

The Claremont Colleges Policies and Procedures

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Banning Disruptive Persons From The Campuses Of The Claremont Colleges

Background

The Claremont Colleges are composed of seven institutions of higher education, including: The Claremont Graduate University, Claremont McKenna College, Harvey Mudd College, the Keck Graduate Institute, Pitzer College, Pomona College, and Scripps College. For the purpose of this policy, the Claremont University Consortium shall also be considered part of The Claremont Colleges, as well as any property owned or rented by The Claremont Colleges which is located away from the home campuses.

As institutions of higher education, The Claremont Colleges share a common purpose of providing an educational experience that is, among other things, safe from harm, fosters personal growth, and is intellectually enlightening. The need to protect individual institutions and The Claremont Colleges from harm to its community members and assets is therefore a very high priority. Balanced against this priority is the need to protect free speech and academic freedom.

The Claremont Colleges must comply with all legal requirements of the United States and the State of California when taking steps to protect community members and assets.

Policy

In the event of a threat to the safety or well-being of an individual, group, or member institution of The Claremont Colleges, each institution reserves the right to prohibit disruptive or potentially dangerous persons from their campuses. The Claremont Colleges further agree to consult with each other about such individuals and, with permission, extend the ban to cover any or all of the member institutions and their functions.

The authority for this policy emanates from each institution's right to control its own property, and authority for coordination between The Claremont Colleges occurs through agreement among the Presidents of the Colleges.

Under normal circumstances, the Deans of Students, the Director of Campus Safety, or the Vice President for Student Affairs of The Claremont University Consortium shall be the designated officials who are responsible for the banning of disruptive or potentially dangerous persons from campus. Other designated officials may be expected to carry out these duties, as determined by the President(s) of the institution(s).

The designated official who is assigned to review any potentially disruptive or dangerous situation may exercise emergency power, including issuing an immediate ban, to respond to a threat. These actions shall be reasonable and narrowly tailored to the fit the event.

The designated official may also issue a ban as the result of an investigation, with the opportunity for all parties

to be heard, and the results of which lead the official to conclude that illegal activity, disruption, or the threat of harm to others or property has or may have occurred. The official may also ban an individual if there is reason to suspect that illegal activity, disruption, or the threat of harm to others or property is increasingly likely to occur in the future.

Bans to one or more of The Claremont Colleges may be temporary or permanent, and shall clearly indicate their length and scope to the person who has been banned. This policy does not preclude The Claremont Colleges from taking criminal, civil, or restraining action against individuals.

The following procedures provide guidelines to be used by the designated official to ban an individual from the campus, property, or function of the college or colleges. These procedures do not apply to faculty or staff.

Procedures Governing Individuals With or Without a Relationship to The Claremont Colleges

(1) Regarding Individuals with No Direct Connection to The Claremont Colleges:

This set of procedures applies to individuals who: have never been a student of The Claremont Colleges; do not have a spouse or partner who is an employee or volunteer at The Claremont Colleges; and are not parents or guardians of a current or former student of The Claremont Colleges.

Each designated official has the authority to issue a ban on behalf of one or more of The Claremont Colleges. A ban of this type is communicated to all other Student Deans, and a copy of the ban letter shall be sent to the Director of Campus Safety.

(2) Regarding Individuals with a Connection to One of The Claremont Colleges or the Claremont University Consortium:

This set of procedures applies to: alumni; former students who are not currently enrolled; spouses or partners of an employee, part-time employee, or volunteer; those performing volunteer work; and parents or guardians of current or former students.

The designated official initiating the ban shall send a message to all other Deans of Students to determine if there is any objection to banning the individual in question. Any Dean raising an objection may choose not to have his/her campus covered by the ban. If no concerns are raised within 48 hours, the initiating official may apply the ban to cover all The Claremont Colleges' properties.

(3) Regarding Current Students:

This set of procedures applies to any student who is currently enrolled at one of The Claremont Colleges, including when the Colleges are in or out of session.

It is within the authority of the banning campuses and CUC to make this decision without regard to judicial proceedings at the home campus.

(a) How the Ban of a Current Student Applies to Colleges:

Unless otherwise specified, the banned student shall be permitted to attend classes and use relevant academic resources on campus but suspended from all other activities.

(b) How the Ban of a Current Student Applies to the Claremont University Consortium:

Depending upon the circumstances of the individual student, the VP for Student Affairs shall determine, in consultation with individual CUC services and the Dean of Students at the college at which the student is enrolled, the scope and extent of the ban from CUC services and property. The student shall normally be permitted to make appointments at CUC offices and services as needed. For “drop in services” that a student might utilize (i.e.. OBSA, CLSA, Chaplains, etc), the VP for Student Affairs shall decide, based on the circumstances giving rise to the ban, whether drop-in privileges shall continue or if the banned student shall be required to schedule appointments.

