

# MANUAL OF PROCEDURE

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PROCEDURE NUMBER: 1409  
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: February 14, 2012  
LAST REVIEW DATE: February 14, 2012

## 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, lawful and peaceful 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 Office of Campus Administration 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 to Demonstrate (NOI) forms are available in the aforementioned offices. Demonstrations must 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 NOI form is attached. (Attachment "A")
2. The Office of Campus Administration may deny the NOI 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 NOI violates the provisions of subsections (5) and (6) below

Individuals or entities denied permission to demonstrate may file a written appeal to the respective Campus President or designee for the relevant campus. The written appeal must be made within two (2) business days after the date of denial. The Campus President or designee shall provide a written decision on the appeal within five (5) 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 Director of Campus Administration to ensure that the utilization of sound amplification equipment does not interfere with the administration or functions 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 vehicular and pedestrian traffic flow and ongoing College educational activities.

**Hialeah Campus:** East side of building #1780

**Homestead Campus:** West parking lot across from Building H.

**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 7 in front of Building G.

**Medical Campus:** On the north side of the Campus in the courtyard area between Building 1 and Building 2 on N.W. 20<sup>th</sup> Street.

**North Campus:** Southwest of Stadium Road on the grass area adjacent to Traz Powell stadium (grass area located between Traz Powell stadium and burn building).


**West:** On the Northeast corner of the Campus on 115<sup>th</sup> Avenue.

**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.

**EEC:** On the West side of the exterior of the EEC building, under the overhang.

5. Demonstrations shall not:
  - a) Disrupt College functions, activities, ceremonies or events;
  - b) Obstruct traffic of any type, including vehicular, pedestrian, or bicycle traffic;
  - c) Obstruct entrances, exits or movement within buildings, parking lots (especially disabled parking spaces), driveways, classrooms, 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) Cause harm to persons or property or endanger life or property;
  - h) Interfere with the movement of students, employees or guests of the College;
  - i) Conduct noisemaking activities or use amplification of sound that will disrupt or interfere with the administration or functions of the College;
  - j) Incite others to engage in any of the above prohibited activities; or
  - k) Violate applicable laws or College policies and procedures.
6. If this section is violated, the College’s Public Safety Department or other appropriate 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. The College reserves the right to terminate any demonstration that violates the conditions for lawful, peaceful, free assembly described in this Procedure.
8. Any individual or entity whose demonstration is terminated may appeal this decision in writing to the respective Campus President or designee within two (2) business days after being ordered to desist. The Campus President or designee shall issue a written decision on the appeal within five (5) 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 terminate the assembly, the parties may seek judicial review through the courts in the State of Florida. If the Campus President finds in favor of the appeal, the individual or entity whose demonstration was terminated may resume such activities as approved by the Campus President.
9. 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. Under these circumstances, demonstrators who are employees or students of the College may also be subject to disciplinary action in accordance with applicable College policies and procedures.

	
2/14/2012	
<b>PRESIDENT</b>	<b>DATE</b>