



# Peaceful Assembly Policy ADM 44.0

## Office of Student Affairs, DEIB and Title IX

Policy Type: Administrative

Applies to: Faculty, staff, students, outside groups

### POLICY DATES

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At the University of Mount Union, we affirm the importance of the free exchange of ideas and constructive dialogue and action regarding public issues, including peaceful assembly. We are dedicated to upholding free and open dialogue, with the understanding that the right to speak is equally available to everyone. Alongside this right, each member of our community carries the responsibility to respect others' rights to speak, study, teach, and learn without disruption.

By law, only peaceful assemblies are protected. Participation in a peaceful assembly must be voluntary and must support the basic exchange of ideas with persons who may be opposed to the ideas or claims that a particular assembly is promoting. In line with the University's [Student Handbook](#), [Employment Policies for Faculty](#), [Employment Policies for Staff](#), [Facility Usage and Fee Policy](#), and other related [University policies](#), Mount Union's Peaceful Assembly Policy is focused on ensuring that everyone in our community has the right to express their views, study, research, and teach peacefully.

The orderly delivery of education is basic to the primary purpose of the University of Mount Union. The following procedures are established to guarantee the continuation of this function and the continued health and safety of the members of the University community. In addition, these guidelines exist to ensure that the free exchange of ideas within the Mount Union community can take place in a productive and non-threatening manner.

### Definitions

Mount Union's Peaceful Assembly Policy is focused on peaceful assembly on the University of Mount Union's property. Such actions on public property are subject to local, state, and federal law.

Term	Definition
University of Mount Union Property	All buildings, grounds, parking lots, private streets, and private sidewalks owned by the University of Mount Union.
Public Property	Any public right of way, including sidewalks or streets adjacent to University of Mount Union property.

Peaceful assembly includes meetings, speeches, debates, demonstrations, marches, vigils, sit-ins, rallies, protests, picket lines, and similar meetings or gatherings. The examples and information below are not intended to be an exhaustive list.

Term	Definition
Demonstration	A large group of people, usually gathering for a political cause. It usually includes a group march, ending with a rally or a speaker. A demonstration is similar to a protest in that they both can use the same or similar methods to achieve goals. However, demonstrations tend to be more abrasive and spontaneous, whereas protests tend to be more organized.
March	A walk by a group of people to a place in order to express an objection with or support of any event, situation, or policy.
Picket Line	A line or group of people who are refusing to go to work until their employer agrees to certain demands.
Protest	A way to express objections with an event, situation, or policy. These objections can be manifested either by actions or by words.

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Sit-In	Any organized protest in which a group of people peacefully occupy and refuse to leave college premises.
Vigil	An observance of commemorative activity or event meant to demonstrate unity around a particular issue or concern, and/or to promote peace and prevent violence.

In accordance with the University's [Facility Usage and Fee Policy](#), the following definitions for campus space usage will be applied in prioritizing designated demonstration space usage.

Term	Definition
University Academic Activities	University academic activities are activities or events directly related to the instructional mission of the University, i.e. credit-bearing classes, academic lectures, and other programmatic activities relating to the academic coursework run by an Academic or University Department.
University Events	University events are activities organized and run by faculty, staff, university offices and departments, and registered and approved student organizations (see student involvement and leadership website for student event guidelines) that are planned primarily for members of the University of Mount Union community and/or the benefit of the University. Examples include athletic events, recreational activities, faculty/staff development, commencement, guest lecturer, enrollment/recruitment events, peaceful assemblies, etc. Attendees of these types of events include members of the community, faculty, staff, students, guests, and alumni.
University Hosted/Sponsored Events	University hosted/sponsored events are academic programs, conferences, retreats and/or meetings involving two entities: <i>A University entity</i> (academic department, administrative unit, or student organization) and <i>an outside organization</i> (such as a professional association in which the University holds membership or maintains a relationship that directly benefits the University community or community-based organization.)
Non-University/External Events	Non-University/External Events are programs and activities organized by individuals, groups, businesses, or organizations not included in the organizational structure of the University. Examples include weddings, receptions, charity events, meetings, youth camps and events, conferences, social activities, etc.

