



Policy on Protests and Demonstrations

I. Policy Statement

This policy addresses the expectations and responsibilities for Kenyon community members to engage in free expression and peaceful demonstration on College property.

In May of 2017, the Kenyon College faculty adopted the following statement of freedom of expression:

"Because the central mission of the College, liberal education, requires free and open inquiry in all matters, students and faculty should have the broadest possible latitude to speak, write, listen, challenge, and learn. ... By listening to and challenging those with whom we disagree, we open ourselves to the possibility of learning. And even when debates and arguments don't change our opinions, they may help us understand their grounds more fully and improve our ability to defend them rationally and persuasively."

The College extends this protection of expression to all Kenyon community members. This applies to all forms of demonstrations, protests and criticism, whether directed at national or local policy or at Kenyon. Members of the Kenyon community should always be free to support causes by orderly means. However, members of the community may sometimes determine that circumstances call for demonstrations that are somewhat disruptive. In such an event, any action taken by a community member which calls for sanction or penalty will not be penalized

more strictly or harshly for having occurred during a protest or demonstration. This is an essential extension of support for the free expression of ideas. The College stresses that it deprecates acts of violence and any encouragement of violence, and it will make reasonable efforts to prevent violence and protect community members.

II. Definitions

As used in this policy:

- A. “Internal protest” means a protest sponsored by Kenyon College clubs, organizations or assembled Kenyon community members.
- B. “External protest” means a protest by a group or individual that is unaffiliated with the College.
- C. “Kenyon community” or “Kenyon community member” means the students, faculty and staff and trustees of Kenyon College. “Kenyon community” or “Kenyon community member” does not mean alumni or emeriti of Kenyon College, students withdrawn from the College, or parents of current or former Kenyon students.
- D. “Protest” means a public demonstration of opinion undertaken to attract attention. This includes but is not limited to verbal expression, signs and displays, or bodily occupying a particular space.
- E. “Organizer” means the Kenyon community member(s) organizing an internal protest or hosting an external protest.
- F. “Counter protest” means a demonstration held in protest of another simultaneously occurring demonstration.
- G. “Tumultuous conduct” is conduct that results in, or is likely to result in, bodily injury to a person or damage to property.

III. Protest Rules and Guidelines

The College adopts the following rules and procedures on its campus and other College property used for educational purposes. For areas within the Village of Gambier but not on Kenyon’s campus, the Knox County Policy 427 on “First Amendment Assemblies” applies. Note that Middle Path (including the section between Wiggin Street and Brooklyn Street) is owned by the College, and is considered part of campus

proper for the purposes of the present demonstration and protest policy.

All members of the Kenyon community may engage in peaceful demonstration (including, but not limited to, rallies, gatherings, protests, parades and processions) on campus. However, disruptive conduct is not permitted.

Disruptive conduct is conduct that obstructs, impairs or interferes with: teaching, study, research or administration of the College; the authorized and other permissible use of College facilities, including meetings of College students, faculty, staff, administrators and/or guests; or the rights and privileges of other members of the College community.

Disruptive conduct is characterized by:

- A. Obstruction, impairment or interference with College sponsored or authorized activities or facilities in a manner that deprives others of the benefit or enjoyment of the activity or facility;
- B. Placing the physical health or safety of any member of the College community or guest at risk;
- C. Employment of force or violence, or threats of force or violence, against any persons or property;
- D. The distribution of materials such as leaflets in a manner which does not allow people to decline to receive the material;
- E. The use of physically intimidating tactics or unwelcome physical contact between demonstrators, counter demonstrators, the audience, the speaker or performers, or College officials, employees, and students.
- F. Any behavior which constitutes harassment under the College's discrimination and sexual harassment policies;
- G. Counter protests which have the effect of preventing other people from gathering, speaking or demonstrating;
- H. Cutting, painting or otherwise marking trees, chalking of buildings or other structures, and the use of trees, buildings or other structures to support or display signs in such a way as to potentially damage the supporting structure or require remedial cleaning afterwards..

- I. Any posting of a political nature must observe the Kenyon College [Policy Regarding Political Campaign Activities on Campus](https://www.kenyon.edu/files/resources/kenyon-political-campaign-activities-policy.pdf) (<https://www.kenyon.edu/files/resources/kenyon-political-campaign-activities-policy.pdf>).
- J. No posting (including banners, flags, etc.) may be placed in any location such that its content or message may be inferred to be an official position of the College, any of its administrative offices, or academic departments.

