



**Policy Title: Public Demonstration Policy**

**Policy Number:**

**Date Issued: August 12, 2019**

**Responsible Executive: Associate Vice President  
for the Department of Public Safety**

**Date Last Revised: August 12, 2019**

**Responsible Office: Department of Public Safety**

## **Public Demonstration Policy**

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### **Policy**

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Baylor University (the “University”) is an educational institution committed to advancing its teaching, research, and service missions. Baylor University is also committed to the academic enterprise, exchange of ideas, and use of free expression. With these aspirations in mind, access to the campus and its buildings and other improvements is limited to those persons with the specific purpose of advancing the institution's missions. Therefore, all persons on University property must abide by all applicable policies and procedures of the University, including policies governing facilities usage and policies governing public demonstrations.

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### **Reason for the Policy**

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The objective of this policy is to provide guidance for those wanting to conduct public demonstrations on the grounds of the University in a manner consistent with the ideals and mission of Baylor University. The policy provides guidance to ensure that such activities do not disrupt normal business operations, including teaching and research. This policy is also intended to ensure that all public demonstrations are conducted in a legal and lawful manner.

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### **Individuals/Entities Affected by this Policy**

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This policy applies to all Baylor University students, faculty, staff, affiliates, and visitors while on campus or University owned property.

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## Exclusions

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Any or all of the policy requirements may be waived when the Office of the President or the President's designee deems that doing so is in the best interest of the University.

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## Related Documents and Forms

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[Texas Penal Code § 42.02 Riot](#)

[Texas Penal Code § 42.03 Obstructing Highway or Other Passageway](#)

[Texas Penal Code § 42.05 Disrupting Meet or Procession](#)

[Texas Penal Code § 30.05 Criminal Trespass](#)

[Texas Education Code § 51.204 Trespass, Damage, Defacement](#)

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## University Policies and Documents

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[Campus Facilities Use and Campus Solicitation Policy](#)

[Student Organization Expectations for Events Involving Political or Expressive Activity](#)

[Media Access to Campus Policy](#)

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## Definitions

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These definitions apply to terms as they are used in this policy.

Baylor University Property	Buildings, grounds, and land that are owned by Baylor University or controlled by Baylor University via leases or other formal contractual arrangements to house ongoing Baylor University operations.
BUPD	Baylor University Police Department
Public Demonstration	Refers to a planned or spontaneous action by a group or individual, not officially sponsored by the University, intended to express some grievance or support a social or political cause; may include, but is not limited to, protests, speakers, and/or planned or impromptu gatherings
PDRT	Public Demonstration Response Team, which will manage, approve, and supervise all pre-planning for public demonstrations.
Premises	Building or part of a building
Protests	Expressions of reactions, by words or by actions, against particular events, policies, or situations.

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## Contacts

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Subject	Contact	Telephone	Office email/web site
Policy	Associate Vice President, Public Safety	254-710-4619	<a href="http://www.baylor.edu/dps/index.php?id=866871">www.baylor.edu/dps/index.php?id=866871</a>
	Office of General Counsel	254-710-3821	<a href="http://www.baylor.edu/ogc/index.php">http://www.baylor.edu/ogc/index.php</a>
	Student Activities – Student Life	254-710-2371	<a href="https://www.baylor.edu/studentactivities/">https://www.baylor.edu/studentactivities/</a>
	Institutional Events – Marketing and Communications	254-710-4105	<a href="https://www.baylor.edu/events/">https://www.baylor.edu/events/</a>
	Office of Governmental Relations	254-710-1453	<a href="https://www.baylor.edu/ogr/index.php?id=32">https://www.baylor.edu/ogr/index.php?id=32</a>

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## Responsibilities

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<b>Associate Vice President, Public Safety</b>	Leads and manages the BUDPS. Units within the BUDPS include the Police Department, Technical Security, Emergency Management, Fire Safety, Global Safety, and Parking and Transportation Services.
<b>Office of General Counsel</b>	Manages and supervises all legal affairs for Baylor University. For political events, makes determinations to ensure the University is not politicized.
<b>Student Activities – Student Life</b>	Assists student organizations in sponsoring or hosting successful student events including public demonstrations.
<b>Institutional Events – Marketing and Communications</b>	Assists clients (Baylor departments and External Clients) in sponsoring or hosting successful events including public demonstrations.
<b>Office of Governmental Relations</b>	Assists the Office of General Counsel in determining if a political event may politicize the University.

