



Policy on Demonstrations and Overnight Activity on Campus

Policy Number (TBD)

FULL POLICY CONTENTS

Interim Status of Policy
Reason for Policy
Guiding Principles
Scope
Definitions
Policy Statement
Exception
Accountability
Related Policies

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Responsible University Office: *Administration*

Policy Contact: *Policy Coordinating and Advisory Committee*

Interim Status of Policy

This Interim Policy has been established under the Gonzaga University [Policy Development and Approval Process](#). Pursuant to this Process, the President may establish an interim policy in situations where a University policy must be established in a time period too short to permit the completion of the process delineated in the Policy Development and Approval Process. This Interim Policy will be forwarded to the Policy Coordinating and Advisory Committee that will guide it through the collaborative policy development and approval process to finalize the permanent Policy on Demonstrations and Overnight Activity on Campus. All Students, faculty, and staff will have an opportunity to participate in this process through their respective GSBA, Faculty Senate, and Staff Assembly representatives and by submitting individual input prior to the approval of this Policy in accordance with the Policy Development and Approval Process. An interim policy expires six months from the date of issuance unless an earlier expiration date is established by the President or the policy is approved as final in accordance with the process detailed in this Policy Development and Approval Process.

Reason for Policy

This Interim Policy has been established to (1) ensure that University Students, faculty, staff, and others are aware of both their rights and responsibilities relating to on-Campus expressive activity; (2) create clear expectations regarding expressive activity to ensure all Campus academic and business operations



and the residential living experience can continue without disruption; (3) maintain Campus safety and security; and (4) promote Student, faculty, and staff wellbeing.

Guiding Principles

1. **University's Commitment to Mission and Free Expression.** As set forth in the [Events Policy](#) [Institutional Context Statement](#), Gonzaga University is an independent, faith-based, and mission-centered institution of higher education and, as such, works consistently to provide its Students with a learning environment reflective of these characteristics. A fundamental principle that sits at the heart of Gonzaga's educational mission is the commitment to freedom of expression. While this commitment is, for us, understood to operate in the context of and with respect for our Catholic, Jesuit, and humanistic mission, it is a critical component of the academic project – a project which seeks to educate our Students to be critical, enlightened, and well-informed individuals. The search for truth is articulated in our [Statement of Affirmation](#) as fundamental to our mission. Fostering a community characterized by diversity of thought is integral to our identity. The commitment and obligation to support the right of Students to exercise their intellectual freedom within and outside of the classroom is reflected in the [Academic Freedom of Students](#) policy. Academic freedom is enshrined within the [Faculty Handbook](#) and is reflected in the faculty's effort to support opportunities for exposure to a broad range of ideas, in service to the search for truth and the advancement of knowledge.
2. **University's Commitment to Civil Discourse and Mutual Respect.** Gonzaga University is committed to hosting events and providing opportunities to help teach and foster civil discourse. Our Ignatian values – such as mutual respect, genuine listening, and honest reflection – guide our approach to healthy dialogue as we seek a greater understanding across controversial topics. What separates civil discourse from other forms of conversation is intent. People participate in civil discourse with a sincere desire to learn from one another. Built on mutual respect, civil discourse allows us to exchange ideas and opinions, achieve greater understanding, find common ground, and ultimately establish a path forward.
3. **Rights and Responsibilities of Campus Community Members.**
 - a. While fostering the free and civil exchange of ideas and rigorous debate, the University must retain the ability to pursue all components of its core mission – to teach, engage in scholarship and research, promote the arts and athletics, convene the community, and perform its everyday operations within a safe and healthy Campus environment. These institutional commitments obligate all members of the Campus community to abide by the individual commitments detailed in our guiding documents.
 - b. Gonzaga University's [Student Code of Conduct](#) requires Students and Student groups to act with respect, honesty, and integrity at all times. See Student Code of Conduct, Section I. [Principles & Values](#).
 - c. Gonzaga University's [Policies and Procedures Manual \(PPM\)](#) provides that treating others with courtesy at all times is an essential requirement of every employee's job.



