



**Demonstration/Open-Air Assembly, Presentation or Forum Regulations**

Montclair State University recognizes the rights of members of the University community to freedom of assembly and speech, and strongly believes in fostering discourse and the free exchange of ideas at the University. However, as a matter of law and University policy, these rights and interests are restricted, and must be exercised on University property in a manner consistent with the mission and operation of the University and the rights of other members of the University community.

To ensure that the business of the University is carried out without disruption, the institution maintains the right to designate the areas for expressions of opinion and to determine the time and manner in which the expression occurs. Nevertheless, members as well as non-members of the University community may not exceed the bounds of appropriate expression during the course of demonstrations, by interfering with the educational activities and business of the University or with the rights of others. It is therefore desirable to re-affirm the importance of appropriate time, place and manner restrictions on demonstrations. Accordingly, and in order to provide further consistency in the application of University policies to on-campus demonstrations, the Office of the Vice President for Student Development and Campus Life is issuing the following guidelines for demonstrations on University property.

The University shall routinely and consistently apply the provisions of the student code of conduct and other relevant laws, regulations, policies and procedures to on-campus demonstrations and assemblies of persons.

The University shall take steps through appropriate procedures to hold demonstrators and other individuals accountable for actions which violate applicable laws, regulations and University policies and procedures. Such improper actions include but are not limited to:

- Material disruption of or interference with instructional activities, other University business and campus events;
- Actual or threats of physical violence, other forms of harassment, or destruction of University, other public or private property;
- Interference with entry to or exit from University facilities and unimpeded movement by individuals; and
- Interference with the rights of other members of the University community to freedom of speech and assembly, and other rights.

Demonstrations and other assemblies are limited to appropriate public forums, which do not include, among other locations, faculty and administrative offices, classrooms and other instructional facilities. Such public forums are locations, which by tradition or policy are available for public assembly and speech, such as where students have traditionally gathered to debate issues. To the extent that a public forum exists within a University building, any demonstrations within that forum shall take place during the building's normal operating hours and within established guidelines for the facility.

Outdoor assemblies and any event requiring amplification are limited to areas not adjacent to academic classroom facilities and unless specially directed to another location, will take place on the Student Center patio. Registered University organizations approved for flag raising ceremonies may hold events adjacent to the Student Center flag pole. In addition such assemblies will occur during the hours of the University free period, Wednesday from 2:30 to 5:00 PM. All other facilities and locations are strictly reserved for University sponsored events.

Where appropriate, the University will endeavor to maintain open lines of communication with demonstrators and other parties in order to provide opportunities for discussion of matters in dispute, provided that the individuals act in a manner consistent with University policy and the rights of others. However, as a general rule the University shall not negotiate with individuals who occupy any University facility, or with associated demonstrators, while any such occupation continues, and the University shall never negotiate within an occupied facility.

These guidelines are intended to support, not supplant, existing University policy. They apply to all members of the University community, including undergraduates, graduate students and employees, as well as to guests and visitors. The guidelines will be implemented as consistently as possible, recognizing that special circumstances may on rare occasions require limited and judicious deviation from the guidelines.

No student, or authorized visitor shall be subject to any limitation or penalty solely for the expression of his views or for having assembled with others for such purpose. Peaceful picketing and other orderly demonstrations in public areas of grounds and buildings will be permitted within the bounds of established guidelines. Those involved in picketing, public assemblies and/or demonstrations may not, however, engage in specific conduct in violation of the provisions of the preceding section.

Members as well as non-members of the Montclair State University must adhere to the following guidelines prior to an on-campus demonstration and/or open-air presentation or assembly:

1. All parties must, on behalf of themselves and/or the organization they represent, obtain two documents from the Dean of Students office:
  - a. Request for demonstration/open-air assembly, presentation or forum Form
  - b. Demonstration/Open Presentation Policies and Procedures document
2. The request form must be completed in its entirety, signed and submitted to the Associate Director of the Student Center, whose office is located in the Student Center room 400, at least 48 hours before the date and time of the proposed event. The form must include all required information including:
  - a. The requested date(s) and time(s) of the event.
  - b. The planned objective of the demonstration/presentation/forum
  - c. The materials that will be used to conduct such an event
3. The party requesting authorization for the event must schedule an appointment with the Associate Director to discuss any requirements for the event and accompanying University procedures.
4. When the request is approved, the requesting party will be notified and given written approval which must be presented upon request from any University official.

