

Demonstration Policy

Policy on Dissent

By its very nature, the University is a place where ideas and opinions are formulated and exchanged. Each member of the University has a right to freely express their positions and to work for their acceptance whether they assent to or dissent from existing situations in the University or society.

To ensure that freedom is maintained, expressions of assent or dissent cannot be permitted to infringe on the rights of the members of the University community or the community itself - not only their freedom to express positions, but their freedom to engage in other legitimate activities. Actual or threatened coercion or violence are abhorrent in a University because they can destroy those rights and freedoms which are necessary for the existence of the University.

Policy Governing Picketing and Other Demonstrations

Picketing and other demonstrations are sanctioned forms of freedom of speech for recognized student organizations, groups of students that do not hold official status with the University and for individual students in good standing unless Participants:

1. Gather in such a fashion as to physically hinder entrances to, exits from, or passage ways within any University building or other structure, or hinder the normal flow of pedestrian or vehicular traffic on or to the campus.
2. Create a volume of noise that prevents members of the University from carrying on their normal activities.
3. Employ force or violence, or constitute an immediate threat of force or violence, against persons or property.
4. Congregate, or assemble within any University building or on university property in such a fashion as to disrupt the University's normal functions or violate the following rules:
 - No group may be admitted into a private office unless invited, and then not in excess of the number designated or invited by the occupant. Passage through reception areas leading to a private office must not be obstructed.
 - Corridors, stairways, doorways, and building entrances may not be blocked or obstructed in violation of the regulations of the New York City Fire Department or of the University. Clear and unimpeded passageways must be maintained at all times.
 - Space may be occupied only when assigned through established University procedures.

- Any noise which interferes with the work or study of persons in a building will not be permitted.
- Buildings must be cleared at normal closing time for each building unless other arrangements are approved in advance.

5. Fail to fulfill the responsibilities of those organizing and participating as outlined below.

Responsibilities of those Organizing and Participating in Picketing and Other Demonstration Events

Organizers and participants must follow these guidelines in planning and conducting pickets and other demonstration events:

1. A member of the Fordham University community must be designated Organizer/Liaison for the event. Given the often complicated nature of a demonstration to take place on University property and the need to coordinate among various areas for needs such as space reservation and traffic control, the Organizer/Liaison must meet with the Dean of Students to coordinate the planned event. The Organizer/Liaison is encouraged to schedule this meeting well in advance. To begin the process of coordination and schedule this initial meeting, the organizer completes the Event Organizer Form located **HERE**

(https://docs.google.com/forms/d/1YV8WLL8ygROgAk6YuzksczpqTF0JecR1Q_cMR5cMH04/edit),

which will alert the University offices with which the event will be coordinated of a proposed demonstration. The Dean of Students/designate will meet with the organizer within 2 business days. In some cases, the Dean of Students can work with groups on even more rapid turnaround. The planned demonstration may be scheduled no less than 2 business days after this meeting. The meeting will be to review the details of the proposed demonstration including proposed time, place, and manner (including planned size) and the Organizer/Liaison will coordinate with the Dean of Students to reserve University space for the event. Reservation of campus space for any event will be contingent upon availability. If the Organizer/Liaison is planning the event on behalf of a recognized club or organization, the advisor to the club or organization should attend this meeting as well.

2. The University Code of Conduct, Office of Residential Life Policies and Procedures and/or other University/administrative regulations must be observed at all times in the planning and conduct of any event.

3. The Organizer/Liaison is responsible to communicate the parameters that have been set for the event by the Dean of Students and the Department of Public Safety -to all participants prior to the event, to take reasonable measures to insure the safety of participants and will act as the primary liaison with the Dean of Students and/or the Department of Public Safety during the event itself.

4. The demonstration/protest may proceed once the Organizer/Liaison receives notification from the Dean of Students/designate that coordination is finalized.

Consultation on Requests Not Approved

In the event that a request to conduct picketing and/or a demonstration is not approved by the Dean of Students, the organizer/liaison or group may choose to do the following:

1. The group, individual or Organizer/Liaison will present a 1-2 page letter to the Dean of Students asking that he or she reconsider the decision.
2. The Dean of Students will forward this document and a brief explanation of his or her decision to a group comprised of one faculty member of the Student Life Council (Rose Hill)/Student Life Committee of the Faculty Senate, one administrator appointed by the Dean of Students and the Executive Presidents of the three student government bodies for the campus: United Student Government, Residence Halls Association and Commuting Students Association.
3. The Dean of Students will schedule a meeting to consult with this group on their decision. The meeting will occur within 5 business days of informing the Organizer/Liaison that the request has not been approved. The Organizer/Liaison may also request to meet with this group.
4. The Dean of Students will inform this group as well as the Organizer/Liaison seeking to conduct the event as to their final decision.

Procedures for Responding to Obstructive or Disruptive Demonstrations

1. The Dean of the college or the official responsible for the specific building area affected should summon the Dean of Students and the Department of Public Safety to the scene.
2. The Dean of Students, in consultation with the Dean of the college or the official responsible for the specific building or area affected, will determine the point at which the normal operations of the specific building or area are disrupted.
3. If it is decided that the demonstration is disruptive or obstructive, the Dean of Students will take the following steps:
 - Inform the demonstrators that their actions are disrupting the normal process of the area in question and that they should cease and desist their activities. The demonstrators will also be informed specifically how they may continue their demonstration in a manner which is not disruptive or obstructive.
 - If the demonstrators fail to respond to the request to cease and desist their activities or if they fail to modify them in such a manner as to permit the undisturbed operation of the area in question the warning will be repeated and clearly stated as a final warning.

- If the second warning is ignored and demonstrators persist in the obstructive or disruptive action, the Dean of Students will apprise the President and/or Senior Vice President for Student Affairs or Associate Vice President of Student Affairs of the situation and based upon the situation will recommend:
 - That the New York City Police be summoned and that they be requested to arrest violators and clear the area.
 - The University initiate action to obtain an injunction against the continuance of the disruptive activities.

4. If at any time during a coordinated/approved demonstration, physical violence, unauthorized entry, disruption of normal business and/or academic activities, and/or destruction of property occurs, the Dean of Students or designee in consultation with Public Safety will instruct the demonstrators to leave the area immediately. If the demonstrators do not leave the area immediately upon hearing the Dean's instruction, the President and/or Senior Vice President of Student Affairs or Associate Vice President for Student Affairs will be informed of the situation and will be requested to summon the New York City Police to arrest violators and clear the area. The Dean of Students, the Department of Public Safety, and/or the relevant area Vice President(s) reserve the right to instruct demonstrators to leave the area immediately without following the steps in this policy when the health, safety, and property of any community member have been harmed or are imminently threatened.

5. During actions to quell an obstructive or disruptive demonstration, an officer of the University, the President of the Faculty Senate, and the college Deans should be present to observe the actions of all involved.

6. IMPORTANT CLARIFICATION: steps 1-5 above are generally followed in instances in which a protest that has been coordinated/approved through this Demonstration Policy deviates from the Policy based on the judgment of the Department of Public Safety and/or the Dean of Students.

7. Demonstrations/protests that have not been coordinated with/approved by the University through the process described in this policy are not permitted and may be ended without following steps 1-5. Organizing individuals and groups as well as participants may be subject to response through the Student Conduct Process.