

As published in the *Student Handbook*

POLICY ON ASSEMBLY AND EXPRESSION

This Policy was approved by the College Council on March 13, 1969 and by the General Assembly on May 13, 1969. The policy was revised and implemented as interim on September 1, 2017; and was approved and implemented as final by the University Council on February 20, 2020 and by the President on February 27, 2020.

Saint Joseph's University endorses a lifelong commitment to thinking critically, making ethical decisions, pursuing social justice, and finding God in all things. As an institution of higher education, rooted in the Jesuit tradition, the University supports and encourages a healthy pluralism of ideas, an exchange of respectful dialogue, and a call to be open to differing viewpoints. Accordingly, the University permits members of the University community to assemble and express views on campus subject to this policy, consistent with its mission and commitment to protecting campus community members and the environment in which that mission is experienced (e.g., campus buildings, grounds and facilities).

Assembly and/or expression by members of the University community may take the form of gathering in organized groups or displaying fixed exhibits, such as chalking; lighting; temporary erected structures; and flags, crosses, signs/banners (virtual or actual), or other items placed in the ground. These forms of expression—regardless of the content or viewpoints expressed—are permitted on campus so long as they are orderly, lawful, do not disrupt or interfere with the regular operations or authorized activities of the University, and comply with the requirements of this policy and all other policies within the Student Handbook, Faculty Handbook, Administrator/Staff Handbook, and Emergency and Crisis Management Plan.

Persons who are not members of the University community (i.e., persons who are not University students, faculty, administrators, or staff) do not share this ability to engage in assembly or expression on campus. Their presence on campus is contingent on their compliance with the University's policies and procedures, and they must leave the campus if directed to do so at any time for any reason by any authorized official of the University. Failure to accept the directions of authorized University officials may render nonmembers of the University liable to action by local law enforcement.

1. Assemblies

Students, faculty, administrators, and staff of the University may assemble peacefully on campus (SJU owned or controlled property excluding public walkways and roadways) for the purpose of engaging in expressive activity provided that they do not disrupt or interfere with the regular operations or authorized activities of the University or with the ability of other members of the community to engage in and benefit from the programs and services of the University. The University will endeavor to protect from disruption and interference the appropriate exercise of this ability to assemble.

Assemblies are subject to the following requirements regarding the time, place, and manner in which they occur:

a. Time

Indoor assemblies must occur within the hours of normal operations for the facility or space in which they occur (if applicable). Buildings will not be kept open beyond regular hours to accommodate assemblies. Assemblies are prohibited during major University events that are closely tied to the institutional mission (e.g., final exams, Commencement, Admitted Students Day, and Orientation). Assemblies cannot extend past 12 a.m. or a time determined by an authorized University official, whichever is earlier.

b. *Place*

Assemblies may not take place in any space that has been previously reserved or scheduled by other members of the University community or guests. It is not permissible to occupy or assemble in University offices for purposes of engaging in expressive activities. Assemblies may not impede the free flow of pedestrian or vehicular traffic, block thoroughfares, or obstruct campus building/office/room entry or exit points. The University makes the final determination on the most appropriate venue for assemblies.

c. *Manner*

As a Catholic Jesuit institution, the manner in which University community members engage in civil discourse – regardless of content or viewpoints being expressed – is held to a high standard. University community members are encouraged to engage in critical thought and social action, and are expected to do so in a civil manner that honors the inherent dignity of all people, including those who hold opposing or different views. Therefore, assemblies may not take place in a manner that endangers the University community; violates the law, the University Community Standards, or University handbooks; defames any individual; constitutes a genuine threat or harassment; may incite violence; and/or interferes with or disrupts the functioning of the University. While participating in an assembly, University community members are prohibited from possessing or utilizing objects and/or apparel that could present a threat to the health or safety of the campus community including, but not limited to, weapons including firearms, pepper spray, mace, torches, helmets, or protective armor or gear or similar items that could cause injury or harm to others, whether intentionally or unintentionally. Additionally, assemblies may not utilize amplified sound in a manner that interferes with classes or other events in progress. Furthermore, individuals engaged in an assembly may not claim to speak for or otherwise represent the position of the University, unless officially sanctioned by the Vice President for Student Life (for students), the Provost (for all faculty), or the Chief Human Resources Officer (for administrators and staff). Sanctioning occurs as part of the Notification process in section d (below).

d. *Notifications*

Individuals or groups intending to organize an assembly are required to submit the [Assembly and Fixed Exhibit Form](#) to the following representatives no later than five business days before the assembly:

- For students: Vice President for Student Life
- For faculty: Provost
- For administrators/staff: Chief Human Resources Officer

Upon receiving written notification, a University representative will discuss with organizers appropriate support and resources to reduce risk and protect participants' ability to assemble. Individuals or groups who submit the Assembly and Fixed Exhibit form no later than five business days before the assembly will receive a response no later than 24 hours prior to the planned assembly. Notifications received fewer than five business days before the assembly may be reviewed subject to staff availability; however, support and resources may be limited. As discussed in the next paragraph, there is a process for an extraordinary assembly.