Generally, banned students shall be permitted to use Honnold Library and the Huntley Bookstore, although CUC reserves the right to limit and/or suspend privileges where circumstances warrant such action. Circumstances under which a student might be restricted from bookstore and/or library usage include, but are not limited to, students who appear to pose a threat to the health, safety or welfare of other patrons and/or theft from the facility.

Requests for Review, Modification, or Removal of a Ban

A person banned from one or more of The Claremont Colleges may request that the banning party discuss the nature of the ban, modify the ban, or withdraw the ban. It is the responsibility of the banned person to contact the official who first initiated the ban to request a conversation about the ban within 5 business days. It is also the responsibility of the banned person to bring any substantive changes to the attention of the banning official in order to request reconsideration. For current students who have been banned, the home campus Dean of Students should review the ban policy and appeals process with the student.

Changes to any ban will be communicated to the other designated officials for their consideration relevant to the person’s status on their respective campuses.

Effective Date & Application of this Policy to New Institutions

Should additional institutions formally join The Claremont Colleges, this policy shall automatically apply to those institutions upon incorporation, including their property in Claremont and elsewhere.

Date of Approval by the Council of The Claremont Colleges: April 5, 2011.

On January 1, 2018, the legal name of Claremont University Consortium was changed to The Claremont Colleges, Inc. When “Claremont University Consortium” appears in this document, the references are to The Claremont Colleges, Inc. or to The Claremont Colleges Services.

The Claremont Colleges Demonstration Policy

The undergraduate Claremont colleges – Pomona College, Scripps College, Claremont McKenna College, Harvey Mudd College, Pitzer College – together with Claremont Graduate University, the Keck Graduate Institute and The Claremont Colleges Services are all member institutions of The Claremont Colleges. Each of these member institutions respects the rights of free speech and peaceable assembly and supports their exercise. However, when the exercise of speech and assembly becomes disruptive or non-peaceable, and infringes upon the rights of others, threatens property or public safety, or impedes the business of the member colleges or The Claremont Colleges Services, the individual colleges and TCCS will act according to this policy.

Every institution in the Consortium has instituted procedures for presenting and peaceably resolving disagreements about policies. Officials at the individual Claremont Colleges and The Claremont Colleges Services are willing to examine, dis-

discuss, and explain institutional policies to any member of The Claremont Colleges community. However, participation in a demonstration that is materially disruptive and non-peaceful or involves the substantial disorder or invasion of the rights of others on the property of any of The Claremont Colleges or The Claremont Colleges Services or their affiliated institutions is prohibited.

Determination of when a demonstration or action is non-peaceful or disruptive may be difficult, but the Claremont Colleges individually and collectively subscribe to the general guidelines listed below.

- Non-peaceful actions or demonstrations are those that endanger or injure, or threaten to endanger or injure, any person, or that damage or threaten to damage property.
- Disruptive actions or demonstrations are those that restrict free movement on any of the campuses, or interfere with, or impede access to, regular activities or facilities of any of the Colleges or The Claremont Colleges Services.

General Guidelines

If an officer or designee of an affected college or The Claremont Colleges Services informs individuals in a given area that their collective actions are judged non-peaceful or disruptive and that they should disperse, individuals remaining may be charged on their home campus with a violation of this policy.

Any individual acting in a non-peaceful or disruptive manner, whether they are acting individually or within a group, may be charged on the basis of the individual's or group's behavior with a violation of this policy. Ignorance of this policy or lack of intent to violate this policy is not an acceptable justification for violating it.

Lack of intent or lack of awareness of the existence of College and The Claremont Colleges Services policy will not excuse violations. Charges will be brought at the home college of the accused.

Any president on their home campus, or designee, or the Chief Executive Officer of The Claremont Colleges Services (TCCS), or designee, on the property of TCCS is authorized to take actions against any individual violating this policy. Actions may include arrest, or other legal action, or notice of disciplinary charges and handled through the home college's disciplinary procedures. The presidents and the Chief Executive Officer of TCCS may delegate their authority to act.

