

FREE SPEECH / DEMONSTRATION / PICKETING POLICY

PURPOSE

As an educational institution, Westfield State supports the constitutional right of free speech. Exposure to a wide array of ideas, viewpoints, opinions, and creative expression is an integral part of a university education, preparing students for life in a diverse global society. The rights of freedom of speech, expression, petition, religion, and public assembly are basic and essential to an individual's intellectual and social development.

Westfield State University supports the right of individuals to exercise free speech, including but not limited to political, symbolic, or artistic speech, provided only that such expression does not materially disrupt normal university activities, create a clear and present danger of the commission of unlawful acts, or infringe upon the rights of others.

Westfield State University recognizes the right of individuals to exercise all forms of constitutionally protected expression and free speech without prior restraint or censorship. The university acknowledges that public discourse may include the discussion of controversial ideas, and the university will not limit public discourse based solely on its communicative content.

The University also recognizes the fact that any individual or group may demonstrate. Demonstrations must be carried out in such a way as not to inflict bodily injury; obstruct physical movement to, from, or within any place on the campus; nor to be disruptive of any activity on campus. Such forms of demonstration may be (but are not limited to) distribution of literature, silent or symbolic protest, vocal dissent, and/or picketing. In the event any type of demonstration interferes with University business and/or another University event, the University will take appropriate action. All activities must be conducted in accordance with the policy set below.

POLICY

1. Faculty, staff and/or students must notify the Vice President, Student Affairs 48 hours in advance of any demonstration and or picketing activity.
2. All faculty, staff and students have a right to demonstrate on University property provided, however, that no such demonstration shall be permissible which for any reason of time, place, or type of behavior materially disrupts class work or other University business, or involves substantial disorder or invasion of the rights of others.
3. Campus buildings are for University business. Any form of demonstration that interferes with University business in office or classroom spaces is a violation of this policy. Picketing is not permitted inside University buildings.
4. Demonstrators are prohibited from blocking free entry to or free exit from buildings, interfering with free movement, or presenting obstacles to regular University activities. "Interfering with 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, which leaves a person feeling intimidated and prevents them from normal movement. Obstacles are defined as physical

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Policy concerning:

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devices, bodies, or signs which cause interference with free movement or sounds which prevent normal communication.

5. There shall be no interference with demonstrations on the grounds of content of speech, except for any speech or demonstration which incites immediate, violent action (i.e. fighting words) and represents a clear and present danger to the campus community, which shall be a violation of this policy.
6. The safety and well-being of the campus must be protected at all times. No person shall engage in physically assaultive conduct towards any other person or damage or destroy any article of personal property belonging to another person.
7. No person shall intentionally and substantially interfere with the freedom of expression of another person on University property or at University-sponsored activities.
8. All persons shall comply with the directions of university officials lawfully acting in the performance of their duties. University officials shall not invoke this provision to stifle expression because of its content. Failure to cease any activity in violation of this policy or other University policies immediately following either written or oral notice by a College official shall also be a violation of this policy.
9. Any violation of this policy will subject the violators to applicable actions as defined in the Student Handbook, collective bargaining agreements, and/or Massachusetts General Laws.
10. University organizations may sponsor a speaker or event, at the expense of the organization, under the university's usual event registration procedures. Such sponsorship does not necessarily imply approval of the views presented.
11. All persons at a talk or demonstration must respect the right to dissent. Dissenters may not disrupt the rights of the speakers to speak and/or the audience to listen. Preventing speech from occurring by disruptive protest is prohibited.
12. Persons or organizations responsible for a demonstration or other expressive event must remove all resulting structures, signs, and litter from the area at the end of the event. If this is not done, the persons or organizations responsible for the event will be held financially responsible for clean-up services.

REVIEW

This policy will be reviewed every three years, and revised as needed, by the Director of Public Safety and the Vice President for Student Affairs.