



Public Forum Use of University Facilities and Land Policy

Policy Number	FOC-002
Effective Date	August 24, 2010 (September 23, 2024)
Responsible Office/Person	VC Administration & Facilities
Related Policies	None
Additional History	This policy supersedes the 8/24/10 Public Forum Use of University Facilities policy

University of Massachusetts Dartmouth
Campus Policy Statement
Public Forum Use of University Facilities and Land

Consistent with University of Massachusetts system wide Guidelines on Responses to Demonstrations, the Dartmouth campus promulgates the following policy on public forum use of University facilities and land.

I. POLICY STATEMENT

The University of Massachusetts Dartmouth (UMass Dartmouth) recognizes the rights of members of the University community and visitors to the campus to freedom of assembly and speech, and strongly endorses the free exchange of ideas at the University. Subject to the provisions of this Campus Policy Statement, members of the University community—including its students, staff and faculty—and its visitors may exercise such rights in appropriate public forums.

II. PURPOSE

To prevent individuals exceeding the bounds of appropriate expression during the course of such public forum uses, by interfering in the educational activities and business of the University and with the rights of others, the University reaffirms the importance of the establishment of appropriate time, place and manner restrictions on the use of University public forum facilities and land.

III. DEFINITIONS

Public forum spaces are locations that by tradition or policy are available for public assembly and speech. The University of Massachusetts Dartmouth recognizes the following public forum spaces:

The grassy areas to the south and east, within 75 feet of the campanile, bounded by the walkways [indicated on this map](#). Individuals in wheelchairs may access this area from any of the following disabled access parking lots [marked on the campus map](#).

IV. PROCESS AND PROCEDURE

Applicable Rules and Regulations for Use of Public Forum Spaces

These rules and regulations apply to all members of the University community, including undergraduates, graduate students, faculty, staff, and alumni, as well as to guests and visitors:

- The use of University property and land, including the above public forum space, is subject to all relevant policies and procedures including, but not limited to, the Code of Student Conduct, and the University Alcohol and Drug Policy, and the University of Massachusetts Guidelines for Responses to Demonstrations on University Property.
- Non-University organizations may be allowed the use of University properties at the discretion of the University only in accordance with campus guidelines and procedures governing such use. External individuals or groups must [fill out this form](#) to begin the process for possible use of the Public Forum Space.
- Events in the public forums are limited to such a number of persons which the area can reasonably accommodate based on, among other things, the needs of public safety, necessary paths of ingress and egress, and fire safety, as determined by a University official.
- There shall be no interference with a properly approved event on the grounds of the content of speech, except for any speech or demonstration which incites immediate violent action or breach of peace and/or represents a clear and present danger to the campus community.
- The use of the public forums is limited to appropriate spaces, which specifically do not include, among other locations, faculty and administrative offices, classrooms and other instructional facilities, athletic facilities, and residential facilities.
- The use of the public forums is not allowed from midnight to 6:00 a.m. The area must be restored to its previous, unoccupied and unlittered state by midnight. Any materials left on the site after that time will be cleared by Facilities and the user may be charged for the cleanup.

- UMass Dartmouth will hold participants accountable for actions that violate University policies and regulations. Such improper actions include but are not limited to:
 - Material disruption of or interference with instructional activities and other University business and campus events, including through interference with free entry or free movement as defined below, and through sound levels which prevent normal aural communication;
 - Actual or threatened physical violence, or other forms of harassment, or destruction of University, or other public, or private property;
 - Interference with free entry to or exit from University facilities and free movement by individuals on campus. Interference with free entry or free movement is defined as any physical denial or restriction of a person's ability to freely reach or leave a given geographical area, or harassment as defined in the Student Code of Conduct;
 - Interference with the rights of other members of the University community to freedom of speech and assembly, and other rights;
 - Damage to University property, which shall cause the participants to be responsible for reimbursing the University for the cost of the cleaning, repair or replacement of such property; and
 - Failure to cease any activity in violation of this policy immediately following either written or oral notice by a University official shall also be a violation of this policy.
- The University's prior permission must be obtained for the erection of any structures, whether permanent, semi-permanent or temporary, when using the public forums. Such structures include but are not limited to: information tables, standing signs or banners, barriers, fencing, canopies, and tents.
- Scheduled events sponsored by University organizations or departments will have priority over other requested uses.

Procedures

Any person or group wishing to use a space at UMass Dartmouth, including the public forums, must formally request the space through the Office of Conferences and Events at least 48 hours in advance and must provide information regarding the date, time, anticipated attendance, and the contact person(s) for the event.

Persons desiring to use sound amplification or to include any structures as defined above in the public forums should get the request approved by the Vice Chancellor for

Administration and Facilities. Please outline your request when you complete the notification form. Sound amplification equipment used without the written approval of the Vice Chancellor for Administration and Facilities may be disconnected, removed, or confiscated by the University Police Department if it interferes in the educational activities or business of the University or with the rights of others. Structures, whether permanent, semi-permanent or temporary that are erected without the approval of the Vice Chancellor for Administration and Facilities may be removed or confiscated by the University Police Department.

Counter-Protests

Protest, demonstrations or other acts of free expression on campus may prompt a counter- protest or other forms of expression. When these arise, the expression of all parties will be supported in accordance with University policies. On occasion, a separate area may be designated for those seeking to counter-protest.

Civil Disobedience

Some groups use civil disobedience—intentional, non-violent, unlawful conduct—as a form of protest. The First Amendment does not protect civil disobedience. If an individual chooses to use this as a tactic to draw attention to a cause, the University has the right to enforce applicable standards of conduct and sanctions as outlined in the Code of Student Conduct and the Employee Code of Conduct.

Communication with the University

Where appropriate, and if the public forums are used for a demonstration, the University shall endeavor to maintain open lines of communication with demonstrators and to provide opportunities for discussion of matters in dispute so long as the demonstrators act in a manner consistent with University policy and the rights of others.

As a general rule the University shall not negotiate with individuals who occupy any University facility in violation of this policy or any other University policy, or with associated demonstrators, while any such occupation continues, and shall never negotiate within an occupied facility.

Safety and Guidance for Use of the Public Forums

- Students should consult with staff in the Office of Student Affairs when planning a use of the public forums;
- Organizers should inform attendees about University policies including, but not limited to, this policy, the Code of Student Conduct and/or the Employee Code of Conduct prior to public forum events;
- The UMass Dartmouth Police Department can assist with safety and security guidance and procedures;

- During events at the public forums, it is recommended that individuals stay aware of their surroundings, prioritize their safety, avoid physical contact with others, and that they inform someone who is not planning to attend that they will be participating in a public forum event.

V. RESPONSIBILITY

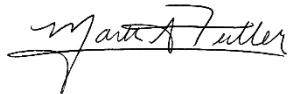
Vice Chancellor for Administration & Facilities

VI. ATTACHMENTS

None

VII. APPROVAL AND EFFECTIVE DATE

A. The effective date of this policy shall be September 23, 2024

A handwritten signature in black ink that reads "Mark A. Fuller". The signature is written in a cursive style with a horizontal line underneath the name.

Mark A. Fuller, PhD, Chancellor

September 23, 2024