## PROCEDURE

### Peaceful Assembly Permit Application

Only currently enrolled University of Mount Union students, recognized student organizations or other University-recognized groups, and members of the faculty and staff are eligible to file a permit application to peacefully assemble, which includes the following as defined above: demonstrations, marches, picket lines, protests, sit-ins, and vigils. Such individuals or organizations wishing to peacefully assemble on campus must complete the [Peaceful Assembly Permit Application](#).

**Third-party and external entities are not permitted to peacefully assemble on University of Mount Union property.**

The permit application must be submitted at least 72 hours in advance of the peaceful assembly to enable the team to assemble, to properly vet the request, and to ensure the safety of the campus community. The permit application will be submitted to the Peaceful Assembly Permit Review Team, comprised of the following individuals or their designees:

- Vice President for Academic Affairs
- Vice President for Business Affairs
- Vice President for Student Affairs
- Chief Communication Officer
- Chief Diversity Officer
- President of Student Senate

Permit applications are only reviewed Monday through Friday from 8 a.m. to 4 p.m. on days when campus offices are open. Applications submitted outside of these days/times will be reviewed at the next available opportunity. Permit

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applications will be considered and decided upon at least 48 hours prior to the proposed assembly or demonstration. The decision of the committee is final.

Individuals or organizations wishing to peacefully assemble on campus with a request to include an outside speaker(s) must include specific details in their permit request regarding the proposed speaker(s) so that the individual(s) can be properly vetted. The vetting process will not preclude any speaker based solely on the content of their message. Any modifications to the speaker request must be given to the Peaceful Assembly Permit Review Team sufficiently in advance to ensure that the assembly can be accommodated.

Permit applications shall state the name of the group; person or organization sponsoring the peaceful assembly; the proposed date and time of the peaceful assembly; the expected size of the audience; the identity of the speaker(s) or presenter(s), if any, and the topic of the speech or nature of the presentation; the safety plan of the person or organization sponsoring the peaceful assembly; and the plan for promoting the peaceful assembly on campus.

At the discretion of the committee, applications for spontaneous assembly, outside of the designated permit process timeline defined above, may be considered and approved.

Upon the approval of a permit application, the applicant(s) will be advised regarding reasonable peaceful assembly activities and assigned a specific designated peaceful assembly area. Peaceful assemblies may not be promoted before a permit is approved and may not exceed a two-hour duration.

#### **Designated Peaceful Assembly Areas and Designated Peaceful Assembly Times**

The University has identified designated demonstration areas – the Quad and the green space in between Chapman Hall and Miller Hall – during designated peaceful assembly times from noon to 5 p.m. Monday through Friday when classes are in session (does not include reading days or exam periods). These designated peaceful assembly areas and times have been identified to ensure that peaceful assemblies are carried out in a manner that does not disrupt University matters.

Designated peaceful assembly areas will be assigned based on availability. Should there be a conflict regarding the scheduling of spaces, the prioritization process detailed in the [Facility Usage and Fee Policy](#) will be applied. Definitions for these prioritization categories are provided above.

1. University Academic Events
2. University Events (peaceful assemblies are included in this category)
3. University Hosted/Sponsored Events/Camps - see University of Mount Union Policy Manual – University and Third-Party
4. Non-University/External Events

Approval for use of a designated peaceful assembly area may be revoked in an emergency, when any use interferes with regular college use, when facilities are misused, or when Mount Union regulations are violated.

#### **Peaceful Assembly Expectations**

In accordance with this policy, approved peaceful assembly:

1. Must not interfere with the individual rights of others.
2. Must not disrupt the normal processes of college life – classes, administration, business, or other approved University activities.
3. Must not use amplification equipment – electronic or otherwise (megaphones, bullhorns, etc.) – within 500 feet of University buildings or in a manner obstructive or disruptive of University functioning.
4. Must not block entrances to buildings or obstruct traffic in the hallways, on streets, in parking lots, or on sidewalks, whether on public or University of Mount Union property.
5. Must not pose a safety concern.

In addition, students are expected to attend all their classes as scheduled. Specific class attendance policies are the prerogative of the individual faculty member. Students will be held responsible for any missed coursework. Any

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arrangements for missed coursework will be at the discretion of the faculty. In some cases, missed coursework may result in a reduction in grade or no grade at all for unauthorized absences.

