American student at Baylor University reported that a man called her the n-word and shoved her off the sidewalk as she walked on campus. She reported the incident and posted a video about it. Shortly after, the interim president issued a statement condemning the act. The interim president and 350 Baylor faculty, staff, and students surprised the student by showing up to walk her to class. The Waco Tribune-Herald quoted the student, walking arms linked with other students, as saying, “I know that things like that on campus won’t happen again because there’s so many people that won’t stand for it.”<sup>12</sup>*





## (IV) COMMUNICATION PLANS:<sup>13</sup>

*Develop communications plans and engage in constant messaging.*

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### POSSIBLE STRATEGIES

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- Leaders suggest immediately convening a communications strategy meeting as well as retaining additional communication resources, if needed, to reach each audience in an ongoing basis and in a way that each will trust.
- Topics for the meeting include:
  - Who should be the spokespersons?
  - Who decides what will be said?
  - What audiences need to be reached?
  - How will each audience be reached?
  - Who will each audience trust?
- What should be done to learn about and control false rumors?
- Will all staff give consistent statements?
- Do they understand the University's position as well as relevant legal obligations?
- Who will monitor and handle communications for social media?
- How can the communications staff be augmented, if needed, during this period?
- Engage in constant messaging.

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### WHY TAKE THIS STEP?

Divisive incidents and conflicts introduce mistrust between college or university leaders and various constituents. Mistrust grows if these constituents receive inaccurate, inadequate, or conflicting information from the sources they trust. To enhance trust, university communications can develop a detailed strategy to engage and disseminate information to the leaders, social media influencers, student group faculty advisors, clergy, public figures, and media of various types, and to keep them informed on a continual basis. An academic leader pointed out, "When thinking about targets of communication, not all readers will be have the same view of the circumstances."

### MORE DETAIL ON STRATEGIES

In detailing audiences, one administrator pointed out that legislators, alumni, and business communities should be considered in addition to the traditional higher education constituencies. If they do not understand the complexities of the situation, they may, for example, demand that a professor be fired and threaten to take away funding, donations, or business. Another reminded of the importance of explaining to the reporters who will probably be covering the story.

Some of the things that administrators say are likely to be misinterpreted or misreported, so they will be engaged, out of necessity, in constantly pushing out key messages. A law enforcement official with campus experience said, "The rumor and gossip mill is the hardest thing to control. Every day a unified message should be pushed out." She explained that in one situation that message was, "I will always balance your safety and security with your access and convenience." We had everyone saying it. It made people realize that they may be inconvenienced, but it was for a purpose."

## (V) STAYING IN TOUCH, MEDIATION:

*Stay in touch with students, faculty, staff and other key groups, using both informal techniques and mediators.*

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### POSSIBLE STRATEGIES

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- ✿ Coordinate with staff or others to stop by and talk informally with student groups and others.
- ✿ Engage mediators to talk with various constituencies about the concerns, goals, and needs, and work with mediators to identify areas of consensus, even if only about the safety aspects of a demonstration.
- ✿ Check in with staff to assure that they do not feel overwhelmed and exhausted (see also Part I regarding resource expansion and Part XI regarding staff conflicts).

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### WHY TAKE THIS STEP?

*Molly Peirano of the Ohio State University Office of Institutional Equity said of human nature in the midst of campus conflict, “Sometimes we get so scared about what could go wrong in talking with students that we forget what can go right.”*

AMolly Peirano of the Ohio State University Office of Institutional Equity said of human nature in the midst of campus conflict, “Sometimes we get so scared about what could go wrong in talking with students that we forget what can go right.” Talking with students may produce several positive benefits. First, it may help leaders understand their core concerns. Second, particularly when a campus is in conflict, these students may need counseling from someone they

know and trust. If not a university official, a campus interfaith ministry group or local mediators may be able to stay in contact, offer resources, or at least be sure that students have their basic needs met. Third, students may be interested, as are university leaders, in ways to achieve some of their goals. Even if those involved in a conflict do not want to negotiate about their demands, they may be willing to talk about protections for their safety and well-being. Fourth, talking with students may help correct misunderstandings and help them understand their rights and obligations. In the end, the talking may support students at a stressful time, can sometimes help humanize the situation, might create a common view of what occurred, and can begin a path to a more positive situation.