- d. Gonzaga University's [Faculty Handbook](#) requires that faculty members treat others, including Students, faculty and staff colleagues, with respect, civility, and in conformance with professional conduct standards set forth in the [Policy and Procedures Manual](#).
 - e. As described in the [Events Policy Institutional Context Statement](#), the University is committed to supporting the right of Students to exercise their intellectual freedom within and outside of the classroom.
4. **Applicable Law and Policy.** This Interim Policy and the related procedures for implementation are sourced from and informed by existing University policies, departmental processes, institutional governing documents, a review of policies and practices at other institutions of higher education, and Department of Education guidance.
- a. As a private institution of higher education and private property owner, Gonzaga University is not subject to the same Free Speech and Free Assembly law and jurisprudence as public universities or public landowners. With respect to free expression and free assembly, Gonzaga University is subject to [Exec. Order No. 13864 §§ 2\(a\), 3\(a\); 34 C.F.R. §§ 75.500\(c\)\(1\)](#); applicable state and local law; and its commitment to academic freedom as set forth in the Faculty Handbook and Students Right to Academic Freedom as described above.
 - b. When engaging in on-Campus expressive activity under this Interim Policy, staff and Student Employees must adhere to any applicable leave and/or off-duty status requirements related to operational requirements, supervisor approval for time off during non-break periods, Employee timekeeping requirements, and the [Policy and Procedures Manual](#).
 - c. In sum, Gonzaga supports on-Campus nonviolent free assembly and expression by Students, faculty, and staff conducted in accordance with this Interim Policy which does not damage property, interfere with Campus academic and business operations, and/or violate the civil rights of other persons.
5. **Events Policy.** This Interim Policy is separate from, but consistent with, the [Events Policy](#) which articulates the basis upon which subjective, but responsible, judgments about the appropriateness of a given speaker or event are to be made and sets forth the process for inviting a non-Gonzaga University faculty, staff, or student speaker to Campus and to host events on Campus.
6. **How to Safely and Responsibly Participate in Demonstration Activity.** The University desires that all Students and Employees engaging in Demonstration activities under this Interim Policy to do so safely and responsibly. Students and Employees engaging in Demonstration activity should:
- a. avoid activity that infringes on the rights of others, such as blocking and/or preventing free movement or access of others;
 - b. follow the instructions of any University employee issuing instructions in the performance of their assigned official duties;
 - c. not attempt to breach law enforcement or University barricades;
 - d. disperse from an area when directed to do so by any University employee giving directions in the performance of their assigned official duties;
 - e. obey any lawful order by a law enforcement officer;
 - f. depart an area where others are engaging in illegal activities or acts of violence, as a person's presence at such locations may be interpreted as participating in a riot or illegal group action;
 - g. refrain from Speech that incites others to commit acts of violence, such as pushing, kicking, or spitting on others, or other unlawful actions; and



- h. understand the potential consequences if you choose to engage in civil disobedience and are arrested.

Scope

This Interim Policy is applicable to all recognized Gonzaga University groups and all individual faculty, staff, and Students and sets forth the parameters associated with on-Campus Demonstration activity. This Interim Policy is also applicable to other persons in that it prohibits them from engaging in Demonstration activity on Campus.

Definitions

The following definitions apply to the use of the following defined and capitalized terms in this Interim Policy:

1. Campus. The term “Campus” as used in this Interim Policy refers to the Gonzaga University Spokane Campus and includes all portions of former City of Spokane streets and sidewalks that have been vacated and are presently owned exclusively by Gonzaga University. The Plant & Construction Services Office can provide interested Students and Employees with information regarding the locations of former City of Spokane streets and sidewalks that are now exclusively owned by Gonzaga University and, therefore, no longer public property.
2. Employees. The term “Employee(s)” as used in this Interim Policy means Gonzaga University faculty as described in the Faculty Handbook and staff Employees as described in the PPM.
3. Demonstration. The term “Demonstration(s)” as used in this Interim Policy includes demonstrations, protests, encampments, marches, walk-outs, sit-ins, and similar assembly and expressive activity on Campus.
4. Speech. The term “Speech” as used in this Interim Policy includes both oral and written speech as well as other forms of communication and expressive activity, including recordings, posters, signs, banners, and gestures.
5. Students. The term “Student(s)” as used in this Interim Policy means currently enrolled Gonzaga University students.
6. Tents. The term “Tent(s)” as used in this Interim Policy includes tents, shade canopies, tarps, and/or any temporary shelter.
7. Third Parties. The term “Third Parties” as used in this Interim Policy means any person or persons who are not Students or Employees.

