

## **Student Protest and Demonstration Policy**

### **Purposes**

The purposes of this policy are to: provide rules and guidelines for members of the campus wishing to organize or participate in demonstrations on the Millikin University campus or in any building rented or owned by the University; outline the expectations for, and obligations of, any student planning or holding a protest or other public demonstration on property owned or controlled by the University ("University Property"); and establish clear, content-neutral time, place, and manner rules for campus demonstrations. The rules set forth in this policy ensure that public expression does not disrupt University operations or impede the ability of Millikin campus community members to learn, work, and live amicably on our small campus.

### **Scope**

This policy applies to any student protest or other public demonstration. This policy **does not** apply to events requiring indoor space or outdoor activities that have a purpose other than public expression, including tabling; such events and activities continue to be governed by policies and procedures related to registering routine student events and activities.

### **Guiding Principles Related to Institutional Mission**

Millikin University is committed to academic freedom, civil discourse, open inquiry and the exchange of the widest range of ideas, free from institutional orthodoxy, coercion, or retaliation. This commitment is vital to Millikin's educational mission of "prepar[ing] students for professional success, democratic citizenship in a global environment and a personal life of meaning and value." Although the University, as a private institution, is not subject to the First Amendment of the U.S. Constitution, we cherish and seek to closely follow the principles of the First Amendment to emphasize our commitment to the important values of free expression.

Members of the campus community may peacefully assemble, demonstrate and protest on University property typically treated as public common spaces. However, the University reserves the right to limit, disallow or disband an event, assembly, demonstration or protest which incites or advocates for violent action, or which represents a clear and present danger to the general campus community or demonstrators. Further, action which materially disrupts the mission or business of the University may result in the dispersal of a demonstration.

Consistent with our commitments, individuals are encouraged to express their personal views while on the Millikin campus regardless of their points of view provided they follow all Millikin University policies. Employees must also ensure that their expression does not interfere with their required job duties or ability to perform those job duties in service to a diverse community.

Expression may take the form of campus demonstrations provided individuals follow the reasonable, content-neutral time, place, and manner restrictions for campus demonstrations set forth in this policy. These restrictions

have long been permitted under the First Amendment, and they are designed to ensure that demonstrations are conducted safely and do not interfere with the rights of others to speak, study, teach, learn, work, and live in our campus community. Importantly, if students engaging in demonstrations follow this policy, they will comply with the Millikin Student Code of Conduct, and their demonstration activities will not subject them to student conduct proceedings unless they violate other campus policies.

### **Definition(s)**

This policy applies to any protests or demonstrations on campus defined as a group of people coming together in an audible, non-silent event of public expression, including for the purpose of conducting a non-silent vigil. Examples include, but are not limited to, any campus assembly, gathering or activity that can be reasonably defined as a march, parade, protest, picketing, or sit-in.

### **Policy Statements**

Campus protests and demonstrations on University property must be reviewed and approved in accordance with procedures below at least seven business days prior to the date(s) of the protest or demonstration. Additional policy statements are as follows:

- The University reserves the right to designate the time, manner, and appropriate areas for protests or other public demonstrations on University Property.
- No action may endanger the safety or security of the University community, infringe upon the rights of members of the community, obstruct access to University facilities or spaces; damage property; disrupt normal University operations; or otherwise violate applicable laws or University policies.
- Participation in a student protest or other public demonstration is restricted to members of the University community. Individuals who are not members of the University community will be instructed to leave campus and are subject to criminal charges.

### **Rules and Procedures for a Safe Protest and Demonstration**

The following rules and procedures are intended to ensure a smooth and successful protest or demonstration. Additional procedures may be added to ensure safety and protection of property.

