#CampusBridge

LEADING A DIVIDED CAMPUS:
Ideas and Illustrations

An Initiative of the Divided Community Project
The Ohio State University Moritz College of Law

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Other publications by the Divided Community Project are available at
https://go.osu.edu/dcptoolkit:

- Symbols and Public Spaces amid Division: Practical Ideas for Community and University Leaders (2021)
- A Practical Guide to Planning Collaborative Initiatives to Advance Racial Equity (2nd ed. 2022)
- Identifying a Community Spirit (2019)
- Divided Communities and Social Media: Strategies for Community Leaders (2nd ed. 2020)
- Key Considerations for Leaders Facing Community Unrest: Effective Problem-Solving Strategies That Have Been Used in Other Communities (2nd ed. 2020)
- Planning in Advance of Community Unrest (2nd ed. 2020)
- A Checklist for Extending Support to Other Students (2023)

INTRODUCTION

University and college leaders figure prominently among organizational and governmental personnel challenged by our nation's intensified citizen polarization and their diminished trust of institutions and their leaders.[1] This guide offers ideas and illustrations that campus leaders can adapt to their campuses to help them meet the dynamics of the moment.

Campus conflicts and their contexts differ, so there is no single correct course of action for all university leaders to embrace. There are, though, considerations based on somewhat parallel situations elsewhere, and these parallels matter. The chances, then, of preparing and responding effectively to potential and actual conflicts may increase if each campus leadership group builds off experiences elsewhere rather than invents its course of action without regard to them.[2]

This guide urges campus leaders to do contingent preparation in order to be ready for a scale of needed responses that, given increased students' raw emotional intensities and their serious antagonisms towards students with opposing views, may exceed existing practices. It encourages campus leaders to create checklists that will immediately remind them of matters to consider when communicating, creating programmatic responses, and planning for large protests and hate incidents.

Preparation is also warranted because advocacy groups can emerge quickly when divisive events occur on campus or occur elsewhere but significantly affect students. Off-campus advocates join events occurring on campuses, given its inviting physical site with spaces that are open and populated with young people anxious to make a difference. Social media posts can transform the conflict dynamics instantly. If students are also in conflict with each other, the cumulative impacts of these forces prompt all groups to suspect university administrators of bias.

"The challenges of the university have always been the challenges of the larger society, made more intense by the tight-knit nature of the community and more visible by the avidity with which people pay attention to what happens at places like Harvard and Stanford."

– BRIAN ROSENBERG,
  former president, Macalester College[3]

This guide suggests that charting a contingent course ahead of divisive events may help campus leaders clarify community values and develop a shared understanding among community constituencies regarding the path leaders will embrace to address such competing expectations as:

- protecting and supporting students while discouraging hate-based actions and maintaining a peaceful campus;
- promoting challenging learning environments and freedom of expression while protecting students from harassment that might interfere with their studies and related activities; and
- contributing to students' successful careers after graduation while dealing with off-campus expectations, including among influential leaders, that university personnel enforce rules and laws.

Each section of this guide begins with a checklist for the campus leader who needs a quick reference during a crisis. It then explains the checklist and offers ideas and illustrations for implementing them or preparing contingent plans to do so. The appendix adds resources and acknowledgments to the dozens of mediators, university administrators, campus security experts, students, and more who contributed the ideas reflected in this guide.

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EXECUTIVE SUMMARY

SECTION 1

ASSESSMENT PROTOCOLS: Listening, Consulting, Responding, Sharing

Having a finger on the pulse of the campus constituencies, both internal and external, contributes to effectiveness in communication, programmatic responses, and preparation for crowd and hate incidents. While most campuses normally deploy informal practices during a typical academic year to sense the pulse of campus constituent dynamics, during polarized times, it may be essential to implement a more regularized, thorough, and expedited process for gathering information, analyzing and transmitting it to leadership personnel, who can then use those insights to inform and shape and their rapid responses to developing concerns – what we call an assessment protocol. To do less may jeopardize the ability of campus leaders to systematically restore or foster trust and effectively execute the urgent action such crises require.

SECTION 2

COMMUNICATIONS: Content, Messengers, and How Conveyed

All campus constituencies depend on campus leaders to communicate quickly and stay in communication after a divisive campus event or external event that radiates deeply on campus. Watching campus dynamics and events off-campus can allow preparation of checklists for communications content in a variety of potential situations, including when conflicts, hate incidents, large protests, or hateful speakers alienate or frighten a group of students or increase campus division. Communicating quickly shows students and others that leaders understand their sense of urgency. A rapid communication can reach students before false narratives take hold. When conflict shakes trust in central administrators, other messengers, who have developed trust over time and are still influential with a particular group, can join to reach out to those audiences. Creativity in terms of using multiple means of communication (social media, videos on buses, etc.) can together connect with multiple constituencies.

SECTION 3

PROGRAMMATIC OPPORTUNITIES: Options to Extend Support, Learn, Span Differences, Make a Difference, Enhance Safety, Build Community Resiliency, Publicize Codes and Laws Regarding Protest and Hateful Conduct, and Engage in Problem-Solving

Polarized times open "teachable moments," just as they also ratchet up student needs and threaten trust among the campus community. Particularly if learning opportunities are offered early in a conflict, before positions harden, students may be open to gaining skills that will be of lifelong value. These include engaging in problem-solving discussions across deeply held differences, reaching out with compassion across societal fault lines, influencing others impactfully, and making contributions to their communities and beyond. They can also learn by participating with campus leaders who are working to enhance safety and build a more resilient campus community, while treating each other with respect. The challenges of quickly creating programmatic opportunities include: the large number of students to be reached; the time-consuming nature of adding courses and other activities; and, especially, the formidable task of keeping students safe when hate incidents increase. Some of the program ideas in this section can be created during a crisis, but others must be prepared ahead, ready to be implemented quickly and on a broad scale when needed.

SECTION 4

ENHANCE STUDENT SUPPORT: Campus-Law Enforcement Coordination

Planning jointly with law enforcement can improve approaches to large-scale protests and hate incidents. Experience indicates that multiple law enforcement agencies might become involved in a worst-case scenario, so including all of them in the planning makes sense. On the campus side, all crisis decision-makers can usefully join, as well as those with needed expertise in such matters as communications, student affairs and mediation. If initiated before a crisis, planning can be contingent and focused on each likely crowd or hate situation, type of crowd dynamics, range of goals among participants, and likelihood of violence. A key meeting outcome can be plans for an emergency operations center that would include campus administrators with law enforcement and, potentially, persons trusted by protestors as well as experts such as mediators, all of whom could be in communication with officers and others onsite at the event. Other significant meeting outcomes can be shared understandings of the circumstances that warrant arrests and use of force, the alternatives to arrest and forceful clearing of space, and the approaches to each that will be employed and by which officers.

ASSESSMENT PROTOCOLS

Listening, Consulting, Responding, Synthesizing, Sharing

Having a finger on the pulse of the campus constituencies, both internal and external, contributes to effectiveness in communication, programmatic responses, and preparation for crowd and hate incidents. While most campuses normally deploy informal practices during a typical academic year to sense the pulse of campus constituent dynamics, during polarized times, it may be essential to implement a more regularized, thorough, and expedited process for gathering information, analyzing and transmitting it to leadership personnel, who can then use those insights to inform and shape and their rapid responses to developing concerns – what we call an assessment protocol. To do less may jeopardize the ability of campus leaders to systematically restore or foster trust and effectively execute the urgent action such crises require.

CHECKLIST

☐ **Identify** those persons whose emotions, needs, goals, approval, support, and ideas are crucial to a successful response by campus leaders (see ideas list in Subsection A).

☐ **Assign listeners:** a staff member for each group or individual, providing staff members with your version of the listening checklist or the social media checklist in Subsection B and telling them whom to send the results to and when. Remind them that responding to needs matters as well, both because it is what the universities and colleges should do and because students are unlikely to respond to administrators unless they help the students reach their goals.

☐ **Designate the synthesizer:** a staff member with campus and mediation experience to analyze and summarize these submissions, noting the groups involved, the types and depths of emotion (fears for safety?), their needs (and ideas to meet the needs), any conflicts between students, whom each group trusts, what media they use, their willingness to join with administrators or separately convey any messages, and their ideas for dealing with the situation.

☐ **Distribute the summary** to all those who need to understand the dynamics of the situation, handle communications, respond to needs and opportunities, expand resources (e.g. safe spaces, mediators, counselors, communicators), and influence planning for and reactions to crowd and hate incidents (see idea list of such persons in Subsection D).

Some conflicts arise or escalate because there is a lack of trust. Trust often dissipates during conflicts and especially so when student groups clash and the administration begins taking actions that seem to students to benefit one group over others. As public disputes experts Susan Carpenter and W.J.D. Kennedy point out:

"People react strongly and sometimes vindictively when they have been injured by a violation of trust. And betrayal is deeply felt when it is perpetrated by someone who has the responsibility of being a protector." [4]

Prior consistent responses to students' concerns and goals can build a reservoir of student trust in administrators, whereas responses only when prompted by protests produce cynicism. Still, in a crisis, creating quickly such a system might matter. Here are some ideas and illustrations about how an effective system, what we call an assessment protocol, can make a positive difference in shaping communications, fashioning programmatic responses to meet students' needs and goals, and planning with law enforcement for hate incidents and large crowd events.

Communications: An assessment protocol enhances the chances that the campus leaders' first communications about a divisive matter will hit the right tone, reflect the appropriate empathy, promote understanding among various campus groups, be posted where key groups of people get messages, and come from persons trusted by all key groups (illustrated in more detail in Section 2).

A campus leader can follow up the assessment by personally talking with a few students and then reflect that, and the right tone, in an early communication. Prompted by the October 7, 2023 attacks and subsequent violence in Israel and Gaza, University of Wisconsin-Madison Chancellor Jennifer Mnookin incorporated these features in a well-received communication to the campus community. This approach helps students recognize that their leader listened and is committed to promoting understanding among the students:

"In separate conversations I have had over the last several weeks with Palestinian, Arab and Muslim students and Jewish and Israeli students, some have told me that they have experienced fear on our campus, or in Madison, based on their identities. Jewish and Israeli students have told me about having feelings of unease wearing a Star of David necklace or kippah. And Palestinian, Arab, and Muslim students have shared similar discomfort with wearing a keffiyeh or hijab. And some in each group told me that they have experienced worse – people calling them names, or, in one instance, throwing things at them. Students have expressed feelings that some of those who disagree with them vehemently about politics have also ceased to see or recognize their fundamental humanity." [5]

University of Wisconsin-Madison Chancellor Jennifer Mnookin

Conversely, communicating based on educated guesses alone risks undermining trust. For example, when another campus leader sent out a statement of empathy for Jewish students after a swastika was projected onto the outside wall of a dormitory, Black students expressed their dismay that their concerns about the swastika were not also recognized in the statement.

Programmatic responses: An assessment protocol can also help university administrators, faculty, and staff respond programmatically to students' needs and goals in a way that fits the current campus climate (illustrated in more detail in Section 3).

In a memo to the Cardozo law faculty, following October 7, Dean Melanie Leslie recognized that students needed more support than simple statements that a leader could deliver and used what she learned in her ongoing conversations with students to suggest diplomatically to faculty an action that would help meet the students' expressed need:

"I spoke with a group of students...yesterday. Several mentioned how much it means to them when one of their classmates or a professor shows concern by simply asking how they are doing, but noted that this seldom happens. One student singled out [professor's name] as a positive example, stating that [this professor] began class this week by taking a moment to acknowledge that students might be in distress and asking them to let her know if they were unprepared on any given day as a result. A few simple sentences had a profoundly positive impact. Please do what you can – very small gestures of kindness and empathy will make a very powerful difference." [6]

Dean Melanie Leslie
Cardozo Law, Yeshiva University

Crowd and hate incidents: Careful listening and responding create personal relationships with people trusted by key campus constituencies. Those personal relationships may survive even when students lose trust with the administration in general and refuse to talk with staff. Campus leaders can ask someone whose inquiries will be returned to communicate with those planning or participating in protests, to help assure the safety of all involved (illustrated in more detail in Section 4).

An Inside Higher Education reporter's after-analysis of white nationalist Richard Spencer's 2017 speech at the University of Florida attributed the lack of violence against students or arrests of students (a few non-students were arrested) in part to the university's decision to delay the speech and then use the time to prepare and listen to students. Leaders involved students in their planning. Condemning Spencer's views, these administrators urged students to deny Spencer what he wanted – a crowd. Student leaders, including the Black Student Union leaders, joined the administration in urging students to stay away. Together with university administrators, they created a campaign, #TogetherUF.[7]

| Key Constituents/ Influencers | Listeners/ Responders | Synthesizer | Those Needing the Assessment |

A. List key groups for listening, consulting, responding, sharing

Identify groups likely to be impacted in distinct ways by divisive events and their aftermath, bridging groups, groups or individuals who are influential with various groups, and groups that might be more helpful if kept informed.

Watch divisions arising on other campuses, augmenting the list of groups as these events suggest. Predict likely events, such as a contentious Presidential election or public figures targeting immigrants or other vulnerable groups, that are part of political discourse in ways that might fuel hate incidents. Violence elsewhere that personally affects a portion of the students is another potential conflict scenario.

Illustrating these group identification processes off campus, the U.S. Department of Justice Community Relations Service engages when there has been widespread violence attributable to persons of a particular faith, ethnic group, or nationality, expecting a backlash of violence and discrimination against those appearing to be part of a group which people might associate with those responsible. They begin preparing ahead by identifying all such groups and establishing relationships with influential persons who stay in touch with members of these identity groups. For example, after the 9/11 attacks, they identified not only Arab and Muslim communities but also South Asians and Sikh communities whose turbans are sometimes erroneously associated with Muslims. Fortunately, they already had relationships with each community. Thus, they could begin on September 12, 2001, to get in touch and stay in touch with influential leaders of each, as they developed a complex national strategy to forestall hate incidents and hold assailants responsible.[8]

This list of potential groups might prompt ideas of key groups to list for your campus:

- Affinity groups and faculty advisors for those students, faculty, and staff most often targeted for hate incidents, referencing the FBI's Hate Crime Statistics Data Collection, and for their off-campus community support groups, such as the Hillel Center
- Affinity groups and faculty advisors for those students, faculty, and staff with an identity related to international violence or political issues and for their off-campus community support groups, such assistance groups for immigrants
- Student political groups and their faculty advisors
- Parent groups for student groups listed above
- Student leaders for each division (undergraduate, professional, graduate, etc.) and student senate members
- Campus faith leaders
- Public officials or candidates with any of these interests or with interests in how law enforcement is used on campus
- Alumni and key donors with any of the interests listed above
- Members of the board of trustees
- Foundation board members
- People who might be influential with each of the groups listed above if they reached out to the groups in divisive times
- Law enforcement representatives
- Social media used often by students
- People situated to hear and respond to student concerns, such as ombuds, counselors, academic advisors, dorm counselors, inclusive excellence staff, the threat assessment team, and those who receive bias reports.

