

REGULATIONS FOR ASSEMBLIES AND DEMONSTRATIONS

BASIC PRINCIPLES

Essential to the survival of a free society are a sincere, mutual respect for the rights of all members, an acceptance of the responsibilities and obligations associated with these rights, and a mutual agreement to function within the framework of rules designed to insure orderly function.

Villanova University appreciates the fact that the academic community is deeply concerned with many current issues, and this concern may occasion inquiry and debate as well as expression of views in a variety of ways, including demonstrations. In fact, Villanova officially recognizes the right and even the responsibility, at times, of the University community to express their collective or individual voices for or against a given issue. The fundamental rights of freedom of inquiry, speech, and lawful assembly both insure and limit this right to demonstrate. Villanova, to be true to its university status, must foster investigation, concern, and the essential elements which make academic freedom a viable reality.

Nowhere are the rights of free speech, inquiry and peaceful assembly more critical and the need for protection of these rights more essential than in the academic community. Without these, the educational purposes could never be achieved; therefore, each member of the community, while exercising his basic rights, must with equal zeal protect and respect the basic rights of the others in the community.

Acceptance of these tenets as essential to the life and purposes of the academic community inherently call for recognition of certain limits on the techniques used for exercising the basic freedom of communicating or emphasizing a particular view, idea, cause or issue.

The following regulations, prepared by representatives of all members of the Villanova community and approved by the Board of Trustees, define these limits for the University community.

GENERAL REGULATIONS

1. The right to life, other basic rights and the right of academic freedom of no member of the University community are to be denied or encroached upon by any member or members of the community.
2. The normal operations and functions of the University, and particularly its academic activities, are not to be hindered or interrupted by any individual or group of individuals.
3. The property of the University and that of the members of the University community are not to be damaged, destroyed or violated.
4. Visitors who are guests of members of the University community are welcome on the campus as long as they abide by the regulations set forth herein, and should be extended the respect and courtesy given any guest.
5. Speakers, interviewers, recruiters, etc., who are officially invited guests of the Administration, academic subdivision, or an approved campus organization are understood to be performing a normal function of the University, and therefore have the right to perform their designated duties while on campus.

6. Classrooms, unless otherwise proscribed, and certain specifically designated areas not in normal use at the time may be used by any members of the Villanova community for peaceful assembly, subject to the limitations detailed below. Other indoor areas may not be utilized for other than their normally intended education or operational purposes without authorization from the Vice President of Student Affairs or such persons as he designates.
7. The leader or leaders of the assemblies and demonstrations must be identified. Leaders of all assemblies and demonstrations shall undertake the obligation to make every effort to maintain orderliness during these activities.
8. Under no circumstances will deadly weapons, firearms, explosive containing devices and any corrosive, poisonous, noxious, highly flammable or explosive materials be taken to or used in assemblies or demonstrations. Nothing herein shall prohibit the bearing of equipment validly issued to the bearer by any department of the University.
9. The required notification shall indicate the place, possible size of assembly or demonstration, and persons responsible for the assembly or demonstration.

SPECIFIC REGULATIONS

I. Assembly and Demonstrations – Outdoor

Members of the University may assemble at any time upon the open areas of the campus, subject only to reasonable prior notification to the Security Department Supervisor, and may move, as an assembly, through and to other open areas of the campus. Open areas are defined as any land area not then set aside for a special or normal University Operation.

Any of the following activities of an assembly or the participants therein will be considered beyond permissible limits:

1. Actual or threatened personal physical harm to any members of the University community or of others.
2. Actual or threatened damage to or destruction of the property of members of the University community or of others.
3. Actual or threatened destruction, damage or defacement of buildings, structures, plantings, and other property on the campus.
4. Excessive noise which seriously interferes with the normal functions being carried on within any building on the University campus.
5. Prevention of free ingress to or egress from any facility on campus and travel between facilities unless specifically authorized.
6. Interference with vehicular traffic on campus roads, unless specifically authorized.
7. Violation of state or local fire or safety codes.

II. Assembly and Demonstration – Indoor

Any assembly or demonstration in an indoor area must be preceded by reasonable notification to the Security Department Supervisor. Classrooms, unless otherwise proscribed, and areas specifically designated may be used without further authorization provided they are not in normal use at the time. Any group of University community members who wish to assemble within any other area of the University buildings or structures must first obtain authorization to do so from the Vice President of Student Affairs or such persons as he designates. For authorized assemblies or demonstrations the Vice President of Student Affairs or such persons as he designates will be obliged to make every effort to provide suitable space at the desired time. If this is not possible, then a time will be agreed upon when suitable space will be available.

An assembly within University buildings will be considered no longer acceptable if any of the following conditions obtain:

1. The assembly becomes of such size that the safety and welfare of the participants are endangered, or state or local fire or safety codes are violated.
2. The assembly becomes disorderly to the point of interfering with the normal operation of the University in adjacent areas.
3. Damage to University facilities becomes an imminent threat or actually occurs.
4. The assembly or demonstration extends for such a time period that the scheduled use of space is interfered with.

ENFORCEMENT

Responsibility for enforcement of these regulations shall rest in the first instance upon the University official or officials designated for this purpose. A current list of officials designated for this purpose is attached. Anyone who observes what appears to be a violation of these regulations shall notify the campus security office or any campus security officer, who shall notify that office. The security office shall immediately notify the appropriate University official and take such other action as falls within the normal jurisdiction of the Security Office. If, in the judgment of this official, there is a violation of the above stated regulations governing assemblies and demonstrations, he has the right and duty to instruct participants to comport themselves in accordance with the regulations, and, if necessary, to direct them to leave the room, hall, building or other affected area or, in the case of a visitor, to leave the campus. This official will also promptly report violators to the appropriate dean or other official responsible for discipline, whenever in his judgement the seriousness of the incident warrants such reporting.

Activities that contravene these regulations, including the disregard of the above described instructions and orders of the responsible University official, shall be sufficient basis for the initiation against the offending persons of disciplinary action and the imposition of penalties within the full range of possible disciplinary measures. In the case of students, subject to the Student Court, such action and penalties will be taken in accordance with the rules and procedures governing the Student Court. Graduate and other students not subject to this Court will be disciplined under the rules and procedures of their respective graduate schools or divisions. In the case of other members of the University community, action will be taken in accordance with the rules and procedures provided for such persons, and, in the case of non-members, as appropriate under applicable law.

Refusal, after warning, to cease conduct seriously exceeding the limits of these regulations, or indications that an assembly or demonstration is to occur that poses a serious threat to the orderly functioning of the University, shall be dealt with by such other action, including requests for police and/or court-imposed restraining orders, as the President or his designated representative may consider proper under the circumstances. In taking such extraordinary action, however, the President or his representative will consult in advance with a representative group of faculty, administration, and students, unless danger to life or property and limitations of time do not admit of prior consultation, in which event consultation will take place at the earliest feasible time after such action. The representative group for this purpose will consist of the Executive Committee of the University Senate.

Nothing in these regulations is intended to preclude resort by the University, or by any individual adversely affected by disruptive activities on campus, to remedies that may be available under applicable civil or criminal statutes. It is fundamental that a university campus and its buildings are not sanctuaries from federal, state and local laws and ordinances. A disorder on campus which otherwise would be a violation of such laws subjects the perpetrator to the same processes and penalties as normally would apply to any other person who violates the law. Furthermore, conformance with these regulations is not to be deemed a defense in actions involving other violations of University regulations.