If the occasion for an extraordinary assembly (when organizers cannot submit an Assembly and Fixed Exhibit Form five business days prior to the assembly) should arise, the regular operations and special functions of the University must be respected. In this circumstance, the individuals or groups intending to organize an assembly are required to notify the following representatives

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prior to the assembly:

- For students: Vice President for Student Life
- For faculty: Provost
- For administrators/staff: Chief Human Resource Officer

2. Fixed Exhibits

University community members who wish to install fixed exhibits which are not part of the academic enterprise such as faculty or student art exhibits, must coordinate with the following representatives, in consultation with any other stakeholders deemed necessary by the University: Special Events, Public Safety and Security, and Facilities. Students, faculty, administrators, or staff or officially recognized University organizations wishing to install a fixed exhibit must submit the [Assembly and Fixed Exhibit Form](#) to the following representatives at least five business days before the proposed installation of the exhibit:

- For students: Vice President for Student Life
- For faculty: Provost
- For administrators/staff: Chief Human Resources Officer

Following submission of this written request, the sponsoring party may be required to meet with a University representative to discuss expectations, responsibilities, and logistical considerations (time, place, and manner), which must be mutually understood and accepted before any fixed exhibit will be permitted by the University. Requests will be considered without regard to content or viewpoint; however, the University will not permit any exhibit to be installed that: endangers the University community; violates the law, the University Community Standards, or University handbooks; defames any individual; constitutes a genuine threat or harassment; may incite violence; and/or interferes with or disrupts the functioning of the University. Individuals or groups who submit the Assembly and Fixed Exhibit Form no later than five business days before the requested installation date of the fixed exhibit will receive a response no later than 24 hours prior to their requested date of installation.

Fixed exhibits may only remain displayed for no more than three consecutive days and may not be displayed during University breaks. The sponsoring party is responsible for any installation and removal costs, as well as any damage to University property resulting from the exhibit. The University is not responsible for any damage to any fixed exhibit.

3. Accountability

Assemblies and fixed exhibits that violate this or other policies of the Student Handbook, Faculty Handbook, or Administrator/Staff Handbook may be interrupted, stopped, or removed at the direction of the following representatives or their designees:

- For students: Vice President for Student Life
- For faculty: Provost
- For administrators/staff: Chief Human Resources Officer
- For all: The highest ranking member of the Office of Public Safety & Security on the scene

A decision by any of the above representatives or their designees to interrupt or stop an assembly or remove a fixed exhibit is final.

Interference with or disruption of the regular operations or authorized activities of the University will not be tolerated. The use of force or threats of violence are especially reprehensible in a community dedicated to the freedom of personal development, and the University would be promoting injustice if some of its

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members were allowed to intimidate or use force against other members. The immediate remedy for use of force or threats of violence will be dispersal.

If an assembled group does not voluntarily disperse when warned that its behavior is unacceptable, the Vice President for Student Life (for students), the Provost (for faculty), or the Chief Human Resources Officer (for administrators/staff) or a delegate may request the Office of Public Safety & Security and local law enforcement take action to restore order to the University. Similarly, any member of the Office of Public Safety & Security may take any action that they deem necessary to restore order, including by referring the matter to local law enforcement.

Upon report of any possible violation of this policy or any other policy in the Student Handbook, Faculty Handbook, or Administrator/Staff Handbook that occurs during an assembly or in connection with a fixed exhibit, the participants, organizers, or sponsors may be subject to the relevant disciplinary processes.

Note:

All members of the community are free to support candidates or take positions on issues and to invite speakers to the campus for these purposes. Any procedures required by the University before such speakers are invited shall be designed only to ensure that facilities are properly scheduled and adequately prepared, and that these events are conducted in a manner appropriate to the academic setting. Institutional control of campus facilities shall not be used as a device of censorship. In the event of disagreement, the University Judicial Board shall have jurisdiction (Source: SJU Faculty Handbook).