



KEAN



- ***General Procedures Governing Use of University Facilities and Grounds***
- ***Policy Statement on Free Speech and Dissent***
- ***Guidelines for Use of University Facilities for Dissent & Demonstration***
- ***Procedures Governing Distribution of Literature Policy***

PROCEDURES GOVERNING
THE USE OF UNIVERSITY FACILITIES AND
GROUNDS FOR DISSENT, DEMONSTRATION
& DISTRIBUTION OF LITERATURE



General Procedures Governing Use of University Facilities and Grounds

1. All events held on Kean University property must comply with federal, state, local laws and University policies. It is the responsibility of the sponsoring organizations, groups or individuals to monitor events and ensure that all aspects of the event are in complete accordance with laws and University regulations. This includes fire and safety regulations, including those related to capacity and access.
2. Security at events is subject to the sole and exclusive control of Kean University. Searches of individuals must be conducted by authorized law enforcement personnel. Use of University grounds or facilities in connection with events requiring security is conditioned upon timely execution of a security agreement approved by the University.
3. University representatives must have full access to all rooms, facilities, and grounds utilized by any group, organization or individual at all times.
4. Use of University facilities or grounds must not interfere with or disrupt educational, academic or other University activities. It is the responsibility of any organization, group or individual seeking use of University facilities and grounds to ensure that the proposed use is conducted consistent with these procedures.
5. Organizations, groups or individuals using Kean University facilities and grounds cannot intimidate, interfere, or discriminate on the basis of age, sex, sexual orientation, marital status, race, color, creed, national origin, physical handicap, or political activity, or union activity.
6. Appropriate attire must be worn in all campus facilities at all times, including shirt, shoes, pants/shorts/skirts.
7. Pets/animals are prohibited in Kean University buildings except for those allowed per the Americans with Disabilities Act.
8. No program may be held on University property without express authorization from Kean University.
9. Events may not be advertised prior to receiving a formal event confirmation and/or prior to execution and approval of a license agreement. Additionally, advertising for any event sponsored by an external organization must clearly state that the activity is "Not a program sponsored by Kean University".
10. Kean University is not responsible for materials, equipment, etc. that users or sponsoring organizations may leave in reserved or public spaces unattended. Users who choose to leave materials before and after events accept complete responsibility for the security of the items.
11. Sponsoring organizations, groups or individuals are responsible for any and all damages and cleaning beyond that considered to be "normal wear and tear". Any organizations, groups or individuals that show disregard for facilities and/or equipment may be charged additional fees, be denied further use of University facilities, and/or be subject to the appropriate sanctions. Sponsoring organizations, groups



or individuals assume responsibility for any damage done to facilities or equipment by their guests. Kean University accepts no responsibility for damage to, or loss of any merchandise or personal property.

12. Smoking in all Kean University buildings is prohibited.
13. The burning of candles and incense are strictly prohibited in all Kean University buildings.
14. Windows may not be covered in accordance with fire code regulations.
15. University property (furniture, displays, equipment, etc.) may not be moved or removed from spaces without express written permission.
16. Sponsoring organizations, groups or individuals are expected to leave facilities in the same condition in which they were found. This includes surface cleaning after events, removal of balloons, decorations, signs and advertisements. Equipment should be powered down and /or returned to its original location and the space should be cleared of all trash and debris. Additional fees will be assessed if the sponsoring organization, group or individual fails to comply with this requirement.
17. Facilities users shall:
 - i. Adhere to all scheduling guidelines.
 - ii. Follow all guidelines regarding the use of the facilities and the posting of publicity related to an event.
 - iii. Comply with all University policies and guidelines, federal, state and local laws before, during and after the event.
 - iv. Pay in full all charges due to Kean University for the facilities' use and the provision of ancillary services.
18. In addition to the requirements above, all externally-sponsored events shall also:
 - i. Enter into a license agreement with Kean University for the use of the facilities, services, and resources.
 - ii. Provide proof of Liability Insurance.
 - iii. Pay a deposit of 20% of the estimated fees associated with the use of facilities, services, and resources.
19. University organizations, groups or individuals may not act as sponsors/agents for off campus vendors or organizations in order to avoid fees/charges for the use of facilities. Organizations, groups or individuals that attempt to misrepresent an event for this purpose will be held responsible for paying external rates and may have reservation privileges suspended.
20. Organizations, groups or individuals using Kean University facilities and grounds cannot intimidate, interfere, or discriminate on the basis of age, sex, sexual orientation, marital status, race, color, creed, national origin, physical handicap, or political activity, or union activity.
21. University facilities must be reserved in advance by submitting a formal request online at <http://events.kean.edu>. Space is approved on a first-to-schedule basis; however, there are times during the year that are historically busy. Limited resources may make it difficult to accommodate requests for space during these times.
 - i. Student groups are restricted from scheduling spaces during the last week of the semester.
22. Violations of these procedures will be addressed through internal disciplinary procedures, legal process, and/or revocation of usage privileges. Interference with a



