

LINCOLN UNIVERSITY

Policy: Demonstrations and Protests Policy
Policy Number: HRM – 129
Effective Date: April 2022
Revisions: New Policy
Next Review Date: August 2023
Review Officer(s): Vice President of Human Resources and Chief of Police
Status: Approved by the President and Board of Trustees

1. Policy Statement

Lincoln University (which may be referred to as “University”) is a community of learners and as such recognizes and affirms that free intellectual inquiry, debate, and constructive dialogue are vital to the University’s academic mission and must be protected even when the views expressed may be unpopular or controversial.

The right of freedom of expression at the University includes peaceful protests and orderly demonstrations. At the same time, the University has long recognized that the right to protest and demonstrate does not include the right to engage in conduct that disrupts the University’s operations or endangers the safety of others.

It is the policy of Lincoln University to provide a safe and healthy environment for its students, faculty, staff, and visitors. It is the intent of the University to comply with all occupational health, safety and fire regulations and recommended practices—serious attempts will be made to minimize recognizable hazards.

Compliance with the University’s safety policy is the responsibility of the entire University community. We are all accountable for the health and safety of students, as well as our own safety. The University expects the rights and privileges of all persons to be respected at peaceful gatherings.

Individuals in supervisory positions must promote a campus atmosphere among students, faculty, and staff that complies with health and safety rules and the performance of all work in a safe manner. Promotion of a positive attitude towards health and safety will help us to foster an environment that is conducive to higher learning.

Students, faculty, and staff are reminded that it is their individual responsibility to follow the health and safety rules issued by the University, their departments and their supervisors.

2. Definitions

- 2.1. “**Demonstration**” refers to the planned or spontaneous action by a group or individual taken to effect a protest.

- 2.2. **“Protest”** refers to an expression of opinion, by words or by actions, to particular events, policies or situations.
- 2.3. **“Civil Discourse”** refers to robust, honest, frank, and constructive dialogue and deliberation that seeks to advance the public interest.
- 2.4. **“Peaceful assembly”** refers to any purposeful gathering on campus, in or outside a University building or facility, by one or more persons whose conduct is peaceful and is in accordance with the University rules, practices, and law. Peaceful assembly includes meetings, speeches, debates, demonstrations, marches, vigils, sit-ins, rallies, protests, and similar meetings or gatherings that do not threaten or violate policies and rules; do not interfere with the conduct of University business, regular schedules or events; do not infringe on the rights of others; do not endanger the health and safety of others; or do not damage or destroy property.
- 2.5. **“Disruption”** refers to conduct that obstructs or impedes teaching, research, administration, disciplinary procedures, or other University activities; conduct that infringes upon the rights of University community members or members of the public lawfully using campus grounds or facilities, such as the rights of privacy, personal security, or unimpeded ingress and egress.
- 2.6. **“Harassment”** refers to engaging in acts, whether physical, psychological, verbal, written or digital-based, which are beyond the bounds of protected free speech, and directed at a specific individual or group, and likely to cause an immediate breach of the peace; conduct which threatens the mental health, physical health or security of any person or persons including stalking, intimidation, or threat that unreasonably impairs the security or privacy of another member of the University community.
- 2.7. **“Free Expression”** refers to rights guaranteed by the First and Fourteenth Amendments to the Constitution of the United States, including rights to freedom of speech, peaceful assembly, petition, and association. Free expression, however, ceases at the point when its exercise infringes on the rights of others.
- 2.8. **“Protected Speech”** refers to speech and other forms of expression that are protected under federal and state law. Protected Speech shall not be censored, curtailed, regulated, or prevented on the basis of content or viewpoint, but may be bound by reasonable time, place, and manner restrictions.
- 2.9. **“Unprotected Speech”** refers to speech and other forms of expression that are not protected under federal and state law, including true threats, fighting words, incitement of imminent lawless action, harassment, obscenity, defamation, and

infringement of the intellectual property or privacy rights of others. Unprotected Speech shall be censored, curtailed, regulated, or prohibited on property owned or leased by LU, and at LU sponsored events or programs.

