

Lehman College – City University of New York

Policy on Safe Campus Demonstrations

Preamble

As an institution of higher education, Lehman College (“the College”) is committed to promoting free speech and academic curiosity as core values of its mission. The College encourages open dialogue, critical thinking, and the respectful exchange of ideas across all disciplines. By supporting diverse viewpoints and protecting the rights of students, faculty, and staff to express themselves, Lehman fosters an environment where learning thrives through inquiry and debate. This commitment ensures that the campus remains a space for intellectual growth, where challenging questions are welcomed and explored in pursuit of deeper understanding.

Our free speech rights include the right to peaceful protest. Of course, these rights must not be construed as implying the liberty to violate the law, and moreover, we in the Lehman College community value and encourage discourse conducted with civility and mutual respect, on the part of both speakers and listeners. Also, at CUNY, the Henderson Rules put reasonable restrictions on the time, manner, and place of protests/demonstrations on university property. However, this does not mean that members of the Lehman community must shun or avoid topics that are provocative, controversial, or even uncomfortable, let alone that such topics may be censored.

College is a time in life when students often explore new ideas and concerns, and their liberty to do so is enshrined in widely accepted principles of academic freedom. Such liberty is necessary, not only for exploring new ideas, but from time to time, for rejecting some old ideas and opinions as being false, biased, or even unjust. At Lehman College, we hold this liberty sacred – rules, regulations, and guidelines for safe campus protests and demonstrations are intended to preserve this liberty, keep it safe and protected, for the benefit of our community and for the welfare of society at large.

Purpose

The College recognizes that the exercise of free speech must be balanced with its obligation to ensure campus safety and maintain a supportive educational environment for all of its community members. While the First Amendment provides important protections, those rights are not without limits. Accordingly, this policy governs all demonstrations, rallies, protests, marches, and similar gatherings (“Demonstrations”). It is intended to uphold the rights of individuals to express themselves while providing clear guidance to ensure such activities take place in a manner that respects both individual freedoms and community well-being.

This Policy does not apply to events organized by registered student clubs and organizations (“Club Events”). Club Events are defined as planned and College-sanctioned activities held on campus for a specific purpose, such as a lectures, performances, panel discussions, or cultural celebrations. Such Club Events are governed by separate guidelines and must adhere to the procedures outlined by the the College’s Office of Campus Life.

The College has a responsibility to maintain the safety of all members of the campus community and to prevent discrimination and harassment and to ensure the uninterrupted operation of its academic

and administrative functions. Accordingly, the College may impose reasonable time, place, and manner (“TPM”) restrictions on on-campus Demonstrations.

TPM Restrictions

These are not restrictions on speech or content, but rather restrictions on the time, place, and manner of Demonstrations. These restrictions are content-neutral, meaning they are applied consistently to all members of the Lehman Community without regard to the views expressed.

Since TPM restrictions may change depending on the circumstances of a particular demonstration, such as an unanticipated large crowd, it is not possible to list all TPM restrictions. However, each member of the Lehman Community is expected to comply with the following during Demonstrations:

- Demonstrations may be held on or around the Quad, or in outdoor areas nonadjacent to classrooms, provided there is full compliance with other specified restrictions.
- Demonstration activity must not block campus or building entrances or exits, roadways, and must not disrupt pedestrian flow of traffic on sidewalks. Doing so violates CUNY policy and compromises our ability to keep the campus safe for all members of the campus community, especially in the event of an emergency.
- Members of the Lehman Community must provide 72 hours (not including holidays and/or weekends) notice that a Demonstration will be held on campus. For student-led demonstrations, notice must be provided to the offices of Public Safety and Student Affairs. For faculty or staff demonstrations, notice must be provided to Public Safety and the Provost’s Office.
- Spontaneous free speech discussions on campus are encouraged, but if a discussion evolves into a Demonstration, the Demonstration must comply with all time, place, and manner (TPM) guidelines.
- Demonstrations are not allowed inside any campus buildings, including, but not limited to, inside classrooms, lecture halls, offices, and meeting rooms.
- Use of amplified sound, such as through use of a bullhorn or microphone, is restricted in that its use may not interfere with the educational experience but is permitted during free hours when classes do not occur.
- Demonstrations may only take place Monday through Friday, between the hours of 10 am-6 pm.
- Demonstrations are not allowed during the Final Exam period.
- Demonstrators may not engage in behavior that constitutes harassment, discrimination, physical abuse, or threats toward another person or member of the College community.
- Tents, tarps, and encampments of any kind are prohibited.

Public Safety or other College officials may monitor Demonstrations to ensure safety and compliance with these restrictions, and if necessary, may impose additional TPM restrictions to prevent disruption to College operations or to address emerging safety concerns. These actions are taken not to inhibit free expression, but to uphold the College’s responsibility to maintain a secure and productive learning environment for all members of the community. For example, Lehman officials have the right to check IDs and conduct patrols in public places on campus, but at the same time, the privacy rights of members of the Lehman community must be respected. TPM restrictions on Demonstrations on Lehman campus will be narrowly tailored and justified as being necessary, based on a significant public interest, leaving open alternative methods of free expression that do not impinge on the public interest or others’ rights.

No TPM restrictions will be aimed at shutting down a particular point of view or banning certain kinds of content simply because the subject is controversial, because some people might find it uncomfortable, or because public officials favor one side or the other.

Visitors

For the purposes of this Policy, Visitors are considered members of the public who are not faculty, staff, or students at the College. The College is not an open campus, and Visitors are not allowed to organize Demonstrations on the Lehman College campus. Lehman groups may invite Visitors to participate in demonstrations, but they must adhere to all the TPM requirements delineated above and otherwise imposed by the College. Whenever Visitors are invited to join Demonstrations on the campus, the Lehman group that invites them should disclose the name of the group, estimated attendance, and the manner the invitation is issued (e.g., a private email message versus a public invitation). Any Visitor who violates this or any other CUNY policy will be immediately removed from campus. Information regarding Visitor access to campus can be found here: <https://www.lehman.edu/public-safety/services/accessing-campus/>

Violations

A member of the Lehman Community who fails to comply with the College's reasonable TPM restrictions, or fails to comply with a directive to cease behavior in violation of those restrictions, would violate one or more of CUNY's policies and procedures, which prohibit, among other things:

- Interfering with the institution's educational processes and facilities.
- Interfering with the rights of others who wish to avail themselves of the College's instructional, personal, administrative, recreational, and community services.
- Failing to comply with lawful directions issued by representatives of the College.

The Rules and Regulations for the Maintenance and Public Order can be found here: <https://www.lehman.cuny.edu/students/consumer-information/documents/CUNY-Henderson-Rules.pdf> Students whose conduct violates CUNY/Lehman policies and procedures are subject to disciplinary charges under Article XV of the CUNY Bylaws. Penalties range from a warning to expulsion. Employees who violate CUNY/Lehman policies and procedures may be subject to disciplinary action in accordance with applicable collective bargaining agreements.

Visitors who violate CUNY policies and/or procedures are subject to immediate removal from the College campus and may be prohibited from future access for Demonstrations or any other purpose.