1. A student or organization planning a protest or other public demonstration on University property must contact the Office of the Vice President for Student Affairs ("OVPSA") ([studentaffairs@millikin.edu](mailto:studentaffairs@millikin.edu)) for information, resources, guidance and permission. Protests or demonstrations on campus properties may not be publicized by organizers until clearances have been received from the OVPSA.
2. An [Application to Register Student Protest and Demonstration](#) must be submitted to the OVPSA or designee for review and approval at least seven business days before a protest or demonstration is expected to occur. No student protest or other public demonstration can occur without prior authorization from the OVPSA or designee. A student protest or other public demonstration may be permitted provided it is peaceful, non-obstructive and respectful of the University's educational mission and the rights of other students, faculty, employees and University guests.

3. At least one representative of record must be present throughout the entire protest or demonstration. This representative must be ready and able to connect with and effectively communicate with University officials if concerns arise. A representative of record is defined as an event advisor, the RSO advisor, or a student officer or designee of the organization.
4. No student protest or other public demonstration will be permitted to occur overnight on University Property.
5. Structures such as tents are prohibited.
6. For safety and to protect University property, the directives of University officials must be followed at all times. A University official is any Millikin employee authorized to provide direction, guidance, and instructions during protests and demonstrations, including student employees.
7. **Disruptive** conduct on University property is prohibited. Disruptive conduct includes, but is not limited, to the following:
  - a. **INTERFERING** with University operations, activities, and/or events, including the rights and activities of other students, faculty, employees, and/or University guests.
  - b. **PREVENTING** access to or egress from offices, building or other University property in accordance with applicable laws, regulations and University policy.
  - c. **FAILING** to comply with the directions of University officials and/or local and state officials, including directions to leave a facility or space.
  - d. **CREATING** the threat of physical harm to persons or damage to University Property or invading the personal space of other students, faculty, employees, and/or University guests.
  - e. **EXCEEDING** building and/or reasonable outdoors site capacities as determined by the University.
  - f. **EXCEEDING** noise levels and/or interfering with or disrupting University operations and activities, including the rights and activities of other students, faculty, employees, and/or University guests.

In general, a protest or other public demonstration inside a University building, by its very nature, would be disruptive to the occupants of the building, including facilities designated as residence halls, and thus will not be permitted.

Any students engaging in disruptive or disorderly conduct, failing to comply with the directions of a University official, or otherwise violating this Policy, the Student Code of Conduct or any other University policy, will be subject to disciplinary action, up to and including immediate, interim suspension pending hearing and/or expulsion from the University, and/or criminal charges.

8. Demonstrations that violate any University policy may be discontinued, either at the direction of the Vice President for Student Affairs (or designee) in consultation with the Office of Public Safety and the Administrator (or designee) of the office administratively responsible for the space in which the assembly, demonstration or protest is occurring, or at the direction of Millikin University Police Department ("MUPD").

9. For safety reasons and to maintain compliance with the Americans with Disabilities Act, blocking entrances to or exits from buildings, impeding or obstructing others' free movement throughout campus, engaging in harassing behavior, materially interrupting or interfering with university business functions, or remaining in buildings after the close of regular hours of operation is prohibited.
10. For safety and security reasons, demonstrators are not allowed to enter residence halls; private offices; research facilities; laboratories; spaces where classes or private meetings are being held or immediately scheduled to be held; libraries; facilities or areas containing valuable or sensitive materials, collections, equipment, records protected by law or by existing University policy such as educational records, student related or personnel-related records, or financial records; emergency facilities; any facilities housing communication systems, security, utilities; or other facilities or services vital to the business functions of the University.
11. If a Dispersal Order read by a University official is not followed, a representative of the MUPD will read the same Order. Demonstrators must comply with instructions and leave the immediate area. If necessary and determined by MUPD, additional law enforcement may be requested to assist with dispersing crowds.

### **Non-compliance**

Individuals refusing to comply with requests from University officials or law enforcement may be subject to disciplinary actions in accordance with the Student Handbook for students and the Employee Handbook for employees.

### **Related Resources**

- University Student Conduct
- [Student Handbook](#)
- [Application to Register Student Protest and Demonstration](#)

### **Responsible Office(s)**

Division of Student Affairs

### **Effective Date**

Revisions effective November 1, 2024.