

VERMONT TECH

Manual of Policy and Procedures

<i>Title:</i> Demonstrations, Protests and Related Events	<i>Number:</i> T 320	<i>Page(s):</i> 5
	<i>Date:</i> February 17, 2021	

PURPOSE

Vermont Technical College seeks to provide a safe and secure learning environment for members of the College community as well as various other groups and individuals who have legitimate access to, and use of, the campuses and affiliated sites. The ability to pose questions, express opinions, challenge the ideas of others, and be challenged in turn, are each critical aspects of the learning experience and central to the mission of Vermont Tech. All members of the College community, including visitors, have the right of expression, balanced with the responsibility to participate in academic, social, and political discourse in a manner that respects the rights of other members of the community. In order to promote scholarship and learning, members of the Vermont Tech community should express their views or beliefs in a manner that welcomes dialogue and does not disrupt the regular and essential operation of the College, threaten the health, safety, or welfare of others, or violate the law or applicable College policy. As such, the College adopts the following policy and content-neutral rules to both protect the rights and safety of all members of the College community and promote the free exchange of ideas.

STATEMENT OF POLICY

This Policy applies to demonstrations, protests, or related events occurring on Vermont Tech campuses (either owned or rented), or at events hosted and/or sponsored by the College where members of the College community are invited to participate or attend. The purpose of this Policy is to facilitate peaceful and safe demonstrations, discourse and expressions of dissent occurring on the public areas of Vermont Tech property. The policy is also established to ensure that demonstrations do not disrupt the essential College Operations, threaten or harass the rights or safety of others, elicit or incite violence, or violate applicable law. It defines the rights and responsibilities of community members in hosting, sponsoring, or participating in such events at Vermont Tech.

DEFINITIONS

Disruption: is conduct that (1) persistently or significantly interferes with the College's educational or administrative activities, including College Operations; (2) presents an imminent and significant threat of personal violence or endangerment of the health, safety or welfare of any person on College property or at a College event; (3) presents an imminent and significant threat of property damage to the College or others; or (4) unreasonably

denies free movement of persons at the College, including access to, the use of, and egress from all academic and administrative spaces and facilities.

College Operations: College operations means those activities undertaken by College personnel and community members that are necessary for the daily operation of the College in furtherance of its educational mission.

Discrimination: Per Vermont State Colleges Policy 311, the unlawful refusal of, withholding from, exclusion from participation in, or denial of any accommodations, advantages, benefits, facilities, privileges or services of the Vermont State Colleges or the College on the basis of a person's race, color, ancestry, ethnicity, national origin, place of birth, sex, sexual orientation, gender identity, creed, religion, disability, age, veteran status, marital status, genetic information, positive HIV-related blood test results, or any other status protected by state or federal law.

Event: An organized or planned activity occurring on campus that is approved or sponsored by a recognized student organization, administrative, or academic department.

Harassment: Per Vermont State Colleges Policy 311 and under Vermont law, "harassment" means an incident or incidents of verbal, written, visual, or physical conduct or communication, including any incident conducted by electronic means, based on or motivated by a person's or person's family member's actual or perceived race, color, ancestry, ethnicity, national origin, place of birth, sex, sexual orientation, gender identity, creed, religion, disability, age, veteran status, marital status, genetic information, HIV-positive blood test results, or any other status protected by state or federal law that has the purpose or effect of objectively and substantially undermining and detracting from or interfering with a student's educational performance or access to school resources or an employee's performance, or creating an objectively intimidating, hostile, or offensive environment.

Harassment includes the use of epithets, stereotypes, slurs, comments, insults, derogatory remarks, gestures, threats, graffiti, display, or circulation of written or visual material, and taunts or manner of speech and negative references to customs related to any of the protected categories.

Halting: means directly or indirectly preventing an invited or approved speaker, lecturer, performer, or other College guest from speaking or presenting in a recognized forum or at an Event. Examples of Halting include the use of a bull horn, noisemakers, chanting, or shouting to drown out or silence a speaker, obstructing the audience's view of the speaker, or otherwise censoring or denying the speaker or audience member's access to the forum. Halting prevents the free exchange of ideas and expressions.

Student Groups: (Per the Club Handbook) Student Organizations need to register on an annual basis at the start of the Fall semester with the Student Affairs office to be recognized. Recognized groups require a minimum of five student members, two officers a faculty/staff advisor and they must be open to all Vermont Tech. students.

PROCEDURES

The steps described in this section shall take place under the direction of the President or, in the absence or unavailability of the President, or his/her designee.

Public Safety is responsible for determining and implementing appropriate security protocols to seek to ensure the safety of the College community during protests, and demonstrations. Violations by persons not affiliated with the College may be subject to trespass citations, civil action, and/or criminal prosecution.

