



Executive Committee

SUB 3100
Simon Fraser University
8888 University Drive
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sfss.ca

September 24, 2021

TO: Rumanna Khan (Associate Vice President, Students and International)

CC: Erin Biddlecombe (Senior Director, Office of Vice Provost, Students and International)
Michelle Verbrugghe (Director, Office of Student Support, Rights & Responsibilities)
Dr Joy Johnson (SFU President)
Larry Waddell (Chief Facilities Officer)
Li-Jeen Broshko (General Counsel & University Secretary)
James B. Stewart (Board Chair)

RE: Climate Justice and Fossil Fuel Divestment Mural in Convocation Mall

We write on behalf of the Simon Fraser Student Society (“SFSS”) in response to SFU’s letter of September 23, 2021 regarding the Climate Justice Mural in Convocation Mall.

You will recall that on September 15, 2021, University officials provided us with assurances that it would work collaboratively by testing the mural to ensure it could be removed. We were therefore shocked to receive your letter of September 23, 2021, and by the stance you took at the meeting the same day, which represents a sudden about face from our understanding of the agreement we had reached. It is a pity that we must respond to your letter on the day of the Climate Strike, when the University is to be extending academic amnesty to all students.

Climate Justice Murals such as the one in Convocation Mall are wonderful cultural and protest demonstration methods that raise awareness about climate justice, the climate crisis, and in this case the conversation about divestment in fossil fuels. Student organizations and 350 organizations across the country and worldwide have used tools like this to raise awareness. This specific mural is a cultural expression that was created by many folks of all ages, from children to adults, students and non-students alike. It is a form of wide-scale democratic action aimed at raising awareness in advance of the student group’s meeting with the Board of Governors on September 28, 2021, following which it will be removed at no cost to SFU. We support this action, and disavow the University’s weaponization of its student misconduct policy against peaceful assemblies and demonstrations.

In your letter, you threaten students involved in the creation of the mural with discipline under the Student Conduct Policy. As you know, the SFSS was involved in advocating for protection of freedom expression in the Student Conduct Policy. The Policy specifically states:

"Nothing in this policy shall be interpreted to prohibit peaceful assemblies or demonstrations, lawful labour action including picketing, or to impinge upon freedom of expression",

We abhor SFU's attempt to target individual students with "*potential corrective and/or disciplinary action*". Your threat of disciplinary action would have a severe impact on students' democratic rights to protest, freedom of expression and peaceful assemblies. The simple threat of this action is likely to have a chilling effect on freedom of expression by students, which runs counter to the long history of SFU's tradition of protest and promotion of freedom of thought.

In your letter, you suggest that students did not obtain proper approvals for their demonstration. Neither we nor the members of this group know of any such requirement of process for obtaining approvals for a protest. Indeed, any such requirement runs contrary to the purpose of protest itself. Requiring an organization to approve protests against it deeply undermines the ability of any population to engage in protest. How can the University reconcile its recognition of the importance of freedom of expression with its suggestion it has the right to impinge of that very freedom by an approvals process?

It is also incredible to us that the University is threatening disciplinary action for a mural that has done no harm to any person, to any property, or to academic integrity. As you know, the students involved used washable paint, and tested its permeability before engaging in their artistic process. As a result, this can in no way constitute "defacing University property" within the meaning of the Student Conduct Policy. Defacing implies some permanent alteration of or damage or destruction of property, which has not occurred in this case. To reiterate, as also outlined in previous communications, in a spirit of collaboration and cooperation, the SFSS is willing to remove the mural after the September 28, 2021 meeting at no cost to the University.

We call on the University to not undertake an unnecessary investigation that will have the effect of suppressing student voices and protest. We hope that the University does not attempt to remove the mural prior to the September 28, 2021, meeting, and can confirm that despite your threats, some students may lay down on this mural until the meeting is finished. Further escalation by forcibly removing such students would again, have a serious chilling effect on the right to freedom of expression at SFU.

Instead, the University should stand in solidarity with students and their right to protest. SFU ought to respect and encourage peaceful demonstrations instead of taking action that escalates

tension between students and the University. We encourage SFU to focus its attention less on washable paint than on the actual significant issue that the mural raises: SFU's significant investment into fossil fuel, and the imperative divestment in the interest of climate justice.

We expect that the September 28, 2021 meeting will focus its conversation on the students' proposal, not the importance of this crucial issue being advocated for by students. The time for progressive action in the face of the climate crisis is now. It is far more important than washable paint.

We look forward to receiving the University's confirmation that it will not be pursuing disciplinary action against students any further, and will instead work collaboratively with students to raise awareness on this important issue.

Respectfully,
Gabe Liosis and Marie Haddad
SFSS President and VP Equity and Sustainability

cc:
Weichun Kua, SFU350 Member
Abigail Herd, SFU350 Member
Kate Phipps, SFSS General Counsel

Attached communication from SFU to SFSS and SFU350 September 23, 2021 below:

RE: SFU350 Mural in Convocation Mall

I write to confirm advice that I previously provided to you that SFU will be removing the SFU350 mural in Convocation Mall. Student members of SFU350, a student club authorized by the SFSS, have taken responsibility for painting a mural on the floor of Convocation Mall without obtaining necessary approvals. This constitutes misconduct under SFU policy S10.05, [Student Conduct Policy](#), (section 2.2.8 of Appendix B). As such, I will be forwarding this matter to the Office of Student Support, Rights & Responsibilities to investigate and determine responsibility and recommend potential corrective and/or disciplinary action, which may include personal exposure to liability for costs associated with removing the mural and repairing any resulting damage.

As was discussed in our meeting on September 15, 2021, SFU recently completed an extensive renewal of the Plaza, which included the installation of new granite in Convocation Mall. This granite is porous and susceptible to staining and removal of the mural will require a considerable amount of time and labour. SFU will soon host Convocation in this space to host SFU graduands and their families and to celebrate their many achievements. We are disappointed that student members of SFU350 took this action and defaced our premises, especially given that the University continues to collaborate with SFU350 in a variety of ways.

I understand that SFU350 is making a presentation to SFU's Board of Governors. The University is required to bring this conduct to the attention of the Board given it constitutes a potential breach of the Board's policy on student conduct and we have copied the Board Chair on this correspondence.

Finally, the University expects that staff members who will be removing the mural will be allowed to do their work without disruption, failing which the University will take appropriate disciplinary steps in relation to anyone disrupting this work.