



POLICY 7350

DEMONSTRATIONS ON COLLEGE PROPERTY

Policy Category: Facilities

Area of Administrative Responsibility: Vice President for Facilities Management

Board of Trustees Approval Date: January 12, 2021

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PURPOSE

The College recognizes the constitutional right of freedom of speech and expression, and supports the rights of students, employees and other members of the College community to disagree with national, state, local and administrative and/or faculty policies and positions, including by organizing or participating in picketing, protests or demonstrations. In order to maintain an educational environment that encourages free speech and debate, while maintaining order and decorum on the College campus, the College shall direct and regulate the time, place and manner of expressive activity so that such expression does not materially disrupt College operations, involve substantial disorder on the campus or violate the rights of others. This Policy is not written to prevent or restrain controversial opinion or dissent, but rather to ensure that rights of others are not impacted and to maintain public order appropriate for a college campus.

SCOPE

This policy applies and is binding on all College students, employees, volunteers, and other members of the College community.

POLICY

Individuals or groups affiliated with the College wishing to exercise their First Amendment rights by organizing rallies, protests or demonstrations on College property must follow the protocols described in this Policy.

Students, faculty and staff of the College will be permitted to engage in lawful demonstrations and expressions of free speech on the College Campus at reasonable times, under reasonable circumstances, and at location(s) specifically designated by the College for such purposes. All

areas so designated at the College are a limited public forum, and as such the College has adopted reasonable limitations on expressive activities conducted therein, such as restricting the activities only to members of the College community, and instituting content and viewpoint-neutral time, manner and place requirements which must be met before an expressive activity may take place.

Individuals and groups not affiliated with the College may request to utilize College facilities for events, including expressive activities, by following Policy 7100, "Use of College Facilities".

The College will not authorize, permit or condone demonstrations by any individuals or groups on College property which interfere with educational programs, disrupt public order, threaten the safety of members of the College community, interfere with the College traffic or block entrances or exits of campus buildings, and/or result in a threat to public health.

The College's Role is to 1) Maintain an educational environment that encourages free speech and debate 2) Support the safe execution of the event; 3) Engage campus partners to ensure participants' and community safety; and 4) Assist organizers to ensure the demonstration does not disrupt the normal operations of the College.

I. Approved Location(s) for Protests and/or Demonstrations on Campus.

The following locations on the Campus have been designated as available demonstration sites that can be requested and/or will be assigned:

- Plaza area within boundaries designated by the Director of Public Safety depending upon the size of the group participating in the demonstration.
- Quadrangle
- Area in front of the Physical Education Building

Additional locations may be designated by the Department of Public Safety or the Dean of Students Office if requested and deemed more suitable for a particular expressive activity or event.

II. Requests to Organize a Protest and/or Demonstration on Campus.

Individuals who are planning a protest or a demonstration on campus should submit a written request concerning the Event at least forty-eight (48) hours prior to the date of the proposed Event, or as soon as practical. It is strongly encouraged that requests are submitted well in advance of the Event to give the College sufficient time to review the request, make a determination concerning the Event, and make necessary arrangements for public safety in the event the request is approved. Students and student groups must direct the request to the Dean of Students Office. Employees and other members of the College community must direct the request to the Department of Public Safety. The request must include the following information:

1. Contact information for the Event Organizer(s)
2. Requested Date, Time and Location of the Event
3. The number of people invited or expected to attend the Event
4. Issue at hand or Purpose of the Demonstration or Protest

5. Names of Invited Speakers, if any
 6. List of any External (non-College) Organization(s) which will be involved in the Event
- III. The appropriate College official (i.e., Dean of Students Office or the Department of Public Safety) will make a determination as to whether the proposed Event will be approved, and any and all applicable parameters, and will provide same to the requestor in writing.

The Event will be approved as long as it will not materially disrupt the College's educational and business operations, impede traffic and movement of people on the campus, and will not constitute a threat to the health and safety of the campus community. A group's ideology and perspective will have no bearing on the College's approval of the expressive activity.

In case a proposed Event is not approved, the College official will include a reason for this in their correspondence to the requestor. Requestor will have an opportunity to submit a revised request for the Event (i.e., changing the time, decreasing the size, or changing the proposed location of the Event).

All College policies as well as the Student Code of Conduct must be observed at all times during the demonstration or protest. The Event Organizer shall be responsible for communicating the parameters of the Event to all participants prior to the Event, and to take reasonable measures to ensure the safety of participants. The Event Organizer will act as the primary liaison with the College's Department of Public Safety and/or the Dean of Students Office before and during the Event.

- IV. Spontaneous activities of expression, which are generally prompted by emerging news coming into public knowledge less than forty-eight (48) hours prior to the Event, may be held by members of the College community in the Approved Locations listed in Section I of this Policy, without advance approval, provided that the Event: 1) does not interfere with or displace previously scheduled functions in the Approved Locations; and 2) does not otherwise violate the provisions of this Policy. Any member(s) of the College community organizing such spontaneous activities must report all information concerning the planned Event immediately to the Department of Public Safety, and comply with time, place, and manner provisions set forth in this Policy.
- V. The following actions are strictly prohibited during all demonstrations and expressive events on campus:
- a. causing or threatening to cause physical injury to another person;
 - b. physically restraining or detaining another person;
 - c. damaging or destroying property of the campus or property of another individual;
 - d. using campus property without authorization;
 - e. entering into private office of any employee without permission;
 - f. entering into and remaining in any campus building for any purpose other than its authorized uses or in such manner as to obstruct its authorized use;
 - g. obstructing the free movement of people and vehicles on the campus;

- h. deliberately disrupting or preventing the orderly conduct of classes, lecture and meetings;
 - i. have in their possession while on College premises any rifle, shotgun, pistol, revolver, or other firearm or weapon without the written authorization of the College President or Board of Trustees, whether or not a license to possess the weapon has been issued to the person;
 - j. willfully incite others to commit any of the acts prohibited in this section;
- VI. If the approved Event becomes disruptive or obstructive to College operations, Public Safety will inform the demonstrators that their actions are disruptive to the operations of the Campus and that the disruptive activities in question must cease and desist. If such instructions are not heeded, the permission for the demonstration or protest will be revoked, and all attendees will be asked to leave the Campus immediately. If the Event attendees disregard instructions to disperse and leave the campus, Nassau County Police Department will be summoned for assistance and to clear the area.
- VII. Any demonstration or protest wherein physical violence, incitement of others to violence, unauthorized entry into College buildings, and/or destruction of property takes places will be immediately dispersed and Nassau County Police Department will be summoned to the scene to respond appropriately.
- VIII. In the event any member of the College community believes an Event is causing a material disruption to College operations and/or includes actions that are strictly prohibited by Section IV of this Policy, they are encouraged to notify Public Safety immediately. Such notification will enable the Public Safety Department to take such measures as are necessary to ensure the safety of all persons on College property and to ensure compliance with this Policy.
- IX. Demonstrations or protests that have not been approved by the College through the process outlined in this Policy are not permitted and may be dispersed.

ENFORCEMENT

Students violating Section IV of this Policy may be subject to discipline through the Student Conduct Process. Employees violating Section IV of this Policy may be subject to disciplinary action pursuant to the applicable collective bargaining agreement, as appropriate.