



UNIVERSITY POLICY

SUBJECT:	ADMINISTRATION	TITLE:	DEMONSTRATION & ASSOCIATED ACTIVITIES/DISTRIBUTION OF UNSOLICITED MATERIALS		
CATEGORY: Check One	Board of Trustees <input type="checkbox"/>	Presidential <input checked="" type="checkbox"/>	Functional <input type="checkbox"/>	School/Unit <input type="checkbox"/>	
Responsible Executive:	Vice President for Human Resources		Responsible Office:	Human Resources	
CODING:	00-01-10-70:10	ADOPTED:	7/20/95	AMENDED:	02/22/10
				LAST REVIEWED: 02/22/10	

I. PURPOSE

To ensure the safe, orderly, and unimpeded operations in accordance with the University's mission at University owned or operated premises for faculty, staff, students, patients and visitors during periods of permitted demonstration and associated activities and/or distribution of unsolicited materials.

II. ACCOUNTABILITY

Under the direction of the President, the Executive Vice President for Academic & Clinical Affairs and the Senior Vice President for Administration shall ensure compliance with this policy. The Director of Public Safety and the Director of Labor Relations shall implement this policy.

III. DEFINITIONS

- A. Unsolicited Materials – Flyers, brochures, letters, pamphlets, and the like or other communications whether printed or via electronic transmission, i.e., email, unsolicited by the University or its employees.
- B. Permitted Demonstration – A public display of group opinion at University owned or operated facilities for which a UMDNJ Permit to Gather has been granted.
- C. Employees -. Any individual or group from a University constituency, including faculty, staff, or housestaff.

IV. REFERENCES

- A. Information Systems & Technology Acceptable Use Policy:
http://istweb.umdj.edu/about_IST/policies_index.cfm
- B. Information Management [00-01-10-30:00](#)
- C. Rights & Responsibilities for the Use of University-
Accessed Electronic Information Systems [00-01-10-40:00](#)
- D. Protection of Sensitive Electronic Information (SEI) [00-01-15-50:00](#)

- E. Family Educational Rights and Privacy Act [00-01-25-05:00](#)
- F. Patient Confidentiality and Health Information [00-01-40-60:00](#)
- G. Access to University-Administered Software Systems [00-01-95-10:00](#)

V. POLICY

A. Requirements:

1. Any individual or group from a University constituency, including faculty, staff, or housestaff wishing to engage in a demonstration/distribution of material at University owned or operated facilities shall contact the Director of Labor Relations and the Director of Public Safety in writing no later than three (3) business days prior to the demonstration/distribution of printed material. Non-employees, e.g., students, shall contact the Director of Public Safety only in writing no later than three (3) business days prior to the event.
2. The required *UMDNJ Application and Permit to Gather* (EXHIBIT) may be obtained from the Department of Public Safety and must be completed and submitted to the Director of Public Safety.
3. The Department of Public Safety shall determine if the permit shall be granted depending on the nature of the request. Decisions shall be made in collaboration with appropriate University officials including the appropriate Dean, Executive Director of Emergency Management and Occupational Health & Safety, Director of Physical Plant, etc. All permits shall be issued on a first-come, first-served basis. The permit shall be granted unless:
 - a. the Department of Public Safety determines that the proposed demonstration/distribution of material constitutes a danger to the health and safety of persons at the University, or
 - b. the proposed demonstration/distribution of material involves a commercial venture or enterprise for the benefit of an individual or individuals, or
 - c. the proposed demonstration/distribution of material involves election contests (either political or union) in which the University maintains neutrality.
4. The Department of Public Safety reserves the right to revoke any permit previously granted if the application fails to accurately disclose material and pertinent information pertaining to the proposed demonstration/distribution of material.
5. The Department of Public Safety may impose reasonable conditions on a permit to assure the protection of public health and safety, orderly and uninterrupted operations on campuses, protection of UMDNJ buildings and property, free flow of pedestrian and vehicular traffic, and similar considerations. The conditions may limit the time, place and manner of the proposed demonstration/distribution of material, and may include restrictions on the size, construction and placement of signs to be used.
6. Applicants may also need to apply for a Permit to Gather from the respective municipality and are responsible for complying with the required conditions.
7. In no case shall demonstrations and/or distribution of material be allowed within buildings owned or operated by the University, but shall be confined to specific areas outside these facilities as designated by the Department of Public Safety in accordance with local laws and regulations.

8. All University employees, engaging in a permitted demonstration at University owned or operated facilities, may do so only during hours when they are not scheduled to work. While engaged in a permitted demonstration and/or distribution of material, such employees and students shall conduct themselves in an orderly fashion.
9. Any University employee or student who impedes ingress or egress to University owned or operated facilities or in any way violates this policy shall be subject to disciplinary action, up to and including termination of employment or dismissal from the University (students).
10. Any employee or student engaging in any illegal actions may be subject to arrest.