## **Regulations for Demonstrations of Extended Duration**

Montclair State University recognizes the rights of members of the University community regarding freedom of assembly and speech and strongly believes in fostering discourse and the free exchange of ideas at the University. From time to time these activities may extend beyond a limited period of time (e.g., sit-in) and may involve a large number of individuals. These activities may not interfere with the normal and official business and operations of the University. The following outline indicates internal policies regarding the conduction of safe assemblies of groups that include members and/or nonmembers of the university community.

### **Outside Assemblies**

#### **1. Location**

- Designated area is the front of the Student Center (unless otherwise directed by a University official)
- The area will start on paved area south of the stairs and continue southward on the grass area if necessary
- No coverings or shelters except for rain gear. That is, no tents, pop ups or tarps
- All protestors and protest activity must remain within the barricaded area
- University Police may be present to ensure the safety of the protestors as well as the community at large

#### **2. Duration**

- Protest area will be available 7 days per week unless previously scheduled for a University activity or previously registered by another group for an activity
- Protest area may only be occupied from dawn to dusk
- No sleeping, camping or post-daylight protest/sit-in is permitted

#### **3. Signs**

- No signs are permitted outside of the designated area
- No signs affixed to poles or sticks are permitted
- All protest visuals must remain in designated area (ex. Inflatables, signs)

#### **4. Bathrooms**

- Public restrooms can be used in public buildings
- No signs may be taken into buildings
- No showering or bathing in bathrooms is permitted

**5. Sound and Noise**

- Music, talking, announcements, etc. cannot interfere with University programs, activities and/or classes
- No amplification or loudspeakers are permitted except during the common area as per current University policy

**6. Substances**

- No alcoholic beverages or controlled dangerous substances are permitted in this area as per University policy

**7. Refuse**

- Trash receptacles will be placed adjacent to the protest area. Protestors are required to dispose of unwanted items, i.e, trash in appropriate receptacles
- At the end of day or earlier if the protest area is vacated, the protestors will leave the area in a condition appropriate for use the following day by all members of the University community

**8. Identification**

- All protestors (students and non-students) are required to carry official identification at all times and are required to present same to University officials and/or University police upon request

All protestors are required to adhere to University policy, state and or federal regulations. Members disrupting the normal operations of the University will be asked to cease and desist from said activity or they will be removed from the scene.

Any violation of campus regulations will be subject to administrative disciplinary action. Any person in violation of NJ state law will be subject to criminal prosecution.

**Indoor Assemblies**

All policies regarding outside protests are applied to inside sit-ins/protests with the following additions:

1. Classrooms and the library may not be occupied at any time for protests
2. No office or University facility may be occupied if that sit-in/protest
  - a. Interferes with the educational and/or business operation of the University, including but not limited to Bursar, Maintenance/Facilities, Registration
  - b. Impacts the safety and/or security of the University, including but not limited to University Police Headquarters and Information Technology
  - c. The occupation/protest of a specific area will be reviewed daily to determine if conditions have changed and items (a) and/or (b) have been identified as concerns

- 3.** If possible, i.e., not previously booked by another group that can be relocated, the front section of the Ratt will be made available for the purpose of assemblies if an outside protest is moved indoors.

(Reviewed and revised 11/11)

**MONTCLAIR STATE UNIVERSITY**  
**REQUEST FOR DEMONSTRATION/OPEN-AIR ASSEMBLY,**  
**PRESENTATION OR FORUM**

Requesting individual: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Requesting Organization (if applicable): \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

E-mail: \_\_\_\_\_

Telephone: (Mobile) \_\_\_\_\_ (Work) \_\_\_\_\_

(Home) \_\_\_\_\_

Purpose of event:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Requested Date and Time of Event:

Date: \_\_\_\_\_ Time: \_\_\_\_\_

Requested Location: \_\_\_\_\_

(N.B., as noted above, unless specifically approved for University sponsored events only, all demonstrations and/or forums will take place on the Student Center patio.)

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For University Use only

Event approved: \_\_\_\_\_

Location approved: \_\_\_\_\_

(Name of approver) \_\_\_\_\_

(Signature) \_\_\_\_\_ (Date) \_\_\_\_\_

Time of approved event: \_\_\_\_\_

Amplification approved: \_\_\_ yes \_\_\_ no

(revised 4/08)