

EXPRESSIVE ACTIVITY: PROTEST, DEMONSTRATION, TABLING, PROGRAMS & DISPLAYS

One of Bellarmine University's greatest influences, Thomas Merton, taught that contemplation would send us toward action for the good of the world, especially for those on the margins whose voices are often unheard. Inspired by this concept of faith moving communities toward action for the common good, a Catholic University is an ideal gathering place for peaceful assembly, which calls attention to injustice and encourages social activism. Such expressive activity calls us to question, to study, and to learn so that we might participate in changing the world for good. In this spirit, this policy is applied in a viewpoint neutral manner, meaning, Bellarmine University does not give preference to any viewpoint when applying this policy. This policy statement provides direction for those who wish to organize expressive activities. Demonstrations, protests, tabling, and displays are forms of expressive activity.

Bellarmino is not a public institution and accordingly may govern the expressive activities in its community in-line with its mission and values and is not required to comply with the First Amendment to the U.S. Constitution or its Kentucky equivalent. However, Bellarmine is subject to federal and state laws prohibiting discrimination on the basis of sex, race, color, national origin and other protected classifications.

For the purposes of this policy, below are definitions of different forms of assembly that may occur on campus.

Demonstration or Protest: Demonstrations and protests are public meetings or marches expressing objection to something or expressing specific views on an issue. Demonstration and protest locations on campus will be determined in conjunction with the Expressive Activity Review Committee, made up of faculty, staff, and student representatives, and RSO/Bellarmino affiliated person(s) sponsoring the event. Demonstrations and protests must be peaceful, organized, and not impede the activities and operations of the university community. Demonstration materials should be approved by the Expressive Activities Review Committee in tandem with the Director of Student Activities.

Tabling: Tabling allows for conversations with campus constituents in an informal manner. Tabling events that express a specific political view or belief, once approved, will take place on the 1st floor of Centro in the designated area across from Café Ogle. Tabling includes distributing approved flyers, brochures, and other materials that are approved by the Expressive Activities Review Committee.

Display: Displays offer the opportunity to present a visual statement to the campus community. An organization member must always be present with the display. Displays may be assembled in front of the exploding cube sculpture. Displays may be up for no more than 24 hours, and all content must be approved by the Expressive Activities Review Committee in conjunction with the Director Student Activities.

Guidelines for Organized Expressive Activity:

- All protests, counterprotests, demonstrations, tabling, and displays should be non-violent and reflect the Community Standards and University mission and values. Organizers agree to follow the process outlined below.
- Only members of the University community may organize or lead a protest, demonstration, tabling, or display on campus. Any group wishing to participate in a protest, demonstration, tabling, or display on the Bellarmine campus that is not affiliated with Bellarmine University

must be sponsored by a Bellarmine student group, faculty, or staff member. The organizing or sponsoring party must be present during the protest or demonstration. Bellarmine community members are responsible for their guests' behavior.

- Protests, demonstrations, tabling, and displays must respect and preserve University property, facility cleanliness and appearance, and structural integrity. Continued occupation or blocking of buildings, structures, or premises is prohibited. Protests and demonstrations must adhere to building and area opening and closing times. Encampments are prohibited.
- No damage may be done to property including but not limited to buildings, trees, grass, or sprinkler systems. The sponsoring organization is responsible for costs associated with any damage(s). If no sponsoring organization is identified, or the sponsoring organization lacks the resources to pay the full amount of any costs, individual participants will be responsible for such costs.
- All associated materials should be removed immediately following the protest, demonstration, tabling, or display. Bellarmine prohibits unauthorized use or possession of firearms or dangerous weapons, fireworks, or incendiary, dangerous, or noxious devices or materials, including but not limited to torches or setting a fire.
- Student affairs staff members, and/or Public Safety personnel, may be present during student protests, counterprotests, demonstrations, tabling, or displays to provide support for students involved.
- In instances of a counter- protest, demonstration, tabling, or displays the University will work with the organizing party to accommodate a separate yet comparable space, using the same planning process and guidelines.
- The University reserves the right to enforce time, place, and manner restrictions, including but not limited to:
 - Time: Amplified sound is limited to certain hours and cannot be disruptive to academic processes or residential environments.
 - Place: Posting information in university buildings and grounds is limited to designated areas.
 - Manner: Expressive activities may not block the entryways and exits of university venues. In addition, individuals may not create a disruption during an approved activity to the extent that it is difficult to hear those organizing the event.
- The University agrees to continue a working group of professionals dedicated to partnership and research regarding campus assembly. This group will consist of the Director of Student Activities, at least two faculty members, at least two staff members, and a student representative.
- Any conduct prohibited by the Student Code of Conduct [\[link\]](#) is prohibited by this policy as well.

