

Michigan Technological University  
Peaceful Protest Procedures

**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 (e.g. threats of physical harm) 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 Peaceful Protest Procedures (PPP) are intended to provide general guidance to faculty, staff, students or 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 Public Safety and Police Services, Institutional Equity, Dean of Students Office, Center for Diversity and Inclusion, Student Leadership and Involvement, or Academic and Community Conduct 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 values inspire community, scholarship, possibilities, accountability, and tenacity. 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 Conduct to assist the University community 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 that 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 protests and demonstrations will consist of the following:

### **A. 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 PPP, but we may also employ a range of measures up to and including employee or student discipline, campus bans, or arrests.

### **B. 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.

### **C. Protest Priorities**

Our priorities when engaging with a protest or demonstration:

1. Work with organizers and demonstrators 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, protests, and demonstrations and the campus community overall and minimize disruptions to the University.
4. Constructively engage with demonstrators as appropriate about their issues of concern.

### **D. Peaceful Protest Advance Planning**

*Outlined here are the various roles and responsibilities for a Peaceful Protest*

#### **1. Event Organizer Roles**

- 1.1. Meet with a University representative to understand responsibilities.
  - 1.1.1. For students or student organizations: Student Leadership and Involvement ;
  - 1.1.2. For employees: Human Resources or Ombudsperson.
  - 1.1.3. For community members or groups: Public Safety.

★ For large events, event organizers will also need to include Public Safety in the meeting to appropriately safety plan in advance of an event.

- 1.2. Develop clear parameters for the event (e.g. signs, question and answer, etc.).

- 1.3. 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.
- 1.4. If the disruption continues after a warning, the University may be called upon to assist.
- 1.5. Event organizers may document the disruption with pictures, videos, and witnesses.
- 1.6. Public Safety and Police Services may be asked to intervene when the disruption will not cease.
- 1.7. 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 Roles**

- 2.1. Demonstrate 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**

- 3.1. If appropriate, engage with the lead event organizer(s) to ascertain intentions and set expectations.
- 3.2. Review planned event with Risk Management and Public Safety, as appropriate.
- 3.3. Monitor and observe on-going protests at a safe distance.
- 3.4. Communicate information, problems and concerns with the on-scene Incident Commander and Dean of Students or designee.
- 3.5. Pursue tactics designed to diffuse tensions and avoid tactics likely to increase tensions.

## **4. Public Safety Roles**

- 4.1. Engage with protesters.
- 4.2. Monitor and observe protest.
- 4.3. Assess potential for violence and harm.
- 4.4. Identify and communicate information, problems and concerns to the Chief of Public Safety and Police Services.
- 4.5. Review planned event with Risk Management, as appropriate.
- 4.6. Using the campus protest philosophy, intervene and enforce policies as necessary.
- 4.7. Gather information on the event.
- 4.8. Research previous events by organizers at Michigan Tech and/or other locations.
- 4.9. Assess the event for safety concerns and volatility.
- 4.10. Advise on the development of an intervention plan and implement, if needed.

- 4.11. Create an accurate record of the actions of police and demonstrators during demonstrations. 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.

## **E. During Peaceful Protest**

Once a potential or active protest or demonstration has been identified, campus staff will generally assume the following roles:

- 1. Student Affairs Staff, Human Resources Staff, and the VP for Diversity share common roles in the event of a PPP:**
  - 1.1. Research group or event if it includes students.
  - 1.2. Identify the organizer and gather information, to aid in assessment of potential disruption.
  - 1.3. Assign staffing resources to the event when deemed appropriate.
- 2. Public Safety Roles**
  - 2.1. Gather information on the event.
  - 2.2. Research previous events by organizers at Michigan Tech and/or other locations.
  - 2.3. Assess the event for safety concerns and volatility.
  - 2.4. Activate the incident command team when deemed necessary.
- 3. University Marketing and Communications Staff Roles**
  - 3.1. Develop and assign responsibility for communications with campus, community and stakeholders.

## **F. Conclusion and After Action Review**

- 1. Disruptor**
  - 1.1. If a student is investigated for possible disruption, the Student Code of Community Conduct will apply, including all rights provided therein.
  - 1.2. Any employee investigated for possible disruption will be processed through Human Resources and their supervisor as well.
  - 1.3. Any community member or group investigated for possible disruption will be processed through Public Safety.
- 2. Student Affairs Staff Roles**
  - 2.1. Review event with Dean of Students and Vice President of Student Affairs or designee.
  - 2.2. Review event with Risk Management and Public Safety, as appropriate.
  - 2.3. Share information about possible student code of conduct violations with Office of Academic and Community Conduct
  - 2.4. Participate in the after action report development.
- 3. Human Resources Staff Roles**
  - 3.1. Review event with Chief Financial Officer and Vice President for Administration or designee.

- 3.2. Review event with Risk Management and Public Safety, as appropriate.
- 3.3. Share information about possible employee conduct violations with the Director of Human Resources.
- 3.4. Participate in the after action report development.
4. **Public Safety and Police Services Roles**
  - 4.1. Determine any injuries or ongoing safety issues.
  - 4.2. Communicate with the Chief or designee.
  - 4.3. Prepare an after action report.

*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 – FREQUENTLY ASKED QUESTIONS**

**Does the PPP apply to outdoor campus spaces that are able to be reserved?** Yes.

**What if a group disrupts a group that is protesting within the allowed guidelines?** The disrupting group would be subject to having its conduct reviewed.

**If a person is part of a group that plans a protest (assuming it doesn't violate a law or policy), and others at the event engage in misconduct, can the organizers be held responsible?** Every case is evaluated individually, but the University would not typically proceed with action against an individual who had no involvement in or advance knowledge of disruptive behavior if the person did not engage in it themselves.

**Are all individuals in a disruptive group treated the same?** When multiple students and/or employees are involved in the same incident, each may not receive the same outcomes. While the behaviors in question may be similar, each individual has unique conduct histories that may warrant differential outcomes. Registered Student Organizations are subject to the Student Code of Community Conduct.

**Does the Board of Trustees policy apply to a University event that occurs at an off-campus venue?** Yes.

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

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

**APPENDIX D - UNIVERSITY PROCEDURE 5.06.1—RESERVED USE OF DESIGNATED UNIVERSITY OUTSIDE GROUNDS**

**APPENDIX E - BOARD OF TRUSTEES POLICY 7.7 OUTSIDE PUBLIC SPEAKERS**

**APPENDIX F - BOARD OF TRUSTEES POLICY 12.2 BUILDING AND PROPERTY RULES AND REGULATIONS**

**APPENDIX G - BOARD OF TRUSTEES POLICY 12.3 RULE PROHIBITING DISRUPTION OF UNIVERSITY ACTIVITIES**

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