



# Michigan Tech

## Demonstrations and Protest Procedures

Effective April 16, 2024

Section 1. Purpose .....	2
Section 2. Philosophy .....	2
Section 3: Demonstration and Protest Expectations and Time, Place and Manner Restrictions.....	3
Section 4: Advance Planning for a Protest or Demonstration .....	4
Section 5: Roles During the Protest or Demonstration.....	5
Section 6: Conclusion and After-Action Review .....	6
APPENDIX A - UNIVERSITY POLICY 5.09 UNAUTHORIZED CAMPING ON CAMPUS PROPERTY .....	8
APPENDIX B - UNIVERSITY POLICY 5.06 RESERVED USE OF DESIGNATED UNIVERSITY OUTSIDE GROUNDS.....	8
APPENDIX C - UNIVERSITY PROCEDURE 5.06.1—RESERVED USE OF DESIGNATED UNIVERSITY OUTSIDE GROUNDS.....	8
APPENDIX D - BOARD OF TRUSTEES POLICY 7.7 OUTSIDE PUBLIC SPEAKERS.....	8
APPENDIX E - BOARD OF TRUSTEES POLICY 12.2 BUILDING AND PROPERTY RULES AND REGULATIONS	8
APPENDIX F - BOARD OF TRUSTEES POLICY 12.3 RULE PROHIBITING DISRUPTION OF UNIVERSITY ACTIVITIES .....	8
APPENDIX G - GUIDANCE FOR MANAGING POLITICAL CLIMATE.....	8
APPENDIX H - FREQUENTLY ASKED QUESTIONS .....	8

## Section 1. Purpose

Michigan Technological University is a diverse community of scholars. This community requires an environment of trust and openness where productive teaching, research, and learning can thrive. The University recognizes the necessity of protecting First Amendment rights and encouraging free speech, but also recognizes that certain conduct can threaten the mutual respect that is the foundation of scholarly communities. Our policies are intended to secure the freedom of expression guaranteed by the United States Constitution while maintaining the trust and mutual respect that are vital to a diverse university community. (Board of Trustees Policy 5.1)

Michigan Tech strives to develop a diverse community that ensures equal access, opportunity, participation, free inquiry, and representation for all. However, on occasion, bias related incidents and behaviors of community members can have a negative impact on others such as creating a hostile learning environment that prohibits the pursuit of satisfying employment and/or education. These exchanges also reduce the opportunities for a respectful conversation to share our perspectives, experiences, and ideas.

These Demonstration and Protest Procedures are intended to provide general guidance to faculty, staff, students, community members, or groups concerning our engagement with protests and demonstrations on campus. Continuity of campus operations is essential in setting consistent expectations for expressive activity. Individuals and groups who plan to use Michigan Tech as a site for expressive activity are encouraged to contact the Free Speech Education Team so we can assist in making your event successful and safe (especially if you believe the event might draw controversy).

## Section 2. Philosophy

Michigan Tech's values include community, scholarship, possibilities, accountability, tenacity and leadership. These values should serve to guide decisions and foster learning. Standards of conduct are set forth in both Board of Trustees and University policies and in the Student Code of Community Conduct to assist the University in furthering its mission and values.

Protecting and promoting freedom of speech and expression is not only a fundamental constitutional right, it is the very bedrock of learning and is central to the University experience. It is vital to our University community that members of the community feel free to express their views, regardless of how unpopular those views may be. But while the First Amendment protects the right to express one's views, it also allows the University to place reasonable time, place, and manner restrictions on that expression. The First Amendment does not guarantee the right to say anything, at any time, or in any place, or for speech to be free from consequences. To this end, protests and demonstrations that impede or disrupt the academic mission or research, interfere with the rights of others, or threaten campus/personal safety will prompt a coordinated response to ensure compliance with relevant laws, bylaws, policies, and regulations.

**Michigan Tech's approach to demonstrations and protests will consist of the following:**

## **Clear Communication of Rights and Responsibilities**

The University supports the rights of individuals to express themselves and to assemble lawfully for that purpose. More challenging situations arise when protesters violate local, state, or federal laws or University regulations; voluntary compliance with laws and University regulations is expected. The University will respond to the violation of such laws or regulations as indicated in these Demonstration and Protest Procedures, but we may also employ a range of measures up to and including employee or student discipline, campus bans, or arrests.

## **Ongoing Relationship Building**

The University endeavors to increase trust and understanding among campus stakeholders and maintain effective lines of communication and ongoing opportunities to raise substantive concerns with campus administration.