Enforcement Policy

In the event of a non-peaceful or disruptive action on the property of any of the Claremont colleges, TCCS, or any of their affiliated offices or programs, the affected College or Colleges or TCCS will act according to the following procedures:

- The President(s) of the College(s) where activities are disrupted or the Chief Executive Officer of TCCS, in the case of The Claremont Colleges Services property, will determine whether or not negotiation will take place with those involved in the demonstration or disruption. The president(s) will also determine the actions to be taken including, but not limited to, provisional or summary suspension or arrest.
The president of the college may summarily suspend a student of their college violating this policy. However, the president of the college or the CEO of TCCS will only have the authority to provisionally suspend a student representing one of the other Claremont colleges – pending referral to the home campus disciplinary body.
- The Colleges and TCCS agree that cases of student disruption or non-peaceful action normally will be treated as a violation of the student's home campus conduct code and will be adjudicated by the normal disciplinary process at the student's home college. Appropriate officials at the affected institution(s) may put disruptive or non-peaceful individuals on notice that they are in violation of this policy and file charges against them. Officials at the home campus agree to acknowledge requests for disciplinary action including requests for suspension and take action that is consistent with and/or allowed by disciplinary procedures at the home campus.
- Officials at the other campuses will promptly provide assistance in identifying disruptive or non-peaceful individuals to the campus where the disruption occurs or to TCCS.
- All individuals who are engaged in disruptive or non-peaceful action will be notified that they are trespassing. Persons who continue to trespass after notification are subject to arrest (by a Peace Officer or by Private Person. California Penal Code Section 834).

- Individual Claremont Colleges and TCCS may bill students or file civil suits to recover damages and costs.
- While officials at affected colleges or TCCS may temporarily revoke any or all student privileges or take steps to end disruptive or non-peaceful protests, the college at which the student is enrolled, and only that college, may adjudicate complaints and make final decisions about alleged violations of conduct, apart from those decisions made by a court of law.

(Approved by the Council of Presidents of The Claremont Colleges, November 2001).

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Poster and Banner Approval Policy

The five Colleges have agreed to the following regulations and guidelines governing publicity distributed at the Claremont Colleges.

Regulations:

For the purpose of these regulations, publicity is defined as printed materials including but not limited to: fliers, posters, table tents, and banners.

1. Any and all publicity to be posted on any or all of the campuses of the Claremont Colleges must be approved by one of the following offices:
 - CMC- Dean of Students Office, Heggblade Center, x18114
 - HMC- Dean of Students Office, Platt Campus Center, x18757
 - Pitzer- Gold Student Center, x73900
 - Pomona- ASPC Business Office, Smith Campus Center, x72268
 - Scripps- Student Activities and Residence Life Office, Malott Commons, ext. 74307
2. All publicity must clearly and recognizably show the name of the sponsoring organization or individual(s).
3. All publicity must have a name and telephone number or email which students may contact for more information about the program.
4. In accordance with the Alcohol Policy: non-electronic advertising may contain no explicit or implicit, written or pictorial references to alcohol beverages or alcohol service.
5. Any questionable materials are subject to review by the Committee of Five College Student Activities Professionals.

Guidelines:

1. For the sake of maintaining a sense of community and support for all members, organizations must refrain from using racial, gender or ethnic slurs, stereotypic depiction, or similar references in all advertising material.
2. In the interest of the environment, organizations are strongly encouraged to promote events electronically and through various online and social media outlets and are encouraged to post the least number of posters for effective advertising.
3. The posting of fliers, posters, and similar material is limited to bulletin boards and approved posting spaces on campus. Nothing may be affixed to trees, glass surfaces, painted surfaces, sidewalks, or campus buildings. Fliers may not be put on cars in parking lots or on public streets. Private doors and windows are permissible with approval of the resident.
4. In accordance with the Residence Hall regulations; door-to-door solicitation or distribution of materials in the Residence Halls is prohibited.
5. College staff remove all advertising material which does not comply with these regulations.
6. Organizations are expected to be respectful to other posted materials. Do not post over other materials that remain current.
7. Organizations are requested to remove their advertising within forty-eight hours following their programs or projects.
8. *CHIRPS!* is emailed Monday - Friday during the academic year, once daily, at 10:00am. Learn more about advertising in *CHIRPS!*.

9. Organizations may bring the original posting/flyer to the ASPC office to be stamped, or flyers can be approved electronically via the following method: Send an email with the flyer/poster attachment to BOTH duplicating@pomona.edu and flyerapproval@pomona.edu
- Include the specific Duplicating order in the email (i.e., how many copies being requested, what type of paper, etc.)
 - ASPC staff will review the flyer and approve it for Duplicating Service to apply the approval stamp, electronically
 - If requested, the ASPC Office can also provide funding approval for Duplicating Services from a club account

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