

Memorandum of Understanding Between Western Washington University
and the WWU Divest Apartheid Coalition

May 29, 2024

The following statement and related actions are based on mutual understanding and agreement between Western Washington University and the WWU Divest Apartheid Coalition. The WWU Divest Apartheid Coalition is a broad and diverse student coalition including representatives from the WWU Arab Student Association, WWU Jewish Voice for Peace, and Associated Students.

Western Washington University opposes and condemns all acts of genocide, ethnic cleansing, and other activities that violate safety, security, and fundamental human rights. A university should be governed by known and consistent policies, procedures, and practices that align with the mission, vision, values, and strategic initiatives of the institution, and comply with federal, state, and local laws and regulations. Policies should be continually reviewed through the lens of equity, diversity, inclusion, and social justice and be ever mindful of unintended consequences. Western Washington University will work to ensure that its policies and agreements honor the principles and values described herein.

1) Disclosure, Divestment, and Procurement.

a) Investments.

- i) Western Washington University does not have direct investments in companies on the Boycott, Divestment, and Sanctions (BDS) list. The WWU Administration has shared a list of companies with which WWU has direct investments with the WWU Divest Apartheid Coalition.
- ii) The Foundation for WWU and Alumni uses an outsourced CIO model for investment management and works with Russell Investments to manage its endowment portfolio. Russell Investments' program is proprietary in nature which precludes them from disclosing certain information due to non-disclosure agreements.
- iii) By the time these terms are agreed to, the University President will have organized a meeting where the University President, Chair of the Board of Trustees, Chair of the Board of Directors for the Foundation of WWU and Alumni, and the CEO of the WWU Foundation (the Vice President for University Advancement) will meet with no more than seven students from the WWU Divest Apartheid Coalition to form a plan of action on relevant short- and long-term divestment matters.
- iv) By August 31, 2024, the University President will work with the WWU Board of Trustees and at least two representatives from the WWU Divest Apartheid Coalition to develop a procedure for requests for divestment that includes an advisory committee appointed by the Board of Trustees on socially responsible investing.

(1) This body will formally be known as the Board of Trustees' Advisory Committee on Socially Responsible Investing (ACSRI) and will report directly to the Board of Trustees.

(2) Committee Composition

(a) The committee will include representatives from University Advancement, the Board of Trustees, the Foundation for WWU and Alumni, and students appointed by the Associated Students.

(b) The ACSRI will be tasked with developing a policy recommendation on socially responsible investments in accordance with the values and principles outlined herein.

(c) In its first quarter of being active in Fall 2024, the ACSRI will include representation from the WWU Divest Apartheid Coalition in order to prioritize requests related to the divestment process.

b) Procurement and Private Industry.

i) In order for the University to maintain ethical contractual partnerships in the procurement process, the University will be transparent about the nature of relationships with private industry. The administration encourages Western Washington University faculty to inform themselves and educate their students on the importance of ethical relationships with private companies, so that all students and faculty can make fully informed and autonomous decisions regarding their support from private companies.

ii) By the end of Fall term 2024, WWU will update the University's policy on ethical procurement standards to include provisions related to socially responsible procurement.

iii) By the end of Fall term 2024, the University will form a committee, housed within Business and Financial Affairs, to prioritize, address, and recommend actions to end contracts held between WWU and private industry that do not align with socially responsible procurement standards as defined by the ACSRI under section 1(a) of this document.

(a) The University's Committee on Ethical Contracts will consist of procurement specialists from BFA, student representatives appointed by the AS, faculty representatives appointed by the WWU Faculty Senate, and other at-large members.

(b) This committee will be charged with the power to review and make recommendations to the Vice President for Business and Financial Affairs, as well as the Vice President for Enrollment and Student Services, regarding the continuation of contracts and agreements being reviewed.

iv) WWU Dining Services will create a mechanism to field input on products carried in campus markets and offered in the dining halls. WWU Dining Services will

immediately work to respond to such input with the goal of responding to the initial request by Fall 2024.

- v) In alignment with WWU's principles and values described in the preamble of this document, the processes established under subsections (ii) (iii) and (iv) will include but are not limited to a review of the continuation of contracts with companies that are on the BDS list, as well as weapons manufacturers.

2) Study Abroad Programs.