## **Demonstrations and Protests Priorities**

Our priorities when engaging with a demonstration or protest:

1. Work with organizers, demonstrators, and/or protestors to safely facilitate events and freedom of expression.
2. Ensure that protests and demonstrations do not infringe on, or prevent the exercise of freedom of expression of others, or impede or disrupt the academic mission or research.
3. Attend to the physical safety of those involved in events, demonstrations, and protests, and the campus community overall and minimize disruptions to the University.
4. Constructively engage with demonstrators and protestors as appropriate about their issues of concern.

## **Section 3: Demonstration and Protest Expectations and Time, Place and Manner Restrictions**

*Outlined here are expectations of demonstrations and protests that the University has set forth as well as relevant University and Board of Trustees Policies.*

[UNIVERSITY POLICY 5.09 UNAUTHORIZED CAMPING ON CAMPUS PROPERTY](#)

[UNIVERSITY POLICY 5.06 RESERVED USE OF DESIGNATED UNIVERSITY OUTSIDE GROUNDS](#)

[UNIVERSITY PROCEDURE 5.06.1—RESERVED USE OF DESIGNATED UNIVERSITY OUTSIDE GROUNDS](#)

[BOARD OF TRUSTEES POLICY 7.7 OUTSIDE PUBLIC SPEAKERS](#)

[BOARD OF TRUSTEES POLICY 12.2 BUILDING AND PROPERTY RULES AND REGULATIONS](#)

[BOARD OF TRUSTEES POLICY 12.3 RULE PROHIBITING DISRUPTION OF UNIVERSITY ACTIVITIES](#)

1. May not prevent or disrupt operations of the University, such as academic and educational functions, co-curricular programs, or other scheduled events.
2. May not involve noise amplification if they disrupt the University's function as an educational institution. Amplification includes, but is not limited to any device that increases the volume of sound such as a megaphone, microphone with speakers, etc.
3. May not involve projections onto any University property.
4. May not disrupt secure buildings. If buildings are locked at the end of the business day, protesters and demonstrators must exit the building.
5. May not interfere with or obstruct the flow of traffic, both vehicular or pedestrian.
6. May not infringe on, impede, or disrupt the freedom of expression of others.
7. May not promote unlawful acts such as promoting violence to persons, property, harassment, discrimination, or intimidation.
8. Must comply with all federal, state, and local laws, as well as University policies and ordinances.

## Section 4: Advance Planning for a Protest or Demonstration

*When requested by Michigan Tech or by an event organizer, an advance planning meeting will be held with the Free Speech Education Team. A meeting may be requested by Michigan Tech for reasons including:*

- *Expected participation numbers*
- *Concerns for safety*
- *Concerns for disruption of University activities or the planned event*
- *Disruption caused by past events*

*Outlined here are the various roles and responsibilities prior to protest or demonstration on the property of Michigan Tech.*

### **1. Organizer Roles Prior to the Event**

- a. Contact will be initiated by either event organizers or the Free Speech Education Team. For more information on the team, visit the [Free Speech Education Team Website](#).
- b. Individuals organizing the event will meet with members of the Free Speech Education Team to discuss logistics for the event (e.g. signs, question and answer, location, etc.) that comply with applicable time, place, and manner restrictions.
- c. For large events, the Free Speech Education Team will review and provide appropriate recommendations for risk plans with organizers ahead of the event.

### **2. Free Speech Education Team Roles Prior to the Event**

- a. Establish points of contact with the organizers.
- b. The Free Speech Education Team will review the event plan with the organizers.
- c. Notify campus stakeholders, as appropriate.

### **3. Student Affairs Staff Roles**

- a. Review planned event with the Free Speech Education Team
  - b. Identify staff to assist that may engage with the lead event organizer(s) during the event, if needed.
- 4. Public Safety Roles**
- a. Review planned event with the Free Speech Education Team
  - b. Gather information on the event for the purpose of safety planning.
  - c. Research previous events by organizers at Michigan Tech and/or other locations.
  - d. Assess the event plan for safety concerns and volatility.
  - e. Advise on the development of an intervention plan and implement, if needed.

*In situations where a demonstration or protest is taking place in response to an event in real time and time does not allow for a meeting with the Free Speech Education Team, the event organizers are still responsible for following all University Policies and Procedures.*

## Section 5: Roles During the Protest or Demonstration

*Outlined here are the various roles and responsibilities during demonstrations or protests on the property of Michigan Tech.*

### **1. Event Organizers Role During the Event**

- a. Enforce parameters for the event (e.g. signs, question and answer, etc.).
- b. If a disruption occurs at an event, the event organizer should ask the disruptor(s) to cease. Issuing a warning before action is taken can be a useful, but not required, step to prevent escalation.
- c. If the disruption continues after a warning, the University may be called upon to assist.
- d. Event organizers may document the disruption with pictures, videos, and witnesses.
- e. [Public Safety and Police Services](#) may be asked to intervene when the disruption will not cease.
- f. Disruptive behaviors that are not reported in real-time may be submitted to [Report a Concern](#) for evaluation. Please note that many issues are best addressed in real time and the University urges real time reports of disruptive behavior.