Key Constituents/ Influencers	Listeners/ Responders	Synthesizer	Those Needing the Assessment

B. Assign staff for listening, consulting, responding, sharing

Create a long enough list of staff "listeners" so that it is feasible for them to check in, even daily during tense periods, and quickly send in their reports. Match each staff member with those likely to be receptive to their inquiries or who regularly read social media posts on platforms used by students. Emphasize that they should respond to needs or get in touch with those who can respond. Give each a checklist such as the following (or adapt this for your campus and substitute your own branding) for listening and responding:

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CHECKLIST *FOR* LISTENERS

Through an empathic and compassionate conversation, please listen for and report back on the topics listed below. Please take with you a list of campus and community resources that might be helpful to students or follow up with them afterward with these resources.

Listen for and make observations about:

For those who personally experienced an incident or conflict:

- ☐ Reactions, including feelings
- ☐ Intensity of their feelings
- ☐ Whether they feel safe
- ☐ Whether they feel comfortable continuing to participate in university/college activities
- ☐ Any support that we can provide
- ☐ What they are seeking
- ☐ Comments regarding others who have been affected
- ☐ What they wish other community members would understand about the situation
- ☐ How they want to be involved, if at all, in developing the university's/college's response to the situation

For those who share an identity group with those who are personally experiencing an incident or conflict:

- ☐ The same issues as above, plus: What, if any, ways they connect the current situation to something that happened historically on this campus or elsewhere

For those who are trusted by each portion of the campus:

- ☐ What are they hearing in terms of students' emotions, support sought, personal and academic plans, requests for support from the college/university
- ☐ What they think will happen next
- ☐ Whether they agree with at least some of what the university/college leaders express and will make statements, either publicly or to friends, that reflect that agreement.
- ☐ If they are willing to speak out also or be quoted by the president on topics of agreement or open to joining with the president in speaking out

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SOCIAL MEDIA LISTENING CHECKLIST

☐ **Identify** relevant keywords and hashtags: Monitor social media platforms for keywords and hashtags related to the community conflict or crisis, as well as general terms related to stress, anxiety, and mental health concerns.

☐ **Track sentiment:** Analyze the sentiment of social media posts to identify students who may be experiencing negative emotions or distress due to the ongoing conflict.

☐ **Engage with students:** Reach out to students who are posting about their struggles or concerns, offering support and resources to help them cope with the situation.

☐ **Monitor for warning signs:** Look for posts that may indicate that a student is in need of immediate help or intervention, such as posts expressing thoughts of self-harm or harm to others.

☐ **Collaborate with campus resources:** Work closely with campus mental health services, counseling centers, and other support services to ensure that students in need are connected with the appropriate resources.

☐ **Provide regular updates:** Keep students informed about the conflict and the resources available to them through social media and other communication channels.

☐ **Review and update the monitoring strategy:** Regularly review and update the social media monitoring strategy to ensure that it remains effective and relevant in addressing the needs of students during times of strife and conflict. It can be useful to monitor changing emotions and reactions, needs, and plans frequently and on an ongoing basis.

| Key Constituents/ Influencers | Listeners/ Responders | Synthesizer | Those Needing the Assessment |

C. Appoint the synthesizer

Select someone who can quickly develop and transmit a report that astutely assesses and summarizes the campus and pertinent off-campus dynamics. This task requires campus knowledge, experience in how conflict plays out, and a sensitivity to how such reports will be used constructively and yet, if shared with the public, will not be resented or misunderstood. It might be a mediator or a former provost or president. In non-urgent times, the assessor might be a group of people.

Providing an illustration of forming a group to assess and respond in non-urgent times, Kenyon College convened a group of persons – the Kenyon Concerns Coalition -- who had attended a Divided Community Project academy plus individuals such as the Director of Campus Safety and the Vice President for Communications, among other key members of the staff and faculty from across the College. In addition to these members, the group formally includes representatives from the Student Council and other important student group leaders, who offer perspectives otherwise not generally available. Meeting monthly the Kenyon Concerns Coalition gathers to share information, assess campus climate, and map out ways of facilitating campus conversations about important issues, particularly in difficult times.

Kenyon Associate Provost for Diversity, Equity and Inclusion Ted Mason noted:

Ted Mason, Kenyon Associate Provost for Diversity, Equity and Inclusion

"The role of this group is to be aware of campus climate, including possible protests and demonstrations, not to quell them, but to facilitate the safe expression of opinion and belief. Because of the operations of the Coalition since the academy, we feel much more able to be proactive in facilitating campus discussions and professional development for employees and students, activities that focus on building community in times of controversy."

Kenyon Concerns posted the following for students:

"The Kenyon Concerns Coalition is an advisory group of Kenyon staff, faculty and students whose purpose is to support a connected community by identifying and positively intervening on issues of broad campus concern to avert community division. If you know of a potential campus-wide issue within the Kenyon community, you can let the coalition know by contacting a coalition member listed below, or by completing this form."[9]

Key Constituents/ Influencers	Listeners/ Responders	Synthesizer	Those Needing the Assessment

D. Identify assessment recipients

Consider as assessment recipients all those who might have to act quickly or can respond to concerns. At urgent times, it may be helpful not to wait for each of the president's cabinet members to forward the assessment to their own key staff members; those people might instead be identified in advance by cabinet members to receive it in

the initial distribution. Versions of the assessment might also usefully be shared periodically with students to help them understand others' concerns and with those outside campus who might otherwise hear only part of the story and not therefore appreciate the administrators' actions: parents of students, members of the board of trustees, legislators, key donors, law enforcement, and outside counsel.

CONCLUDING THOUGHTS

Leaders may be torn between conducting an assessment and acting or getting a statement out quickly. By delegating in these urgent situations, they can accomplish both. In fact, it is critical that leaders do both. When time permits, the leader's engagement in making the assessment will humanize the communications to the campus community. Leaders can be even more effective during a crisis if they have prepared ahead by establishing an assessment protocol.

COMMUNICATIONS

Content, Messengers, and How Conveyed

All campus constituencies depend on campus leaders to communicate quickly and stay in communication after a divisive campus event or external event that radiates deeply on campus. Watching campus dynamics and events off-campus can allow preparation of checklists for communications content in a variety of potential situations, including when conflicts, hate incidents, large protests, or hateful speakers alienate or frighten a group of students or increase campus division. Communicating quickly shows students and others that leaders understand their sense of urgency. A rapid communication can reach students before false narratives take hold. When conflict shakes trust in central administrators, other messengers, who have developed trust over time and are still influential with a particular group, can join to reach out to those audiences. Creativity in terms of using multiple means of communication (social media, videos on buses, etc.) together can connect with multiple constituencies.

CONTENT > MESSENGERS > HOW CONVEYED

CHECKLIST

Create content that, depending on timing and circumstances:

☐ Conveys accurate information as it becomes available on the details that community members want to know as they evaluate their safety and well-being

☐ Describes safety measures and provide reassurance in the face of unnecessary anxiety

☐ Outlines additional initial actions that will be taken

☐ Identifies who has been consulted and their reactions

☐ Demonstrates understanding of and care for what is on the minds of students

☐ Helps students understand each other

☐ Frames the issues in terms of a community of people who care about each other

☐ Affirms freedom of expression while underscoring the university or college's core values and behavior expectations, including regard for others' need to be respected, feel safe, and express themselves, while condemning identity-group hateful targeting

☐ Informs students how to become involved

☐ For hate incidents, focuses on and explains the harm caused and violation of norms, while trying to avoid augmenting the perpetrator's notoriety, and tells students where to report

☐ Continues regularly while students are anxious

☐ Uses a personal voice rather than the more formal, passive language of regular announcements

☐ Tells students how you will let them know further developments, decisions, new incidents

☐ Describes values and opinions that will be taken into account in making additional decisions

Recruit additional messengers who will add their voice to yours, appear with you, speak on their own, or allow you to quote them, on at least part of what you say, including:

☐ Persons influential with each group on campus and key off-campus constituencies

☐ Persons who convey the importance given the matter (as, for example, the entire board of trustees)

☐ Convenings of unlikely allies, who issue joint statements

☐ Have expertise (faculty, for instance) and

☐ Joint events to mourn or learn together

Convey the communications so that all groups within the community consult frequently, sending key communications repeatedly and through multiple means, including people who often talk with students, such as parents, dorm counselors, and faith leaders.

WHY IT MATTERS?

The more anxious people are, the more they appreciate it when those they trust help them understand quickly and often what is going on. They appreciate that these leaders are working to make them safe and supported. What students consider to be "quickly" has advanced as they become used to the nearly instant responses on social media. In the absence of a communication, students, particularly, may be unnecessarily anxious; if that occurs, they may seek information from less reliable sources, thereby enabling false narratives to take hold, and they may feel that the absence of communications from their leaders signals that those individuals are either trying to cover up what has happened or simply do not care about them. At the same time, leaders may feel an understandable reluctance to provide information before they have it all, lack a sufficient in-house communications staff to reach out in a crisis in the varied ways required to get through the social media information fog, or choose to speak less often so that advocates will not have the opportunity to exploit any tiny misstep in a leader's statement to motivate others to join them

There is now recent evidence that campus leaders should expedite and expand their communications outreach, despite their understandable reluctance. In the weeks following the October 7, 2023 attack of Israel and its response, 70 percent of students nationally felt unsupported by campus leaders.[10] Even a few months later, one in five students feared for their personal safety because of their views or perceived views about the Middle East violence.[11]

Those experienced in divisive community events recognize leaders' tendency to delay and speak sparingly, but explain the value of communications in the moment.

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, he said, 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.[12]

Kent Syverud, Chancellor and President of Syracuse University

Experts on community division mention other implications of not taking the lead in framing and explaining the issues, thus ceding that role to slogans and demands made by advocacy groups:

"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. Eventually everyone engages in an adversarial battle, throwing more time and money into 'winning' than into solving the problem." [13]

In the case of hate speech, waiting to condemn it may also have the detrimental effect of legitimizing disparaging discourse. Research indicates that hate speech expands when people sense that it is normal, and this, in turn, increases the chances of violence.[14]

Persuasion often requires repeated messaging from trusted persons that somehow penetrates the information fog.[15] Even with timely communications, trust in institutional leaders often dissipates during a conflict.[16] University and college leaders can accomplish more by heightening their efforts to join with trusted voices.

Another consideration is that during a crisis, other voices will be deluging students with information. A third of young adults (aged 18 to 29) follow the news on TikTok, a challenge to administrators communicating primarily by email.[17] As students check their mobile phones multiple times a day, they may be looking at hateful social media posts about whatever is the current conflict. Some posts may contain misinformation and disturbing images or headlines designed to get clicks. Artificial intelligence permits rashes of divisive posts that may appear to come from fellow students, when they are actually generated elsewhere, even from offshore.[18] Campus leaders may need to use multiple modes of communication with frequency in order to get through.[19]

SUGGESTIONS AND RESOURCES

CONTENT ▷ **MESSENGERS** ▷ **HOW CONVEYED**

A. Communications content

Template: One way to facilitate quick but thoughtful communications is to create in advance a template for the contents of communications. To illustrate, we have reverse-engineered, to create a checklist, a letter after a campus hate incident that was sent to the American University community from its President, Syvia Burwell, on October 23, 2023.[20] The same checklist could be used for a hate incident targeting the Palestinian, Black, or other communities who, unfortunately, have also endured hate incidents on campus.[21]

The details that the campus community wants, quickly, even if they have not yet heard:

> "Last night, swastikas and a Nazi slogan were graffitied on two room doors and in a bathroom in Letts Hall."

Framing the situation by connecting campus values to the harm caused, in a tone of heartfelt concern:

> "This hateful act of antisemitism is reprehensible. Jewish students live in both rooms where the doors were vandalized. When we are so deeply focused on our community of care – supporting each and every member of our community who is in pain and feeling scared and vulnerable – it is unacceptable that our Jewish community was targeted and harmed through this act. Hate speech will not be tolerated. It violates the values that define our community."

Who has been consulted and what decisions are being made:

> "We are supporting the students in the involved rooms... AUPD [American University Police Department] is thoroughly investigating this incident... Anyone found responsible will be subject to university policies and appropriate disciplinary actions."

How to report and what is being done about safety:

> "If any member of the community has any information about the Letts Hall incident, please contact AUPD at 202-885-2999 or with the RAVE Guardian app, where anonymous tips can also be submitted. AUPD is operating with increased awareness across campus to support the safety of the community. Anyone who feels unsafe can call the AUPD emergency number at 202-885-3636, use the blue light emergency telephones on campus, or use the RAVE Guardian app."

What values will govern (and have for some time) and who will be consulted as more decisions are made:

> "As we address this incident and the larger issues causing pain in many parts of our community, we are focused on supporting our community members, hearing their concerns, and working to ensure their safety... We will not waver in our focus on safety and support for our community."

Helping students understand each other:

Though not illustrated in this situation, leaders' statements can also constructively promote mutual understanding. For example, white supremacist groups sometimes post phrases in dorms or on department bulletin boards, such as "It's OK to be white," "It's OK to be Christian," and "Muslims have it right about women." Those who follow white supremacist groups, especially Black students, may recognize these phrases from their pamphlets and understand them to be a warning that the hate group is present there and focused on Black persons, with the comments on religion and gender being primarily a distraction from that targeting. Other students may dismiss them as "no big deal," and those frightened for their safety by the presence of the hate group may then feel an increased sense that they are not welcome or safe on campus. Campus leaders can interrupt this series of misunderstandings by simply explaining why they would be painful and frightening as well as why other speakers might not have realized that.[22]

Which harmful acts should leaders condemn in a public fashion?
Tensions on campus that result from actions or speech regularly present complex connections between cherished values that are conflicting: protecting the well-being of students colliding with supporting free speech and assembly. A potential standard for judging when to announce, condemn, and ameliorate a hate incident might be the one announced in a November 2023 "Dear Colleague" letter from the U.S. Department of Education Office of Civil Rights:

"Harassing conduct can be **verbal or physical** and need not be directed at a particular individual. OCR interprets Title VI to mean that the following type of harassment creates a hostile environment: **unwelcome conduct based on shared ancestry or ethnic characteristics** that, based on the totality of circumstances, is **subjectively and objectively offensive** and is so severe or pervasive that it **limits or denies a person's ability to participate in or benefit from the recipient's education program or activity.** Schools must take immediate and effective action to respond to harassment that creates a hostile environment."[23]

The standard – subjectively and objectively offensive plus so severe or pervasive that it adversely affects students' ability to participate in or benefit from their educational program – represents a mandatory floor for engagement by leaders at those colleges and universities that are public or receive federal funding and are thus bound by Title VI of the federal Civil Rights Act. And it represents a reasonable approach for other institutions.

The fact that the statements were protected by the First Amendment does not obviate the need to respond if these standards are met, according to a later "Dear Colleague" letter. Speaking out may be one of the ways a university or college could respond to "promptly and effectively [take] steps reasonably calculated to end the harassment, eliminate its effects, and prevent it from recurring," though more be required as well.[24]

What should be included in the statement about the tensions between holding perpetrators accountable and not violating their Constitutionally protected rights of free speech and assembly?