Leaders may worry that their conversations with those protesting will be twisted. They may have yet other concerns if a hate group is involved in the incident or conflict – that merely being seen talking with hate groups will be misinterpreted as failing to condemn their hate or acts. Or they may think that talking with students during a sit-in will be seen as acquiescing in the sit-in.<sup>14</sup> At the same time, staying in conversation with these groups may help to protect the safety of all involved. Sometimes, intermediaries such as the U.S. Justice Department’s Community Relations Service<sup>15</sup> can be helpful with this dilemma by staying in touch while avoiding these potential negative consequences.

Staff and faculty will be experiencing the conflict as well. Administrators can be assigned to the important task of keeping them informed, showing appreciation for what they are going through, and finding out if they need additional resources.

Staying in touch with those who could help with solutions or, to the contrary, interfere with solutions is important from the start. This includes student body leaders, alumni, public officials, media, inter-faith leaders, and affinity groups with concerns related to the conflict or hate incident.

## MORE DETAIL ON STRATEGIES

Engaging a mediator who is experienced in dealing with community-wide conflict may help in a number of ways. These mediators are skilled in taking the initiative to talk with people who might have refused to talk with others. They can expand the resources for staying in touch with stakeholders. They can shuttle among constituencies when those in conflict are unwilling to meet face to face. Mediators are accustomed to getting to the heart of the problem and turning the conversation to solutions going forward. They can typically figure out who should be involved in order to achieve resolution. They can often find consensus on how to manage a conflict safely even when people are not ready to resolve the basic conflict. As discussed above, the Justice Department's Community Relations Services provides free mediation expeditiously and advises on local mediators who can work over the longer term. The Divided Community Project's Bridge Initiative also offers experienced mediators who may be helpful in these circumstances.<sup>16</sup> As the illustrated in the story below, a co-mediator trusted by students may make a positive contribution even if not experienced in mediation.

### ILLUSTRATION

*In 1996, Columbia University leaders were at a stalemate with student protestors who had taken over a university building with demands for a new department in ethnic studies. University leaders asked law professor Carol Liebman, a scholar and practitioner in mediation, to mediate between the administration and students. University leaders were particularly anxious for a resolution as several students had been on a hunger strike for over a week and their health would soon be at risk. Liebman asked a colleague whom the protesting students knew to join as co-mediator. They held some joint sessions with representatives of university leadership and student and also shuttled between the groups, helping leaders understand the underlying concerns that led them to the positions and explaining to students the university's processes and concerns about creating a new department. Mediators looked for any other factors that were interfering with effective negotiations, discovering, for example, that negotiators on both sides had flagging energy levels that seemed to make them more pessimistic and negative about proposals. The mediators made sure that meals were provided. At first, and at intervals during the four-day mediation, both the students and leaders were skeptical about whether any progress could be made through mediation. Ultimately, all involved reached a joint resolution that achieved change that all involved valued, saved the health of the students engaged in a hunger strike, averted the convictions and potential injuries that might have occurred if law enforcement officials had cleared the building, and restored normal operations (Liebman, 2007).*



## (VI) PROTOCOLS WITH SAFETY AGENCIES:

*Create protocols with safety agencies, especially regarding disruptive activities that do not threaten safety, consider the common message that all will convey, and let the campus community know that this has occurred.*

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### POSSIBLE STRATEGIES

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- ✿ Develop protocols regarding the circumstances under which law enforcement agencies will remove students if activities are disruptive but not dangerous.
- ✿ Negotiate as well with those safety agencies beyond the university and even beyond the immediate surrounding municipality that might intervene in a violent situation.
- ✿ Anticipate opposing protest activity when planning.
- ✿ Recognize when drafting protocols that law enforcement presence alone can have unintended consequences in attracting students, in communicating how the university views the students, and in increasing or decreasing the sense of safety among students, sometimes depending on whether the student is worried about how law enforcement has treated people of their race, religion, or immigrant status<sup>17</sup>
- ✿ Let the campus community know that these protocols have been created.
- ✿ Establish communication lines between college/university leaders and law enforcement agencies, and among law enforcement agencies, that will work even in volatile situations.

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### WHY TAKE THIS STEP?

If violence erupts, it may be too late to talk with the law enforcement agencies about the tone, approach, and other matters regarding their response. Yet, the students are likely to hold the university responsible and expect the university to intervene on their behalf if they are arrested. In the event that safety agencies intervene and videos show students being pushed or handcuffed, the conflict may grow into a larger one over the college or university leaders' decision to ask for law enforcement intervention, with students who had not been interested in the original conflict joining to object to what happened to their fellow students.<sup>18</sup> If safety actions intervene in this way, there may also be long-term unanticipated impacts on the students in terms of arrests, convictions, injuries, and trauma.