- 2.10. **“Lawn Display”** refers to any type of visual recognition or commemoration of an event or issue.

3. Policy on Demonstrations and Protests

- 3.1. Faculty, staff, students, and student organizations at Lincoln University are free to examine and discuss all questions of interest to them and to express opinions publicly and privately. They should always be free to support causes by orderly means that do not disrupt the regular and essential operations of the University or community. At the same time, it should be made clear to the academic and larger community that students, student organizations, and individual members of the faculty or staff, speak only for themselves, not for the University as an institution, in their public expressions or demonstrations.
- 3.2. Lincoln University does not allow disruptive behavior at community events or on campus. Disruptions may include purposefully blocking the view of others at the event; banners or items that block the audience's view; noise or action that disrupts the ability of the audience to hear (e.g., shouting out or use of a bull horn) or disrupting essential operations at the University.
- 3.3. Threats or acts of violence are prohibited. If an event or essential University operation is disrupted by a group or individual demonstration and/or protest, a representative of the University may request the action to stop or ask the person or group to leave the event or area and move to an approved location for protesting. Individuals or groups who disrupt an event or essential operation or fail to leave when asked are in violation of the [University's core values](#) . The demonstration of threatening or harmful behavior may result in disciplinary action. Disruption may also result in arrest and criminal charges such as disorderly conduct or trespass.
- 3.4. For specific events and during specific times of the year, Lincoln University may invite the public to attend. The campuses of Lincoln University are private property. Any individual or group who disrupts an event or essential operation and is unwilling to respect University policy or to comply with the requests of University officials will be asked to leave Lincoln University property. Any demonstration or protest on Lincoln University property that interferes with the educational function of the institution or in which violence, property damage or other unlawful behavior occurs is prohibited and may be found to be unlawful. Failure to comply may result in arrest for unlawful trespass or other criminal violations.

3.5. Demonstration Regulations

3.5.1. Anyone who wishes to stage a demonstration or protest at any event on Lincoln University property should contact and arrange a meeting with Public Safety to discuss policy and procedure, demonstration-specific regulations, and safety issues.

3.5.2. The Department of Public Safety must be consulted in the planning of all organized demonstrations, in order to register the demonstration with other pertinent Lincoln University offices. The desire of the University is to promote intellectual inquiry and exchange in a respectful and civil manner. The safety of all participants is of utmost importance to Lincoln University, and policies may be enacted to ensure safety during the demonstration.

3.5.3. Event planners in conjunction with the Vice President of Student Success, the Office of Special Events, the speaker or performer, and the Department of Public Safety will determine the following for any demonstration approved on campus.

a) Location

- i. The location of an approved demonstration will be determined following space and use guidelines for college areas managed by the Office of Special Events and other offices and in accordance with this policy.
- ii. If the demonstration is against an issue at another approved Lincoln University event, the location of an approved demonstration will be as proximate to the other event as deemed appropriate considering the following:
 1. Nature of the other event
 2. Security needs of the other event
 3. Time of the other event
 4. Any other necessary considerations
- iii. The use of public streets for parades or demonstrations is subject to any applicable local municipal ordinances. Any permit requirements must be confirmed with the local municipality.

b) Time and Duration

- i. Demonstrations may not interfere with the academic, educational or essential operational functions of the University. The time and duration of the demonstration will be determined with regard to the following:
 1. Nature of the event and/or the demonstration
 2. Security needs of the event and/or the demonstration
 3. Time of the event and/or the demonstration
 4. Any other necessary considerations

3.6. Manner

3.6.1. Demonstrations must occur in the approved defined location (if and when a location is determined). Demonstrations may not block access to the venue in which another event is being held. Demonstrations utilizing pickets, large items, bullhorns, or other loud or amplified sound making devices will typically be confined to the exterior of buildings, without regard to the content of speech, so as not to disrupt regular and essential operations of the University or create health and safety issues. Demonstrations must be in compliance with any and all local noise ordinances and any noise level that disrupts other authorized activities on the University campus violate University policies. Connection to the University's utilities (e.g., power, etc.) must be approved in advance (during the weekday) by Facilities Services – Office of the Physical Plant.