This tension presents a challenging situation. Sometimes students follow leaders at rallies in voicing a chant without understanding the historical context of the wording. Regrettably, the chants may engender fear among those who understand its context all too well. Intent is important, but so is impact. Leaders can address the fear and explain the reasons to students without necessarily disciplining them for it; the two issues can be distinct.

Some initial statements from leadership to the campus finesse this free speech versus accountability tension by using broad terms such as "unacceptable" rather than stipulating whether the act or speech violates the student code of conduct or the law. Reflecting such an approach, President Burwell, in her statement noted above, says, noncommittedly, "Anyone found responsible will be subject to university policies and appropriate disciplinary actions." Another generally stated approach appeared in a statement to the Yale University community by President Peter Salovey in December 2023:

> "Yale stands resolutely as a place that welcomes many beliefs, identities, views, and cultures, and we are unwavering in our devotion to free expression, open dialogue, and civil debate. Our right to free expression does not obviate our responsibility as colleagues and peers to one another. Yale aims to be a place where all students feel free to express their views inside and outside the classroom. Yale will not tolerate discrimination and harassment, including threats of violence, intimidation, or coercion."[25]

Someone may ask what this general language means in terms of what conduct or speech will lead to discipline or prosecution or, comparably complex, whether speech will be stopped proactively. Indiana University Provost Lauren Robel, a constitutional law scholar, faced a similar challenge in 2019 when students demanded the firing of a professor whose posts on his private social media account expressed "racist, sexist, and homophobic views."

She defended free speech rights:

> "Various officials at Indiana University have been inundated in the last few days with demands that he [the Professor] 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."

She defended students' inclusion and academic interests:

"Indiana University has a strong nondiscrimination policy, and as an institution adheres to values that are the opposite of [his] expressed values... 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... Moreover, in my view, students who are women, gay, or of color could reasonably be concerned that someone with [his] expressed views 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."

She announced steps to protect students and reaffirmed values, doing so in the informal language that conveyed earnestness to students accustomed to informality in their own conversations:

Former Indiana University Provost Lauren Robel
Photo by: *Eric Rudd, Indiana University*

"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... If other steps are needed... 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 reprehensive... I condemn, in the strongest terms, [his] views on race, gender, and sexuality... But my strong disagreement with his views—indeed, the fact that I find them loathsome—is not reason for Indiana University to violate the Constitution of the United States."[26]

In this statement, Provost Robel supported the Professor's free speech rights but used a form of accountability – public condemnation – that, combined with developing alternative classes or grading procedures, responded to student interests in their ability to continue to participate in or benefit from their respective education program. Most of the IU community accepted her approach.

Arguably, what also made the justification for not firing the professor more credible was that she exercised her free speech rights in favor of inclusion, just as she said that the free speech rights precluded action against a professor who took an opposing stance. Dan Tokaji, dean at the University of Wisconsin Law School and a First Amendment scholar, explained about modeling what we say in another context:

"Universities aren't just forums for speech; we are also speakers. We must be forthright and persistent in expressing our commitment to equality and justice for all people. If the first time students hear about those values is when the university is allowing a speaker with supremacist views to speak on campus (as public universities sometimes must), it won't be credible to say that we really care about racial justice."

Dan Tokaji, Dean at the University of Wisconsin Law School

Both parts of this tension between free speech and non-harassment are complex and subject to change through evolving caselaw. Leaders can work with legal counsel, emphasizing in that interaction their desire or imperative to publicly condemn reprehensible, even if not discipline-worthy, acts or speech and to explain to the campus community how student interests are protected consistent with supporting robust speech.

Should the university/college take a position on the merits of an off-campus conflict that also divides the campus community?

There is no easy answer to this compelling question. Considerations, discussed frequently by commentators,[27] vary for public, private, and religion-affiliated institutions. Many public universities avoided weighing in on the merits of the Israel and Gaza violence, despite demands from students and others to take a stand and, in some cases, pressures from donors.[28] Instead, these university leaders issued statements about the students' situation – much like those quoted in this section. This institutional posture became more controversial as student groups took positions on the fighting. Those institutions, often private and some religiously affiliated, that have taken positions on the Middle East violence also faced resistance from their communities and demands that they reverse course as casualties mounted.[29]
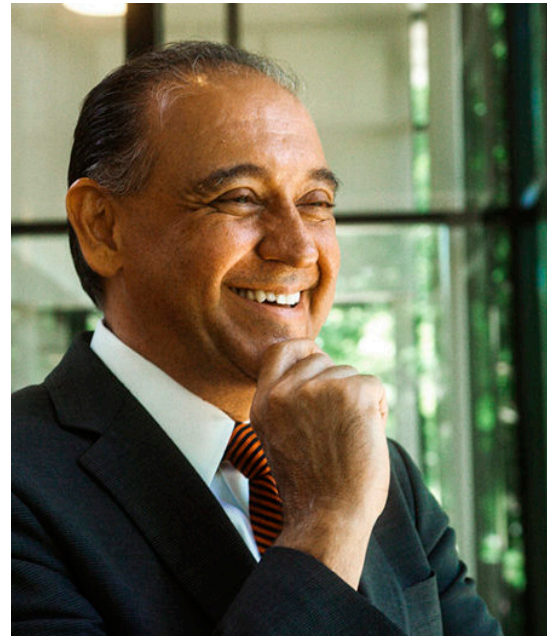
Kalamazoo College President Jorge Gonzalez explained in a letter to the college community on November 30, 2023, the decision not to take a position on who was right or wrong in the violence:

"In the past several weeks, I have received many conflicting heartfelt requests from members of our community calling on the College to make a statement regarding the horrifying conflict happening in the Middle East. Some are dismayed by the institution's silence, and I want to take a moment to explain why we do not take an institutional position on this, or any other, geopolitical event. Despite the growing expectation that colleges and universities take stands and choose sides in global matters. Kalamazoo College is, by its very nature, not a monolith, but a collection of individuals from across the country and around the globe. On

Jorge Gonzalez, President of Kalamazoo College

geopolitical matters, it would be disingenuous to presume that the president or the administration of the College can speak to the beliefs and ideologies of every person on our campus and in our extended community. And with so much conflict and tragic loss of life occurring in areas all over the world, we could not possibly touch on them all, nor can we choose to speak out on some and ignore others. Our focus is on the campus community, where we can have the greatest and most meaningful effect — ensuring that our students, faculty and staff who are affected by the tragedies around the world receive support and care. It is also critical to uphold our educational mission, which values academic freedom and freedom of speech in the context of a diverse and complex world. Additionally, we emphasize that our beliefs — however deeply held, however strongly advocated — should never manifest as violence or harassment toward people of differing perspectives or identities..."[30]

Should the statement mention the demands that advocates have put forward?

Demands, such as firing someone, taking a side, re-naming a building, or selling endowment investments, often emerge in conflicts, sometimes through shouted slogans. In general, statements that focus on each group's concerns and interests, rather than their demands, frame the situation toward more realistic goals for discussions. At times, though, the demands are worth mentioning in early leadership communications before they gain broader support (and become part of rhyming chants), because the university simply cannot say "yes" to the demands and most students would understand

such an explanation, if expressed early in a conflict. The aforementioned statements from Provost Robel and President Gonzalez illustrate effective handling of such situations. Both Provost Robel, who faced demands to fire a professor, and President Gonzalez, who faced competing student demands to take a stand in a conflict, mentioned these demands and why they would not be granted. They then moved in their statements to students' underlying concerns and interests (grading fairness, protection from harassment, not having others' views announced by their college, safety) and explained early approaches for dealing with those concerns and interests.

What about fear that advocates will latch on to a few words in a campus leader's statement as a basis for attracting support for their cause?

Especially when emotions are raw, it may be worthwhile to ask an expert in the underlying conflict to review your potential communications and alert you to words that will lead some students to conclude that you have taken a side in the conflict, even if that was not your intent. Thus, in the midst of violence in Israel and Gaza, words such as "occupation" or "oppressor," for example, might be interpreted as mis-identifying or discounting one side.[31] But silence may be worse.

"One reason that the events since October 7 have proved so vexing for presidents is that, to an almost unprecedented extent, they have divided college communities in a way that makes it nearly impossible to comfort one group on campus without offending and inflaming another. While that might seem to be an argument for saying nothing at all, it leads sometimes to offending and inflaming everyone: It is read not as studied neutrality but as indifference."

– **Brian Rosenberg**, *President Emeritus, Macalester College* [32]

CONTENT	MESSENGERS	HOW CONVEYED

B. Trusted messengers

When some students or other campus constituencies lose trust in administrators, these leaders can penetrate the trust barriers by joining their voices with those influential with every key campus group. Hopefully, these persons will have been identified and contacted frequently as part of the assessment process discussed in Section 1.

The influencers are persons who understand a particular viewpoint and are trusted by others with similar viewpoints – not solely those who put themselves forward as leaders. Michael Moffitt, a former dean at the University of Oregon School of Law and a dispute resolution scholar, explained why using the person who claims to be the leader may not be a constructive choice:

"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."[33]

Even if more hesitant to speak along with the campus leaders during a conflict, these influencers might be willing to emphasize respect, nonviolence, and safety. A variety of approaches work: the influencers might stand with the leaders making a public statement; issue individual but consistent, reinforcing statements simultaneously or in a sequence. For example, student leaders whose organizations hold conflicting views on the current conflict might be willing to issue a joint statement condemning hate incidents and violence.

Yet another approach would be for the campus leader to quote influential speakers. For example, University of Wisconsin-Madison Chancellor Jennifer Mnookin quoted an inter-faith statement in a letter to the campus community in November 2023:

"I am writing to share what is, to my mind, an extraordinarily thoughtful statement prepared by faith-based and community leaders who are the UW-Madison Center for Interfaith Dialogue's Faith Advisory Council. In it, they name a tension we are feeling acutely on our campus right now: the responsibility to ensure the right to free speech while simultaneously acknowledging that certain forms of legally protected speech can cause significant emotional harm to the members of our community. The leaders, representing a wide range of faith traditions, urge us to 'speak freely, but with humility,' and to 'act strongly, but do no harm.' Whether or not you are a person of faith, I am grateful for this call and echo the sentiments of the message. These wise leaders remind us that 'when passionate advocacy leads people to disregard the safety... of others, free speech can cause serious harm.'"[34]

For many students, their professors are the part of the college or university they most know and trust. Section 3B discusses faculty involvement in communicating with students.

CONTENT	MESSENGERS	HOW CONVEYED

C. Modes of communication

Campus administrators are finding creative ways to break through the information fog. One illustration of reaching many people was a photo, widely published in local newspapers and on the campus website, of the Brown University president, provost, other faculty and staff, local clergy, and community members joining in a vigil organized by students, held within two weeks of the start of violence in Israel and Gaza. In the photo, participants held lit candles in the dark and were observing a moment of silent. Some news sources also reported the Brown University chaplain's statement: "There's a flame that burns in every human heart that's capable of kindling love, even in moments when hatred, fear and division feel as pervasive as they have over the past eleven days." [35]

The eye-catching photos and unusual combination of persons attending the Brown vigil also triggered broad public media coverage, another way
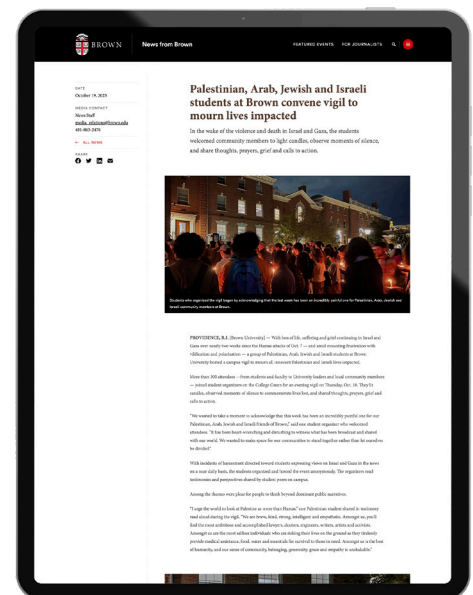
to reach the campus community. Similarly, there was broad media coverage in June 2024, when the law firm of the only Jewish member of the University of Michigan Board of Regents was vandalized with antisemitic and pro-Palestinian graffiti. The press conference featured other regents, the area's state senator, the mayor, the police chief, and the law firm's managing partner, all demonstrating by their presence the importance they gave to what occurred and condemning the graffiti attack with fervor.[36]

Parents, alumni, community members, and journalists may also represent a means for conveying messages to some students. Taking advantage of these communicators, Yale University President Peter Salovey emailed many in these groups just as students finished fall semester 2023 finals – when many students would be returning to the families and home communities. His email described the on-campus hate incidents to date, what was being done to protect freedom of expression, to support, protect, and teach students, and to promote understanding and respect.[37]

Mediators might be yet another means to communicate with those most antagonistic toward campus administrators. U.S. Community Relations Service conciliators, for example, may have trusted contacts with national leaders of campus organizations who will put them in touch with those on campus on matters of safety or may be willing to convey other information to these groups.[38]

CONCLUDING THOUGHTS

Despite the important complexities described above, promptly speaking to the campus community, and doing so frequently, remains a wise approach. Communications have the potential to calm anxieties, promote understanding among students, reinforce norms of humane treatment, communicate care when people are hurting, frame the issues for the campus, and defuse false narratives.

Campus leaders cannot safely assume that their students trust them to the same degree during a conflict and may usefully join with others in speaking. This section also highlights the dissonance between administrators who have carefully crafted the content of emails to the campus community and students who say that they have not heard from their leaders. Emails, especially long ones, may be the proverbial trees falling in an empty forest, unheard by students who gain news via their phones or social media. All of this underscores the importance of focusing not only on content but also on who issues the communication and how it is transmitted to each constituent group, including those groups that support and influence students.
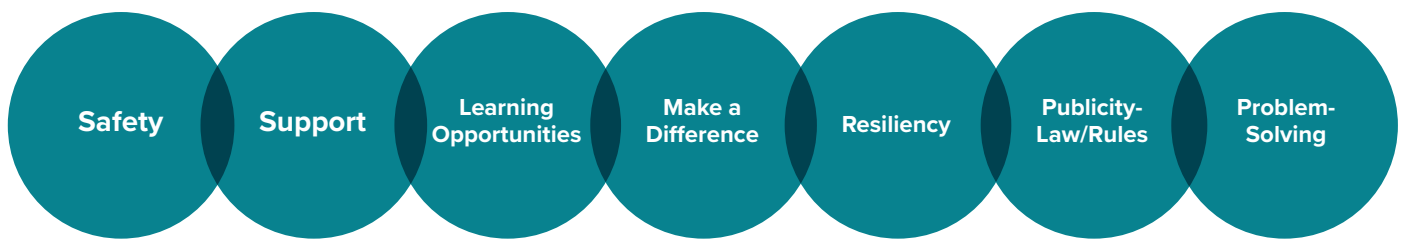
PROGRAMMATIC OPPORTUNITIES

Options to Extend Support, Learn, Span Differences, Make a Difference, Enhance Safety, Build Community Resiliency, Publicize Codes and Laws Regarding Protest and Hateful Conduct, and Engage in Problem-Solving

Polarized times open "teachable moments," just as they also ratchet up student needs and threaten trust among the campus community. Particularly if learning opportunities are offered early in a conflict, before positions harden, students may be open to gaining skills that will be of lifelong value. These include engaging in problem-solving discussions across deeply held differences, reaching out with compassion across societal fault lines, influencing others impactfully, and making contributions to their communities and beyond. They can also learn by participating with campus leaders who are working to enhance safety and build a more resilient campus community, while treating each other with respect. The challenges of quickly creating programmatic opportunities include: the large number of students to be reached; the time-consuming nature of adding courses and other activities; and, especially, the formidable task of keeping students safe when hate incidents increase. Some of the program ideas in this section can be created during a crisis, but others must be prepared ahead, ready to be implemented quickly and on a broad scale when needed.