Higher education leaders are sometimes chagrined that they did not do more, early on, to negotiate these protocols. For example, “[a]fter physical conflict erupted between police and students during demonstrations during the ‘Occupy Wall Street’ movement at the University of California - Berkeley and the University of California - Davis in 2011,” those studying what happened noted not only that some law enforcement officers were not accustomed to dealing with disruptive students and also that protocols with local law enforcement agencies were insufficient when neighboring law enforcement units were called in to back up the local police (Edley & Robinson, 2012: 1).

Administrators often have choices if events may be disruptive but are unlikely to be violent. One choice is to allow the disruption to happen, thereby averting the necessity of risking arrests, even injuries that might occur if safety agencies are asked to end the disruption. Another alternative to calling in safety agencies may be to negotiate ways for students to gain attention to

their cause while remaining safe and allowing others to feel safe. For example, The Ohio State University staff talked with students occupying the lounge outside the president's office in 2000 about the students' own safety, as well as the safety of confidential student records within the building, resulting in agreement on a plan to lock the building after office hours. David Kalk, the Chairman of Ohio State College Republicans, noted the positive impacts of a thoughtful safety strategy aimed at maintaining safety but not interfering unduly with the event or protests when a group brought a controversial speaker to campus. "University police did a great job working with all the groups. You can tell that there was a lot of planning, due to their deep level of knowledge. They did a good job, being nearby without being overbearing or being too directing. [One thing I witnessed was that] they had a planned route for exit, and different doors for protesters and event attendants. [In this way,] University police can set the tone without dominating or actively intervening too much."

## MORE DETAIL ON STRATEGIES

Law enforcement officials who work with universities suggest several points to consider when negotiating a protocol with law enforcement agencies. A campus law enforcement administrator pointed out that in some situations municipal police may be more experienced in promoting peaceful demonstrations than campus police. Another law enforcement leader noted that in cases where a student may be in mental health crisis, some municipal forces may have more crisis intervention training than campus police. On a different subject, a recent after-action report on the violence during the Charlottesville parade and protests in 2017 suggested that protecting opposing protestors from each other included not only at the protest itself but also when protestors walked to and from the protests from their cars (Hunton & Williams, 2017). A state law enforcement leader described how law enforcement leaders staying behind after a rally or protest to wait until everyone left the area ended up increasing fear and tension. Some people did not leave because they were trying to avoid locations where law enforcement remained while others were curious and drew closer to the law enforcement officers to see why they were there.



## (VII) FACULTY PREPARATION:

*Prepare the faculty for the ways that issues will play out in classrooms.*

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### POSSIBLE STRATEGIES

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- 🌟 Ask faculty with expertise to help other faculty learn to manage difficult classroom conversations, using examples involving students who may feel targeted or alienated.
  - 🌟 Identify faculty with expertise in the general areas around which there may be protest or counter-protest, including voting rights, civil rights, educational equity, history, First Amendment, etc., who might be willing to share frequently asked questions or other materials to their colleagues.
-

## WHY TAKE THIS STEP?

For many students, their professors are the part of the college/university they know and trust. Just as with campus leaders, faculty may benefit from learning what worked and what did not work for other faculty. For example, they may initially think it constructive to speak in class forcefully in support of a protest, only to be surprised to learn that there are students in their classes who are active in a counter-protest and who now fear that their professor will retaliate against them in the grading process. They may not realize that students want to talk with them about what is happening on campus. They may call on students who already feel targeted to express an opinion about the campus happenings, unwittingly making the students feel worse. In other words, many people who see themselves as committed to many of the goals espoused by the students and who are well-intentioned may not realize how their words and actions might be perceived.

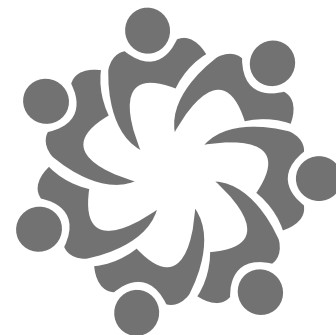
## MORE DETAIL ON STRATEGIES

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*In the midst of a fast-moving situation, Professor Ted Mason, Kenyon College, suggests at least sending a simple suggestion that will make a difference as faculty engage with students, such as: “Listen to students. Listen for understanding.”*

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Suggestions from other faculty include convening faculty by unit for an informal dinner and informal exchange about what is working in their classrooms and offering faculty workshops on engaging in difficult conversations in the classroom.