speaker's ability to communicate or the audience's ability to hear or see the speaker will result in a request to cease the activity. Failure to comply with the request to cease the disruption will result in removal and a notice of suspension during which time a hearing will take place in accordance with University disciplinary procedures.

23. Inappropriate or threatening physical contact, any threat of physical contact, malicious damage to property, actions that disrupt the freedom of movement of others and violations of civil and criminal laws are prohibited and will result in removal, internal disciplinary procedures and/or other civil or criminal process.
24. Possession of any weapons, as defined under N.J.S.A. 2C:39-1, on campus is strictly prohibited. Violators of this prohibition are subject to immediate arrest and criminal prosecution.
25. Applicable tax laws and copyright laws must be observed. Use of the Kean University name, emblem or identity, for commercial activity will not be permitted without approval.
26. Events may be moved to a different location upon the occurrence of:
 - i. Circumstances beyond the control of the University, such as facility infrastructure disruption and/or weather related conditions, or
 - ii. Unanticipated needs of the University for use of the space, and to best utilize space and resources, or
 - iii. Substantial changes in the needs or size of the scheduled event, or
 - iv. Subsequent disruption to concurrent events.
27. If an event interferes with traffic flow or access to buildings, the University will make reasonable efforts to control traffic flow and access to buildings before moving an event. If a move becomes necessary, the University will move the event to either an agreed-to location or the nearest suitable location. Kean University is not responsible for any costs incurred by a user resulting from a change in location. The University reserves the right to change, alter or modify any scheduling request based upon the following considerations:
 - i. Academic schedule and program
 - ii. Vehicular traffic
 - iii. Space and/or staff limitations
 - iv. Parking limitations
 - v. Public safety and security
 - vi. Orderly operation of the University
 - vii. Previously scheduled events
 - viii. Construction activities
 - ix. Number of individuals expected to attend the event or interested in attending the event
 - x. Weather, equipment failure, or other unforeseen events
28. During an event scheduled outside the regular operating hours of a facility, only those directly involved or attending the event may remain in the facility.
29. Possession and consumption of alcoholic beverages is prohibited without prior approval.
30. Sound amplification on the grounds of the campus will only be allowed in the discretion of the University.
31. These procedures will be applied consistent with any collective bargaining agreement applicable to the University.
32. Initial appeals of the University's decision regarding use of facilities and/or grounds,



including denials or limitations on use, may be made, in the case of student groups, to the Vice President for Student Affairs and in the case of faculty or staff, to the Vice President for Academic Affairs. In the case of organizations, groups or individuals not affiliated with the University, appeals of the decision may be made to the Office of Conference and Event Services.

33. Appeals from the decision of the Vice President for Academic Affairs, or the Vice President of Student Affairs or the Office of Conference and Event Services, as appropriate, must be made as follows:

- i. A written letter of appeal must be submitted to the appropriate office within three (3) working days after the initial denial of the request for space.
- ii. Upon receipt of the letter, the appropriate office must review the application and render a decision within three (3) working days of the appeal. In the event the proposed timing of the event does not allow sufficient time to submit an appeal, the University will consider expedited appeals.

Policy Statement on Free Speech and Dissent

Preamble

Kean University has a long-standing commitment to basic constitutional freedoms. These freedoms are important not only because they are guaranteed within the constitution, but also when considered in light of our University's public dedication to the "transmission of knowledge, the pursuit of truth, the development of students, and the general well-being of society."

