

# MANUAL OF PROCEDURE

---

**PROCEDURE NUMBER:** 1409

**PAGE** 1 of 3

**PROCEDURE TITLE:** Demonstrations

**STATUTORY REFERENCE:** FLORIDA STATUTES 1001.64, 1001.61 AND 1012.855

**BASED ON POLICY:** I-1 Administration and Organization of Miami Dade College  
Policy Manual Approval

**EFFECTIVE DATE:** June 30, 1978

**LAST REVISION DATE:** March 1, 2005

**LAST REVIEW DATE:** March 1, 2005

## **I. PURPOSE**

To provide guidelines for organized demonstrations at Miami Dade College.

## **II. PROCEDURE**

In accordance with its full support for academic freedom, Miami Dade College values an exchange of ideas and the dissemination of knowledge. It respects the First Amendment rights of its students and employees, which include the right to free speech and the right to free assembly. In order to enable the exercise of these important Constitutional rights, while at the same time protecting the rights of non-participants and the core function of the institution, the College has established the process set out below for holding demonstrations.

1. Any individuals or entities that wish to hold or organize a demonstration at Miami Dade College must file a Notice of Intent to demonstrate with the Dean for Administration/Director at the relevant campus no later than three (3) business days (excluding Saturdays, Sundays and holidays) prior to the date of the proposed demonstration. The Notice of Intent forms are available in the aforementioned offices. Demonstrations should be scheduled for a specific time period. Demonstrations include, but are not limited to outdoor assemblies, rallies, mass protests, parades, picketing, and/or meetings of persons to display group feelings. A sample Notice of Intent Form is attached. (Attachment "A")
2. The Office of the Dean for Administration/Director may deny the Notice of Intent to Demonstrate within one (1) business day after its receipt for the following reasons:
  - (a) If another demonstration has been scheduled for the same time and place;
  - (b) If the demonstration is scheduled when Miami Dade College is closed, including but

not limited to holiday periods and after normal College functions have closed for the day;

- (c) If the Notice of Intent violates the provisions of subsections (5) and (6) below.

Individuals or entities denied permission to demonstrate may file a written appeal to the Campus President for the relevant campus. The written appeal must be made within two (2) business days after the date of denial. The Campus President shall provide a written decision on the appeal within two (2) business days after receipt of the written appeal. The Campus President's decision shall be final on behalf of the College. If the Campus President affirms the decision to deny the Notice of Intent, the Parties may seek judicial review through the courts in the State of Florida.

3. Demonstrations shall not place an undue burden on College facilities or materially interfere with the use of the facilities or equipment by other persons. Any amplification of sound to be used for a demonstration must be approved in advance by the Dean for Administration to ensure that the utilization of sound amplification equipment does not interfere with the normal operations of the College.
4. The College reserves the right to designate the area or areas in which demonstrations may be held. The designated areas are set forth below. These areas provide individuals with a forum in which to exercise their rights to freedom of speech while at the same time minimizing interference with the normal vehicular and pedestrian traffic flow and the ongoing College educational process.

**Homestead Campus:** The asphalt area in front of Building 1000 at the intersection of English Avenue and College Terrace.

**InterAmerican Campus:** The parking lot on the corner of S.W. 6<sup>th</sup> Street and 27<sup>th</sup> Avenue.

**Kendall Campus:** "Circle Drive", around the fountain, East of Building 9000, South of Parking lot 9, North of Parking lot 10.

**Medical Center Campus:** Northwest corner (park area) of Anna B. Myers Building located in the fenced area of 10<sup>th</sup> Avenue and 20<sup>th</sup> Street .

**North Campus:** Sidewalk on the West side of the campus' lake, East of Lake Road, North of the Pawley Creative Arts Center (Building 5) and South of the School of Justice and Safety (Building 8)


**Wolfson Campus:** The flagpole area by the southeast corner of Building One near the intersection of S.E. 3<sup>rd</sup> Street and 2<sup>nd</sup> Avenue.

5. Demonstrations shall not:
  - a) Disrupt the normal activities of the College;
  - b) Obstruct traffic of any type, including vehicular, pedestrian, or bicycle traffic;
  - c) Obstruct entrances or exits to buildings, driveways, classrooms, or stairways or other similar areas;
  - d) Interfere with educational activities, including those inside and outside of buildings;
  - e) Interfere with other individuals rights of freedom of speech and academic freedom;
  - f) Harass other individuals;
  - g) Disrupt normal College activities, ceremonies or events;
  - h) Cause harm to persons or property or endanger life or property;

- i) Interfere with the movement of any members or guests of the College;
  - j) Conduct noisemaking activities or use amplification of sound that will disrupt or interfere with the normal functioning of the College;
  - k) Incite others to engage in any of the above prohibited activities; or
  - l) Violate applicable laws or College policies and procedures.
6. If this section is violated, the College’s security or other representatives may:
- (a) Identify himself/herself to the demonstrators, providing name and official position.
  - (b) Inform demonstrators that they are in violation of the law, College policy/procedures and/or state rule.
  - (c) Indicate the nature of the violation.
  - (d) Request that the violation cease.
  - (e) Request that the demonstration terminate.
  - (f) Secure the assistance of outside law enforcement officers to restore order and enforce compliance with the law and College regulations.
7. Demonstrations will be terminated if they:
- (a) Materially disrupt the ordinary functions of the College, including classes, laboratories, and traffic;
  - (b) Involve substantial disorder;
  - (c) Invade the rights of others.

Any individual or entity whose demonstration is terminated may appeal this decision in writing to the Campus President of the relevant campus with two (2) business days after being ordered to desist. The Campus President shall issue a written decision on the appeal within two (2) business days after receipt of the written appeal. The Campus President’s decision shall be final on behalf of the College. If the Campus President affirms the decision to stop the assembly, the parties may seek judicial review through the courts in the State of Florida.

8. If subsection (5) or (6) is violated, demonstrators may be directed to leave the campus immediately. Demonstrators may also be subject to arrest for a violation of applicable laws. Demonstrators officially related to the College may also be subject to the discipline under applicable College policies and procedures.

	
	3/1/05
<b>PRESIDENT</b>	<b>DATE</b>