

CSU-Pueblo Policy Library

CSU-PUEBLO POLICY: PEACEFUL ASSEMBLY POLICY

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PURPOSE OF THIS POLICY

Peaceful assembly at the Colorado State University -Pueblo (CSU-Pueblo) is an acknowledged right. This document has been produced to help inform University and Community members about the general policy as well as specific University policies and procedures related to assembly. In addition, a paraphrase of laws relevant to rallies, demonstrations, and gatherings has been included.

APPLICATION OF THIS POLICY

This policy applies to faculty, staff and students and visitors to campus.

EXEMPTIONS FROM THIS POLICY

There are no exemptions from this policy.

POLICY STATEMENT

A. It shall be the policy of CSU-Pueblo that students and others may assemble in groups for peaceful purposes. At such gatherings, the University expects the rights and privileges of all

persons to be respected and their health and safety to be paramount. Such gatherings must in no way disrupt the normal conduct of University affairs or harm University property.

- B. The University may, consistent with the Constitution, establish reasonable regulations regarding the time, place, and manner in which persons exercise their free speech rights to the extent necessary to prevent disruption of the normal conduct of University affairs or the endangerment of health and safety of persons or damage to property. Accordingly, persons planning such assemblies on the University campus are strongly encouraged to coordinate their activities and plans in advance through the Office of External Affairs with a minimum notice of 72 business hours. The Executive Director shall then consult with appropriate personnel. This coordination is requested so as to prevent disruption of normal University educational activities and avoid endangering the health or safety of persons or damage to property.
- C. The sponsoring individual or group must assume responsibility for compliance with all state and municipal laws and University policies. Event sponsors are required to contact the Pueblo Sheriff's Office before an event to determine if security arrangements or traffic control are necessary. Event sponsors may be required to provide at least one deputy for every 100 persons expected to attend the event, in addition to any other security or traffic arrangements deemed necessary. The sponsoring individual or group is responsible for paying any costs associated with those services provided. For events where costs are estimated to be \$1,000 or more, a deposit of 10 percent must be paid to the University at least one week prior to the event date. The sponsoring individual or group must provide the University with a verifiable mailing address and contact person.
- D. Any act by demonstrators or groups which interferes with the rights of others, disrupts the normal functioning of the University, damages property, or endangers health or safety is grounds for suspension or dismissal from the University and/or removal from University property. In addition, such actions also may be the basis for charges by law enforcement authorities.
- E. The University Fountain Plaza is the primary "Public Forum" space for CSU-Pueblo. It is open to all individuals for the purpose of free speech. To avoid conflicts in the use of space and to ensure the safety of the campus community, CSU-Pueblo does not allow structures to be erected, including, but not limited to, tables, booths, displays, etc. on the Plaza without the permission of the Executive Director of External Affairs. To reserve space on the Plaza, contact the Executive Director of External Affairs at least 14 days in advance of the event. Reservations are made on a first-come, first-served basis. Entire Plaza reservations are limited to CSU-Pueblo faculty, staff, students, student organizations, and campus departments and are restricted to three (3) days total per semester. If the Plaza is not a suitable location for the event, the organizer should consult with the Executive Director of External Affairs to find a suitable location consistent with the nature of the facility, event, and public safety considerations. Demonstrations are prohibited in any special-use facility, classrooms, or in any instance which interferes with educational functions. Demonstrators refusing to vacate premises upon request are subject to immediate temporary suspension and arrest under applicable municipal and state laws.

POLICY PROVISIONS

Laws Relevant to Rallies, Demonstrations, Gatherings

1. CSU-Pueblo recognizes each individual's right to freedom of expression and peaceable assembly. This information is provided so that all people involved in a demonstration or assembly may know their legal rights and obligations. Persons having questions about their rights or obligations during an assembly, rally, or demonstration, should contact the Office of the Executive Director of External Affairs for clarification prior to engaging in behaviors that may result in unlawful conduct and subject them to arrest and fines. The following is not an exclusive list of all relevant statutes related to rallies, demonstrations, and gatherings.

Obstructing Highway or Passageway

It is illegal to intentionally, knowingly or recklessly obstruct a street, sidewalk, or building entrance or disobey a reasonable request from a peace officer or other person in authority to move from such location. (18-9-107 C.R.S)

Disrupting Lawful Assembly

It is illegal to obstruct or interfere with a gathering or meeting by any physical action, verbal communication, or other means. (18-9-108 C.R.S.)

Interference with Educational Institutions

It is illegal to willfully deny to students, employees, or visitors: lawful freedom of movement on institutional premises; lawful ingress or egress to facilities; and lawful use of the property of or facilities of the institution. It is also illegal to impede faculty or staff at an institution in the performance of their duty or to impede a student of an institution in the lawful pursuit of his or her educational activities in any way. (18-9-110 C.R.S)

Public Buildings-Trespass, Interference

It is illegal for any person to so conduct himself at any public building owned or operated by the state, to willfully deny to any public official, public employee or invitee the right to enter and use facilities or leave such facilities. It is also illegal to impede any public official or employee in the lawful performance of their duties. (18-9-110 C.R.S.)

Harassment

It is illegal for a person to: strike, shove or subject another person to physical contact; engage in conduct that alarms or seriously annoys another person and serves no legitimate purpose; or repeatedly insult, taunt or challenge another person in the manner likely to provoke a violent or disorderly response when the intent is to harass, annoy or alarm the other person. (18-9-111 C.R.S.)

Unlawful Conduct on Public Property

It is unlawful for any person to enter or remain in any public buildings or on any public property or to conduct himself in or on the same in violation of any order, rule, or regulation concerning any matter prescribed in this subsection, limiting or prohibiting the use or activities or conduct in such public building or on such public property...(18-9-117 C.R.S.)

Under a Colorado Law (18-9-119 C.R.P.S.), a person committing certain violations or conduct may also be billed for any extraordinary expenses resulting from such violations.