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## Principles

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Baylor University values open dialog and the exchange of ideas in a manner that is consistent with the University's mission. Within this context, faculty, staff, students, and affiliates may engage in public demonstrations on Baylor University property that follows this policy and other Baylor University policy.

Baylor University is a private university controlled by a majority Baptist Board of Regents, operated with the Christian-oriented aims and ideals of Baptists, and affiliated with the Baptist General Convention of Texas, a cooperative association of autonomous Texas

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Baptist churches. Accordingly, the campus is private property, and no party may enter or remain upon it without the consent of the University. Furthermore, no party may conduct or participate in any public demonstration without the express written consent of the University.

As a tax-exempt entity, the University must abide by federal and state laws that prohibit the use of University facilities, services, or personnel from promoting or supporting individuals or organizations campaigning for public office; and laws that prohibit the University (or any of its related entities) from contributing to or supporting political candidates or parties. Therefore, no University resources may be used for political purposes, except to the extent approved by the Office of General Counsel. These restrictions on political activity do not apply to any employee acting solely in an individual capacity on his or her own time and utilizing his or her own personal resources.

Protests and demonstrations that impede or that disrupt the academic mission, threaten research, interfere with the free speech of others, or threaten campus/personal safety will prompt a swift and coordinated response to ensure compliance with Baylor policy.

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## **Operational Guidelines**

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1. Public demonstrations may be held on Baylor property or in Baylor premises if they fall within the requirements promulgated in this policy.
2. The University reserves the right to determine which public demonstrations align with the mission, policies, and/or academic enterprise of the University.
3. This policy applies to all on or off-campus public demonstrations sponsored by chartered Baylor student organizations, Baylor departments, or Baylor faculty and staff acting in their role as a Baylor employee.
4. While subject to the limitations of item two above, the University will strive to permit free expression and lawful assembly. Participants in public demonstrations must at all times abide by the law and University policy. The University intends to respond to the violation of such laws or regulations and may employ a range of measures up to and including arrest, corrective counseling for employees, or student discipline.
5. All public demonstrations must be approved and will be coordinated with the designated University departments as noted in this policy.
6. Coordination among University departments is crucial to ensure effective management of public demonstrations.
7. Baylor University's priorities when managing public demonstrations include:
  - Attending to the physical safety of those involved in expressive activity and the campus community;
  - Constructively engaging with demonstrators as appropriate about their issues of concern;
  - Working with organizers and demonstrators to safely facilitate events and freedom of expression. When event organizers, demonstrators, and campus

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administration communicate effectively, disruptions can sometimes be avoided – or at least, can take place peacefully without any police intervention requiring force. Student Activities or Institutional Events and BUPD staff will meet in advance with groups organizing events or those opposed to them with the intent to learn more about the issues at hand and suggest means of reaching resolution;

- Conducting pre-event planning, so as to share any known information so that all parties are informed of campus expectations, options and responsibilities, and any possible consequences that could arise due to actions of protestors or demonstrators. Groups consulting with the University should not expect confidentiality about their plans, as transparency in the planning process is essential to the safety and well-being of all involved. After the pre-event planning, the University can clarify what resources beyond the University's normal provision are needed and the associated costs and payment for such costs may be required.
- Ensuring that expressive activities do not disrupt normal business operations, teaching, or research of the University;
- Communicating, including Baylor Marketing and Communication in consultation with other members of the Public Demonstration Response Team (PDRT), with affected members of the community about anticipated disruptions prior to the event as well as any safety concerns that arise during the protest or demonstration;
- BUPD will coordinate pre-event planning with any outside agencies that may respond. Pre-event planning will include establishing an Incident Action Plan (IAP) - outlining police operations for the event;
- Ensuring that expressive activities do not infringe on, or prevent the exercise of freedom of expression of others; and
- Managing public demonstrations on Baylor University property. This will be coordinated by PDRT; campus departments represented include:
  - i. Baylor Department of Public Safety
  - ii. Student Activities
  - iii. Institutional Events
  - iv. Marketing and Communications
  - v. Office of General Counsel
  - vi. Other departments may be invited on an as-needed basis.