Safety — **Support** — **Learning Opportunities** — **Make a Difference** — **Resiliency** — **Publicity-Law/Rules** — **Problem-Solving**

CHECKLIST

Form teams of decisionmakers and experts, sometimes involving students, both to prepare the following programmatic options for quick implementation when the assessment (Section 1) indicates that these fit the campus climate, emotions, and needs, and to do so with the scale required by the number of students affected by the conflict:

☐ **Safety:** Create a website dashboard for those who want to keep track of hate incidents on or near campus; facilitate phone or protected online networks among students who are fearful; organize escorts and buddy systems; and prepare contracts with additional security forces that could be signed immediately if needed.

☐ **Support:** Make suggestions to faculty, staff (including counseling staff), residence hall counselors, student leaders, faith leaders, parents of students, community groups, and the students themselves on how they might reach out to extend support to students and each other; organize vigils when students are mourning and ways to vent when angry.

☐ **Learning opportunities that span differences:** Expand options that engage students across campus divisions as they learn, including: facilitated dialogues – sometimes about issues other than those that are dividing the campus – to model these skills and draw students out of isolation produced by divisions; short courses or workshops on difficult conversations or promoting dialogue during protests. Arrange these so that they can be layered onto a student's existing course schedule.

☐ **Opportunities to make a difference:** Based on students' goals, organize options for preparing humanitarian aid; participate in campus de-escalation teams; get their viewpoints out through podcasts and other means; and identify community groups offering student opportunities.

☐ **Community resiliency:** Deepen the assessment teams (Section 1) so that students see quick responses to their concerns and goals; articulate and model a campus spirit (joint aspirations) that resonates as unique to your campus, crosses lines of division, and provides a reason to treat others well, even if they share different views.

☐ **Publicity for rules and laws:** Enhance publicity (beyond a website) to help students understand what they and other students are permitted to do under the law and student codes, what they are not, and the range of consequences for violations; let them know the range of places to report hate incidents and opportunities for support if they have been victims (discussed in Section 4).

☐ **Problem-solving:** Consult with a mediator or U.S. Community Relations Service conciliator when divisive issues are threatened, with an eye to preparing for or beginning problem-solving conversations with or among those on different sides of the divides and engaging with students who are unwilling to talk with staff in the assessment team (Section 1).

WHY IT MATTERS

Well-crafted leadership statements with references to counseling resources and safe spaces can help reassure students they are valued, convey accurate and correct inaccurate information, reaffirm university values, and reduce feelings of isolation. These measures may be enough in some situations, even though they were not sufficient on many campuses during the 2023-24 academic year. Nationally, most students said their university or college leaders were not doing enough to support them, and one in five students were afraid for their personal safety, as mentioned above.[39] Between October 7, 2023, and May 19, 2024, 69 discrimination or harassment complaints were filed with the U.S. Department of Education Office of Civil Rights against universities and colleges. That office emphasized in a May 2024 "Dear Colleague" letter that more than speaking out may be required after the Department's threshold requirements regarding harassing or discriminatory acts or speech have been met. Otherwise, a public institution or one receiving federal funds may not meet its duty to "promptly and effectively [take] steps reasonably calculated to end the harassment, eliminate its effects, and prevent it from recurring."[40] These polarized times seem a moment to expand what is done programmatically for students — vastly.

For those considering programmatic changes, the last few years offer promising ideas. Campus administrators have responded to safety concerns, created options for students who follow the news and want to "do something," added classes to enhance difficult conversations skills, and more. Some of these options take time to create — thus, the importance of doing so before a divisive event so that they are ready for quick implementation on a broad enough scale to meet the moment.

SUGGESTIONS AND RESOURCES

A. Safety

Fear of being targeted for perceived heritage or viewpoint is a high priority for campus leaders. It also must be a priority for public universities and colleges and those institutions receiving federal funds.[41]

Unnecessary anxiety is perhaps the easiest to address. Anxiety about personal safety can interfere with students' engagement with classes and activities. It can trigger mental health issues.

Constant messaging by campus leaders, such as President Salovey's in Section 2, can be reassuring and calming, particularly if followed by updates on any incidents posing a threat and their later outcomes.

It may help, as well, to reach out to those who might affect students' anxiety levels. Frequent messaging to parents of students, students' faith leaders, their professors, and others they trust about the status of students' safety can inform these persons who care about students. They, in turn, can help ground students. A well-publicized and populated campus hate incident web dashboard can augment this outreach -- providing a credible database that supplants rumors regarding the frequency and type of targeting incidents.

Perhaps the thorniest dilemmas related to student anxiety are the protestors' chants and signs, often repeated by rote because they are short and rhyming. They may be protected by the First Amendment and yet understood by some to threaten their safety. Though leaders can explain the impact and condemn them (Section 2) and create perimeters to protect passersby from being near the chanters (Section 4), that may not be enough to quiet anxieties.

People may react with less anxiety if campus leaders let them know ahead of time of possible scenarios and that they have plans for managing them. For example, the University of California, Los Angeles, posted the following warning and yet reassuring note on the information page for students and others coming to commencement in June, 2024:

> "UCLA, like many other universities across the country, has been the site of political demonstrations this spring. Visitors may encounter protest activity on our campus during commencement weekend. While we are putting in place additional security measures to ensure commencement ceremonies proceed, it is also possible that there will be demonstrations during the events themselves.
>
> "If minor disruptions during ceremonies occur, our commencement speakers and leadership will approach them with patience, and we ask that you do the same. In the event of any significant interruptions, we will take appropriate action to de-escalate the situation to protect the safety of all attendees and allow the event to move forward."[42]

If students' fears are realistic, safety itself must be addressed. Perpetrators may be from off campus, so joint community and campus law enforcement can contribute. One easy option may be focusing attention on keeping passersby away from demonstrations and those exiting from them, situations in which speakers may have elevated the crowd's negative emotions. Another may be to guard symbols of a targeted group, such as frequent gathering places for that identity group. In addition, access to classroom buildings, dorms, student unions and gyms, and campus events can be temporarily limited to those with campus identification. Reminding the campus community to report suspicions to the campus safety or threat assessment team is also easily done and may help.[43]

Establishing a visible campus police presence augmented by private or city police forces can have both positive and negative effects, with the balance depending on the situation, the preparation, and campus. To contribute to safety by bringing in more police, it may be necessary to work ahead of a crisis. For students whose backgrounds lead to positive associations with police, augmented police presence will feel positive and may well contribute to safety. For those whose formative experiences lead them to be skeptical of police impartiality, it may be advisable to arrange for persons trusted by each student group to discuss the matter with them and then decide whether it is worth bringing them in. In 2020, a number of universities faced protests regarding either campus police protocols and practices or the use of city police on campus, thus contributing new potential causes for students to feel unsafe.[44] In the 2024 encampment demonstrations, the majority of instances of violence or property destruction occurred after police intervened.[45] The use of private security forces may create yet other conflicts with students, unless those personnel are prepared on the unusual aspects of the campus milieu – another reason to prepare before a crisis.[46]

A safety approach that can be quickly implemented is a phone chain or closed online site among members of an identity group. Members can use it to inform one another of threats that might be a reason to stay in rooms and apartments, avoid particular areas, or seek an escort at particular times. The Community Relations Service helped to organize a phone chain to provide security to Asian American elders who were frequently targets of hate events in community settings during the hate spike that occurred during the COVID pandemic. Students already familiar with that effort readily incorporated the system through various identity organizations on campuses. Participants were often grateful for the opportunity to help others in their identity group remain safe.[47] A regional director for Community Relations Service during the 2020 pandemic period, Ron Wakabayashi, recalled:
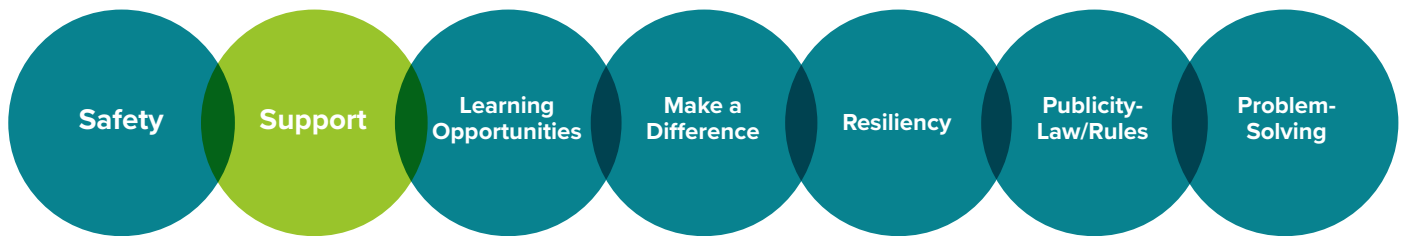
"This served as important rumor control as well. Any incident that had any possible bias motive raised anxiety. There was more bad information than good. For example, some fire incidents that raised concern about bias motive were homeless related rather than hate related."

Using programming to divert students who might otherwise get involved in high-tension counter-protests can also contribute to safety. When freedom of speech rights made it impossible for Texas A & M University to prevent white nationalist Richard Spencer from speaking on campus in 2016, the University announced an "Aggies United" counter event, scheduled at the same time and in the stadium across from the student union where Spencer was speaking. The well-attended Aggies United event included free t-shirts, big name musicians, a string quartet, and an "expression wall" that event attendees could draw and express their opinions. The result was an evening that reinforced inclusion values which Aggies could broadly embrace.[48]

Ron Wakabayashi, Former Regional director for Community Relations Service

Over the long term, cultivating a campus culture of care and respect for each other, discussed in subsections B and E below, may be the best approach to keeping students safe and reducing unnecessary anxiety.

Safety	Support	Learning Opportunities	Make a Difference	Resiliency	Publicity-Law/Rules	Problem-Solving

B. Support

The path to providing needed support begins with the assessment of student needs (Section 1). A next step is to identify persons each group of students trusts, can provide the most meaningful support, and with whom students can be comfortable venting or mourning (e.g., their friends, professors, faith leaders, family?). Finally, there is the question of how to produce that support at a scale that may be required when, as in the 2023-24 academic year, the vast majority of students said they felt unsupported.[49] Fortunately, campus leaders have used a number of productive approaches.

Vigils, especially immediately after the violent event, such as the Brown University vigil mentioned in Section 2C, have the capacity to share sadness and comfort to each other across fault lines within the student body and with university leadership, faculty, staff, and faith leaders. It's a reminder of humanity and joint care.

To achieve broad scale effect, it would help to involve those the students see each day – their professors. Administrators can usefully prepare faculty and staff for ways that issues might play out in classrooms (taking the moment to thank and support these frontline personnel and encourage them to support each other). Faculty and staff might be willing to let students know, for example, that they care about them, even if not willing to voice support for the campus leader's full statement.

Just as with campus leaders, faculty may benefit from learning what worked and what did not work for other faculty who reached out to their students with a message. Professors may not realize that students want to talk with them about what is happening on campus. 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, given the professor's comments, fear that that professor will retaliate against them in the grading process(and perhaps demand that they be fired). Professors may call on students who already feel targeted to express an opinion about campus happenings, unwittingly making those students feel even worse. If not prepared, professors may be well-meaning but not realize how their words and actions might be perceived.

A challenge arises about how to encourage faculty support in situations in which students begin to doubt that they will be fairly graded because a professor announces a position regarding the conflict which some students have publicly opposed, forces a conversation about differences in a conflict before students are emotionally ready to listen to each other, or "spotlights" a student who shares race, ethnicity, or religion with one of the conflicting groups. An advantage of having the message sent at a small unit level is that the chair or dean is likely to know whether some faculty will be constructive. Faculty leaders might also encourage faculty discussions of what would be helpful, thus informally teaching these lessons to each other. Another option is to send a simple note of encouragement toward a particular action, communicating a message of care for students. Having a message issued by someone who does not set salaries or providing a reference to a teaching resource that includes, among other matters, an explanation about what can cause additional problems, may be sufficient. In an illustration of combining some of these approaches, Ohio State University Associate Law Dean for Inclusive Excellence Kathy Northern sent the email below shortly after the Middle East violence began:

"Dear Colleagues,

As you might imagine, tensions and emotions are running high right now amongst the student body. [A number of us] have spent a great deal of time speaking with students personally impacted by this crisis. Fortunately, most of our students are dealing with the issues of the war with a great deal of compassion and empathy for one another. Unfortunately, some are not.

No matter what one's views are on the Israeli/ Palestinian conflict, I think we can all understand

Kathy Northern, The Ohio State University Moritz College of Law Associate Dean for Diversity & Inclusion

that some of our students, staff and faculty are suffering mightily. They have family and close friends who are in harm's way. They are consumed with worry, both about their loved ones and about where this war might lead. Others have expressed concerns about rising tensions related to religious identity.

Students, staff, and faculty have mentioned how much it means to them when one of their colleagues, classmates or a professor shows concern by simply asking how they are doing but noted that this seldom happens. As we return from fall break, I encourage us to lead with compassion and understanding for everyone in our Moritz community. I also suggest this [a reference to an essay that warns of common unproductive teaching approaches from the university's teaching excellence office on "Supporting Students Through Tragedy "] as a resource for those teaching or working directly with students.

Please take care,
Kathy"

Illustrating another approach, faculty might be tactfully encouraged to consider participating in workshops designed around having difficult conversations in the classroom. The John Glenn College of Public Affairs at The Ohio State University require such workshops for all graduate teaching assistants. "While faculty could be compelled to take such training, we instead explain how it can be valuable in the classroom and beyond," explained Assistant Dean Kathleen Hallihan. "Also, we will be inviting current faculty who have expertise in hosting difficult dialogues to speak to colleagues in a training setting, as well as offering trainings with flexible times and modalities. Thus far, the sessions have been met with much interest." To more formally embed and expand these practices for the upcoming election season, the Glenn College (for its Columbus campus and their Washington, D.C. office) is preparing a plan based on Sections 1 and 2 of this guide that will lay the groundwork for increased student-college communication prior to any incidents. In addition, the College is working with other university resources and experts to develop workshops regarding respectful discourse and how to have difficult conversations. Its recruitment focus will initially focus on those teaching courses in which the learning outcomes and curriculum warrant such conversations. The workshops will also be offered to students, though modified to give them an opportunity to practice as well as learn these skills.

