

## **APPENDIX V: PICKETS, PROTESTS, AND DEMONSTRATIONS**

### **Statement of Policy**

Duke University respects the right of all members of the academic community to explore and to discuss questions that interest them, to express opinions publicly and privately, and to join together to demonstrate their concern by orderly means. It is the policy of the university to protect the right of voluntary assembly, to make its facilities available for peaceful assembly, to welcome guest speakers, and to protect the exercise of these rights from disruption or interference.

The university also respects the right of each member of the academic community to be free from coercion and harassment. It recognizes that academic freedom is no less dependent on ordered liberty than any other freedom, and it understands that the harassment of others is especially reprehensible in a community of scholars. The substitution of noise for speech and force for reason is a rejection and not an application of academic freedom. A determination to discourage conduct that is disruptive and disorderly does not threaten academic freedom; it is, rather, a necessary condition of its very existence. Therefore, Duke University will not allow disruptive or disorderly conduct on its premises to interrupt its proper operation. Persons engaging in disruptive action or disorderly conduct shall be subject to disciplinary action, including expulsion or separation, and also charges of violations of law.

Students planning a picket, protest, or demonstration should contact University Center Activities & Events (919-684-4741) for guidance and further information.

### **Rule**

Disruptive picketing, protesting, or demonstrating on Duke University property or at any place in use for an authorized university purpose is prohibited.

While Duke University recognizes the right to voluntary assembly, members of the university community must recognize that the Medical Center provides care for individuals needing uninterrupted medical services in tranquil surroundings. Accordingly, all pickets, demonstrations, mass assemblies, and protests shall be confined to campus areas and are strictly prohibited in or around any Medical Center building.

### **Hearing and Appeal**

*Students.* Cases arising out of violations of this policy will be heard by the University Judicial Board. The University Judicial Board shall have jurisdiction over members of the student body, members of the faculty, and administrative personnel of the university not subject to the Personnel Policy Handbook. Hearings will be conducted with regard for academic due process. The decision of the University Judicial Board shall be final if the accused is exonerated or if there is no appeal. In other cases, students may appeal to the president, or, in his or her absence, the provost, in which case such appeal shall be solely on the record of the proceedings before the hearing committee of the University Judicial Board. Argument on appeal shall be written submission, but the president may, in addition, require oral argument.

A hearing committee will consist of two faculty members, one dean, and two students. These students will be selected from members of the judicial boards or governments in the undergraduate, graduate, or professional colleges or schools. The chair of the hearing committee will be designated by its members.

*Faculty.* The procedures for faculty members will follow the arrangements provided under the regulations for the guarantee of tenure in the university.

### **Amendments**

These regulations on pickets, protests, and demonstrations may be changed or amended by the university at any time but any such change or amendment shall be effective only after due notice or publication. These regulations supersede any regulations heretofore issued on the subject.