Generating a Dissolution Process at the University of Missouri: A Student Perspective

Evonnia S. Woods

Generating a Dissolution Process at the University of Missouri: A Student Perspective

Evonnia S. Woods[1]

I. FACTUAL BACKGROUNDS: THE FIRST FEW MONTHS

Although student protests and campus politics during the Fall of 2015 on the University of Missouri's flagship campus were far more complex than depicted in the media, the point remains that student protests revealed many shortcomings of the University. One of these shortcomings was the lack of a policy-driven dissolution process which, amongst other things, resulted in national critique of how student protests and student demands were handled. At the beginning of the following semester, Spring 2016, the Interim Chancellor and Faculty Council Chair at the University of Missouri formed what would become known as the *Chancellor and Faculty Council's Ad Hoc Joint Committee on Protests, Public Spaces, Free Speech, and the Press*. This Committee was tasked with crafting a dissolution process that prioritized campus safety and first amendment rights of anyone on campus. The Committee's composition included administrators, faculty, a member of the general counsel's office, an undergraduate student representative, and myself—serving as the graduate student representative. Upon reflection, it is evident that the timing and composition of the Committee, structural changes that occurred on campus, the organization of students and faculty, and recent state legislation regarding public spaces on campuses variously impacted the outcomes of this committee's work.

All members of the Committee were selected based on their roles within the institution and their specific knowledges and expertise regarding campus grounds and policies, the first amendment and the law in general, and their ability to speak on behalf of their peers. The Committee began meeting after unrest had substantially sided and a few notable structural changes had occurred. The Division of Inclusion, Diversity, and Equity was established, and the Interim Vice Chancellor of that division had begun what was known as The Working Group – two weekly meetings of campus and community leaders to address campus concerns. The Civil Rights and Title IX offices were combined and subsumed within the Division of Inclusion, Diversity, and Equity. In addition to these structural changes, over 100 faculty members had formed two "working groups" of their own: one consisting of Black faculty, and the other as a multi-racial group consisting of faculty of color and self-identified allies. Students had organized themselves to work jointly across

---

1. Evonnia Woods is a Doctoral Candidate in Sociology with a Minor in Women's and Gender Studies and a Graduate Certificate in Nonprofit Management at the University of Missouri. Her research areas include Inequalities and Political Economy, and Power and Movements. In 2016, she served as the graduate student representative on the *Chancellor and Faculty Council's Ad Hoc Joint Committee on Protests, Public Spaces, Free Speech, and the Press*.

20   *JOURNAL OF DISPUTE RESOLUTION*   [Vol. 2018

their undergraduate and graduate statuses. Students, faculty and administrators appeared to be positioning themselves to reflect on events that occurred in the Fall and to prevent a replication of their failures moving forward. These changes vastly improved the speed and ease of communication amongst administrators, faculty, and students, which meant that whatever the Committee produced could be disseminated quickly and feedback could be generated almost as fast. These organizational shifts amongst administrators, faculty, and students also meant that regardless of the Committee's process, whatever we produced would be scrutinized and we would be held accountable at all levels of leadership, so the Committee could not develop a dispute resolution process without gaining input from non-committee members. In addition, we faced the challenge of producing a dissolution process that not only upheld the first amendment, but also tended to a recently passed state senate bill that had become effective in August 2015: The *Campus Free Expression Act*.[2] Local media classified this Act as a law that "stops colleges and universities from limiting locations where students can protest."[3] However, it managed to be a more complex piece of legislation, which will be explored later.

Committee members worked over a year to produce a statement on free speech and expression that highlighted the Committee's stance on the topic, compile recommendations for easily accessible guidelines for protests occurring in public spaces on campus, and assemble dispute resolution processes that may arise in different situations. Most critics believed the formation of this Committee and its supposed goals to be a guise for the University's actual intentions: To deter and prevent future protests. These claims remained even though the Committee's meetings were open to the public; of which there was never a non-committee member who attended. The Committee's transparency could be witnessed at student and faculty organization meetings attended by committee members, and at public forums that were held as means to receive input and feedback. Drafts of the resulting document were made digitally available to increase accessibility, and there was an email set up for written correspondence. Once received, input and feedback were discussed among committee members and edited into the document if approved by the Committee. While this general overview can serve as insight into the processes taken up by this Committee, it is my position, and thus my perspective as a student representative that may prove more valuable to those engaging in dispute resolution processes on college campuses in the future.

It became clear over the course of the first few meetings that administration failures during the protest were largely due to the failure of campus leadership to agree on protocol. Administration failures were not just about how to address protesters' grievances and demands, but also how protesters could or should do so without risking harm to themselves or others. Could protesters protest at or inside of the University hospital? Could they block emergency vehicles and not face penalty? Questions also surfaced regarding property damage responsibilities and what administrators were responsible for addressing. Who should be responsible for varying types of property damage that may occur during protests? How can grievances and demands be addressed by administrators effectively and efficiently? At what point can protesters be arrested? These are a few of the questions administrators

---

2. *See* S.B. 93, 98th Gen. Assembly (Mo. 2015) (codified at Mo. Rev. Stat. § 173.1550 (2015)).