Leaders can also encourage students to offer support to those who will especially value that sentiment – their friends. That does not always seem to happen naturally in situations in which students are in conflict with each other. They may dread a situation in which they might face an argument or an unwanted request to sign a petition. The Divided Community Project worked with a group of law students studying negotiation to create a relatable checklist, set out below, which offers ideas for extending support to friends while avoiding the dreaded arguments.[51] To help students imagine themselves using the checklist, the Project also made a five-minute video of a student using this checklist as she went about her day; this video is available for instructional purposes through the project's director.[52]

EXTENDING SUPPORT TO OTHER STUDENTS DURING DIVISIVE EVENTS: A FEW IDEAS

Transformative events affect us deeply, yet unevenly. Whether it is a brief interaction in a class or student club meeting or when passing one another in the hallway, you can reach out to support a friend - even when your views differ from theirs. Here are some ideas to show support in brief one-on-one talks.

- [ ] **Think before you talk and then talk like a real person.** Remind yourself that the purpose for reaching out is to show support and empathy.

- [ ] **Be genuine when connecting with other students.** Let them know you value them as a person. There are no magic words; just be yourself when you reach out to check in. Acknowledge the situation and be supportive. ("I know there's lots going on. It's tough watching the news. How are you doing?")

- [ ] **Show that you hear them without judging or entering into an argument.** ("I think I hear not only your sadness and concerns about the thousands of innocent lives lost but also apprehension about what happens next." "So, with your connections to the region, you are feeling this with even more depth and urgency.") If they try to persuade you to agree with their position, let them know that you're focused on being a friend. ("There are some important arguments going on, but mostly I'm wondering how you're doing in the midst of this awfulness.")

- [ ] **If they are grieving a personal loss, express empathy.** ("How are you feeling?" "Losing a loved one is unimaginable. I am sorry for your loss. I am here if you want to talk.") Sometimes you can let them know you care by just sitting with them for a while without saying anything.

- [ ] **If they express concern about their safety or well-being**, offer to help locate and make an appointment with safety resources, counselors, those who will help them report, or other professionals on campus. You might ask about their confidence or trust in available resources.

- [ ] **Think about ways to conclude the conversation.** Try to end on a positive note. Allow them to preserve self-esteem and leave them with the sense that you value them and want to be supportive in a difficult time. End the conversation after checking in, or, regrettably, if the discussion turns argumentative. ("Let's stay in touch." "Thanks for talking. This is a tough time.")

- [ ] **Reaching out matters even if they are not interested.** The other person may not want to talk now, or at all. Respect their answer if they are not interested. ("I understand. If you want to talk later, let me know.")

  This checklist is for a student reaching out to another student. It might be useful for faculty and staff reaching out to support each other as well.

| Safety | Support | Learning Opportunities | Make a Difference | Resiliency | Publicity-Law/Rules | Problem-Solving |

C. Learning Opportunities that Span Differences

Even when students are too angry to listen to opposing views or discuss matters respectfully with one another about the conflict then brewing, this may be a teaching moment for strengthening skills that students could use immediately and that would help them in the long-term; skills courses might address difficult conversations, conflict on social media, facilitating potential contentious meetings, engaging polarized groups, and holding deliberative dialogue on policy issues. Students may also be interested in more theoretical courses during a conflict, such as constitutional freedoms of expression or civil rights laws on harassment.

To be ready to offer such courses in large enough numbers to meet the interest a conflict creates, a few strategies, based on the implementation of such a course series at Ohio State University in 2022, might help to offer the courses within a couple of weeks after the conflict arises:

- Complete course approvals before a conflict arises.
- Keep course enrollments small enough to permit skills practicing or, in the case of theoretical courses engaged in discussion – perhaps 20 students.
- Make most courses a one credit hour offering, taught over a shorter length than an entire semester, so that students can add them immediately to an existing course schedule.
- Employ adjunct faculty, assisted on technology by a student teaching assistant, so that immediate implementation does not create faculty overloads. Find out potential adjuncts' interest and gain approval of their appointment to teach, with the timing for the course yet to be negotiated. Offer them an existing syllabus to facilitate their writing their own syllabi.
- Open the courses to students studying in every academic unit of the campus, perhaps gearing one set to undergraduates and another to graduate-level students.
- Fund centrally the adjuncts' stipend and a teaching assistant for each, as students will be admitted in the courses from throughout the university.
- Ask willing departments/colleges to approve and administer the courses.

Consider both credit and non-credit learning opportunities.

Augmenting credit opportunities with non-credit learning opportunities will help to scale up student involvement in learning, as well as bring isolated students into discussions with each other. Illustrations include:

- Shortened versions of the credit-bearing courses that could be offered during new student orientation or through residence hall counselors. Single hour presentations might include the "support for a friend" video, checklist, and discussion, referenced above. When students are ready to listen to their friends' opposing viewpoints, there is another free video, facilitator's guide, and checklist on discussing fraught topics with friends, available to campus personnel.[54]
- Panel discussions related to the pending conflict that include faculty who express differing views, yet respect each other; such events occurred at Elon University in October 2023.[55] Harvard University began January 2024 with a forum on free expression and a panel discussion among chaplains with different faiths.
- Facilitated conversations, including deliberative democracy approaches, among students on contested policy issues unrelated to the current campus conflict, thereby helping students learn to be knowledgeable, respectful, and willing to learn, while still engaging in passionate advocacy.[56]
- "Events marshals" training in conflict areas, an initiative developed by the Community Relations Service, in which pairs representing both sides in a conflict learn to use their differences to strengthen their effectiveness in de escalating potentially violent situations at demonstrations and elsewhere.[57] The Bridging Divides Institute at Princeton University posted a state-by-state guide to those offering de-escalation training and by-stander intervention guidance.[58]
- The Center for Ethics and Human Values, Civil Discourse for Citizenship initiative, at The Ohio State University, placed online a free, online course for students who want to learn the basics of conducting productive dialogue on policy issues.[59]
- Student organizations, such as BridgeUSA, helped campus chapter members learn how to promote dialogue across differences and use storytelling to exchange with each other the formative experiences in their lives.[60]
- Kenyon College's Ombuds developed learning opportunities for those requesting them. For example, the Ombuds staff offers a short workshop on facilitating group dialogue, basic mediation techniques, dealing with difficult colleagues, having hard conversations, collaborative problem solving, active listening, and de-escalating tense situations.[61] In addition, the Ombuds website offers "two-minute tips" -- checklists and phrases that might help on a number of these topics.[62]

| Safety | Support | Learning Opportunities | Make a Difference | Resiliency | Publicity-Law/Rules | Problem-Solving |
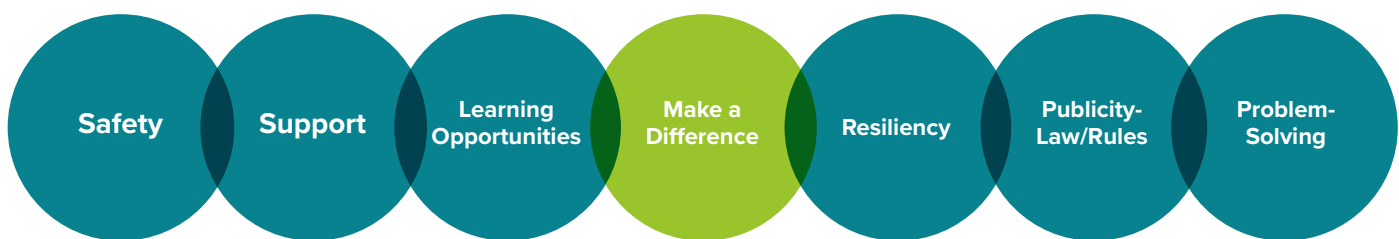
D. Opportunities to Make a Difference

Students confronting a divisive situation may want to make a difference – to provide humanitarian assistance, to advocate for a change in policy, to gain attention for a cause, or to help friends who are anxious. If they want to "do something," going to the streets may constitute visible, public action to advance their goals, but it may also, in part, reflect frustration that they can do nothing else to help.

Offering these options may be as simple as watching for opportunities for students to be constructive. To illustrate, 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, both the interim

president and student life vice president issued statements condemning the act and suggesting what the community could do. For example, the student life vice president said:

> "As Baylor Bears, it is our responsibility to care for and treat each other with love, compassion and dignity. Any behavior short of this demands our full attention so that we can hold each other accountable while seeking to reconcile and restore damaged relationships."[63]

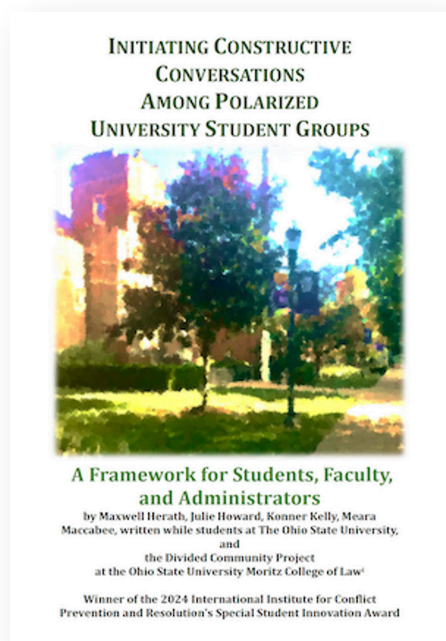*Photo, Baylor Lariat, November 11, 2016*

The interim president and 350 Baylor faculty, staff, and students surprised the targeted student by showing up to walk her to class. The Waco Tribune-Herald quoted the student (front row, second from the right, above), as saying that she knew that things like that would not happen again on campus because there were so many people who wouldn't stand for it.[64]

Options may also be created by facilitating student ideas. For example, Harvard professors provided independent study credit for the student who helped create a website of videos by students about what made them feel excluded, entitled "I, too, am Harvard."[65] Ohio State University students received an hour of credit for writing together a publication on a framework that they used to reduce the bitterness between two polarized student organizations.[66]

Students may welcome the opportunity to join faculty and staff as they try to make a difference. The University of Mississippi trained a group of faculty and staff to act as ambassadors at demonstrations. Termed FAST (First Amendment Support Team), the group will include graduate students in the 2024-25 academic year, giving them the opportunity to work alongside faculty, staff, and leaders such as the Assistant Vice Chancellor for Student Affairs/Dean of Students and the Director of the Ole Miss Student Union.[67]

INITIATING CONSTRUCTIVE CONVERSATIONS AMONG POLARIZED UNIVERSITY STUDENT GROUPS

A Framework for Students, Faculty, and Administrators
by Maxwell Herath, Julie Howard, Konner Kelly, Meara Maccabee, written while students at The Ohio State University, and the Divided Community Project at the Ohio State University Moritz College of Law¹

Winner of the 2024 International Institute for Conflict Prevention and Resolution's Special Student Innovation Award

A Framework for Students, Faculty, and Administrators

| Safety | Support | Learning Opportunities | Make a Difference | Resiliency | Publicity-Law/Rules | Problem-Solving |

E. Community Resiliency

Some campus leaders have worked to cultivate students' pride in the ability to have respectful and peaceful disagreement. In February, 2024, before encampments introduced new challenges, University of Delaware President Dennis Assanis said:

> "It's probably the toughest moment we've lived through during my presidency. But I have to tell you that our community has shown unusual civility and respect. We can have the difficult conversations and dialogue. People have demonstrated in very peaceful protests. Both sides, everybody, has been civil. No fist fighting. People have taken this as an opportunity to learn."[68]

Another approach to enhance community resiliency might be to articulate the campus's shared values and aspirations. Research internationally suggests that a community that has strong shared values or aspirations will be more resilient in the face of national divisions.[69] The effort to identify or build this foundation includes a recognition, particularly with respect to goals related to inclusion, that in many cases the community has not realized its aspirations, and an appreciation for the fact that the failure to meet these goals inflicts pain for some parts of the campus community

more than others. Here are some criteria for each value or aspiration to be considered when articulating your campus' spirit:
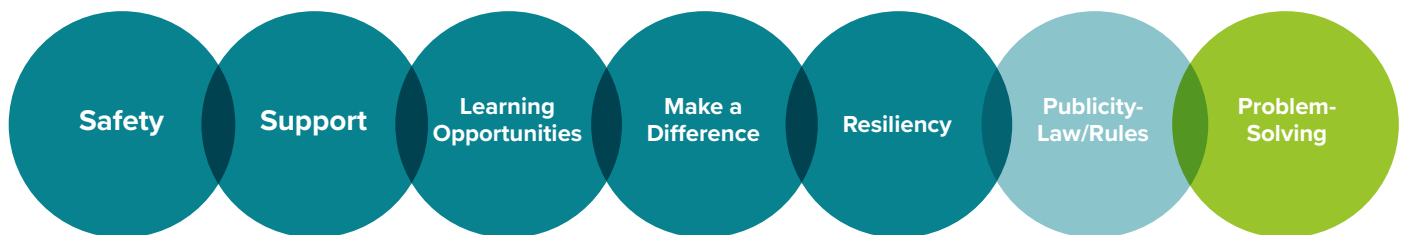
- Will it be deeply valued across societal and political divisions and by the vast majority of students, faculty, and staff?
- Is it directed toward reducing the campus community's current challenges – especially polarization and alienation?
- Is it special for your campus – emerging from its history, experiences, geography, and traditions?
- Is it bent toward a sense of optimism, hope, and aspiration, while recognizing that the campus community has sometimes fallen short in realizing the values that it embodies?
- Does it confer a sense of belonging to the community?
- Does it feel natural and authentic?[70]

To illustrate, Kenyon College charged a committee of faculty, staff, and students to draft a statement of mission. The faculty, board of trustees, student council, and campus senate endorsed it. It speaks of "engaging a wide range of viewpoints," embracing "diverse cultures and identities," and "fostering a... sense of belonging." It emphasizes "kindness, respect, and integrity":

"We treat one another with respect and kindness, speaking with sincerity and acting with integrity, for we recognize the fundamental dignity of all. This unifies us across our backgrounds, identities, and positions. Practicing these challenging ideals connects us to the best parts of what makes us human. We support a culture in which we contribute to the well-being of others while we also care for ourselves."[71]

Kenyon College in Gambier, Ohio.

Safety | Support | Learning Opportunities | Make a Difference | Resiliency | Publicity-Law/Rules | Problem-Solving

F. Publicity for Laws and Rules and Problem-Solving

Involving students in promoting understanding of the opportunities and limits, as well as problem-solving opportunities, can give them a chance to contribute and also serve a protective function. Creating publicity can offer lessons in administrative process, freedom of expression, and criminal law. That publicity, discussed more in Point 4 of Section 4, also helps students understand the limits of the problem-solving discussions.

Students can also contribute by learning to offer a problem-solving approach to the campus issues. First, a caveat. Students do not always seek to solve the problems that they raise with campus administration, perhaps instead seeking to attract large crowds that will focus national attention on their viewpoint concerning U.S. or other policy. But even in such situations, negotiations and other problem-solving approaches can be useful if they center around safety or

alternate locations for protests. Settlements in the 2024 campus encampments that focused primarily on safety and inclusion in university processes paved the way to resolve safety issues without arrests on a number of campuses.[72] The policy debate about settling with protesters is discussed in Section 5.