Process for planning a Protest, Demonstration, Tabling, or Display:

Expressive Events sponsored by a Registered Student Organization (RSO)

Members of a RSO interested in sponsoring an *organized expressive activity* must have more than 50% of RSO support to use the RSO name for sponsorship. RSO members should be prepared to provide evidence of this support level. If less than 50% of the students in the RSO express support, the protest, demonstration, display, or tabling must be sponsored by individual students. If the RSO is sponsoring the submission the Engage form must include approval by the RSO's advisor, and the RSO should establish

check-in points with the advisor to discuss the process and planning of the event.

RSOs must request to reserve space (including the Quad) by submitting an Event Request on Engage and indicate it falls under *Expressive Activity*. This form should be submitted as soon as possible before the event is scheduled to occur. The information submitted will be reviewed by the Director of Student Activities. Every effort to respond as promptly as possible will be made. To ensure promptness, please email sac@bellarmine.edu when you have submitted the Engage event request. RSOs will receive an email within 72 hours to schedule a meeting with the Director or a designee. If partnering with an off-campus group, a leader from that group may be asked to be present during the meeting.

Expressive Events sponsored by a campus individual or groups of individuals outside of a Registered Student Organization (RSO)

Members of the Bellarmine community wanting to assemble around a particular issue but are not sponsored by an RSO should email sac@bellarmine.edu. In the email, please provide specific information about topic, time, date, group organizing. A staff member will then respond if further information is needed. The approval process will be consistent with the RSO process outlined above.

Protest, Demonstration, Tabling, and Display Event Form Instructions:

The information you submit will be reviewed by the Director of Student Activities. You will receive a request to meet with the Director following the submission. If partnering with an off campus group a leader from that group will be asked to be present during the meeting. Events can be designated as Expressive Activity by the organization members while submitting on Engage or the Student Activities staff can designate it if they see it to be a topic speaking to an issue of public interest or concern. The purpose of designating the Expressive Activity as such, is to ensure that the activity is educational for all, does not operate to exclude or stigmatize any student populations, and otherwise complies with law and Bellarmine policies.

In addition, the Director of Student Activities will review each Expressive Activities event to determine if it is directly connected to Title VI (a federal law which prohibits discrimination based on race, color, and national origin).

If an RSO is sponsoring the submission the Engage form must include approval by the RSO's advisor.

How to Submit a Request to Hold a Protest, Demonstration, Tabling, or Display

1. Go to your organization's Engage page and click manage organization.
2. Click events.
3. Create a new event.
4. Once you have filled out the first four pages, select continue to custom fields.
5. Select Registered student organization.
6. Fill out this page and make sure to click "YES" to the question asking if the event will be of political or partisan nature.

7. This will take you to our specific questions on protests and demonstrations.
8. Within 72 hours of the event submission, a member of the Student Activities Center will reach out to schedule a meeting with the RSO to discuss event specifics, the goal of the event, and talk through the requirements and procedures.

Appeal Procedure in the Event a Request is Denied or Not Ruled Upon

- First, meet with the Director of Student Activities to discuss the matter to resolve the appeal informally. If no informal resolution is reached, the RSO or individual(s) may submit a written appeal statement that includes the specific grounds for appeal, supporting documentation, and other relevant information as soon as possible but within two (2) weeks of notification of the denial. The appeal should be emailed directly to the Executive Director of Experiential Learning.

Appeals are limited to the following grounds:

- A. Procedural irregularity that affected the outcome of the matter; and
 - B. New information that was not reasonably available at the time the decision was made that could affect the outcome of the matter.
- Upon receipt, the Executive Director of Experiential Learning will notify the Student Activities Review & Appeals Committee Chair to request a statement of response from the Expressive Activities Review Committee and the Director of Student Activities.
 - The Non-Academic Grievance Chair will convene the committee for review of the appeal utilizing procedures outlined in the Non-Academic Grievance policy. The committee is made up of two faculty/staff and two student members. Members of the Non-Academic Grievance Committee pool will be utilized. The committee will review the appeal and decide whether the assembly event may proceed.