Policy Statement

1. **Demonstration Activity by Third Parties is Prohibited.** Gonzaga University is a private institution of higher education and its Campus is private property. Pursuant to Gonzaga University’s authority as a private property owner, Third Parties are prohibited from engaging in Demonstration activity on Campus. In response to Third Parties engaging or attempting to engage in Demonstration activity on Campus in violation of this Interim Policy, Gonzaga University will ask



any such Third Parties to promptly depart Campus. Non-complying Third Parties will be issued a no-trespass directive by Gonzaga University. Gonzaga University will seek the assistance of the Spokane Police Department to remove trespassers, which includes any Third Parties continuing to remain on Campus after being issued an oral or written no-trespass directive by a Gonzaga University Campus Security and Public Safety (CSPS) employee or other University Employees in the performance of their assigned official duties.

2. **Demonstrations involving only Students and/or Employees.** Demonstrations involving only Student and/or Employee participants may occur on Campus subject to the conditions set forth in this Interim Policy and other applicable University policies. The following reasonable limitations apply to all on-Campus Demonstration activity and may only be modified pursuant to the written approval of the University President or Provost.
 - a. Demonstrations inside Gonzaga Offices and Buildings. Demonstrations are prohibited inside any Gonzaga University owned or controlled buildings or offices.
 - b. Hours. Demonstrations may begin each day of the week no earlier than 8:00 a.m. and must end each day no later than 8:00 p.m. Demonstrations are not permitted on reading days and during final exam periods. To ensure the safety of the University community and to protect the health and property of individuals, unauthorized camping and other outdoor overnight activity outside of these designated hours are not permitted on University property.
 - c. Noise. Demonstrations may not generate noise levels that (i) interfere with the use of nearby University buildings by persons not involved in the Demonstration; (ii) interfere with a residence hall occupant's subjectively reasonable residence hall room use expectations; and/or (iii) violate any City of Spokane noise ordinance. A Demonstration shall include no more than a total of five minutes of drumming of any type per hour.
 - d. Interference with the Speech of Others. Students and/or Employees engaged in Demonstration activity may protest speakers on Campus with whom they disagree. Students and/or Employees engaged in Demonstration activity may not suppress the Speech of another individual. For example, they may not engage in causing a "heckler's veto" over the Speech of another person with which they disagree. Students and/or Employees participating in Demonstration activity concerning the Speech of someone with whom they disagree may not do so in a way that prevents the speaker from expressing their views or prevents other members of the Gonzaga University community from hearing or seeing the speaker.
 - e. Blocking or interfering with routes of movement. Students and Employees engaged in Demonstration activity on Campus shall not block, alter, interfere with, or harass persons using routes of movement on Campus including roads, paths, sidewalks, parking areas, and building entrances and exits.
 - f. Posters, Signs, Banners, & Chalking. The following are modifications to the [Posting Policy](#) as related to Demonstration activity:
 - i. Posters, signs, and banners used during a Demonstration shall be removed from a Demonstration site by those using said items immediately upon the Demonstration's completion. Failure to do so will result in disposal of these items by the University.
 - ii. Non-water soluble, semi-permanent, and permanent substances, including spray-chalk, are not permitted on any University surface, lamp posts, informational and directional signs, and public art. Plant & Construction Services will exercise



discretion for removing any markings and determining if such markings are compliant with these guidelines. No markings of any kind are permitted on vertical surfaces. The Bulldog Board (the painted half wall in Bulldog Alley) may not be marked or painted without the prior written authorization of the Center for Student Involvement (CSI).