At other times, the primary aim for protest is change within the university or college. The assessment protocol discussed in Section 1 may create the listening opportunities for staff to help identify problem-solving opportunities for students to achieve their goals. An administrator related how listening created such an opportunity in 2020:

> "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 had 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."

> – **MOLLY PEIRANO**, *Assistant Vice President for Civil Rights and Title IX at the University of South Carolina, recalling an incident when with the Ohio State University Office of Institutional Equity*

Engaging a mediator who is experienced in dealing with community-wide conflict may help students learn a problem-solving approach as the mediator also helps them resolve their differences. 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 various interested groups. 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 decipher who should be involved 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. The U.S. Justice Department's Community Relations Service provides free mediation expeditiously and advises on local mediators who can work over the longer term. As illustrated in the story below, a co-mediator trusted by students may contribute to engaging students even if not experienced in mediation.

In 1996, Columbia University leaders were at a stalemate with student protesters who had taken over a university building with demands for a new department in ethnic studies. Adding urgency, several students had been on a hunger strike for over a week and their health would soon be at risk. University leaders asked law professor Carol Liebman, a scholar and practitioner in mediation, to mediate between the administration and students. She and a colleague whom the protesting students knew held some joint sessions with representatives of university leadership and students and also shuttled between the groups, helping administrators understand the underlying concerns that led students to the positions they had announced and explaining to students the university's processes and concerns about creating a new department. The 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. They provided meals. After five days, they reached a resolution that achieved the change most deeply valued, saved the health of the striking students, and averted the convictions and potential injuries that might have occurred if law enforcement officials had cleared the building.[73]

CONCLUDING THOUGHTS

Divisions affecting students deeply call for creative, well-organized, and extensive attention to and engagement by their leaders. "Here are our counseling and inclusions resources and how to contact campus police" will be insufficient for these campus dynamics. By answering the call to do more, leaders can take advantage of their intense interests in a conflict to help students learn skills and gain understandings that will contribute to their educational and lived success. Leaders can encourage activities that bring students together across their differences, thereby countering a tendency to isolate by viewpoint or develop a view of those who disagree as the "other."

They can enhance safety, reduce unfounded anxiety, and guide students on ways to express their views without violating laws and student codes. They can offer options that meet students' desire to "do something" so that they learn positive ways to persuade others, solve problems, and achieve the change they seek.

SECTION 4
CROWD AND HATE EVENTS
Campus-Law Enforcement Coordination

Planning jointly with law enforcement can improve approaches to large-scale protests and hate incidents. Experience indicates that multiple law enforcement agencies might become involved in a worst-case scenario, so including all of them in the planning makes sense. On the campus side, all crisis decision-makers can usefully join, as well as those with needed expertise in such matters as communications, student affairs and mediation. If initiated before a crisis, planning can be contingent and focused on each likely crowd or hate situation, type of crowd dynamics, range of goals among participants, and likelihood of violence.

A key meeting outcome can be plans for an emergency operations center that would include campus administrators with law enforcement and, potentially, persons trusted by protestors as well as experts such as mediators, all of whom could be in communication with officers and others onsite at the event. Other significant meeting outcomes can be shared understandings of the circumstances that warrant arrests and use of force, the alternatives to arrest and forceful clearing of space, and the approaches to each that will be employed and by which officers.

CHECKLIST

Regarding large crowd events, plan ahead with law enforcement to:

- [ ] **Predict likely crowd scenarios**, such as disrupting football games, new student orientation, or political candidate speeches, or initiating encampments, instigating sit-ins, or engaging in acts of property destruction, violence, or traffic blockage, thereby enabling you to develop contingent plans on the points below for each scenario.
- [ ] **Reach out** to event organizers and influencers, coordinating with them and sharing information.
- [ ] **Review policies covering these likely scenarios**, amending policies as needed through regular and open processes before the events occur.
- [ ] **Publicize** with students, faculty, and staff, as well as members of the community, about what is permitted and prohibited in these likely scenarios, doing so both before and during events.
- [ ] **Establish an Emergency Operations Center** to coordinate during the event, deciding on Center participants and the procedures for staying in touch with those at the event, in the communications room, and additional safety resources.
- [ ] **Assess the crowd during the event,** conveying information to the Emergency Operations Center about changes in feelings among those involved in the event and in the surrounding area, and identifying, where necessary, those who threaten safety as perpetrators and their potential victims.
- [ ] **Manage counterprotests and activists for other causes** seeking to take advantage of the media coverage of a protest by planning to separate them yet treat those on each side on an issue in similar ways.
- [ ] **Minimize the chances of violence during the event** through location preparation, dialogues regarding safety before and during events, and a list of alternative actions to pursue before making arrests.
- [ ] **Create protocols (an "incident action plans")** for deciding when and how to forcibly clear a space or make arrests.
- [ ] **Provide for crowd disbursement** when the number of participants and the intensity of the emotions may peak.
- [ ] **Communicate immediately after the event** to the campus community and public through multiple trusted voices and forms of media, giving an accurate narrative of the event before inaccurate accounts take hold and reaffirming free expression and university values of respect and peaceful means of protest.

☐ **Practice what is planned** through several brief scenarios or tabletop simulations.

☐ **Announce an after-action analysis**, treating this as a routine process for large-scale protest events so allowing learning from the experience.

Regarding hate incidents, plan ahead with law enforcement to:

☐ **Predict likely hate incidents**, watching for disparagement of particular groups by influential persons; a desire to hurt someone related to an event elsewhere, such as violence abroad; anger about immigration; or any increases reported in hate incidents against a particular group of people.

☐ **Develop plans to minimize the chances** that these potential scenarios occur, including the programmatic options discussed in Section 3, communications options for warning about and condemning hate perpetrators discussed in Section 2, and expanded safety precautions.

☐ **Decide who should receive training** to identify, increase reporting, prosecute, discipline, speak against perpetrators, and/or support those reporting incidents, even if no prosecution or student discipline will occur.

☐ **Create campus and law enforcement communication strategies** for informing potential victims where to report, how to learn about incidents, how to remain safe, and how to find support.

WHY IT MATTERS

Two campus events – large-scale demonstrations and hate incidents – pose significant challenges and require campus leaders and a variety of law enforcement agencies to respond quickly and often without advance notice. To illustrate how quickly things can change, according to Princeton University's Bridging Divides Initiative, 1,150 campus encampment protests related to Middle East violence occurred between April 18, 2024, when police arrested over 100 encampment protestors at Columbia University, and May 12, 2024,[74] The rate at which encampment protests occurred in the week following the Columbia arrests was twice that of any Middle East-related demonstrations (usually a standing crowd protest) during the most active week prior to that time.[75] Hate incidents can also increase quickly. For example, incidents targeting persons the attackers perceived to be Jewish and Muslim students spiked quickly after the October 7, 2023, attack. Within a few months, the majority of students with those identifications feared for their physical safety.[76]

By planning, campus and law enforcement can be their best in a crisis and prepare the broader community to understand their approaches. A structured and practiced plan could allow them to project a positive tone together – an expectation that students will act safely when they demonstrate and will show respect for students with whom they disagree – and to explain how that can be accomplished. This is usually not an unfounded expectation; in fact, in 95 percent of the 2024 encampments just mentioned, protestors were not violent or destructive of property.[77] In addition, the involvement of campus leadership will allow thoughtful alternatives regarding safe locations, routes to leaving, reaching key students, and more.

Communicating with students, faculty, staff, alumni, parents, and local political figures about the joint plan – under what circumstances law enforcement might come to campus, what campus leaders and law enforcement might do, and why – can anticipate and seek to avert the "no-win" situation that has been noted as long as 50 years ago and repeated in 2023-24.[78] Absent announced plans, political figures can persuasively portray a disorganized campus administration that has lost control. Not knowing the plan that will be employed regardless of the cause espoused, students can persuade fellow students that the administration buckled to public pressure to crack down and had "turned the students over" to police. Thus, students who had not demonstrated over the original issue will then demonstrate

against the administration in solidarity with fellow students. This is what occurred when students across the nation learned of dozens of students arrested at Columbia University.

The planning can also reduce the chances of violence by constituting an Emergency Operation Center (EOC) that includes campus leaders, leaders of all involved law enforcement agencies, and others. The absence of sufficient joint preparation and establishment of joint command posts or an EOC has been cited in the "after action" analysis of the 2017 "Unite the Right" University of Virginia/Charlottesville march as a likely contributing factor in the violence,[79] whereas joint planning and command is thought to have averted injuries that year in another white nationalist/counter-protest event at the University of Florida.[80]

These discussions can enable the campus leadership and law enforcement personnel to discuss the pros and cons in advance and align their goals and views on how to accomplish them, especially for the pivotal decisions about when and how to clear a space and arrest. They can develop a communication process about their plans for students, faculty, and the broader community. As noted in the first paragraph, the experience of spring, 2024 indicates that students tend to blame campus leaders whenever they feel that they or fellow students have been "turned over" to police for what they view as peacefully demonstrating. In solidarity, they turn out to protest in larger numbers. Faculty, too, tend to object when dialogue processes are not used first in peaceful situations.[81] The community beyond the campus tends to lack much sympathy with protestors and prefers order on campus[82] and debate whether campus leaders should ever negotiate with protestors.[83] Going back five decades, a Presidential Commission urged caution in this situation. The Report of the Presidential Commission on Campus Unrest of 1970 (the "Scranton Commission"), in perhaps its most significant criticism of university event responses to the Vietnam War and civil rights demonstrations, cited the failure of university leadership to pursue campus management options before asking campus police or off campus law enforcement to terminate or move disruptive but peaceful events.[84]

Coordination among law enforcement agencies is also of crucial importance, thus the reason to include at the planning meeting all agencies that might be involved in a worst-case scenario. Involvements of law enforcement agencies beyond city and campus police (which often already have a mutual aid agreement) occurred in spring, 2024. When leaders on at least three campuses called in city police to clear campus encampments, the municipal police refused to comply initially, explaining that they preferred a different approach. Those unexpected rejections can lead to last minute calls to other police forces.[85]

Illustrating a joint planning approach, the University of Oregon's Emergency Management program formed a multi-department advisory group in 2008, to advise on emergency response plans and procedures. Since then, the group has grown into an Incident Management Team (IMT). The UO's All-Hazard IMT is a group of trained individuals from across campus that is tasked with managing the logistical, fiscal, planning, operational, safety, and campus issues related to all incidents/emergencies. The IMT is led by the division of Safety and Risk Services and includes university security and police, who liaison and coordinate with local law enforcement, as well as representatives from across the university, including: student life, housing, communications, provost's office, recreation center, business affairs, facilities, and many others.[86]

The University of Oregon IMT meets regularly to anticipate sources of conflict, develop contingency plans, and engages in tabletop simulations to identify additional preparation needs. Leaders of the IMT brief university leadership on the situation and bring forth policy questions for consideration (e.g., arrest thresholds). Additionally, IMT leaders identify who will be in the Emergency Operations Center during a large-scale demonstration. Krista Dillon, Chief of Staff, Safety and Risk Services for the University, explains why they have continued this approach over the years:

Krista Dillon, Chief of Staff, Safety and Risk Services for the University of Oregon IMT.

"Having a trained team with specific roles and responsibilities has been a tremendous resource at the University of Oregon and makes us nimble and able to quickly respond to any type of incident on our campus. The multi-disciplinary team approach provides opportunities for participants to bring their diverse viewpoints, experience, and connections from across campus which results in plans that better meet the needs of our campus community."

AGENDA IDEAS FOR A JOINT CAMPUS-LAWENFORMENT LEADERS MEETING

The agenda ideas are offered with the understanding that those planning a joint meeting between campus and law enforcement leaders will modify the agenda to fit the size of their institutions, the preparation that has already occurred, and their projections for challenging events. It assumes the involvement in the planning of the campus president and cabinet and leaders of all law enforcement agencies that might become involved in a worst-case scenario.

Large-scale crowd protests – potential agenda items

1. Predict likely crowd scenarios, thereby enabling you to develop contingent plans on the points below for each scenario. For example, might groups seek to disrupt events, such as football games, new student orientation, or political candidate speeches? What is occurring on other campuses?

In advance of the planning meeting, one person can be designated to circulate to meeting participants the most recent findings from the campus's assessment protocol (Section 1) and media reports of recent disruptions on other campuses and in other cities. Meeting participants can then list potential issues and likely strategies that might be employed to protest or to stimulate hate incidents. Inviting a U.S. Department of Justice Community Relations conciliator can provide a national perspective on likely scenarios. The list resulting from this brief discussion can be a reference point for each of the remaining agenda items.

2. Reach out to event organizers and influencers, listening, coordinating with them, and sharing information. This is an opportunity to set a collaborative tone in campus leadership and law enforcement's relationship with event organizers and related student leaders that may translate into positive relationships during and after the event. The overall purpose is to communicate how campus safety/police and law enforcement presence helps to keep them safe as they exercise their First Amendment rights and to be sure that they understand what they can and cannot

do without repercussions under campus policies and the law. Reaching out can also be an opportunity to help event organizers execute the permit process (if applicable); address safety matters; designate areas for speech and public safety access/medical emergency, media, etc.; and establish points of contact to reach one another before and during the event. The result may be gaining a strengthened understanding of the organizers' event goals and affirming mutual support and practical plans for the lawful exercise of First Amendment rights. The agenda points below list additional matters to raise with organizers and leaders regarding potential for counterprotests, protest disbursement, communications during an event, and concerns about violence. Reaching out early on these key points matters. As demonstrators become more antagonistic over time toward campus leaders, the demonstrators may refuse to talk with anyone outside their group.

Sub-agenda Items:
- Who will reach out to event organizers and related leaders with the above-listed goals and those in listed below, in mind (e.g., campus student affairs with advisors of student organizations and, if national groups become involved, a conciliator from the US DOJ Community Relations Service)?
- Who will watch social media over time (for smaller communities, perhaps help from a state resource; for some campuses, student affairs personal can augment what law enforcement does in watching social media) for:
    - Evolving plans for the event, including any threats of violence?
    - Various groups involved, and particularly any groups that might come in conflict with each other?
    - The goals of the various groups that are preparing to gather?
    - The types and intensities of group members' feelings?
- Who will identify potential flashpoints, such as a professor or administrator making a controversial statement or an escalation of international violence?
- Who will identify and help others spot experienced hired antagonists?
- How will this information be shared among the planning group in a timely way?

Predict Scenarios > Reach Out > **Review Policies** > Publicize Permitted/Not > Emergency Operations Center > Crowd Assessment > Counterprotests > Minimize Violence Chances > Incident Action Plans > Crowd Disbursement > Communicate After > Practice > After-Action Analysis

3. Review policies covering these likely scenarios, amending policies as needed through regular and open processes and publicize them before the events occur.

