

1. Introduction

In achieving its education, research, economic development and engagement mission, New Jersey Institute of Technology is guided by several core values including civility, diversity and communication. Members of the NJIT community—students, faculty, staff, guests and other members of the public—are to be treated with respect and dignity; we celebrate the diversity of our community and do not tolerate discrimination in any form. NJIT seeks to foster the exchange of information, and such exchange increases the diversity of thought on campus.

To that end, and as a public research university, NJIT has prepared this Student Demonstration Policy. While a student's right to speech, expression and assembly are protected by the First Amendment, NJIT must ensure that the education, research, economic development and engagement mission of the University are not interrupted and the safety of the NJIT community is not jeopardized. In accordance with all applicable law, NJIT carefully balances the rights afforded to students and those belonging to the University, including those of its community members who are participating in NJIT's education, research, economic development and engagement mission, in promulgating this Student Demonstration Policy.

2. Definitions

A Student refers to those individuals who are currently registered for classes at NJIT, whether full-time or part-time or whether pursuing undergraduate or graduate studies. Policies applicable to the expressive activity of individuals other than Students remain in effect and this Student Demonstration Policy will not limit nor amplify such policies.

Expressive Activity refers to demonstrations, assemblies, sit-ins, protests, counter-protests, vigils or other public displays of individual or group speech of Students. Expressive Activity may only take place Monday through Friday between the hours of 8:30am to 10pm.

The Designated Area(s) on campus open to Expressive Activity are: the Lower Green, Campus Center East Plaza (by the clock tower), Campus Center West Plaza (outside of the Atrium) and the Kupfrian Hall Lawn. All other areas of campus are dedicated to achieving NJIT's education, research, economic development and engagement mission and are not open to Expressive Activity by Students.

3. Policy

Subject to reasonable time, place and manner restrictions, Student(s) may conduct Expressive Activity in the Designated Areas. This Expressive Activity must not disrupt the University's functions, create safety hazards or otherwise impede the University's and its community member's interest in the University's education, research, economic development and engagement mission, and the University reserves all of its rights to ensure the same.

4. Procedure

Prior to conducting an Expressive Activity, a Student(s) must submit the Notice of Expressive Activity to the Office of Student Life via electronic means no less than five (5) business days prior to the contemplated date of the Expressive Activity. The submission of a Notice of Expressive Activity is critical in order for the University to coordinate usage of public facilities and ensure the safety of the community. The Notice of Expressive Activity must outline (1) the identity of the Student(s) making the request, (2) the contemplated date and time when the Expressive Activity will occur, (3) the desired Designated Area where the Expressive Activity will occur, (4) the expected attendance and (5) description of the Expressive Activity and its purpose. The Office of Student Life will review the Notice of Expressive Activity and, with the support of the Dean of Students Office, Public Safety and other University departments, determine what, if any, modifications must be made to the Expressive Activity and notify the Student(s) thereof.

In conducting the Expressive Activity, Student(s) must adhere to all time, place and manner restrictions imposed by NJIT. These restrictions include, but are not limited to:

- No disruption, interference or conflict with classes or other NJIT functions, events and activities;
- No impeding vehicular traffic, pedestrian traffic, ingress, egress and/or other freedom of movement by others on campus;
- No use of sound amplification (unless approved by the Office of Student Life via the Notice of Expressive Activity process);
- No affixing signage to buildings or University property (including chalking and staking signs into the ground) or erecting structures, including tents, or any other action that would cause damage to University property;
- No camping overnight;
- No political campaign activity (NJIT is a tax-exempt institution and may not support or oppose any candidate for political office);
- Compliance with all applicable federal, state and local laws and regulations, as well as all NJIT policies.

Additionally, all Students must abide by any instructions issued by Public Safety or other authorized University officials. If instructions are not followed or the Expressive Activity is causing disruption to the University's activities, the Students will be asked to leave or to discontinue the disruptive activities. Failure to do so may result in Public Safety taking all appropriate action to restore safety and security. Upon request by Public Safety or other authorized University official, a valid federal or state identification or University-issued ID card must be provided.

As NJIT is guided by its core value of civility, NJIT expects the same of its students: Expressive Activity must not infringe on the rights of other individuals or create safety or security risks. Freedom of expression allows individuals to share their viewpoint even if others may disagree with such viewpoint or find it offensive; such diversity of thought is a cornerstone in the free and open discourse conducted among a community of learners. Harassment, physical assault, coercion or other forms of intimidation are always unacceptable conduct. Further, there is a chilling effect on speech when an individual resorts to this unacceptable conduct in the face of differing viewpoints and it is contrary to the freedom of expression. Additionally it is not acceptable to

disrupt the expressive activity of another nor hinder another's ability to hear, see or otherwise participate such expressive activity. The consumption of alcoholic beverages or use of controlled substances is strictly prohibited.

NJIT strongly encourages Student(s) to file the above described notice but understands that there may be times spontaneous Expressive Activity may occur. In these instances, Student(s) will inform the Office of Student Life as soon as practicable. All time, place and manner restrictions outlined in this Student Demonstration Policy must be adhered to during the spontaneous Expressive Activity. If the spontaneous Expressive Activity causes disruption to the University's activities or threatening the safety or security of the University community, the Students will be asked to leave or to discontinue the disruptive activities. Failure to do so may result in Public Safety taking all appropriate action to restore safety and security.

5. Administration

This Student Demonstration Policy will be administered by the Dean of Students or designee and any violation of this Student Demonstration Policy will be subject to disciplinary action under the Student Code of Conduct. Violations of Federal, State or local law, regulation or ordinance may subject an individual to prosecution for the same by the appropriate governmental authority.