

GUIDELINE G1-007: GUIDELINE FOR MANAGING UNIVERSITY BUILDING SIT-IN DEMONSTRATIONS

Purpose: As noted in the University's Speech Policy, 1-007(vi), demonstrations are a legitimate means of expression that have played an important role in our collective history. For this reason, University Policy permits individuals to demonstrate freely, as long as their conduct is not violent, does not unduly disrupt the functioning of the University, interfere with the rights of other members of the University community, or damage University or private property. Because Policy 1-007 does not specifically address demonstrations that involve a "sit in" or extended occupation of space within a University building, the University Administration believes that it is important to develop a Guideline to share its interpretation of the policy before a question arises as to how it might be applied. This Guideline is therefore intended to advise the University community regarding the interpretation of that policy as applied to sit-ins and how the University Administration plans to respond when a sit-in demonstration takes place.

Unlike University Policy, because this guideline is intended as an interpretation of Policy, it cannot serve as the basis for discipline. Only University Policies and Rules can serve as a basis for discipline within the University.

Definitions:

1. "Hours of operation" means the posted hours during which University buildings are open to the public.
2. "Health Care Facility" shall have the same meaning as Rule R1-007C¹ and includes any building regularly visited by patients and their families for the purpose of obtaining medical advice and services.
3. "Child Care and Education Facility" means any area in which minors are regularly present.
4. "Public spaces" means those areas of University buildings that are open to public use such as cafeterias, lobbies, and waiting areas. Classrooms, laboratories, and all student, faculty, administrator, and employee offices are not public spaces. Public spaces for purposes of this Guideline also do not include any Health Care Facility² or any Child Care and Education Facility.
5. "Protester" for purposes of this Guideline is any person who participates in a sit-in within a University building. It does not include any University student, faculty member, or employee who otherwise has access to a particular building and is in that building for academic or work-related purposes.
6. "Sit-in" for purposes of this Guideline means a form of protest in which a protester occupies space within a University building for non-academic or work related purposes as a means of expression and may include a demand for action by the University during the period of the occupation.

¹ Demonstrations are prohibited within a Health Care Facility by University Rule R1-007C. Examples of health care buildings where demonstrations are prohibited include the University of Utah Hospital, the Moran Eye Center and the Huntsman Cancer Hospital. Some buildings are not primarily health care facilities but contain spaces within the building that are regularly visited by patients and their families. For example, the University of Utah Union is generally open to the public and protests may occur within the Union. However, the RedMed Employee Health Clinic within the Union would not be open or available space for public protest.

Guideline:

A. **Public Spaces and Hours of Operation:** Many University buildings have public spaces that are open to the public during their hours of operation. All campus buildings have posted hours of operation.

B. Sit-In Guidelines

1. Protesters may enter the public spaces of a University building during regular hours of operation and will generally be allowed to remain in the public spaces until closing time as specified in the hours of operation.
2. A senior member of the University's administration will make every effort to meet with the protestors or their leadership group at least once to understand what the protest is about and the goals of the protestors.
3. Protesters may not protest inside of a Health Care Facility, Child Care and Education Facility, inside any University building that is not open to the public, or in the non-public spaces of other University buildings.
4. Protesters may not unduly disrupt the normal operations of the University and must otherwise comply with the time, place, and manner restrictions set forth in Policy 1-007(vi)(A)(2). The following are examples of behaviors that would be considered "unduly disruptive."
 - a. Preventing normal ingress and egress to offices by obstructing doorways and pathways between offices with bodies, furniture, or signs.
 - b. Using amplified sound systems or otherwise creating disruptive noise levels.
 - c. Exceeding the fire safety capacity of the occupied space.
5. For health, security, and other administrative reasons, protesters are not allowed to remain within a University building after it closes at the end of the regular hours of operation.
6. Protesters who are asked to leave a University building after it closes may return the next day to resume their protest during regular hours of operation.

C. Violations of Time, Place, and Manner Restrictions for Sit-Ins

In the event that a protester violates the restrictions set forth in Policy 1-007(vi), which prohibits demonstrations that (1) are "violent," (2) "unduly disrupt the functioning of the University", (3) "interfere with the rights of other members of the University community" or (4) will "damage University or private property," the protester may be asked to leave the University building. Any such request will first be made by University administrators and will include a warning to the protester about trespassing and the possibility of arrest. If the protester refuses to leave when a request is made, a second request may be made by University police who will again warn the protester about trespassing and the possibility of arrest. If necessary, a protester who refuses to comply with the University's reasonable directions and who is in violation of University Policy may be arrested. In addition, a member of the University community who is alleged to have violated Policy 1-007(vi) or any other University Policy may be referred to the appropriate faculty, staff, and/or student disciplinary process.

References

University Regulations Library Rule R1-007C: Demonstrations and Picketing at Health Care Facilities

Utah administrative Rule R805-3. Overnight Camping and Campfires on University of Utah Property

Policy 5-111: Corrective Action and Termination Policy for Staff Employees

Policy 6-316: Code of Faculty Rights and Responsibilities

Policy 6-400: Code of Student Rights and Responsibilities