Predicting scenarios matters here. Some claims that campus leaders were not neutral during the 2024 encampments were based on their not have enforced encampment rules before or having amended them quickly without campus input right before the encampment occurred. Under what conditions will campus leaders ask law enforcement to clear encampments (such as, for example: If protestors appear bent on entering nearby buildings or causing damage? If the community has violent militia groups that might attack an encampment during the night?)? Which of these circumstances should be included in the rule and on which should the rule be silent?

Predict Scenarios > Reach Out > Review Policies > **Publicize Permitted/Not** > Emergency Operations Center > Crowd Assessment > Counterprotests > Minimize Violence Chances > Incident Action Plans > Crowd Disbursement > Communicate After > Practice > After-Action Analysis

4. Publicize with students, faculty, and staff as well as members of the community about what is permitted and prohibited in these likely scenarios, doing so both before and during events, and do not rely solely on a website that students might not consult.

Demonstrators, especially students, may be attending their first event of this type and thus may not appreciate the parameters and potential consequences of violating event guidelines. Especially for student participants, it is unlikely they will look at a website on rules, so it is valuable to inform them in advance through multiple modes about rights and responsibilities under the student code and laws, safety advice related to the event, and the joint approach that

campus safety and off-campus law enforcement personnel will take to support the right to peacefully demonstrate while also taking responsibility for ensuring public safety.

Sub-agenda Items:
- Who will handle pre-event communications to members of the campus community (e.g., a campus team including student life, communications, security)?
- Who can reach participants during the event?

| Predict Scenarios | Reach Out | Review Policies | Publicize Permitted/Not | Emergency Operations Center | Crowd Assessment | Counterprotests | Minimize Violence Chances | Incident Action Plans | Crowd Disbursement | Communicate After | Practice | After-Action Analysis |

5. Establish an Emergency Operations Center to coordinate during the event, deciding on Center participants and the procedures for staying in touch with those at the event, in the communications room and in touch with additional safety resources.

UNIVERSITY OF OREGON INCIDENT MANAGEMENT TEAM[87]

The IMT provides the command and control infrastructure that is required to manage the logistical, fiscal, planning, operational, safety, and campus issues related to any and all incidents/emergencies. IMT is comprised of two groups: 1.) Emergecny Operations Center Team made up of the individuals who would serve as the primary Incident Commanders and Command and General Staff and 2.) Field Team made up of those individuals whose response roles are out in the field. An incident's type and size will dictate whether all or some of the IMT members are activated. Components of the tructure are activated when needed; determined by the Incident Commander or by the size, type, and complexity of the incident. All IMT members are working towards a FEMA Type 3 position specific training certification and completion of a position specific task-book. IMT meets monthly to develop plans and to train and exercise those plans.

The University of Oregon Incident Management Team, operating since 2008, can be modified to fit specific potential incidents.

Effective decision-making in these situations requires immediate and continual communication. This often requires that all key persons be present in one room or in a series of breakout rooms and be connected to a room located at the event to share instantly relevant information. Public safety agencies may be familiar with the Federal Emergency Management Agency's (FEMA's) National Incident Management System and Incident Command System, and campus leaders can review these (posted at https://www.fema.gov/emergenq'.') before the meeting.

Sub-agenda Items:
- Who will represent the college/university administration - someone who understands not only the university's values but also traffic and transportation options, communications options, legal affairs, and goals of involved student groups?
- What off-campus law enforcement agencies, such as city, county, state, or federal, and prosecutors might or must be called in a worst-case scenario and therefore should have a representative present?
- Should a conciliator from the U.S. Department of Justice Community Relations Service be present to advise on de-escalation methods?
- Would it be helpful to have community members present who could transmit real-time messages that would be trusted by event participants and also the general public?

Predict Scenarios	Reach Out	Review Policies	Publicize Permitted/Not	Emergency Operations Center	Crowd Assessment	Counterprotests	Minimize Violence Chances	Incident Action Plans	Crowd Disbursement	Communicate After	Practice	After-Action Analysis

6. Assess the crowd during the event, conveying information to the Emergency Operations Center, about changes in feelings, identifying those who threaten safety and their potential victims and persons involved in the event and present in the surrounding area.

Crowds are not homogeneous. Various groups and individuals have different interests and perspectives. Crowd composition can vary by time of day, venue, and other factors. Crowd management and developing a broader and deeper understanding of the crowd(s) can facilitate more effective, focused responses.

Sub-agenda Items:
- Who will take responsibility for assessing changing goals (e.g., to gain attention? to mourn? to disrupt?), emotions (anger? show of solidarity?), and intensity of emotions of various parts of the crowd? Will there be liaisons in the crowd relaying information to the EOC?
- Who will watch out for pedestrians or motorists who might be diverted from the event to preclude them from becoming either victims or perpetrators of harm?
- How can campus safety and law enforcement responses be focused on the demonstrators who are threatening safety while not angering or confronting the other demonstrators?
- Who can watch for experienced, hired antagonists and help develop a strategy to manage their involvement?
- Who can assess how people are coming to and exiting the event so that plans are in place (directing, bussing, escorting) to ensure that people are not vulnerable to disruption and injury?
- Are campus police and the various off-campus law enforcement agencies communicating on the same radio frequency, or have supervisors from each physically next to each other, to ensure optimal communication and direction?

Predict Scenarios	Reach Out	Review Policies	Publicize Permitted/Not	Emergency Operations Center	Crowd Assessment	Counterprotests	Minimize Violence Chances	Incident Action Plans	Crowd Disbursement	Communicate After	Practice	After-Action Analysis

7. Manage counterprotests and activists for other causes seeking to take advantage of the media coverage of a protest by planning to separate them, deal with the increased likelihood of violence, and treat those on each side on an issue in similar ways.

Counterprotest is a significant risk factor for disruption. An organized protest tends to have a defined command and control organization that leads it. A counterprotest is more likely a reaction drawing in individuals and groups that have different interests and views. Counterprotests are sometimes nonthreatening, more like vigils, but they often are contentious,

have less command and control, and, consequently, are more vulnerable to disruption. They are sensitive to signs that authorities lean in favor of the other group.

In 2024, according to Princeton University's Bridging Divides Initiative, there were indications that other militia-type groups, such as those associated with the Proud Boys and white nationalist groups, were seeking attention by joining or opposing protests. They were counter-protestors in New York, California, and Illinois. In Georgia and Arizona, protestors identified them and sidelined them when they attempted to join.

Sub-agenda Items:
- Who, perhaps a campus team reflecting events management, student life, and security, will hold conversations with the organizers about entry/exit procedures, ticketing, dangerous materials, medical emergencies, etc.? Regarding an event speaker, who will talk with organizers about limiting attendance to this college/university's students, faculty, and staff and what they can bring to the venue?
- If the opposing groups are divided, do their suggested physical location areas appear to offer equal treatment?
- Does the campus security and law enforcement presence appear equal to both groups (e.g., facing both sides, not appearing to see one group as more threatening)?
- How can media be accommodated in terms of location while keeping everyone safe, acknowledging that this will sometimes be difficult to enforce?
- How can the groups be separated without the means of doing so appearing menacing (officers on bicycles?) and therefore set the crowd against the officers?

Predict Scenarios	Reach Out	Review Policies	Publicize Permitted/Not	Emergency Operations Center	Crowd Assessment	Counterprotests	Minimize Violence Chances	Incident Action Plans	Crowd Disbursement	Communicate After	Practice	After-Action Analysis

8. Minimize the chances of violence during the event through location preparation, dialogues regarding safety and more before and during events, and a list of alternatives to pursue before forcibly removing demonstrators and arrests.

The listening and responding (Section 1), communications (Section 2), and programming (Section 3) can be useful in building trust, encouraging caring treatment of each other, rebuking those who try to find local scapegoats for their anger for people elsewhere in the nation or world who share their identity group, and finding ways when students want "to do something!" about a situation that troubles them deeply. But some students may want to express public outrage, and the protests and hate incidents may involve non-students are well.

During the spring 2024 encampments, at least 20 colleges and universities reached agreements, some including on the location and timing of the encampments.[89] Location can be crucial. For example, there were over 100 car-ramming attacks during 2020 racial justice protests and at least 5 in May 2024 protests regarding the Middle East violence.[90]

Law enforcement can contribute to safety without arrests or use of force. In spring, 2024, law enforcement was present at more than 165 encampment protests without making arrests. In most, they did not engage at all with protestors. At 75 protests, their interventions included "issuing warnings and declaring unlawful assemblies, rousing protesters throughout the night, setting up barriers, restricting entrances, or removing things from encampments."[91]

Other ideas for interactions short of arrests have been to place fencing around the demonstration event and limit admission to those with campus identification; continuing dialogue, such a police dialogue teams; the accompaniment of faith leaders; trainings for bystander intervention; protest marshaling; safety trainings; identification for student protestors of known agitators in their group; removing a student's pass to be on campus for a few days; limiting parking garages to those with campus identification; and informing students that they are in violation of student codes and/or the law and may be arrested or dispersed at any time.

In the cases of a white supremacy speaker scheduled to speak on the University of Florida campus in 2017, university leaders anticipated counter-protests and used yet another approach. They scheduled a popular music event that attracted many students away from the counter protest. No students were hurt, and there were only three arrests. Sometimes – at least 20 times during the spring 2024 encampments – universities announced settlements (and outsiders have sometimes criticized them, depending on the terms in the agreement);[93] in others, the de-escalation simply worked to find a protest location that was safe and not uncomfortable for students attending classes.[94]

The University of California, Berkeley June 2024 commencement also illustrates a combination of allowing some strong guidance and enduring some minor disruption: The Los Angeles Times reported that "30 to 40 students among 7,700 graduates began shouting pro-Palestinian chants. The campus chose not to use law enforcement to escort them out of the venue.… Instead, the ceremony was paused for about 10 minutes while security officers asked the students to stop. The students moved to another section and continued yelling, but… most people could still hear the commencement speakers."[95]

Focusing on alternatives to forced moving and arrests has worked on many campuses. In fact, in the challenging encampments in spring 2024, arrests were made in only 9% of the encampments (though a total of roughly 3,000 were arrested in those instances).[96]

Sub-agenda items:
- What recruitment and training would be required to have de-escalation teams available for protests?
- Can the permit process be used to encourage protests where they would be safe from cars and others, and also would give non-protesting students a way to feel safe to attend classes and other activities?

Predict Scenarios	Reach Out	Review Policies	Publicize Permitted/Not	Emergency Operations Center	Crowd Assessment	Counterprotests	Minimize Violence Chances	Incident Action Plans	Crowd Disbursement	Communicate After	Practice	After-Action Analysis

9. Create protocols (an "incident action plan") for deciding when and how to forcibly clear a space or arrest.

These discussions can create contingent plans that all law enforcement agencies that might be involved in a worst-case scenario and campus leaders decide are wise. They can yield explanations for various constituencies that tend to feel strongly about the issues and yet tend to differ in their viewpoints. To underscore the importance of pursuing alternatives first in nonviolent/non-property damage situations, the Princeton University Bridging Divides Initiative reported the following about how law enforcement engagement to move or arrest during Middle East violence protest encampments sometimes negatively affected a nonviolent situation:

"Law enforcement intervention has at times also escalated otherwise non-violent demonstrations into violent confrontations. In over 65% of cases in which protesters engaged in violent or destructive activity – more than 40 events – the violent or destructive activity occurred only after or during law enforcement intervention that day."

Sub-agenda Items - Discussions might lead to understandings on:
- What are the roles of campus administrators, campus police, and off campus law enforcement in deciding what is a significant public safety threat such that law enforcement personnel forcibly require demonstrators to move from peaceful on-campus sit-ins or analogous events?
- What are campus alternatives (see point 8 above)?
- What activity (e.g., blocking a street?) will be the basis for an arrest?
- Can these understandings be translated into policies that will be communicated in advance to the students and apply to all events, both to give warnings and avoid the reaction that particular causes are targeted for stronger law enforcement actions?
- Who among responding agencies will make arrests on campus, acknowledging that this may be modified during an event if required because of the scale?

- What forms of nonlethal force will be employed to move demonstrators and which should not be used (e.g., chemical irritants? flash bangs? pepper spray? tear gas? rubber bullets? throwing to ground?)?

Predict Scenarios > Reach Out > Review Policies > Publicize Permitted/Not > Emergency Operations Center > Crowd Assessment > Counterprotests > Minimize Violence Chances > Incident Action Plans > **Crowd Disbursement** > Communicate After > Practice > After-Action Analysis

10. Provide for crowd disbursement when the number of participants and the intensity of the emotions may peak.

Crowd events can have distinct stages (assembly, march, rally, etc.). The disbanding period in particular warrants discussion and planning, since the end of the event can have the largest crowd numbers and participants may leave energized by animated, motivating speeches.

Sub-agenda Item:
- How can transportation, directions, officers visibly on the paths for departure, and other measures reduce the likelihood of violence among hostile groups as the crowds disband and return to cars or housing?

Predict Scenarios > Reach Out > Review Policies > Publicize Permitted/Not > Emergency Operations Center > Crowd Assessment > Counterprotests > Minimize Violence Chances > Incident Action Plans > Crowd Disbursement > **Communicate After** > Practice > After-Action Analysis

11. Communicate immediately after the event to the campus community and public through multiple trusted voices and forms of media, giving an accurate narrative of the event before inaccurate accounts take hold and reaffirming free expression and university values of respect and peaceful means of protest.

Communicating an accurate narrative of the event's activities promptly through multiple media and social media outlets is critical to the public's understanding of what transpired and, if positive, the reaffirmation of the resilience of contesting yet civil acts of assembly and disagreement.

Sub-agenda Items:
- Who will issue statements summarizing and framing what occurred during the event?
- What methods of communication will be used (e.g., social media, email to campus, news conference)?
- What are the lessons of what to include or not include in such communications, understanding that the application of these lessons will vary based on what occurred (e.g., regret and compassion for any who were injured; not negative characterizations of entire demonstration based on actions of a few; not off-putting defensive statements)?

Predict Scenarios > Reach Out > Review Policies > Publicize Permitted/Not > Emergency Operations Center > Crowd Assessment > Counterprotests > Minimize Violence Chances > Incident Action Plans > Crowd Disbursement > Communicate After > **Practice** > After-Action Analysis

12. Practice what is planned through several brief scenarios or tabletop simulations.
Sub-agenda Items:
- Portray several 10-minute scenarios ("What would you do if the following, which happened at the University of X, occurred here?" "Have we established plans and protocols needed for those situations?").
- If the planning group learns in advance of a planned demonstration or protest on campus, conduct a tabletop exercise that mirrors the anticipated dynamics of the planned event and arrange for facilitated discussion afterward about what was missing and needs to be arranged for effective leadership in a real situation.

Predict Scenarios > Reach Out > Review Policies > Publicize Permitted/Not > Emergency Operations Center > Crowd Assessment > Counterprotests > Minimize Violence Chances > Incident Action Plans > Crowd Disbursement > Communicate After > Practice > **After-Action Analysis**

13. Announce an after-action analysis, treating this as a routine process for large-scale protest events so allowing learning from the experience.