Student Affairs is responsible for working with students and Student Groups to ensure that this and other applicable College policies are followed, as well as for enforcing any policy violations through the Student Code of Conduct.

Vermont Tech values freedom of expression and freedom of inquiry as essential elements of the College environment. However, Disruption or Halting by their nature restrict the rights of others, censor other viewpoints, and interfere with the College Operations. Halting and Disruption are therefore strictly prohibited at community events and on College property. In addition, the College specifically prohibits acts of unlawful Discrimination and Harassment in the context of protests, demonstrations, and related events.

Disruption Protocol

If an Event or essential College Operation is Disrupted or Halted by a group or individual, a representative of the College (typically a Public Safety Officer) will provide a verbal warning to the group or individuals to immediately cease the disruptive activity or leave the area. If, in the judgment of the responsible administrator (typically a Public Safety Officer), action must be taken immediately to prevent injury or protect property, warning shall be issued simultaneously with preventative action (e.g., requesting that disruptive individuals move locations; alerting local law enforcement for assistance; requiring disruptive individuals leave College property and/or the Event. Failure to comply with such a request from a College official will constitute a violation of this policy, which may result in a referral to the Student Affairs Office (regarding students), Human Resources (regarding faculty/staff) or local law enforcement (regarding visitors). In some circumstances, Disruption or Halting after a warning from Public Safety may also result in removal from campus and/or arrest and criminal charges for trespass or disorderly conduct.

Time and Duration Requirements:

- Students, Student Groups, faculty, or staff planning a protest, demonstration, or related event should contact the following offices at least two weeks (fourteen calendar days) ahead of the planned activity: Student Affairs (students); Office of the Academic Dean (faculty or staff); Office of Public Safety (outside guests). Events where less than two-weeks notice is provided may be permitted only in the discretion of the relevant offices listed above and may be denied based on the reasonable needs of College Operations, including adequate staffing and previously scheduled Events.

- Events may be time-restricted so as not to disrupt essential College Operations. This includes, without limitation, closing of College facilities according to standard schedules, and enforcing noise restrictions during late-night hours or scheduled exams. In rare instances where the timing of an event is central to its purpose, this time restriction may be waived at the discretion of the President.

Place Requirements:

- Demonstrations, protests, and related events will be restricted to locations approved in advance and may be moved by Public Safety as minimally as reasonably necessary to prevent a Disruption.
- Wherever possible, approved Events for which counter-protests or demonstrations are expected will have space set aside for such activity located in reasonable proximity to the Event, in a manner that minimizes the potential for a Disruption. Opposing sides may be physically separated by barriers or intervening space in the discretion of Public Safety, where necessary to prevent violence and ensure safety.
- Protests or Demonstrations utilizing municipal streets or sidewalks shall be subject to the laws or ordinances and permitting requirements of the relevant city or town.

Manner Requirements:

- When speaking or acting as a private person and in a personal capacity at an event, members of the College community or invited speakers, shall not create the impression that they speak or act on behalf of the College.
- The College's Student Handbook and other policies and protocols must be observed at all times during the planning and conduct of any event, protest, or demonstration. Misconduct during the course of an event may be referred to the Student Affairs office for adjudication (for Students) or the Director of Human Resources (for employees).
- Individual(s) or group(s) who organized or sponsored the event shall have responsibility at all times to take reasonable steps to maintain peace and order, including seeking assistance from College officials (typically Public Safety) when necessary. This includes the responsibility to explain to other organizational members, guests, or other demonstrators the implications for failing to comply with the College's policies, including policies regarding group conduct and associated responsibility. Student Organizations are responsible for the actions of their guest(s), and the organization as a whole may be penalized for violations of this policy (up to loss of recognition).
- Individuals or groups may not prohibit College personnel (typically Public Safety or Student Affairs officials) from attending all or part of an event.
- Corridors, stairways, doorways, and entrances may not be blocked or obstructed in violation of applicable fire codes or College policy.
- Signs on pickets, posts, or made of hard materials other than paper or cardboard are not permitted inside College buildings and may be restricted elsewhere at the discretion of Public Safety.
- Organizers must clean up and remove all trash, items, and materials at the end of the demonstration.
- Demonstrators are not allowed to Disrupt or Harass anyone on campus through

unwelcome physical contact between demonstrators, counter demonstrators, the audience, the speaker or performers, or College officials.

POLICY MODIFICATION HISTORY

This policy has been revised on the following dates; the current version, above, is and has been in effect since the date of the most recent revision.

- a) January 6, 2020
- b) February 17, 2021

Signed By:  Patricia Moulton President
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