The Kean University Bill of Rights and Responsibilities, adopted in 1972, affirms the commitment of the University to free speech and to dissent and recognizes the inherent link between these two. It underscores the importance within the educational process of the "search for truth and its free presentation" while extending to members of the campus community the right to "engage in non-violent demonstrations." The importance of the link between free speech and the right to dissent as well as the responsibility for orderly dissent is embodied in the statement that members of the

community who wish to dissent have the "obligation not to interfere with any member's freedom to hear and to study unpopular and controversial views on intellectual and public issues."

Similarly the University Policy on Dissent and Campus Demonstrations, adopted in 1972, encourages members of the University community to "register their dissent from any condition, issue, or proposed action by any orderly means." The Policy on Dissent and Campus Demonstrations recognizes also that those who exercise their right to dissent have the responsibility to do so in ways that do not interfere with the basic freedoms of all members of the campus community.

The statement presented in this document derives from and is consistent with the framework established within the University Bill of Rights and Responsibilities and the Policy on Dissent and Campus Demonstrations.



Statement of Free Speech

Kean University is committed to maintaining an environment which fosters free speech and open discussion and debate of ideas. Members of the campus community are encouraged to listen to the ideas of any person. This commitment includes supporting the right of a group or individual to sponsor speakers or events with unpopular or controversial points of view, while

Scope of Statement

The Classroom

As stated in the University Bill of Rights and Responsibilities, academic freedom extends to a faculty member “the right to determine the specific content of his or her course within the established course definition.” This right of a faculty member to conduct his or her course free of intrusion from those outside the class is considered inviolate* and therefore, the guidelines (i.e., the Statement) for external speakers delineated in the “Policies and Procedures for University Facilities” manual does not apply to academic instruction. The guidelines (i.e., the Statement) do apply to all other meetings on campus to which an outside speaker is invited (open meetings).

Open Meetings and Events

All meetings and events to which outside speakers or groups are invited are open, even though sponsoring organizations may limit the audience to members of their groups. For all open meetings or events, provision must be made for members of the campus community** who wish to do so to have access to the words of the speaker.*** This may be accomplished by permitting attendance at the part of the

enabling those who oppose these points of view the opportunity to express disagreement or dissent in ways that do not restrict the ability of individuals to hear the ideas being presented. It is understood also that sponsorship of a speaker or event does not necessarily imply approval of the views presented.

function which includes the talk or by recording (videotaping or audio taping) the talk and making the tape generally available for viewing by the members of the campus community. In accordance with copyright laws, recording may only be done with permission of the speaker.

Statement On Dissent and Protest

Kean University recognizes that the right to dissent is the complement of the right to free speech. Where dissent does occur at the same time and location of the talk, it must not interfere with the speaker’s ability to communicate or the audience’s ability to hear and see the speaker. The dissent might also be expressed in a forum other than at the original talk.

Peaceful dissent (i.e., picketing, distribution of literature, and silent or symbolic protest) is widely recognized as an acceptable means of dissent. Protest should never be disruptive or violent, nor should it result in damage or destruction.

The following examples are meant to suggest the limits of acceptable dissent. They are not intended to be comprehensive.



- **Picketing and the Peaceful Distribution of Literature.** Picketing in an orderly way or distributing literature outside a meeting is acceptable as long as these activities do not interfere with gaining access to the meeting or event.
- **Silent and/or Symbolic Protest.** The wearing of symbolic clothing or emblems or the engaging in noiseless protests that involve gesturing, standing, or displaying signs are acceptable expressions of dissent, but these activities should not obscure the speaker from the audience's view or prevent the audience from hearing the speaker.
- **Vocal Dissent.** Dissenting vocally from a speaker's views, especially if the vocal

protests are similar in kind and degree to the reaction of those supporting the speaker, is acceptable. Disrupting a meeting or event with prolonged chants or other noise in a manner that interferes with the speaker's communication is not permitted, whether inside or outside the meeting.

- **Force or Violence.** Using force or violence is never an acceptable form of protest. Freedom of movement may not be interfered with.

All persons at a talk must respect the right to dissent, as defined above. Any person who interferes with acceptable forms of dissent is considered in violation of this policy in the same way as is a dissenter who violates the rights of the speaker or the audience.