#### Safe Demonstration Violations

Any individual found guilty of engaging in conduct in violation of this policy, as detailed below, is subject to discipline pursuant to the [Student Handbook](#), [Employment Policies for Faculty](#), [Employment Policies for Staff](#), and/or arrest and prosecution in accordance with Ohio law.

Violations may include, but are not limited to the following:

- Unpermitted demonstrations, marches, picket lines, protests, sit-ins, and vigils are not allowed on Mount Union property. An assembly of individuals not authorized by the Peaceful Assembly Permit Review Team will be asked to disband by the Office of Campus Safety and Security or any administrative officer of the University of Mount Union and/or local law enforcement.
- Permitted peaceful assemblies are in violation of this policy if they exceed the two-hour time allotment or extend beyond the designated peaceful assembly areas or times.
- No physical structures, encampments, or tents can be erected as part of a peaceful assembly, whether within the designated peaceful assembly area or elsewhere on University of Mount Union property. Exceptions will be considered on a case-by-case basis.
- The right of expression is not to be confused with a license to use threatening language, incite violence, or create a harassing or hostile environment. Any individual found guilty of participating in or inciting a riot or an unauthorized or disorderly assembly is in violation of this policy.
- If disturbance from observers develops at a peaceful assembly, the participants are expected to refrain from altercations with such observers. Observers are expected to maintain a reasonable distance between themselves and the demonstrators at all times and to refrain from inciting violence or using indecent language. Observers may not obstruct legitimate peaceful assemblies by physically blocking the path, by blocking other observers, throwing objects, or in any way acting to limit the right of those assembled to engage in lawful activities in support of free expression.
- Under no circumstances will the damage of campus property, facilities, or grounds be permitted. If damage does occur, those responsible will be held liable.
- Any activity that would risk the health and safety of peaceful assembly participants, observers, or other campus community members is in violation of this policy.
- Both assemblers and observers are expected to follow the directions of the Office of Campus Safety and Security or other University officials and/or local law enforcement.

#### Counter-Assembly

A peaceful assembly on campus may invite another form of assembly. When these occasions arise, the expression of all parties is important. Please note that another area may be identified for those persons with views that differ from those held by the event organizers. In order to ensure the safety of all participants and to guarantee that the Peaceful Assembly Policy is upheld, the presence of the Office of Campus Safety and Security and/or local law enforcement may be required.

#### Demonstration by External Parties

The University of Mount Union campus is not a public forum, and no individuals outside of the University's students, faculty, and staff are permitted to use the campus and its facilities for any type of peaceful assembly. Any unauthorized use of, or access to, Mount Union facilities and/or grounds may result in immediate eviction and/or criminal or civil prosecution. Persons on campus may expect to be asked their purpose for being on campus by the Office of Campus Safety and Security, and if such persons have no legitimate business on campus, campus security officers will ask for the person's identification and request that the person leave the University's premises immediately, subject to prosecution for trespass in the event that this person returns. The second time this person is found to be on campus with no legitimate business with the University of Mount Union, said individual may be arrested, and the Alliance Police Department may prosecute the person for trespass.

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#### Responsibilities

Position or Office	Responsibilities
Office of Student Affairs	Receive permits and convene the Peaceful Assembly Permit Review Team
Office of DEIB and Title IX	Receive permits and convene the Peaceful Assembly Permit Review Team
Peaceful Assembly Permit Review Team	Review and decide on submitted permits

#### Resources

[Peaceful Assembly Permit Application](#)

#### Contacts

Subject	Office	Telephone	E-mail/URL
Vice President for Student Affairs	Office of Student Affairs	(330) 823-2246	<a href="mailto:fraziej@mountunion.edu">fraziej@mountunion.edu</a>
Executive Director of Student Accountability, Safety, and Restorative Practices	Office of Student Affairs	(330) 829-2765	<a href="mailto:sullivma@mountunion.edu">sullivma@mountunion.edu</a>
Chief Diversity Officer and Senior Title IX Administrator	Office of DEIB and Title IX	(330) 829-4904	<a href="mailto:blackma@mountunion.edu">blackma@mountunion.edu</a>
Associate Diversity Officer and Title IX Coordinator	Office of DEIB and Title IX	(330) 829-6560	<a href="mailto:bootheac@mountunion.edu">bootheac@mountunion.edu</a>