



REPRESSION RESILIENCE WORKSHOP

University vs. You

Repression Resilience



Repression is the collection of methods the State and other reactionary forces use to fight against change.

This can look like:

- **Violence**
- **Surveillance/Disruption**
- **Media/Social Media**
- **Legal**

Examples:

- 646 highway arrests
- UMN Cunningham Halimy Hall encampment



Repression Resilience means building a life and practice that doesn't just avoid repression (an impossibility for effective movements) but acknowledges it as a reality of struggle and works to minimize its ability to undermine your goals.

Building repression resilience can look like:

Build community power. The greatest antidote for repression is more organizing.

- Broad collaborations
- Solidarity and support for other organizations
- Pro-social intra-movement conflict engagement

Revolutionary adaptability

- The more outcomes you are trying to control the more vulnerabilities you have.
 - How can you build flexibility into your life plans around job, family, housing, finances, etc.?
 - For things you decide you must protect or control, engage in rigorous threat modeling.

Minimizing exposure

- **Security culture/protocol:** Don't brag or boast about activity that is unlawful or speculate as to the illegal activity of others. Engage in risk proportional to relationship.
- **CAUTION: beware of de-organizing tendencies.** Being secretive is not always the best way to minimize exposure and can undermine other strategies for building resilience
- **Choosing tactics with less exposure** that still fit your strategy and goals
- **Know your rights** so that when you are targeted you can best protect yourself
 - Casual Conversation
 - *Am I free to go*
 - Detention
 - *I'm going to remain silent, I want to speak to an attorney*
 - *I don't consent to a search*
 - Arrest

We are providing these workshops to help shine a light on what repressive tactics we see being used against Palestine Solidarity activists - not to de-mobilize, but to help you focus.

Stay strong and bold and keep yourself, your comrades, and our shared movements safe and successful.





HOW UNIVERSITIES USE DISCIPLINARY PROCESSES AGAINST MOVEMENTS



Photo from 10/26/24 "Support our Students: Drop the Charges" protest – taken by Brad Sigal

Disciplinary Process

The disciplinary process is the process OCS follows to resolve reported violations of the Student Conduct Code. This process is designed to resolve issues in a way that is fair to all community members.

Notifying the Student of the Report

When OCS receives a report, they will send an email to the accused student telling them about the report. Often, this letter will direct the student to schedule a meeting in our office. There are some situations where a student may not be required to meet with a staff member.

Meeting with the Student About the Report

An accused student may be required to attend an [informal meeting](#) with an OCS staff person to discuss the incident and learn about the disciplinary process. Even if not required, a student may still choose to have an informal meeting to discuss an incident. If appropriate, OCS may also meet with others who witnessed or reported the incident.

Opportunity for Further Review

After an informal meeting, the student will receive an email from OCS offering an informal resolution to the incident. The student can then choose whether they agree with the resolution and the case is closed, or they can disagree with the resolution and can request a formal [hearing](#).

[Due Process](#)

[Standard of Proof](#)

[Procedures and Policies Within Specific University Programs](#)

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The University's disciplinary process is designed to be fair to all the individuals involved.

Student Conduct Tips



Review rules/conduct code (before your action!)
and after



Print/archive the rules/code



Determine if your school public or private



Get clarification in writing from a University
official if anything is vague



Find a student who went through discipline
process for something apolitical and ask them
how the process played out



What is your goal? Why?



What is the cost?

-To yourself?
-To the community supporting you?



What is possible (in this context)?

Is that enough?

Decision-Making Tips



HOW UNIVERSITIES USE RULES AGAINST PROTESTORS

Rule Examples

- Permit requirements
 - *14-day advance permit requirement*
- Distinguishing between registered student organizations and individual students
- Interim suspensions
- Trespass notices

(Adapted from ACLU Memo)





CASE EXAMPLES

Abbariao v. Hamline Univ. School of Law (1977)

- This case dealt with a student's academic expulsion and was appealed to the Minnesota Supreme Court.
- *"The requirements imposed by the common law on **private** universities parallel those imposed by the due process clause on **public** universities."*
- The court explained that under Minnesota common law "a university may not arbitrarily expel a student." Doe v. Univ. of St. Thomas, (8th Cir. 2020)
- Minnesota courts have also clarified that misconduct expulsions from public universities only require that the "student must be given notice and some opportunity to be heard."

Goss v. Lopez (1975)

- Case involved students at an Ohio public school who were suspended from school without a hearing. Students brought a class action lawsuit, and it was appealed to the U.S. Supreme Court.
- Court held that HN2 due process requires, in connection with the suspension of a student from public school for disciplinary reasons, "that the student be given **oral or written notice** of the charges against him and, if he denies them, an explanation of the evidence the authorities have and an opportunity to present his side of the story."
 - Board of Curators of University of Missouri v. Horowitz A.C.A. § 16-131-204, 435 U.S. 78 (1978)
- “The need for flexibility is well illustrated by the significant difference between the failure of a student to meet academic [***133] standards and the violation by a student of valid rules of conduct. [****15] This difference calls for far less stringent procedural requirements in the case of an academic dismissal.” Id.

Keefe v. Adams (2016)

- This case dealt with “off-campus speech,” a Facebook post, by a student who was dismissed after his comments and was appealed to the Eight Circuit Court of Appeals (federal circuit that includes Minnesota.)
- Court held that the First Amendment does not prohibit a school from dismissing a student for off-campus speech that violates a code of professionalism incorporated as a required part of the curriculum.
- Dissent:
- “However, because I think there is a genuine issue of material fact as to *whether the school could constitutionally regulate Keefe's off-campus, non-academic speech*, I would reverse the district court's grant of summary judgment in favor of defendants on Keefe's First Amendment claim.”



Protesting at the Edina High School school board meeting. Two students were suspended for chanting “River the river to the sea” in November 2023 during a student walkout. (Photos by Brad Sigal.)

Thank you for
attending!

Let's organize!

Next Workshop

March 6: *ICE vs. You* – how
federal immigration authorities
use immigration law and policy
against our movements



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