

STUDENT AFFAIRS POLICIES

[Home](#) / [College Policies](#) / [Student Affairs Policies](#) / Policy on Student Demonstrations and Expressive

Activity

Policy on Student Demonstrations and Expressive Activity

STUDENT AFFAIRS POLICIES

I. Justification and Statement of Policy

As outlined in F&M's [Statement on Freedom of Expression](#), the College strives to foster a campus environment where free expression and intellectual exploration thrive. At the same time, we have obligations to protect the dignity and security of all members of the College community from those who would seek to use speech to deprive others of their freedom to learn, contribute, and participate in our community.

The College expects that all Expressive Activities will be conducted with respect for others and for College activities and property, and that participants will prioritize the safety and security of all individuals, even as our principles allow for the expression of ideas and opinions that individuals may find disagreeable, uncivil or even deeply offensive.

participants, and avoid inhibiting access for students to the education they are pursuing on our campus. The College continues to support Expressive Activities while prioritizing the safety of our College community and students' holistic learning outside of the classroom.

II. Scope

This policy applies to all students and student organizations of Franklin & Marshall College engaging in Expressive Activity on College Property. Note: the activities of faculty and staff are covered by separate policies. In addition, this policy applies only to the use of College facilities and grounds for Expressive Activities as defined below.

III. Definitions

- A. "Expressive Activity" means verbal, written, audiovisual, or other speech and assembly including Demonstrations and counter-demonstrations, marches, Installations, posting of Flags, picketing, leafleting, Vigils, protesting and Chalking, intended to communicate opinions, ideas, or views regarding matters protected by the College's Statement on Freedom of Expression.
- B. "Chalking" means standard chalk, a water-soluble substance, or substance washable by water or rain, to write or draw. The use of markers, spray chalk, paints of any sort, oil-based products and/or any material that is permanent is prohibited.
- C. "College Property" means all land, ground structures, facilities, and/or other physical property owned, controlled or operated by the College, including College approved off-campus student housing facilities. Space that is rented or reserved for the purposes of College-sponsored events is considered to be controlled by the College.
- D. "Demonstrations" means Expressive Activity that includes assemblies, picketing, rallying, speechmaking, and all other like forms of conduct which involve the communication or expression of views or grievances, engaged in by one or more

- E. “Flag” means cloth or a similar material attachable by one edge to a pole or rope.
- F. “Installation” means signs/posters, art, and other displays erected on College Property for Expressive Activity purposes.
- G. “Organizer” means the individual who serves as the primary contact for approved Expressive Activity.
- H. “Protest” means a public demonstration of opinion undertaken to attract attention. This includes, but is not limited to, verbal expression, signs and displays, and bodily occupying a particular space. A demonstration may be in support of or against something while a protest is always to express disagreement or opposition.
- I. “Registered Student Organization” means a student group that is currently registered and in good standing with the Office of Student Engagement.
- J. “Vigil” means a gathering of individuals for the common purpose of mourning or commemorating a tragedy.

IV. Policy

Use of the College’s property is reserved for the support of its teaching, research, service missions, administrative functions, and students’ campus life activities. External constituents are prohibited from initiating or organizing Expressive Activity on College Property.

When engaging in Expressive Activity, campus community members should remember that they speak for themselves only and are responsible for their own speech. Community members may not attribute their speech to the College, unless they are College spokespersons acting within the scope of their duties. Moreover, the speech of sponsored guests may not be attributed to the College. Therefore, the occurrence of an event or activity at the College should not be interpreted as endorsement, support, refutation, or disagreement by the College regarding its subject matter or content.

Student Code of Conduct, as well as facility rules and regulations, including occupancy limits, fire codes, and hours of operation.