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## **Procedures**

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1. Gaining approval for an expressive activity.
    - Baylor affiliated individuals, student groups, or Baylor departments must complete the Baylor University Public Demonstration Request Form.
      - i. Chartered and active student organizations or currently enrolled students will submit the request to the Department of Student Activities.
      - ii. Baylor departments and faculty/staff will submit the request to the Office of Institutional Events.
    - Any off-campus person or entity not affiliated with the University wishing to hold an expressive activity on the Baylor campus must be sponsored by a Baylor
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department (i.e., academic department, institute, center or other academic or staff program).

- The Baylor University Public Demonstration Request Form must be submitted no later than five working days before the event.
- Sponsoring departments or organizations shall commit to the following:
  - i. Provision of a contact person at the event;
  - ii. Discussion and coordination of financial responsibility for event-related expenses, which may include, but are not limited to, sanitation, security, clean-up, parking, and liability insurance;
  - iii. Compliance with all Baylor policies and procedures;
  - iv. Assurance that the event is consistent with the mission and purpose of the department or organization and Baylor University;
  - v. Confirmation of sponsorship in writing by the department or organization through an authorized signature on the Baylor University Public Demonstration Request form;
  - vi. The normal business operations of the University must not be disrupted;
  - vii. Respect for the rights of others and University property must be maintained;
  - viii. Health and safety of protestors or demonstrators, University personnel, and the general public must not be compromised;
  - ix. Persons or organizations responsible for an expressive activity event must remove all resulting signs and litter from the area at the conclusion of the event.

## 2. Applicable Rules and Procedures

- All protestors and demonstrators including visitors or non-University persons must abide by all applicable state and federal laws and University policies.
- The University reserves the right to control time, place, message, and manner of the public demonstration.
- Protests or Demonstrations may be conducted only between the hours of 9:00 a.m. and 9:00 p.m.
  - i. No overnight events will be allowed at the University.
  - ii. No event may last more than four consecutive hours.
- The University will determine the location of the approved public demonstration.
- No structures of any sort may be erected without the express written consent of the Office of Environment Health and Safety.

## 3. Media procedures and requirements include the following:

- The group or individual requesting the public demonstration will be provided a copy of the media access guidelines when they begin the registration process for their event.
- Media is required to check in with Media and Public Relations (M&PR) to let them know that they will be on campus.
- Media are not allowed inside buildings. If a public demonstration begins inside a building, media are not allowed inside. Once the demonstration reaches outside the building, media can engage with student leaders and other students. This is to protect the privacy, safety, and security of students, faculty, staff, and visitors who

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may be in the building (e.g., the SUB) for normal business.

- Some events on campus may require media credentialing in advance, as coordinated through Baylor Media and Public Relations. As a private university, Baylor reserves the right to grant, deny, or limit media access to events on campus based on the circumstances of the event and the best of interests of the safety and well-being of students, faculty, and staff.
- Following the event, if requested by media, the University may issue a statement about the public demonstration. If reporters contact Media and Public Relations to speak with a student leader or Baylor employee about the demonstration, M&PR will take the reporter's contact information and request and forward the request. It is at the student's or employee's discretion whether they respond.

4. Signage, leaflets, or other distributable or displayable materials will be reviewed prior to the public demonstration for approval. Signage must meet the following requirements:

- No person who participates in any public demonstration may carry or possess any length of lumber, wood, or other non-metallic material;
- No person who participates in any public demonstration may carry or possess any length of metal for any purpose;
- No person may carry any sign, poster, plaque, or notice, unless such sign, poster, plaque or notice is constructed or made of cloth, paper, or cardboard material.