# AFTER VOLATILE EVENTS



## (VIII) CONTINUED PROBLEM-SOLVING:

*Work with key constituencies to develop and implement solutions to both longer-term problems and immediate concerns.*

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## POSSIBLE STRATEGIES

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- ✿ Ask the mediators involved at an early stage of the conflict to deepen the collaborative process to address underlying concerns.
  - ✿ Establish task forces across different stakeholder communities for particular problems; and charge the task forces with identifying the issues and developing action plans to address them.
  - ✿ Expand the pool of people involved to add expertise and deepen understanding of the underlying problems.
  - ✿ Establish accountability measures such as a review commission or benchmarks with periodic reports back to the community.
  - ✿ Celebrate accomplishments to keep participants motivated and engaged.
- 

### WHY TAKE THIS STEP?

A crisis can create an energy that can be channeled into collaborative efforts to address underlying concerns. Faculty-staff-student committees can examine the reason that, for example, some students do not feel welcome, identify recommendations seek input, and monitor implementation.



## (X) CONTINUED COMMUNICATION:

*Let campus constituencies and the public know how issues are being addressed through regular reports.*

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## POSSIBLE STRATEGIES

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- ✿ Make clear to students, faculty, staff, and the public that agreed-upon changes are being implemented.
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### WHY TAKE THIS STEP?

Volatile conflicts leave distrust in their wake. A common viewpoint might be: “They got us cooled down and now they are going to forget the promises they made to change things.” Continuing the communication throughout implementation helps to dissipate that common viewpoint and builds trust.

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## (XI) PREPARATION FOR THE NEXT CHALLENGE:

*Seek an after-incident analysis to learn how the leaders might better respond the next time, and revise your plan for responding to a crisis based on lessons learned.*<sup>19</sup>

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### POSSIBLE STRATEGIES

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- ✿ Ask a knowledgeable and widely trusted individual to complete an analysis of what worked well and what did not, in terms of the varied aims such as to using the teachable moment, supporting students and others feeling stress, and maintaining safety and trust.
- ✿ Prepare ahead for a potential new divisive incident or conflict.

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### WHY TAKE THIS STEP?

The benefits of looking back in order to improve future performance are obvious. If done after each major challenge, an after-incident analysis for a university conflict does not look punitive. Much was learned, for example, when a former U.S. Attorney, at the time a partner at a law firm, was asked to do an after-report on the white supremacy march and counter-protests in Charlottesville, Virginia and at the University of Virginia.<sup>20</sup>



## (XII) RECONCILIATION:

*Work to improve relationships that were strained during the conflict.*

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### POSSIBLE STRATEGIES

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Ask faculty or staff familiar with restorative practices to work with staff and others whose relationships were strained during the volatile period. But note that in some matters, especially in the context of divisive incidents, restorative practices may not be appropriate. Regardless, focusing on meeting the needs of people harmed will be helpful.

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### WHY TAKE THIS STEP?

Divisive campus incidents and conflicts can have a bruising effect. A student services professional pointed out that staff work long hours under great pressure and with their own strong feelings about the issues at stake during a volatile period. Staff members may become angry with each other. That anger may change to bitterness and an inability to work together effectively without intervention to reconcile them. The same may be true with faculty and students.



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## ENDNOTES

<sup>1</sup>See Divided Community Project, *Key Considerations for College and University Leaders: Preparing the Campus at a Time of National Polarization* (2020).

<sup>2</sup>Julie Bosman, Emily Shetler and Natalie Yahr, “In a Homecoming Video Meant to United Campus, Almost Everyone Was White,” *NYTimes*, Jan. 1, 2020, <https://www.nytimes.com/2020/01/01/us/university-of-wisconsin-race-video.html>.

<sup>3</sup>The Scranton Commission noted the importance of shared values and a sense of community, concluding, “It is impressive . . . that unrest is most prominent in the larger universities, and that it is less common in those in which, by certain measures, greater attention is paid to students and to the needs of education, and where students and faculty seem to form single communities, either because of their size or the shared values of their members” (Scranton Commission, 1970: 78) (emphasis added). For more, see Alyesha Cotton et al. and Divided Community Project, *Identifying a Community Spirit* (2019).

<sup>4</sup>For more on this point, see Divided Community Project, *Key Considerations for University Leaders: Preparing the Campus at a Time of National Polarization* (2020).