Particularly for every event interaction involving multiple personnel, demanding time constraints, and, potentially, significant public visibility, conducting a post-event review and analysis helps to apply lessons learned to the next such gathering. The Commission on Accreditation for Law Enforcement Agencies requires its accredited agencies (not all policing agencies have this accreditation) to have an after-action meeting and create a report to learn what was done right and what can be improved in the future. It would be beneficial to have an after-action meeting with all university partners and any outside law enforcement who assisted with the event. Especially if the group wants an independent analysis, it is preferable to agree in advance to conduct such an assessment as a matter of course for particular types of events, so that the review is not misconstrued as a negative reaction to what occurred.

Sub-agenda Items:
• Should outside law enforcement and campus leaders agree in advance to have the after-action analysis conducted together?
• Should it be done by an independent party?
• Should the independent party be identified and retained in advance?
• Should the after-action analysis be made public? If so, when and by what means?

HATE INCIDENTS – POTENTIAL AGENDA ITEMS

PREDICT > **MINIMIZE** > **TRAINING** > **COMMUNICATE**

14. Predict likely hate incidents, watching for disparagement of particular groups by influential persons, a desire to hurt someone related to an event elsewhere, such as violence abroad, anger about immigration, or any increases reported in hate incidents against a particular group of people.

PREDICT > **MINIMIZE** > **TRAINING** > **COMMUNICATE**

15. Develop plans to minimize the chances that these potential scenarios occur, including the programmatic options discussed in Section 3, communications options for warning about and condemning hate perpetrators discussed in Section 2, and expanded safety precautions.

PREDICT > **MINIMIZE** > **TRAINING** > **COMMUNICATE**

16. Decide who should receive training to identify, increase reporting, prosecute, discipline or speak against perpetrators, and support reporters, even if no prosecution or student discipline will occur.

Training can increase accurate identification, prosecution, and reporting of hate crimes, thus helping others to be safer. Accurate reports can also ease concerns raised by false reports of hate crimes. Students targeted with bullying or danger because of a perceived identity group membership often feel unsafe on campus even when the act does not violate a law or university code. They may be even more anxious if they report the incident but are told that "there is nothing we can do." Training can reduce the number of "wrong doors" for those reporting by encouraging those encountering hate incident victims to help anxious individuals find campus or community resources for support or safety.

Sub-agenda Items:
• Who would organize the training, which might include FBI courses on hate crimes and encompass:
• What are state and federal hate crimes?
• Who will make sure students understanding the importance of reporting them and where to report and the following:

- Targeted hate incidents negatively impact not just the targeted individual, but also those who share the targeted identity.
- Complaints about hate incidents that are not crimes ("lawful but awful") should be treated with empathy, compassion, and trauma-informed practices and referred to supportive resources.

| PREDICT | MINIMIZE | TRAINING | COMMUNICATE |

17. Create campus and law enforcement communication strategies for informing potential victims where to report, how to learn about incidents, how to remain safe, and how to find support.

It can help to examine and articulate steps that will be taken for secondary victims of a bias incident, not only the identifiable victim. Individuals, families, and communities will have anxieties raised when a hate event is reported. Personal concerns for individual and group safety will be present in communities. Articulated recognition of this beyond the specifics of an incident can greatly comfort a victim community.

Sub-agenda items:
- How will leadership convey how seriously they take such matters? Possible elements might include: assuring community members that each individual report matters in terms of reducing such acts; informing the community about punishments that courts have recently imposed for such acts in this jurisdiction. This importantly signals to demonstrators, especially those students new to campus, about the risks they might be taking in engaging in actions that they may erroneously regard as protected speech, but in reality, may constitute a hate crime.
- How will leadership support and organize transparency practices regarding hate incidents and their consequences? Possible elements might include: Campus and law enforcement leaders accumulate and post reports on a website available to students, parents, and others, so that community members can be aware of safety risks; report incidents to the FBI, the applicable state agency, and applicable nonprofit watch groups.
- How will those reporting hate incidents, or affected by them, be directed to appropriate support? This includes a card for all student code and law enforcement recipients of hate reports regarding the campus and community resources for counseling, health services, student faith centers, student affinity groups, community phone chains, and victim support services.

CONCLUDING THOUGHTS

With plenty of immediate challenges demanding time, it may be tempting not to prepare, beyond standing mutual aid agreements, for the huge crowd and hate events that may never occur. But in these more polarized times, national, even international, conflicts play out on campuses with deeper intensity and sometimes pit students against each other, leaving many frightened. By planning jointly with a range of law enforcement agencies and ahead of challenges, you may find ways for students, and those who join them on campus, to express their viewpoints safely. It is a wise investment of time if you can, through thoughtful planning, avoid situations in which some students are frightened and other students emerge from the experience injured, with plans for future study interrupted, or with criminal records.

APPENDIX: Resources

Consultation, mediation, and training service offered without charge:

Available nationally:

Community Relations Service in the U.S. Department of Justice
CONTACT:
Phone: 202.305.2935 | Email: askcrs@usdoj.gov
"CRS 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."

Bridge Initiative of the Divided Community Project, The Ohio State University Moritz College of Law
CONTACT:
Bill Froehlich, Director, Divided Community Project,
Email: Froehlich.28@osu.edu | Website: https://go.osu.edu/dcp

"Upon request and at no cost, mediators and other experts with extensive experience in helping local leaders respond effectively to civil unrest and tension in communities across the country can help mediate conflicts between community and law enforcement, train local community members on effective strategies to keep protests safe, and offer technical assistance to executives and community members seeking to build sustainable infrastructure for inclusive engagement."

Available within their states:

California Civil Rights Department's Community Conflict Resolution Unit
CONTACT:
Email: CCRU@calcivilrights.ca.gov
Website: https://calcivilrights.ca.gov/disputeresolution/community-conflict-services/

"The [CCRU] works with communities, and/or local and state public bodies to constructively manage or resolve conflict, minimize or eliminate the potential for violence, reduce or eliminate antagonism within communities, or help them reach mutually acceptable outcomes."

Michigan Department of Civil Rights Community Engagement and Education Division
CONTACT:
Anthony Lewis, Director, Phone: 313-456-3740 | Email: LewisA4@michigan.gov
Website: https://www.michigan.gov/mdcr/divisions/community-engagement

"The [Crisis Response Team] initiates proactive measures and acts as needed to diffuse situations of community tension and unrest, and to assure that all people enjoy equal rights under the law. To carry out its responsibility, the Department monitors incidents involving race, color, religion, sex, age, national origin, disability, and other civil rights-related matters." The office offers related training.

New Jersey Division on Civil Rights Community Relations Unit
CONTACT:
Tee Leonardo-Santiago, Director of Community Relations
Email: Tisha.Leonardo@njcivilrights.gov | Website: www.NJCivilRights.gov

The New Jersey Community Relations Unit offers civil rights mediation and consultation, as well as educational programs.

Pennsylvania Human Relations Commission Civil Rights Outreach Coordinators (CROCs)
CONTACT:
Email: phrc@pa.gocv
Website: www.phrc.pa.gov

"Providing complex facilitation and conflict resolution services for communities facing conflicts and tensions related to race, color, religious creed, ancestry, age, sex, LGBTQ+ status, gender, national origin, familial status, or disability status pursuant to the Pennsylvania Human Relations Act."

At the local level:

Community mediation programs often have mediators experienced in promoting discussions among groups of people and may offer training. A search function of the National Association for Community Mediation, NAFCM, https://www.nafcm.org/search/custom.asp?id=1949, allows a search for a local community mediation program. The local bar association may also have a list of mediators and their experience levels, though private practitioners will typically will charge fees.

Publications offered by the Divided Community Project without charge:

A Checklist for Extending Support to Other Students (2024), https://go.osu.edu/dcpexs.

Checklist for Listeners (2024), a tool to help listen to students' concerns, goals, and situations during conflict, https://moritzlaw.osu.edu/sites/default/files/2024-02/Checklist%20for%20Listeners.pdf

Symbols and Public Spaces amid Division: Practical Ideas for Community and University Leaders (2021), https://moritzlaw.osu.edu/sites/default/files/2021-12/DCP_Mershon_Symbols_Guide_2021a_web.pdf.

A Practical Guide to Planning Collaborative Initiatives to Advance Racial Equity (2022), https://moritzlaw.osu. edusites/default/files/2022-07/DCP%20Racial%20Equity%20Guide%202nd%20July%202022.pdf.

Maxwell Herath, Julie Howard, Konner Kelly, and Meara Maccabee and the Divided Community Project, Initiating Constructive Conversations Among Polarized University Student Groups: A Framework for Students, Faculty, and Administrators (2023), https://go.osu.edu/dcpicc.

A Checklist of Promising Ideas for Requested but Potentially Contentious Campus Meetings, https://moritzlaw.osu.edu/sites/default/files/202112/Contentious%20meetings%20checklist.pdf.

A Checklist for Students: Conversations with Students Whose Political Views Differ: A Few Ideas, https://moritzlaw.osu.edu/sites/default/files/2023-09/DCP%20card%20for%20students%20whose%20politics%20differ.pdf.

DCP Academy Initiative, Case Study #1: Kenyon College (2020), https://moritzlaw.osu.edu/sites/default/files/2022-01/DCP%20Kenyon%20College%20Case%20Study%20WEB.pdf.

Nonprofits providing bridging assistance:

The following organizations have come to our notice, though we have not reviewed the organizations or their classes or programs:

BridgeUSA, https://www.bridgeusa.org/, is "a multi-partisan student movement that champions viewpoint diversity, responsible discourse, and a solution-oriented political culture." They seek to develop a "generation of leaders that value empathy and constructive engagement because our generation will bear the cost of polarization and tribalism for years to come." There are 62 BridgeUSA organizations at U.S. colleges and universities.

Bridging Divides Institute, Princeton University, https://bridgingdivides.princeton.edu/policy-response/elevating-de-escalation-and-community-safety-approaches, does research on political violence and offers a state-by-state guide to trainers in de-escalation, bystander intervention, and conflict resolution.

Center for Ethics and Human Values, The Ohio State University, https://cehv.osu.edu/, offers classes in holding conversations across policy and values differences and a self-paced, online class, "The 4Cs: Virtues of Civil Discourse: Curious, Charitable, Conscientious, Constructive."

Constructive Dialogue Institute, https://constructivedialogue.org/, founded and chaired by Professor Jonathan Haidt at New York University, works "with institutions across the education, for-profit, non-profit, and public sectors to help them communicate across differences and build inclusive cultures," including in-person and virtual seminars for leaders, faculty, staff, and students.

Mediators Beyond Borders International, https://mediatorsbeyondborders.org/: MBBI members form the backbone of this global organization. MBBI has been working with Universities and Colleges since 2010 facilitating internal conflicts and supporting the creation of dialogic campuses. Mediators Beyond Borders International's mission is to build local skills for peace and promote mediation worldwide. Since 2007, more than 300 distinguished MBBI professional mediation, arbitration, conflict transformation and trauma recovery specialists have been catalyzing the success of local partners working to build a more peace "able" world in 42 countries across five continents. Accorded Consultative Status with the Economic and Social Council (ECOSOC), MBBI is also an Official Observer Organization for the United Nations Framework Convention on Climate Change talks and Conference of the Parties. Notwithstanding the global nature of its work, MBBI's interventions are local, community-based and focus on the needs of those at the heart of conflict. The approach is one of inclusion and co-creation with key stakeholders and implementers. MBBI's multimethod practitioners utilize facilitation, coaching, negotiation, mediation, restorative practices, dialogue and a range of consensus building methods and tools. MBBI's multidisciplinary, multicultural, multigenerational teams collaboratively design shared interventions, learning opportunities, exercises and case studies built upon the expertise and knowledge that the participants themselves bring to every engagement. Collectively, MBBI creates spaces in which we facilitate experiential programs integrating visual, auditory, and multi-sensory media.

Starts with Us, https://startswith.us/, has online resources and offers classes for college and university students designed "to foster critical thinking and constructive communication across our lines of difference" emphasizing "curiosity, compassion, and courage" and topics such as: "connect with and influence community, repair strained relationships, see through fear-stoking media, strengthen communication and negotiation, sharpen critical thinking and problem solving, and feel more agency, less anxiety."

The Sustained Dialogue Institute, https://sustaineddialogue.org/, provides workshops and educational trainings tailored to an institution's needs. "Sustained Dialogue is an intentional, patented, and replicable peace process used to improve challenging relationships and come to action in intergroup conflicts."

Videos:
The Divided Community Project at the Ohio State University Moritz College of Law offers colleges and universities two new videos with accompanying checklists and a facilitation guide. Thanks to a grant from the AAA-ICDR Foundation, they are offered without charge.

"Reaching Out Matters" illustrates in five minutes a student extending support to her friends, a relatable approach for students of using the checklist that is posted at go.osu.edu/dcpexs. Students can learn simple techniques that help them offer this support to friends while avoiding being drawn into unwanted arguments.

"A Difficult Conversation Among Friends" shows twenty minutes of a tough but supportive conversation between two friends who have deeply rooted differences about the Middle East conflict. The video can be paired with any "difficult conversations" checklist; one is included in the Facilitator's Guide for #CampusBridge Videos. This video is recommended for use among faculty, staff, or students whose emotions permit them to listen with compassion to other viewpoints.

Both videos and guides resources are available by emailing Bill Froehlich, Director of the Divided Community Project, at Froehlich.28@osu.edu.

Tabletop Simulations:

The Divided Community Project at the Ohio State University Moritz College of Law offers three simulations with accompanying facilitation guides to practice crisis scenarios that might occur on a university or college campus. Entitled "Springton University," "Mystic Creek University," and "Tranquil Springs University," the three simulations are available without charge from the project's director, Bill Froehlich at froehlich.28@osu.edu.

APPENDIX: Acknowledgments

This guide is a publication of the #CampusBridge initiative of the Divided Community Project housed at The Ohio State University Moritz College of Law. It builds upon two DCP publications: the Project's 2020 publications, Key Considerations for College and University Leaders, and the Project's 2024 first and second editions of Leading a Divided Campus. Here we acknowledge DCP leadership as well as those who have been integral to the development of this and both prior documents.

The steering committee for the Divided Community Project includes:
- Carl Smallwood, Executive Director, Divided Community Project, and past president, National Conference of Bar Presidents
- William Froehlich, Director, Divided Community Project, and Lecturer of Law, The Ohio State University Moritz College of Law;
- Andrew Thomas, Chair, Steering Committee, mediator in community conflicts and former Community Relations and Neighborhood Engagement Director, City of Sanford, Florida
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[97] Id. 15.

[98] For ideas on how to craft after-incident communications, see Divided Community Project. 2024. Tools for Building Trust: Designing Law Enforcement–Community Dialogue and Reacting to the Use of Deadly Force and Other Critical Law Enforcement Actions. Washington, DC: Office of Community Oriented Policing Services.

[99] President's Commission on Campus Unrest, The Report of the President's Commission on Campus Unrest (1970) ("Scranton Report").

[100] The Divided Community Project has several campus-related tabletop simulations available without charge, listed in under the Resources section of the Appendices.