Guidelines for Use of University Facilities for Dissent & Demonstration

Kean University recognizes its commitment to the exercise of free speech and dissent by its faculty, staff and students. Demonstration and dissent is subject to the need that the University operate in an orderly fashion. Normal delivery of the academic and educational program is the University's priority concern. All use is subject to review in accord with the Standards for Evaluating Requests for Use of University Facilities and Grounds and to the General Procedures Governing Use of University Facilities and Grounds.

1. Priority in scheduling and use of University facilities or grounds for purposes of dissent or demonstration is given to recognized University organizations and groups.
2. Kean University sponsored organizations, groups or members of the University

community are encouraged to complete the request for demonstration and distribution of literature form and return it to the Miron Student Center Operations & Event Management Office; prior to the requested use, so as to permit the University to designate appropriate time, place, and manner restrictions. If in connection with a scheduled University event, requests to schedule must be made 72 hours prior to the requested use. If not in connection with a University event, requests to schedule must be made in accord with normal University scheduling procedures.

3. In order to allow the University sufficient time to evaluate space, security, parking, staff and other needs, and to plan and



organize its allocation of resources, requests for use of University facilities or grounds by organizations, groups or Individuals not affiliated with the University for dissent or demonstration must be made to the Office of University Relations in accordance with regular scheduling procedures for external groups. If the use requested is in connection with a regularly scheduled University event, requests must be made at least ten (10) working days prior to the event.

4. Kean University reserves the right to designate time, place and manner restrictions on individuals, groups or organizations registering dissent or to disperse any such group where there is significant, imminent danger to public safety. The University reserves the right to change the date, time or location of a dissent or demonstration, in the event of a scheduling conflict, or if the requested use would disrupt the orderly operation of the University, consistent with the Procedures Governing the Use of University Facilities and Grounds.
5. If special circumstances are presented, upon request, shorter timelines and different locations will be considered at the discretion of the University.
6. The name of the individual authorized by the organization to act on its behalf should be provided to the University along with the number of individuals wishing to attend the event. Space will be allotted within physical limitations and subject to the public safety and operational needs of the University.
7. Due to limited space, public safety concerns and/or the operational needs of the University, the University reserves the right to limit the number of protesters on campus as well as the number of protesters, demonstrators or counter-demonstrators from any one group or at any one location. The University also reserves the right to limit the number of protesters so as to afford other groups the opportunity to express their views. In accordance with general University policy, priority will be given to recognized University organizations and groups.
8. Violations of these procedures and/or interference with a speaker's ability to communicate, or the audience's ability to hear or see the speaker will be addressed through the Student Code of Conduct procedures or legal process. Failure to comply with the request to cease the disruption will result in removal, a notice of suspension during which time a hearing will take place in accordance with the Universities Student Code of Conduct procedures, and/or civil or criminal process.
9. Requestors are strictly responsible for any damage done to property attributable to the individual applicant, group or organization.
10. Tents, tarps, and all other forms of camping equipment are prohibited.
11. Appeals of the University's decision regarding use of facilities and/or grounds, including denials or limitations on use, may be made in accord with the appeal procedures detailed in the General Procedures Governing the Use of University Facilities and Grounds.



Procedures Governing Distribution of Literature Policy

The Kean University Statement on Free Speech and Dissent and the Statement on Dissent and Protest express the commitment of Kean University to maintaining an environment which supports the free and open exchange of ideas. The General Procedures Governing the Use of

University Facilities and Grounds are to be applied on a content neutral basis whenever University facilities and grounds are used outside of the classroom context and are to be interpreted in a manner consistent with the basic commitment of the University to free speech and dissent.

