

Questions posed by Julia Waskosky, Kankakee Community College
4/2013

My coordinator for Student Life is proposing the adoption of the attached document for instances when students want to assemble for or against a cause.

Do you have a similar document/policy?

If so, has it been legally reviewed and approved?

If so, would you please share your document?

LLCC does not have an assembly policy. We do have a "campus disorder" policy. I've included the policy statement below.

Policy Statement: Any action by a student or group of students which disrupts the normal and orderly functioning of the College, or which violates any law, is prohibited and may subject such person or persons to disciplinary action under Policy 5.37.

CAMPUS DEMONSTRATIONS

Rock Valley College respects the rights of individuals to self-expression and to demonstrate that expression peacefully. The 110 ILCS 10 / Campus Demonstrations Act establishes that the Rock Valley College administration is responsible for maintaining decorum and order on the campuses of the institution.

Rock Valley College shall develop consistent procedures outlining rules and regulations to maintain order on Rock Valley College's campuses in accordance with all applicable statutes and regulations.

May 26,2009

Vice President of Administrative Services

Rock Valley College shall develop consistent procedures outlining rules and regulations to maintain order on Rock Valley College's campuses, ensuring that the civil rights of others are not infringed, and establishing methods to secure the reasonable operation Of college activities in accordance with all applicable statutes and regulations.

Campus Demonstrations

Board Approval:

Effective May 26,2009

ROCK VALLEY COLLEGE ADMINISTRATIVE PROCEDURES

Campus Demonstrations

I. **General Procedure**

Discussion and expression of all views is permitted within Rock Valley College subject only to requirements for the maintenance of order. Support of any cause by orderly means which is not in violation of law and which does not disrupt the operation of Rock Valley College nor interfere with the rights of others is permitted. Rock Valley College retains the right to assure the safety of individuals, the protection of property, and the continuity of the educational process.

In accordance with the Illinois Statute, "Interference with public institution of higher education," and the Student Code of Conduct, the policy of Rock Valley College is to prohibit acts which interfere with Rock Valley College operations.

Rock Valley College policy provides for freedom of expression and lawful assembly at Rock Valley College, and for the orderly petition for redress of grievances. Venues are provided on our campus for the lawful expression of opinions, demonstrations and protests. Indeed, this is an appropriate and important element of college life. Rock Valley College retains the right to regulate the time, place and manner of demonstrations to assure the safety of individuals, the protection of property, and the continuity of the educational process.

II. **Conduct during Demonstrations and Protests:**

Prohibited conduct, as stated in the "Student Code of Conduct," includes:

- A. Conduct that threatens or endangers the health or safety of any person, or creates in such person a reasonable fear that such a result will occur, including but not limited to:
 - 1. Physical abuse
 - 2. Intimidation, harassment, or coercion
 - 3. Reckless disregard for the health or safety of any person
- B. The use of force or violence, actual or threatened, to willfully deny, impede, obstruct, impair, or interfere with any of the following:
 - 1. The freedom of movement of any person, including entering or leaving property or facilities
 - 2. The use of the property or facilities owned or controlled by Rock Valley College
 - 3. The performance of institutional duties by a member of Rock Valley College
- C. The use of force or violence, actual or threatened, to knowingly occupy or remain in or at any property or facility owned or controlled by Rock Valley College after receiving due notice to depart.

- D. Any conduct that substantially threatens or interferes with the maintenance of appropriate order and discipline in the operation of Rock Valley College. Without excluding other situations, examples include shouting, noise making, obstruction, and other disruptive actions designed or intended to interfere with or prevent meetings, assemblies, classes, or other scheduled or routine College operations or activities.
- E. Inciting, aiding, or encouraging others to engage in a disruptive or coercive action.
- F. Failure to comply with the directions of a College or law enforcement official acting in the performance of her or his duty.
- G. Participation in a disruptive or coercive demonstration. A demonstration is disruptive or coercive if it substantially impedes College operations, substantially interferes with the rights of others, or takes place on premises or at times where persons are not authorized to be.

III. **Guidelines for Demonstrations and Protests:**

There are a number of campus policies that must be observed when organizations or individuals plan to use college facilities for events of any kind. In planning a demonstration or a protest, the organizers and participants must observe regulations pertaining to the use of campus facilities as well as this Procedure.