<sup>5</sup>Lauren Robel, *Provost Statement: On the First Amendment*, Indiana University, Nov. 20, 2019, <https://provost.indiana.edu/statements/archive/first-amendment.html>.

<sup>6</sup>For more on this point see <https://naspa.org/project/issue-guides-for-deliberative-dialogue>; Divided Community Project, Key Considerations for University Leaders: Preparing the Campus at a Time of National Polarization, Point I (2020).

<sup>7</sup>See “I, too, am Harvard” illustration in Divided Community Project, Key Considerations for University Leaders: Preparing the Campus at a Time of National Polarization (2020).

<sup>8</sup>Shannon Najmabadi, “Texas A&M spent more than a quarter-million dollars to draw attention from Richard Spencer’s 2016 visit to campus,” Texas Tribune, Mar. 9, 2018, <https://www.texastribune.org/2018/03/09/texas-m-spent-more-quarter-million-dollars-draw-attention-richard-spen/>

<sup>9</sup>Id.

<sup>10</sup>Id.

<sup>11</sup>Sara Ganim, “Texas A&M University changes campus speaker policy over Richard Spencer visit,” CNN, Mar. 21, 2017, <https://www.cnn.com/2017/03/21/us/richard-spencer-texas-am-policy/index.html>

<sup>12</sup>Cassie L. Smith, “Hundreds Walk Baylor Student to Class after Racial Attack Reported,” Waco Tribune-Herald, Nov. 11, 2016., [https://www.wacotrib.com/news/higher\\_education/hundreds-walk-baylor-student-to-class-after-racial-attack-reported/article\\_ffcc14f86-2a77-5827-8c1e-d3577bf94ee8.html](https://www.wacotrib.com/news/higher_education/hundreds-walk-baylor-student-to-class-after-racial-attack-reported/article_ffcc14f86-2a77-5827-8c1e-d3577bf94ee8.html).

<sup>13</sup>For more on this strategy see Divided Community Project, Key Considerations for College and University Leaders: Preparing the Campus at a Time of National Polarization (2020).

<sup>14</sup>For a faculty report concluding that this may have occurred in the situation of the Johns Hopkins sit-in in 2018 regarding a campus police force and cooperation with U.S. Immigration and Customs Enforcement, see Homewood Faculty Assembly Fact Finding Committee Report on the Garland Hall Sit-In 38-39 (2019), <https://facultyassembly.jhu.edu/files/2019/12/Homewood-Faculty-Assembly-Fact-Finding-Committee-Report.pdf>.

<sup>15</sup>For additional information about CRS and how to contact one of its regional or field offices to seek services free of charge, go to <https://www.justice.gov/crs>. CRS has worked with college campuses across the country, and serves as “America’s Peacemaker” for communities facing conflict based on actual or perceived race, color, national origin, gender, gender identity, sexual orientation, religion, or disability. CRS works toward its mission by providing facilitated dialogue, mediation, training, and consultation to assist these communities to come together, develop solutions to the conflict, and enhance their capacity to independently prevent and resolve future conflict. All CRS services are confidential and provided on a voluntary basis, free of charge to the communities. CRS is not an investigatory or prosecutorial agency and does not have any law enforcement authority. CRS works with all parties to develop solutions to conflict and serves as a neutral party.

<sup>16</sup>The Bridge Initiative @ Moritz, <https://go.osu.edu/dcpbridge>.

<sup>17</sup>A 2019 Gallup survey indicates that 44% of members of vulnerable populations view police forces negatively or very negatively compared to 19% of the total U.S. population, and the disparity is even higher in Chicago. Steve Crabtree, Low Trust in Police Complicates Crime Problem in Chicago, GALLUP, <https://news.gallup.com/poll/257798/low-trust-police-complicates-crime-problem-chicago.aspx>.

<sup>18</sup>Indeed, the President’s Commission in 1970 concluded that a common error made by university leaders was to turn over a disruptive matter to law enforcement to handle. Scranton Report, 1970:13, 117-118, 136-145 (“When faced with disruptive but nonviolent conduct, the university should be prepared to respond initially with internal measures.”).

<sup>19</sup>For more on planning ahead, see Key Considerations for College and University Leaders: Preparing the Campus at a Time of National Polarization (2020).

<sup>20</sup>Hunton & Williams LLC, Final Report: Independent Review of the 2017 Protest Events in Charlottesville, Virginia (2017), <https://www.huntonak.com/images/content/3/4/v4/34613/final-report-ada-compliant-ready.pdf>.

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