3. Mará Rose Williams, *Missouri Law Stops Campuses from Limiting the Sites of Student Protests,* The Kansas City Star (July 16, 2015), http://www.kansascity.com/news/politics-government/article27423001.html.

had not been able to reach a consensus on during the protests of Fall 2015. There was no comprehensive policy regarding protests or freedom of expression that administrators could consult, which also meant protesters had no way of knowing how administrators could or would respond. The questions asked above are not just questions administrators should be able to answer, but questions protestors should also be able to answer. The lack of a comprehensive policy left everyone at risk for all sorts of things to go awry. A comprehensive campus policy was in everyone's best interest, and while the Committee was filled with mostly campus administrators and faculty, student input proved imperative for ensuring that whatever we produced incorporated input from those who would be most affected.

II. THE FIRST MEETING: DISCUSSING THE LANDSCAPE

The first meeting convened, and introductions indicated that everyone sitting around the table had been chosen because of their roles and responsibilities at the University. There were faculty who were well versed in the first amendment and court rulings that had determined legal interpretations, and those who were familiar with drawing up policies and associated processes; Vice Chancellors who headed student affairs, diversity, and campus grounds; the chief of the campus police; a lawyer from the general counsel's office; and two student representatives—both who had been nominated by their respective student governments because of their relationship to protests and knowledges about policy frameworks. The first order of business was establishing where we were and determine how we wanted to go about completing our work. The chair of the committee informed us that our task would be two-fold: To create a statement regarding the University's stance on protests and freedom of expression, and, subsequently, to create a comprehensive policy that would include the protocol for dispute resolution.

We began by reviewing items that the chair of the committee expected to guide our work. We reviewed statements issued by similarly situated universities, and how those universities instituted their protest and freedom of expression policies. We also reviewed the *Campus Free Expression Act*[4]—a recently enacted state law that prescribed first amendment protections for protesters at higher education institutions. Our initial meetings combed through this Act with a fine-tooth comb. The ultimate question was how this piece of legislation would affect the committee's ultimate goal; which was to set guidelines for everyone, such that regardless of one's role or connection to the University, everyone would have reasonable access to information detailing acceptable parameters to engage in protests and other forms of expression.

III. COMPLETING THE ASSIGNED TASK

We decided to complete the statement before moving on to the comprehensive policy, which comparatively took far less time. The statement was largely based on statements produced by other Universities. The philosophy during this stage was not to reinvent the wheel, but rather to root our statement in similar rhetoric as those

---

4. *See* S.B. 93, 98th Gen. Assembly (Mo. 2015) (codified at MO. REV. STAT. § 173.1550 (2015)).

that had been already published. Once the statement was published on the University's website,[5] local media published it and non-committee members began posting about it on social media. Much of what I saw were concerns regarding the "true" purpose of the statement, and thus the Committee. There was a mounting concern that the Committee's purpose was to prevent future campus protests.

Most of the Committee's time was spent working on the comprehensive policy, which evolved over committee meetings, subcommittee meetings, and email exchanges. Subcommittee meetings were held whenever specific components of the policy needed to be hashed out. For instance, there was a subcommittee created for those considered experts on the first amendment to ensure that the introduction was worded within legal parameters. Emails were only used to make revisions to the document: The document would be sent out as an attachment and we would provide our feedback and edits to the chair on occasions to avoid in-person meetings that would have been spent solely on editing.

Much of the work was, again, making sure not to reinvent the wheel, only this time it was about not recreating campus policies that already existed. This approach was intense but extremely rewarding because the amount of time spent searching through the University of Missouri System Business Policy Manual[6] was worth us not having to create policies and get them reviewed by the general counsel's office. Of course, this meant that much of our work was compiling old policies into a unified and easily accessible destination.

The vitality of shared governance to this process cannot be overemphasized. Drafts of the comprehensive policy were published on the website and sent to faculty and student governing bodies. Committee members, which always included the chair, hosted forums and attended faculty and student meetings to discuss the ongoing work of the Committee and the drafts of the comprehensive policy. In addition to the internal revisions, the comprehensive policy went through numerous revisions resulting from feedback garnered from these forums and meetings. While the members of this Committee can be proud of the work we did, non-committee members were also significant in the outcome of our efforts. The resulting policy was not only a collaboration among campus leaders, but also non-campus members.

IV. CONCLUDING REMARKS

My time on this Committee was a learning experience that allowed me to serve jointly with campus leaders from different divisions on campus. We were able to come together from varying perspectives to consider an issue from all our perspectives, to give and get immediate input, and put in the time to perform extensive research to address concerns whenever it was necessary. This task was not taken lightly by campus or community leaders and that is what I cherish the most about this process. Though this was an enormous task that took numerous meetings and over a year to complete, the outcome was worth every time-consuming second.

---

5. See UNIVERSITY OF MISSOURI, COMMITMENT TO FREE EXPRESSION (2016), https://freespeech.missouri.edu/commitment-to-free-expression/.

6. As of March 31, 2018, this manual will be replaced by the University of Missouri System Policies handbook, which can be found at https://www.umsystem.edu/ums/policies.