### **2. Demonstrator and Protestors Roles**

- a. Demonstrate/Protest in such a way so as to not disrupt the academic or administrative functions of the University, nor disrupt the free expression of others.

### **3. Student Affairs Staff Roles**

- a. If appropriate, engage with the lead event organizer(s) to ascertain intentions and set expectations.
- b. If appropriate, monitor and observe on-going demonstration/protest at a safe distance.

- c. Communicate information, problems, and concerns with the on-scene Incident Commander and Dean of Students or designee.
  - d. Pursue tactics designed to diffuse tensions and avoid tactics likely to increase tensions.
  - e. Provide resources if appropriate and needed
- 4. Public Safety Roles**
- a. Engage with demonstrators/protestors, as appropriate.
  - b. Monitor and observe demonstration/protest.
  - c. Assess potential for violence and harm.
  - d. Identify and communicate information, problems, and concerns to the Chief of Public Safety and Police Services.
  - e. Using the campus protest philosophy, intervene and enforce policies as necessary.
  - f. Assess the ongoing event for safety concerns and volatility.
  - g. Implement an intervention plan, if needed.
  - h. Create an accurate record of the actions of police and demonstrators/protestors during the events. This may include the use of neutral observers, video recording activity at the demonstration, or the creation of police after-action reports following any police response to a demonstration. In particular, police should record all dispersal orders, all arrests, and any use of physical force, to the extent possible.
  - i. Connect with the Department of Public Safety and Police Services Emergency Operation Center.
- 5. University Marketing and Communications Staff Roles**
- a. Develop and assign responsibility for communications with campus, community and stakeholders.

## Section 6: Conclusion and After-Action Review

*Outlined here are the various roles and responsibilities for after a demonstration or protest or on the property of Michigan Tech.*

### **1. Participant**

- a. If a student is investigated for possible disruption, the Student Code of Community Conduct will apply, including all rights provided therein.
- b. Any employee investigated for possible disruption will be reviewed and handled by Human Resources and their supervisor as well.
- c. Any community member or group investigated for possible disruption will be reviewed and handled by Public Safety.

### **2. Student Affairs Staff Roles**

- a. Review event with the Vice President of Student Affairs, Dean of Students or designee.
- b. Review event with Risk Management and Public Safety, as appropriate.
- c. Share information about possible student code of conduct violations with Office of Academic and Community Conduct

- d. Participate in the after-action report development.
- 3. Human Resources Staff Roles**
  - a. Review event with Chief Human Resources Officer
  - b. Review event with Risk Management and Public Safety, as appropriate.
  - c. Share information about possible employee conduct violations with the Chief Human Resources Officer.
  - d. Participate in the after-action report development.
- 4. Public Safety and Police Services Roles**
  - a. Determine any injuries or ongoing safety issues.
  - b. Communicate with the Chief or designee.
  - c. Prepare an after-action report.
  - d. Participate in the after-action report development.

*More information, FAQs, and resources relating to bias-related incidents, harassment, discrimination, hostile environment, and/or retaliation can be found at [Institutional Equity](#) and/or [Free Speech Rights](#)*

[APPENDIX A - UNIVERSITY POLICY 5.09 UNAUTHORIZED CAMPING ON CAMPUS PROPERTY](#)

[APPENDIX B - UNIVERSITY POLICY 5.06 RESERVED USE OF DESIGNATED UNIVERSITY OUTSIDE GROUNDS](#)

[APPENDIX C - UNIVERSITY PROCEDURE 5.06.1—RESERVED USE OF DESIGNATED UNIVERSITY OUTSIDE GROUNDS](#)

[APPENDIX D - BOARD OF TRUSTEES POLICY 7.7 OUTSIDE PUBLIC SPEAKERS](#)

[APPENDIX E - BOARD OF TRUSTEES POLICY 12.2 BUILDING AND PROPERTY RULES AND REGULATIONS](#)

[APPENDIX F - BOARD OF TRUSTEES POLICY 12.3 RULE PROHIBITING DISRUPTION OF UNIVERSITY ACTIVITIES](#)

[APPENDIX G - GUIDANCE FOR MANAGING POLITICAL CLIMATE](#)

[APPENDIX H - FREQUENTLY ASKED QUESTIONS](#)

**Revisions of this procedure:**

Revised: 5/1/23

Adapted from University of Wisconsin-Madison *Protest Guidelines*, September 2018.