Recognized University Organizations, Groups or Faculty/Staff

1. Priority in scheduling and use of University facilities or grounds for purposes of distributing literature is given to recognized University Organizations and Groups.
2. Recognized University Organizations, Groups, Faculty/Staff or Members of the campus community may utilize sites designated for the sale or distribution of literature, including leaflets, handbills, handouts, newspapers and other written material when not in connection with a scheduled University event. University facilities must be reserved in advance by submitting a formal request online at <http://events.kean.edu> and in accord with general University scheduling procedures at least five (5) business days prior to the requested use.
3. Recognized University Organizations, Groups, Faculty/Staff or Members of the campus community must notify The Miron Student Center Operations & Event Management Office (MSC 6) of their request to use University facilities or grounds in connection with a scheduled university event at least five (5) business days prior to the date of requested use. All use will be subject to review in accord with the Standards for Evaluating Requests for Use of University Facilities and Grounds and to the General Procedures Governing Use of Facilities and Grounds. In the event of scheduling conflicts or other disruption to the orderly operation of the University, the University reserves the right to change the date, time and location of the distribution and if necessary, cancel the event.
4. In order to avoid scheduling conflicts, and allow sufficient time to evaluate space, security, parking, staffing, and other needs and to plan and organize the allocation of University resources, Recognized University Organizations, Groups, Faculty/Staff or Members of the campus are encouraged to complete the request for demonstration and distribution of literature form and return it to the Miron Student Center Operations & Event Management Office, between the hours of 9 a.m. to 5 p.m. Monday through Friday, in accord with regular University scheduling procedures and in the case of any sale, must comply with the requirements of the Independent Vendor Policy. All use is subject to review in accordance with the Standards for Evaluating Requests for Use of University Facilities and Grounds and the General Procedures Governing the Use of University Facilities and Grounds.



External Organization, Group, or Individual

1. External Organizations, Groups, or Individuals must obtain written permission to sell or distribute literature including leaflets, handbills, handouts, newspapers and other written material when not in connection with a scheduled University event from the Office of University Relations, in accord with regular University scheduling procedures and in the case of any sale, must comply with the requirements of the Independent Vendor Policy.
2. Written confirmation must then be brought to the Miron Student Center Operations & Event Management Office, located on the first floor of the Miron Student Center (MSC-6) between the hours of 9 a.m. to 5 p.m. Monday through Friday; to schedule an appropriate date, time and location to distribute their Literature.
3. In order to avoid scheduling conflicts, and allow sufficient time to evaluate space, security, parking, staffing, and other needs and to plan and organize the allocation of University resources, individuals. Application must be made six working days prior to a scheduled University event, or six weeks prior to the requested date if not in conjunction with a University event, in accordance with the Standards for Evaluating Requests for Use of University Facilities and Grounds and the General Procedures Governing the Use of University Facilities and Grounds.
4. The University reserves the right to designate time, place and manner restrictions on the distribution of literature.
5. The total number of people or organizations, distributing or selling literature on-campus or at any one location may be limited. In accordance with general University policy, preference will be given to members of the University community. In acting on requests from non-campus groups or representatives, those sponsored by recognized University organizations or groups will be given preference.
6. Harassment of members of the University community by those selling or distributing literature, or sale or distribution outside of the hours or locations for which permission has been granted, will be cause for immediate revocation of permission and could result in a suspension of future usage privileges.
7. Decisions regarding requests under these guidelines will need to take into account both any special circumstances that may relate to University activities and the burden that permission to sell or distribute literature may place on the University's security force, administrative staff and facilities.
8. If special circumstances are presented, upon request, shorter timelines and different locations will be considered at the discretion of the University.
9. The appeal procedures detailed in the General Procedures Governing Use of Facilities and Grounds apply in the event of a challenge to a decision by the University.



University Resources

Miron Student Center Operations and Event Management

Miron Student Center [MSC], room 6
908-737-5200

Conference and Event Services

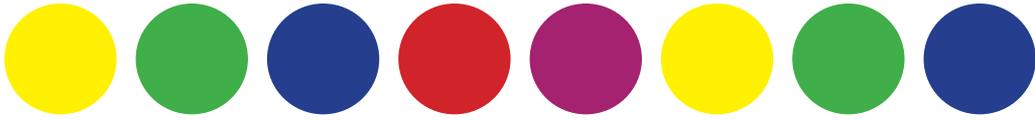
Green Lane Academic Building [GLAB], room 332
908-737-4730

Kean University Department of Public Safety and Police

Downs Hall, Police Headquarters
908-737-4800



WORLD-CLASS
EDUCATION



KEAN

1000 Morris Avenue • Union, New Jersey 07083