In addition to other College policies and rules that apply to students, faculty, staff, and visitors, the following requirements apply:

1. It should not disrupt or obstruct the College's teaching, research, administrative/operational or service activities or the use of College offices or facilities.
2. For safety purposes, encampments or other lodging and overnight Demonstrations are not permitted, and unauthorized overnight activities will be considered trespassing.
3. Damage, misuse or destruction of property is prohibited.
4. Flashing or rotating lights and illuminated signs may not be used.
5. Individuals may not wear a head/face covering or other device that is intended to conceal the identity of the wearer. The prohibition does not apply to personal protective coverings (e.g. medical face coverings) or religious garments (e.g. hijabs).
6. Candles must be battery operated; no open flames are permitted.
7. Signs, flags, placards, posters, banners, photographs, and the like may not be attached to poles or posts and shall not be affixed in any manner to College grounds and property, including but not limited to buildings, poles, gates, fences, trees, or other vegetation. All such materials must be removed at the conclusion of each day's use. Signage cannot obstruct the flow of traffic. *Note: This provision does not apply to items posted on the Protest Tree or on other approved spaces of campus in accordance with College policies.*
8. Counter Protests that have the effect of preventing other people from gathering, speaking, or demonstrating are prohibited.
9. Individuals on College Property may be required to provide identification establishing that the individual is a bona fide, currently registered student, staff, or faculty member at the institution, or has lawful activity to pursue at the College.
10. Discriminatory, harassing, or threatening conduct toward any person or group, obscene or lewd conduct, disturbance of the peace, or unlawful assembly is

12. Outside speakers who are not members of the F&M community must be approved in advance through the registration process outlined in Section C below.

B. LOCATIONS FOR EXPRESSIVE ACTIVITY

When selecting a location for any Expressive Activity, groups should consider such factors as the number of people involved in the activity, how much space will be required, and the anticipated time and duration of the activity.

1. Protests, Demonstrations, Vigils, Installations, Flags

In order to promote the College community's engagement in critical discourse and deliberation in an effective, responsible and respectful manner, the College allows for Protests, Demonstrations, Vigils, Installations or Flags in the common, publicly accessible areas of the College. Students should utilize Hartman Green, Klauder-Appel Walkway (Lux et Lex walkway) or Manning Green (Shadek-Fackenthal Library) as such spaces have been the historical locations for such activity and provide for space as well as visibility.

2. Chalking

Chalking may also be done in other areas of campus (not listed above) but is permitted only outdoors on flat, horizontal surfaces and not on buildings. It may not be done on brick (pedestrian sidewalks/walkways), bluestone, or marble, and must be fully exposed so that rain can wash the water-soluble material away naturally. Chalking is not permitted in the following locations:

- Any vertical surface that includes buildings, steps, signs, walls, statues, benches, the reflecting pool, etc.
- Any space north of Harrisburg Avenue

C. REGISTRATION OF EXPRESSIVE ACTIVITY

Approval of registration requests will be based on the availability of the requested area and stated expected use of the area without regard to the content or viewpoint of the Expressive

[registration request](#) to the Office of Student Engagement for review and approval during regular business hours Monday through Friday and no later than five (5) business days prior to the Expressive Activity so that proper safety planning can occur and appropriate offices be notified. When a five-day approval process is not possible, the registration process through the Office of Student Engagement is still required (see E. Spontaneous Demonstrations Exception below).

It is required that a student (individual or a designated member of a Registered Student Organization) be designated as the Organizer for the event. The Organizer is responsible for communicating the parameters that have been set for the event by the relevant approver to all participants prior to the event and to take reasonable measures to ensure the safety of participants. Given the often-complicated nature of Expressive Activity on College Property and the need to coordinate among various areas for safety and security, the Organizer will also act as the primary liaison with the Department of Public Safety during the event itself.

D. TIME AND DURATION OF EXPRESSIVE ACTIVITY

The following time and duration restrictions apply to expressive activities:

1. Expressive Activity that involves the congregation of individuals (e.g. demonstrations, protests, rallies, vigils) is only allowed from 8:00 am to 8:00 pm and is restricted to a two-hour maximum.
2. Expressive Activity is not allowed during times when the College is not in session (e.g. Thanksgiving Break, Winter Break, and Spring Break).
3. Expressive Activity is not allowed during [Reading Days](#) or final exam days.
4. Flags and Installations may only be placed/erected for seven (7) days or less.
5. Chalking will be removed seven (7) days after the Chalking activity if it has not already been washed away by weather or other activity. For events-related Chalking, the College may remove those chalk displays once the event has passed, which may be less than seven (7) days.

E. SPONTANEOUS DEMONSTRATION EXCEPTION

do not otherwise violate this policy.

