

## Bemidji State University Policies

<b>Policy Name:</b> Peaceful Demonstrations and Protests Policy	<b>Effective Date:</b>
<b>Policy Owner:</b> Provost and VPAA	Last Review: 05/01/2020
	Next Review: 05/01/2022

### Policy Statement

Bemidji State University policy on demonstrations and protests is in keeping with the freedoms and rights of every individual. The right of freedom of expression at the University includes peaceful protests and orderly demonstrations. With that there is an expectation for all who interact on Campus that these freedoms and rights do not substantially disrupt the work of the institution or does not interfere with the opportunity of other students to obtain an education or otherwise infringe upon the rights of others. The college or university shall establish reasonable time, place and manner restrictions.

### Scope and Purpose of Policy

The scope of this policy applies to all who seek to exercise their right to freedom of expression at the university. The college or university shall establish reasonable time, place and manner restrictions. Such regulations shall not be used as a means of censorship. The president, or designee, may prohibit any forum when holding the event, in his or her judgment, which would result in physical harm or threat of physical harm to persons or property. Maintaining a safe environment for all students will be a priority in making these determinations. Prior to any such prohibition, the president shall make his or her best effort to consult with a designated member of the student association or those asking for the assembly.

### Definitions

Disruptive Conduct is defined as the conduct of members of the University disruptive of the operations of the University, (including interference with instruction, research, administrative operations, freedom of association, and meetings) and is prohibited and subject to disciplinary action.

### Procedures

Principles of the First Amendment of the United States Constitution and Article 1 Section 3 of Minnesota State Constitution and Minnesota State Statutes acknowledge and affirm the rights of individuals to petition peacefully and in an orderly manner. This policy on demonstrations and protests is in keeping with these principles and rights.

- 1) Peaceful demonstrations and protests for the purpose of attracting attention to specific causes and to express grievances are condoned by the University.
- 2) Sponsors of demonstrations or protests must secure a registration permit from the Director of Student Union or designee at least 24 hours prior to the scheduled activity.
- 3) Peaceful demonstrations and protests so registered will be permitted in the following non-reserve areas: non-academic, public hallways and lounges; the Hobson Memorial Union Ballroom Lobby; and the Deputy Hall Lobby. These areas and some outside areas may be requested for demonstration and protest purposes through the Director of Student Union or designee. Such activity is not permitted inside offices, academic buildings, classrooms, laboratories, or residence hall living areas.
- 4) At no time shall a demonstration or protest block individuals from proper and lawful access to and egress from buildings other areas of the buildings.
- 5) The University will take appropriate action in the event of conduct during demonstrations violates Minnesota statutes and/or others are deprived of their rights and/or when operations of the University are disrupted.
- 6) Students who violate the University Conduct Code during the course of a demonstration or protest may be subject to disciplinary action under the student conduct system as well as penalties under applicable state laws. Minnesota Statute Section 624.72 "Whoever, intentionally, or through coercion, force or intimidation, denies or interferes with the lawful right of another to the free access to or egress from or to use or remain in or upon public property or in like manner interferes with the transaction of public business therein or thereon may be sentenced to imprisonment for not more than one year or a fine of not more than \$3,000 or both."
- 7) Sponsors of Peaceful Demonstrations must adhere to all university policies and Minnesota laws.

### **Rationale**

The rationale for this policy is to establish a means and method for individuals or groups to assemble in a reasonable and appropriate time and place in support of the First Amendment protections afforded by the United States Constitution and Article 1 Section 3 of the Minnesota State Constitution.

### **Supporting References**

BSU Student Code of Conduct <http://www.bemidjistate.edu/students/handbook/conduct/>  
Minnesota Statute Section 624.72 Interference with Use of Public Property  
<https://www.revisor.mn.gov/statutes/?id=624.72>

**Constitution of the United States**

**Minnesota State Constitution**