



2.7P Freedom of Expression Procedure

Category: Administration

Name of Responsible Office: Student Rights and Responsibilities

Title of Responsible Executive: Provost and Vice President, Academic and Student Affairs

Date Established: June 1, 2015

Date Last Approved: August 12, 2019

Process

Procedures

General Provisions

- Assembly, picket, or demonstration by Monroe Community College students, employees or groups (internal) is allowable in public areas of campus grounds and buildings in a peaceful manner, in accordance with the requirements set forth in this procedure authorized in advance by the Vice President, Economic Development, Workforce and Career Technical Education or their designee.
- Individuals or groups not affiliated with the College (external, non-MCC) who are interested in using College property for the purpose of assembly, picketing, or demonstrations are required to inform the College of their intentions and obtain authorization in advance by the Vice President, Economic Development, Workforce and Career Technical Education or their designee.
- No assembly, picket, or demonstration shall occur outside of College operating hours.
- No assembly, picket, or demonstration shall take place indoors of any building owned, leased, or under the control of the College without authorization in advance by the Vice President, Economic Development, Workforce and Career Technical Education or their designee.
- The construction of shelters and other temporary structures, or camping on College grounds is prohibited.
- The use of College grounds for the purpose of assembly, picketing, or demonstrating does not imply Monroe Community College's endorsement of any organization, activity, cause, or position.
- The College will not interfere with orderly assemblies, pickets, or demonstrations on College grounds provided that this procedure and other College policies are upheld at all times. The Board of Trustees of the State University of New York has adopted written rules (8 NYCRR §535) for the maintenance of public order on campuses of the University and other campus properties used for educational purposes pursuant to NYS Education Law §6430. These rules define prohibited conduct as follows:
 - Willfully cause physical injury to another person, nor threaten to do so;
 - Physically restrain or detain any other person;
 - Remove anyone from any place where he or she is authorized to remain;
 - Willfully damage or destroy property on the campus or property under its care;
 - Remove property of the campus or property under its care;
 - Use campus property or property in the campus's care without authorization;

- Enter into any private office of an administrative officer, member of the faculty or staff member without implied or explicit permission;
- Enter into and remain in any campus building or facility for any purpose other than its authorized uses or in such manner as to obstruct its authorized use;
- Remain in any building or facility after it is closed without authorization;
- Refuse to leave a campus building or facility after being required to do so by an authorized administrative officer;
- Obstruct the free movement of people and vehicles in any place to which these rules apply;
- Deliberately disrupt or prevent the peaceful and orderly conduct of classes, lecture and meetings;
- Deliberately disrupt or prevent the freedom of any person to express his or her views, including invited speakers;
- Knowingly have in his or her possession, upon the premises to which these rules apply, any rifle, shotgun, pistol, revolver, or other firearm or weapon without the written authorization of the president whether or not a license to possess the weapon has been issued to the person;
- Willfully incite others to commit any of the acts prohibited in this section with the specific intent to procure them to do so; or
- Take any action, create or participate in the creation of any situation, which recklessly or intentionally endangers the mental or physical health of anyone for the initiation into or affiliation with any organization.

Application for Assemblies, Picketing, and Demonstrations

1. The authorization process for those internal and external individuals or groups interested in using College property for the purpose of assembly, picketing, or demonstrations is initiated by completing and submitting the required application with the Manager of Campus Events or their designee. A minimum of ten (10) business days advance notice is required.
2. Assemblies, picketing or demonstrations during the first two weeks of any semester, final exam week, and on the day of commencement – both on campus and inside the facility where commencement is held - is prohibited.
3. Applicants are required to submit their name(s); the name of their organization; the location sought; the date and time of the planned assembly, picketing, or demonstration; the number of persons expected to participate; and the manner of demonstration.
4. Applications shall first be reviewed by the Manager of Campus Events or their designee who shall confer with the Director of Public Safety or their designee to determine potential impacts on campus safety and security.
5. The Manager of Campus Events or their designee will evaluate the location requested for each assembly or demonstration individually based on availability and the need to conduct regular academic and institutional activities in the requested space. If the requested location is deemed as inappropriate based on the needs of the College, a reasonably appropriate alternate location will be authorized by the Manager of Campus Events or their designee.
6. The Manager of Campus Events or their designee shall forward applications to the Vice President, Economic Development, Workforce and Career Technical Education or their designee for review and consideration of approval.

7. Authorization to assemble, picket or demonstrate on college property will be granted provided that
 - a. the applicant's status with the College is not "persona non grata," or there is not a conduct order or court order prohibiting the applicant's presence at the College;
 - b. the proposed time, place, or manner of assembly, picket or demonstration would not prevent, disrupt, or unreasonably interfere with the regular academic and institutional activities or other essential operations of the College;
 - c. the proposed assembly, picket, or demonstration would not unreasonably obstruct pedestrian or vehicular traffic;
8. If a request to assemble, picket, or demonstrate is approved by the Vice President of Economic Development, Workforce and Career Technical Education or their designee, the applicant's information will be returned to the Manager of Campus Events or their designee which will notify the Director of Public Safety or their designee as soon as possible for operational planning.
9. If a request to assemble, picket, or demonstrate is denied by the Vice President of Economic Development, Workforce and Career Technical Education or their designee, the applicant can submit a written appeal to the CFO and Vice President, Administrative Services or designee. The decision of the appellate is final.

Forms

[Brighton Campus Rental Application](#)

Contact Information

Office of Campus Events

Related Information

2.7 Freedom of Expression Policy