3.7. The act of distribution of materials such as leaflets must be done in a civil and non-harassing manner and must allow people to decline to receive the materials.

3.8. Persons or organizers responsible for the demonstration or protest must remove all items, including signs and litter, and materials at the conclusion of the event.

3.9. Demonstrators are not allowed to use intimidating tactics or unwelcome physical contact between demonstrators, counter demonstrators, the audience, the speaker or performers, or University officials.

3.10. The use of chalk on buildings or other structures, or within 10 feet of any door, is strictly prohibited to prevent damage to the structure and injury to anyone stopping at entrances or exits. Demonstrators may not mark or use trees or University structures to support or display signs, messages, materials, or equipment without prior approval of Facilities Services.

Note: Any of these demonstration standards can be applied to any location including within an approved event space.

3.11. Within the guidelines of this policy, event hosts will determine the appropriate rules for entry to an event and will send an email announcement of these rules to the Lincoln University community and will post the event rules at the event entrance. (Examples of entry guidelines and information: time doors open, restricted items, tickets or Lincoln Lion ID if needed to control capacity, etc.) The event host(s) will monitor the entry to ensure that the rules and guidelines are being followed and will address any issues or questions related to the entrance guidelines. When behavior at their event is being disruptive, the hosts should always attempt to gain cooperation by asking that the disruptive behavior stop prior to requesting that the person or persons leave the event. The hosts are encouraged to contact Public Safety to address disturbances and/or behaviors that fail to comply with University policies, event rules and/or applicable law.

3.12. Essential Operations

3.12.1. Essential operations are operations that are necessary for the daily operation of the University; part of the educational mission; and cannot be easily moved to another location.

4. Off-Campus Person or Entity

Any off-campus person or entity not affiliated with the University wishing to hold a protest or demonstration on the Lincoln University campus must be sponsored by a University department (i.e., academic department, institute, center or other academic or staff program) or a recognized student organization. Sponsoring departments or organizations, individual students, faculty, and staff shall commit to the following:

- 4.1. Provision of a contact person for the event through the sponsor and the off-campus person/entity;
- 4.2. Discussion and coordination of financial responsibility for event-related expenses, which may include, but are not limited to, sanitation, security, clean-up, parking, and liability insurance;
- 4.3. Compliance with all Lincoln University policies and procedures;
- 4.4. Assurance that the event is consistent with the mission and purpose of the department or organization;

4.5. Confirmation of sponsorship in writing by the department or organization through an authorized signature on the Event Request Form.

5. Public Safety

5.1. Public Safety will endeavor to locate the hosts at any event before handling any situation of non-violent behavior unless the disruption necessitates action to prevent greater confrontation. Public Safety has the authority to respond to acts of violence, threats of violence, or overcrowding without first contacting the event hosts. If Public Safety has been contacted by the hosts or appropriate University official and asked to deal with a person or persons creating a non-violent disturbance, Public Safety will take steps to de-escalate the disruptive behavior prior to asking the person or persons to leave the event or area.

5.2. Event hosts are expected to coordinate any planned demonstrations and protests with the Department of Public Safety. Lincoln University Police Officers from the Department of Public Safety will work with the event host(s) to develop a plan for the event.

5.3. Nothing in this Policy shall be construed to limit the powers and authority of the Police Officers from the Department of Public Safety in carrying out their duties under the law.

Questions about this Policy should be addressed to:

***The Office of Human Resources
1570 Baltimore Pike
International Cultural Center (ICC), First Floor
Lincoln University, PA 19352
484-365-8059***

***The Department of Public Safety
International Cultural Center (ICC), First Floor
Lincoln University, PA 19352
484-365-8139 or on campus dial 8139, 7211 and 7212***