5. Unauthorized Activity

- No person may stage, present, or conduct any public demonstration without first having obtained authorization as required;
- No person may continue to participate in a public demonstration after being informed by a BUDPS staff employee or University official that the authorization for the event has been revoked or not granted;
- No person may participate in a public demonstration for which the person knows that authorization has been revoked or not granted;
- Any person participating in a duly authorized public demonstration must comply with any condition of the Baylor University Public Demonstration Request Form or this policy;
- In the interest of avoiding significant disruption of University functions, participants may not employ amplified sound in their activities;
- No person who participates in any demonstration or other expressive activity may carry or possess any torch, burning stick, or similar object with a flammable or combustible substance whether or not the object includes an open flame. This prohibition does not include candles six (6") inches in height or less for outside events;
- No person who participates in any protest or demonstration activity may wear any type of covering over his or her face, such as a hood, mask, or other facial coverage inhibiting full facial recognition. This prohibition is not intended to exclude hoods, masks, or facial coverage used in relation to religious beliefs, or incidental to amusement, entertainment, holiday events, protection from weather, or for prescribed medical purposes;

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- No public demonstration may impede ingress or egress from University facilities or events;
- No public demonstration may be held within any Baylor University controlled building or facility; and
- No public demonstration may impede vehicular or pedestrian traffic on any campus roadway or sidewalk.

## 6. Procedures for Non-Compliance

- Revocation of Baylor University Public Demonstration Request Form
  - i. The University may revoke a Baylor University Public Demonstration Request Form immediately upon violation of the conditions or standards for issuance as set forth in this policy, or when a situation arises having an immediate and adverse effect upon the welfare and safety of persons or property or the normal conduct of University business.
- Group Disruptive Activity
  - i. If an authorized public demonstration event becomes disruptive to normal business operations, impedes access to or use of any Baylor University Property, or otherwise violates Baylor University policy, the group will be put on notice. The designated BUDPS incident commander or designated University official will communicate with the group's point of contact and advise them of any violations and ask for compliance within a specific agreed-upon time frame. If the group fails to comply with the warning within the specified time frame, the BUDPS incident commander or designated University official will advise the group's point of contact that the public demonstration authorization is revoked and the group must cease and desist their demonstration by a specified time.
  - ii. If the group fails to leave by the designated time, the BUDPS incident commander will advise the group that they are required to leave and if they refuse to do so, they will be:
    1. Referred to the University's internal disciplinary process;
    2. Subject to being issued citations under the authority of the Education Code § 51.204; and/or
    3. Subject to arrest under the authority of the Texas Penal Code § 30.05.
- Individuals Who Disrupt Authorized Public Demonstrations
  - i. If the sponsoring group determines that an individual(s) is disrupting their event, they will initiate contact with the public demonstration observer to seek guidance on how to approach the individual(s) to ask that the disruptive behavior stop.
  - ii. The BUDPS incident commander or the designated public demonstration observer will ask individual(s) to stop the disruptive activity and advise them if they do not stop they will be asked to leave.
  - iii. If the disruptive activity continues, the BUDPS incident commander or the designated public demonstration monitor will ask the individual(s) causing the disruption to leave.
  - iv. If the individuals who were asked to leave refuse to leave or do not leave in a reasonable amount of time, the sponsoring group and the public demonstration observer will request that the BUDPS incident commander to

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- remove those who are disrupting the event.
- v. The BUDPS incident commander will approach the individual(s) asked to leave. If they refuse to leave, they will be:
    - 1. Referred to the University's internal disciplinary process;
    - 2. Subject to being issued citations under the authority of the Education Code § 51.204; and/or
    - 3. Subject to arrest under the authority of the Texas Penal Code § 30.05.

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## **Sanctions**

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Any actions by an individual and/or unit not in compliance with Baylor policy, the above procedures, and the applicable laws will be dealt with in accordance with applicable University policies, which may include disciplinary actions up to and including termination or expulsion from the University.

Criminal legal action may also be pursued against those who violate legal prohibitions regarding public demonstrations on campus.