- a) Western is committed to providing access to a diverse array of study abroad programs for students and faculty, as they are critical to the mission of the University and to the concept of academic freedom. The University's goal is to provide students and faculty access to intercultural educational experiences around the globe.
- b) Western does not have a direct agreement with universities; rather, Western affiliates with multiple third-party study abroad organizations to provide Western students with a diversity of options throughout the world. The University Study Abroad Consortium, one of such entities, includes the University of Haifa in their catalog offerings, though that program is on hold this year and for 2024-25.
- c) The **University** Provost will establish a faculty committee that includes representation from WWU's Institute for Global Engagement and the WWU Faculty Senate to review and recommend changes to participation in study abroad programs to ensure alignment with WWU's principles and values described in the preamble of this document, including pausing or discontinuing participation in programs that inherently exclude participation of students from specific countries, communities, or identities.

3) Ethnic Studies Department.

- a) In consideration of the incoming launch of the Ethnic Studies Department in Fall 2024, the University President will meet with the Ethnic Studies Department chair, the University Provost, and the Dean of CHSS to discuss the viability of the department and concerns about staff retention for the 2024-25 academic year.

4) Other Matters.

- a) The Chief Diversity Officer has started and will continue to lead in the 2024-25 academic year, the institutional work on engaging the campus community in a dialogue around the interpretation and use of terms, including but not limited to anti-Arab racism, sexism, anti-Blackness, anti-trans sentiment, antisemitism, etc., and how various interpretations impact our community.
- b) The University will proactively encourage applications and collaborate with students who have been displaced from universities in Gaza. The University will work with the Foundation for WWU and Alumni to pursue the creation of a number of full-tuition

scholarships for these students (in addition to other financial support initiatives) to be applied 2 years from now.

- c) The University President commits to ongoing engagement to make progress on the work described in this memorandum, as well as a commitment from the University administration to advance the recommendations from the committees convened in this document.
- d) The University has not and will not discipline students exercising their legal rights to assembly and protest in accordance with applicable laws and the University Student Conduct code. Vandalism, property damage, bias, harassment, or discrimination are violations of law and the Student Conduct Code and will continue to be investigated and acted on accordingly.
- e) So long as students participating in WWU Divest Apartheid Coalition comply with the Administration's request to decamp no later than 5 p.m. on May 30, 2024, the University will forgo referrals for citations or conduct violations for those students based solely on participation in the encampment.
- f) Failure to comply will result in a breach of this agreement and all suspended policies will be enforced.

5) Commitment from the WWU Divest Apartheid Coalition.

Students engaged in the encampment will voluntarily end the encampment no later than 5 p.m. on Thursday, May 30, 2024. The students will remove all tents and personal belongings and clear the encampment area of all trash. To the extent that support from WWU Facilities or other units is needed to assist in the clearing of the encampment, the effort will be coordinated through a designated campus representative.

6) Statement on Police Involvement.

The WWU Administration will only request involvement from the WWU University Police Department or other law enforcement under the following circumstances:

- i) Encampment has not communicated with specified University administration liaisons for forty-eight (48) hours;
- ii) A campus building is forcefully (barricades, impeding traffic in/out) occupied;
- iii) Haggard Hall Library is occupied at any hour;
- iv) A building is occupied after building hours;
- v) Destruction of property includes breaking of doors and/or windows or other significant damage;
- vi) Counterprotests longer than twenty-four (24) hours within one hundred (100) feet or less of the encampment; or
- vii) Incidents of, or legitimate threats of violence and/or injury.

With a commitment from students participating in the encampment to voluntarily end the encampment, the University will not request law enforcement engagement in the decampment process. However, remaining in the encampment after 5 p.m. on May 30, 2024, will leave students open to sanctions in accordance with University policy or law.

7) Public Message from President Randhawa.

- a) The University President, in a formal statement published on the WWU website and emailed to the campus community, will acknowledge the harm caused by this administration to Arab and Arab American students.
- b) This email will include a statement on academic freedom that assures that members of the campus community are able to freely express their views and perspectives on international human rights issues in a safe and inclusive environment without fear of backlash when discussing topics such as Palestine. The statement will also mention support for students' rights to engage in peaceful activism, as well as an unequivocal condemnation of hate and bias in all forms.

Representatives of the WWU Divest
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