



The College at
BROCKPORT
STATE UNIVERSITY OF NEW YORK

POLICY TITLE: Notice to this Institution of any Planned Assembly, Picketing or Demonstration upon the Grounds of this Institution

OVERVIEW: Procedures for the Giving of Reasonable Advance Notice to this Institution of any Planned Assembly, Picketing or Demonstration upon the Grounds of this Institution

OFFICE/DEPARTMENT RESPONSIBLE: Office of Campus Life

DATE UPDATED: July 3, 2008

- I. **Statement of Purpose.** Nothing here is intended, nor shall be construed, to limit or restrict the freedom of speech nor peaceful assembly. Free inquiry and free expression are indispensable to the objectives of a higher educational institution.

No student, faculty or other staff member or authorized visitor shall be subject to any limitation or penalty solely for the expression of her/his views nor for having assembled with others for such purpose. Peaceful picketing and other orderly demonstrations in public areas of ground and building will not be interfered with. Those involved in picketing and demonstrations may not, however, engage in specific conduct in violation of College rules, regulations, or policy.

The following procedures are adopted and promulgated in compliance with Section 4(b) (Freedom of Speech and Assembly: Picketing and Demonstrations) of the Rules and Regulations for the Maintenance of Public Order on Premises of State-operated Institutions of the State University of New York, which is officially Part 535.4(b) of Chapter V of Title 8 of the Official Compilation of Codes, Rules and Regulations of the State of New York to afford maximum protection to the institutional community and to the participants in any planned assembly, picketing, or demonstration; **provided, however**, that the giving of the notice required in these procedures shall not be a condition precedent to any such assembly, picketing, or demonstration, and **provided, further**, that these procedures shall neither supersede nor preclude the procedures in effect at this institution for obtaining permission to use the facilities thereof.

These procedures shall not be construed to prevent or limit communication between and among faculty, students and administration. Their purpose is not to prevent or restrain controversy and dissent but to prevent abuse of the rights of others and maintain that public order appropriate to a college or university campus without which there can be no intellectual freedom, and they shall be interpreted and applied to that end.

- II. **Notice Required.** Advance notice to this institution of any planned assembly, picketing, or demonstration upon the grounds of this institution must be submitted in writing to the Office of the Vice President for Enrollment Management and Student Affairs not later than 3 pm on the last business day prior to the planned assembly, picketing, or demonstration; **provide, however,** that in those cases in which the procedures in effect at this institution for obtaining permission to use the facilities thereof require the completion and timely submission of a State University College at Brockport Room Reservation Form (<http://www.brockport.edu/campuslife/about/reservations.html>), said completion and timely submission of said *State University College at Brockport Room Reservation* form shall constitute compliance with the requirements of these procedures.

Upon receipt of the notice required by this Section of these procedures the Office of the Vice President for Enrollment Management and Student Affairs shall promptly notify such other College offices and/or personnel of the content of said notice as shall be deemed necessary and appropriate under all the facts and circumstances then appearing.

- III. **Contents of Notice.** With respect to the planned assembly, picketing, or demonstration, said notice shall clearly set forth:
- A. the date and time thereof;
 - B. the proposed locale thereof;
 - C. the intended purpose thereof;
 - D. the anticipated duration thereof; and
 - E. the anticipated number of people taking part therein.
- IV. **Definitions.** “*Grounds of this institution*” as used in these procedures. The phrase “grounds of this institution” shall include the campus of this institution and also any other premises or property, under the control of this institution used in its teaching, research, administration, service, cultural, recreational, athletic or other programs and activities as provided in Section 2 (Application of Rules) of the Rules and Regulations for the Maintenance of Public Order on Premises of State-operated Institutions of the State University of New York (Part 535.2 of Chapter V of Title 8 of the Official Compilation of Codes, Rules and Regulations of the state of New York).
- “*Business day*” as used in these procedures. The phrase, “business day” shall exclude all Saturdays and Sundays, all national holidays, and all days recognized and observed by the Civil Service Employees Association as vacation days for Civil Service employees.
- V. **Penalties and Procedures.** Any person who shall violate, or who shall fail or refuse to meet or comply with, any of the provisions of these procedures shall be subject to the penalties and procedure provided in Section 5 (Penalties) and Section 6 (Procedure) of the Rules and Regulations for the Maintenance of Public

Order on Premises of State-operated Institutions of the State University of New York (Part 535.5 and 535.6 of Chapter V of Title 8 of the Official Compilation of Codes, Rules and Regulations of the State of New York).

Forms are available through the Office of Campus Life or the Office of the Vice President for Enrollment Management and Student Affairs.