Attached is a summary of "General Principles for Campus Demonstrations and Protests," which can be distributed as appropriate.

IV. **Procedures for Handling Disruptive Demonstrations and Protests:**

In situations where there is an individual or group demonstration, the Rock Valley College Police Department in consultation with the Provost and/or the Vice President of Administrative Services, will determine the point at which a demonstration becomes disruptive based upon the criteria set forth in Section II of this Procedure.

If the situation permits, the Chief of Police or designee will inform the demonstrators that they must discontinue their disruptive activities, explaining which activities are in violation of this Procedure, and will advise them how to continue their demonstration in a manner which is not disruptive. If the disruption continues, appropriate action will be taken, which may include police action. An immediate physical threat to persons and/or property may require immediate police action as well as situations in which the Provost and/or the Vice President of Administrative Services determine that a warning will not provide adequate protection for persons or property.

V. **Consequences of Violating the Policy:**

Once individuals are advised by a College official that they are violating Rock Valley College policy, state law, or both, the individuals may disperse or move to another location identified by Rock Valley College. If they choose to remain, they are subject to arrest and/or College discipline. Illinois law prohibits interference with the operation of a public institution of higher education. Violations of this law

can lead to arrest, incarceration and fines. Criminal damage to state property is a felony and criminal trespass on state supported property is a misdemeanor. Any battery against a police officer constitutes aggravated battery.

Students who violate College or campus policy, including this Procedure or the law may be subject to disciplinary and/or criminal action. Students should refer to the Student Code of Conduct for specific information regarding campus rules and regulations, and the student judicial system. Disciplinary action can range from a reprimand to expulsion from Rock Valley College.

Faculty and staff who violate College policy, including this Procedure or the law may be subject to disciplinary and/or criminal action. Faculty and staff should refer to the Rock Valley College Employee or Administrative Handbook for specific information.

BOARD OF TRUSTEES, DISTRICT 504 STUDENT AFFAIRS
PERMIT TO ASSEMBLE: POLICY 5730
PROTESTS/DEMONSTRATIONS ADOPTED: 3/19/91
AMENDED: 4/21/93
AMENDED: 8/23/05

The Board of Trustees recognizes that students and staff have the right to express themselves in groups. That expression may be either in support of or against any topic or cause and may include protests and demonstrations.

If there is a desire to assemble on campus for the purpose of group protests or demonstrations a permit is required. Only Triton Community College students and/or staff are eligible to file for a permit to assemble. A permit to assemble must be approved by the Vice President of Academic Affairs & Student Services and the Chief of Campus Police no later than 24 hours preceding the planned demonstration.

The Board of Trustees expects that all students and/or staff who participate in a protest and/or demonstration have the following responsibilities regarding the assembly and that each assembly:

1. Be peaceful in nature.
2. Be held outside buildings on campus
3. Not block entrances to buildings on campus.
4. Not obstruct the normal flow of traffic on streets, sidewalks, and parking lots.
5. Not use amplification equipment.
6. Not disturb the normal business and classes of the college.

Any protest and/or demonstration that does not meet the above requirements will be dispersed. The Vice Presidents of Academic Affairs & Student Services and Business Services will develop specific regulations to implement this policy, including an approval form for permit to assemble. (This was reviewed by Triton's legal counsel.)

MVCC 's policy #4620 below:

Board Policy #4620

Student Development

Student Demonstrations

The college recognizes the right of peaceful assembly and will make facilities available for recognized staff and student groups. However, such assembly must not obstruct free movement of persons about the campus, the normal use of classroom buildings and facilities, the normal operations of the college or the instructional program. Recognized staff and student groups must not jeopardize the safety of persons, lead to the destruction of property, or violate the laws of the district, state, or nation. Persons who engage in activities, which violate this policy, shall be subject to disciplinary action. Persons who are not members of the student body of the college and who violate this policy shall be subject to the control of public authorities.

Legal Reference: *Illinois Public Community College Act*
110ILCS 805/3-25: Adoption and Enforcement of Rules
110ILCS 805/3-42.1: Appointment of Members of Security Department
110ILCS 805/3-43: Use of Buildings by Organizations and Societies