- iii. Light projections may not be displayed on, and banners may not be hung from, any University building or structure without seeking and obtaining prior express written authorization from the Provost, Vice Provost for Student Affairs, or a Dean for a building under their responsibility or control.
 - g. Producing Student and/or Employee ID Card. Students and Employees engaging in Demonstration activity under this Interim Policy are required to identify themselves and show their Student or Employee ID card in response to requests to do so from University Employees in the performance of their assigned official duties.
 - h. Face Coverings. Students and Employees engaging in Demonstration activity under this Interim Policy are encouraged to engage in responsible behavior related to the prevention of transmission of infectious diseases, including, but not limited to COVID-19 and influenza by wearing surgical or N-95-type masks when appropriate. Any person wearing a mask or other facial covering shall temporarily show their face to confirm their identity when requested to do so from University Employees in performance of their assigned official duties.
 - i. Temporary Structures and Tents. Individuals and groups may not erect Tents, structures, walls, barriers, sculptures, or other objects on Campus without prior written authorization from the Vice Provost for Student Affairs. Any Tents or other structure erected without permission are subject to immediate removal.
3. **Camping and Other Outside Overnight Activity on Campus**. Only Students and/or Employees may participate in camping or other outside overnight activity on Campus provided that a written request to engage in camping or other outside overnight activity on Campus was submitted via Zagtivities and approved by CSI. Requirements for such requests and standards for camping or other outside overnight activity on Campus will be published and maintained by CSI. These requests may only be submitted by (a) an academic department for a student academic requirement published in a current course syllabus, (b) a registered student organization (RSO), or (c) other University unit or department. All approved Outside Overnight Activities shall comply with all established University Overnight Activity Expectations and Requirements. Any unauthorized overnight activities will be considered trespassing and will be addressed by the University, based on the facts and circumstances of the conduct, up to and including referral to the Spokane Police Department which may result in a possible citation and arrest.
 4. **Rights of Students and Employees to a harassment-free educational or employment setting**. Students and Employees engaging in Demonstration activities violate this Interim Policy if they threaten or advocate violence, create violence, or harass or intimidate individuals or groups on the basis of race, religion, national origin or ancestry, identity, sexual orientation, disability, or any other protected class. Students and Employees participating in Demonstration activity are expected to be respectful to Gonzaga University Employees involved in ensuring the safety of the community and compliance with these guidelines. Any Student or Employee who believes they were subjected to unlawful harassment and discrimination should promptly report the incident to the Office of Inclusive Excellence.



5. **Compliance with University-Issued Directive to Disperse.** In the event the University determines that an on-Campus gathering is in violation of this Interim Policy or presents an unsafe environment, the University will take the following actions.
 - a. **Students.** If a Student is directed by a University official to disperse and/or cease activities in violation of this Interim Policy, there will be no Student Conduct consequence for failing to disperse if the Student complies immediately with said directive. If, however, a Student fails to comply with said directive to disperse, the Student may be referred to the Resolution Center for Student Conduct and Conflict.
 - b. **Employees.** If an Employee is directed by a University official to disperse and/or cease activities in violation of this Interim Policy, there will be no adverse employment consequence for failing to disperse if the Employee complies immediately with said directive.
 - c. **Requesting Law Enforcement Assistance.** When necessary to preserve safety, protect property, or maintain University academic and business operations, the University will address Student or Employee noncompliance with repeated University-issued directives to disperse or other Campus safety and security related directives by notifying Students and/or Employees present they are trespassing due to their failure comply. This would allow for Spokane Police Department enforcement in the event of continued noncompliance.

Exception

Religious worship services and their related processions led by a (a) University employee in the performance of their assigned duties or (b) religious leader from a Gonzaga University affiliated entity who has been authorized in writing by the Office of Mission Integration to conduct religious worship services on Campus are not subject to this Interim Policy.

Accountability

1. **Students.** In the event of an alleged violation of this Interim Policy, a Student will be referred to the Resolution Center for Student Conduct and Conflict for review. Conduct outcomes may include separation from the University, depending on the nature and severity of the policy violation.
2. **Employees.** Employees who are believed to have violated this Interim Policy will be referred in accordance with the processes set forth in the [Faculty Handbook](#) or [Policy and Procedures Manual](#) as applicable .

Related Policies

- [Events Policy](#); Administration
- [Policy on Use of University Facilities for Events](#); Administration



- [Public Expression of Personal Views Policy](#); Human Resources
- [Harassment and Non-Discrimination Policy](#); Office of Inclusive Excellence
- [BIAS Incident Report Form](#); Bias Team
- [Policy on Political Campaign Activities](#); Administration
- [Posting Policy](#); GUEST
- [Information Technology Use Policy](#); Information Technology Services