It is a violation of this policy to claim that a planned event is spontaneous. In deciding whether a Demonstration is spontaneous or planned, the College may consider any relevant evidence, including:

1. whether signs or placards used at the Demonstration were commercially produced,
2. whether participants used amplification equipment,
3. whether security was alerted, or media contacted, substantially in advance of the Demonstration, or
4. whether other circumstances demonstrate advance planning by one or more individuals or organizations.

F. ENFORCEMENT

If it decided that an approved Expressive Activity is in violation of this policy, the following steps will be taken:

1. The individual(s) involved will be informed by a College official (e.g. Vice President of Student Affairs or designee, Department of Public Safety, etc.) that their actions are disruptive/obstructive. The individual(s) will also be informed specifically how they may continue their activity in a manner that is not disruptive or obstructive.
2. If the individual(s) fail(s) to respond to the request to stop their activities or if they fail to modify them in such a manner as to permit the undisturbed operation of the area in question, the warning will be repeated and clearly stated as a final warning.
3. If the second warning is ignored and individuals persist in the obstructive or disruptive action, the following will occur:
 - a. The Dean of Students (or designee), in consultation with the Vice President for Student Affairs, will direct the individuals to leave the area immediately.

4. The Dean of Students, the Department of Public Safety, and/or the relevant area Vice President(s) reserve the right to instruct community members to leave the area immediately without following the steps in this policy when the health, safety, and property of any community member have been harmed or are imminently threatened.

The above steps are generally followed in instances in which Expressive Activity has been approved in accordance with this policy. Unapproved activities are not permitted and may be ended without following the above steps.

G. UNAPPROVED ACTIVITIES

Expressive Activities that have not been approved in accordance with this policy are not permitted and may be ended without notice. Organizing individuals and groups, as well as participants, may be subject to referral to the Dean of Students for further action.

V. Related Documents and Forms

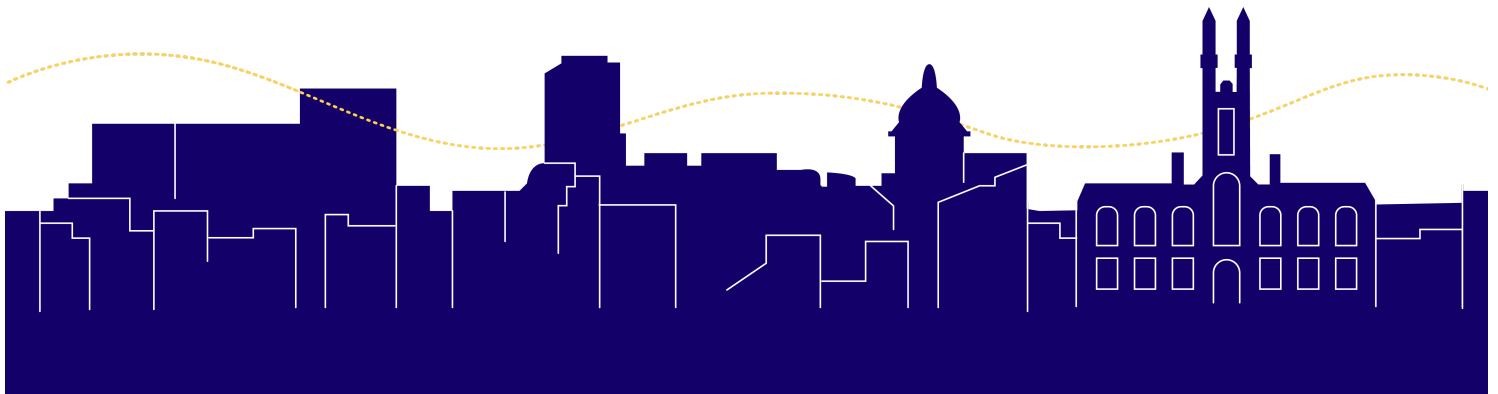
[Statement on Freedom of Expression](#)

[Registration Request Form for Expressive Activity](#)

[Campus Access Policy](#)

Policy Maintained by: Office of the President

Original Effective Date (replacing TPM Interim Policy): June 13, 2025



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