B. Responsibilities:

1. The Director of Labor Relations is responsible for collaborating with the Director of Public Safety, the Senior Vice President for University Advancement & Communications and other senior University leadership as appropriate concerning all notices or requests regarding demonstrations/distribution of material by employees or their representative groups.
2. The Director of Public Safety is responsible for:
 - a. review of the *UMDNJ Application and Permit to Gather*, and issuance of any permits approved under the terms of this policy within two (2) business days of submission.
 - b. notifying the Executive Vice President for Academic and Clinical Affairs, the Senior Vice President for Administration and school/unit leadership of a demonstration or other associated activities and distribution of materials.
 - c. maintaining the orderly control of demonstrations and/or distributions of material in collaboration with the Director of Labor Relations, the Senior Vice President for University Advancement & Communications and school/unit leadership;
 - d. securing access to any University property where there is a demonstration/distribution of material;
 - e. ensuring that all entrances and exits at University owned or operated facilities remain open during demonstrations and/or distribution of material and that individuals who wish to enter or exit such facilities may do so safely and unimpeded; and
 - f. reporting any violation of this policy and/or illegal activity by employees to the Director of Labor Relations.
3. The Senior Vice President for University Advancement & Communications is responsible for coordinating internal and external University communications, in collaboration with University leadership.

VI. EXHIBIT

UMDNJ Application & Permit to Gather

By Direction of the President:

Senior Vice President for Administration

EXHIBIT

UNIVERSITY OF MEDICINE & DENTISTRY OF NEW JERSEY
APPLICATION AND PERMIT TO GATHER
UNIVERSITY REGULATED BUILDINGS AND GROUNDS

Application Date : _____

Application No. : _____

Name of Organization: _____

Address: _____ Phone: _____

Organization Representative: _____ Position: _____

Leader of Organization: _____ Position: _____

Address: _____ Phone: _____

Requested Day of Assemblage: _____ (Day of Week) _____ (Day, Month, Year)

Hours of Assemblage: _____ (Commencing) _____ (Terminating)

Place of Assemblage: _____

Estimated No. of Participants: _____ Mode of Transportation: _____

Is the purpose of the gathering related to a union or political election? Yes___ No___

Is the purpose of the gathering related to the distribution of commercial literature? Yes___ No:___

Issuance of permit does not preclude participants and/or the organization from laws enforced by other agency jurisdictions. Any permits issued shall be subject to the restrictions and regulations set forth in Schedule A attached hereto.

Comments: _____

Signature: _____ Date: _____

UNIVERSITY OF MEDICINE & DENTISTRY OF NEW JERSEY
UNIVERSITY REGULATED BUILDINGS AND GROUNDS
PERMIT TO GATHER

Permit No.: _____ Issued To: _____

Date, Time, and Location of Assemblage: _____

Copy of : **INSERT HERE UNIVERSITY APPLICABLE POLICIES/REGULATIONS ON BUILDINGS AND/OR GROUNDS USE**

Issued to: _____

Comments: _____

Approved: _____ Date: _____
(Director of Public Safety)

- Copy to: University President
- Executive Vice President for Academic and Clinical Affairs
- Senior Vice President for Administration
- Senior Vice President for University Advancement & Communications
- Director of Labor Relations
- Executive Director of Physical Plant
- Executive Director of Emergency Management & Occupational Health & Safety

EXHIBIT (continued)

Schedule A

Approval of Application and Permit to Gather is subject to the following provisions:

1. Applicant must submit all required information.
2. Applicant must not falsify any information.
3. Hours of assemblage are limited to normal business hours of 8 a.m. to 5 p.m.
4. Assemblage is not allowed within buildings owned or operated by the University.
5. Areas for assemblage must be approved by the Department of Public Safety and be appropriate for designated use.
6. Estimated size of crowd must be appropriate to designated use.
7. Reason for assemblage shall not include any commercial activity; solicitation of funds or sale of goods or services.
8. Proposed use shall not interfere with access to a public area, disrupt official University business, interfere with approved uses of the University or damage any property.
9. Proposed use shall not endanger the health, safety and welfare of staff, faculty, students, and the public.
10. Proposed use is not lewd or obscene as defined in N.J.S.A. 2C:14-4, 2C:34-2(a)(1) or 2C:34-3(a)(1), (2), (3), and (4).
11. Proposed use does not violate any law, rule, regulation, building code, fire code or applicable municipal ordinance.
12. Applicant shall be held responsible for the actions of its constituents in the event of non-compliance with the Permit.