Campus Safety or their designated representatives may take reasonable steps (including dispersal of the protest, if necessary) to make sure that disruptive conduct does not occur.

Members of the Kenyon community who violate this policy may be subject to College disciplinary action. However, no disciplinary action will be more severe for actions taken as part of a protest or demonstration than for similar actions taken outside of such a context.

- For students and student organizations, the procedures will be those set forth in the Student Handbook;
- For faculty, the procedures will be those set forth in the applicable Faculty Handbook.
- For staff and other employees of the College, normal procedures appropriate to the determination of their rights and responsibilities will be followed.
- Any visitor found to be in violation of this policy or other College policies and procedures may be asked to leave Kenyon College property. Failure to comply may result in arrest for unlawful trespass or other criminal violations.

Any violations of pertinent criminal law may result in arrest and/or criminal charges.

IV. Role of Campus Safety

Campus Safety's principal role in protests and demonstrations is to ensure the physical well-being of all people in the area, both participants and others, and to protect College structures and property from damage. If Campus Safety has been contacted by the organizer or appropriate College official and asked to deal with a person or persons creating a nonviolent disturbance, Campus Safety will always start by asking the person or persons to stop the disruptive behavior prior to asking the person or persons to leave the event or area.

At a protest event, Campus Safety will attempt to locate the organizer before handling any situation of nonviolent behavior unless the disruption necessitates urgent action to prevent tumultuous conduct. Campus Safety has the authority to respond to tumultuous conduct without first contacting the protest organizers. In all cases where time permits, Campus Safety will make contact to determine if de-escalation can be employed in place of physical interference.

In extreme cases where there is potential for violence or destruction of property, Campus Safety will notify the Knox County Sheriff of developing protests and demonstrations. The Sheriff, in conjunction with Campus Safety, will develop a plan for the event. The College recognizes that in matters of this sort in particular, full and prompt communication among all components of our College community is highly desirable, and that to the extent time and circumstances permit, such communication should precede the exercise of the authority, discretion and responsibilities granted and imposed in keeping with College policy.

V. Notification of Campus Safety and Administration

- A. In no case is notification of an internal protest a requirement. However, it is beneficial to all parties if relevant campus personnel, particularly Campus Safety, are informed of plans in advance.
- B. For an internal protest anticipated to be large in participation or space occupied, to be disruptive to movement or operations, to be long in duration (roughly over 24 continuous hours or extending over several days), the organizer is strongly encouraged to contact a representative of the College, be that Campus Safety, the vice president for student affairs, the dean of student development, the Provost's Office or other relevant offices as staff members may deem appropriate. In most cases, College representatives will then coordinate with Campus Safety, if they were not the first contacted. Where practical, such contact is more useful several days (at least) before the protest or demonstration.
 - 1. The director of campus safety (or designee) or the organizer may request a meeting to discuss logistical planning and identify safety protocols. Participation in such a meeting is not required. If the organizer is planning the protest on behalf of a recognized student organization, the advisor to the organization, if applicable, is strongly encouraged to attend this meeting as well.
 - 2. The meeting with the director of campus safety will be to review the details of the proposed protest including proposed time, place, manner and planned size of the event. When meeting with the director, the time, location and duration of the protest will be determined with regard to the following:

- a. The nature of the protest and/or demonstration;
 - b. The actual and potential security needs for the protest;
 - c. The proposed duration and timing of the protest in relation to other College activities;
 - d. The anticipated size of the protest; and
 - e. Any other relevant health and safety concerns.
- 3. Following this meeting, the protest will proceed with all relevant information shared with relevant campus offices, which might include the vice president for student affairs, dean of student development, and director of campus events.
- C. In the event that an internal protest wishes to utilize purpose-built freestanding or attached structures, to assure that the installation is safe and structurally sound, the construction of the installation must be approved by the director of facility operations and the director of campus safety (or their designees). Where possible, the director of facility operations and the director of campus safety (or their designees) will work with the protestors to ensure the safety of the construction.

VI. External Protests

- A. All external protests, regardless of duration, must be approved by the director of campus safety (or designee) prior to taking place.
- B. External groups must be sponsored by a member of the Kenyon community and may not hold spontaneous events.
- C. External protests may not be held inside Kenyon College buildings, but can be hosted in outside spaces.

Adopted Sept. 23, 2019

Revised July, 2024

Related Links

Staff Handbook

(<https://www.kenyon.edu/offices-and-services/office-of-human-resources/policies-handbooks/staff-handbook-2/>)

Student Handbook

(<https://www.kenyon.edu/offices-and-services/student-rights-responsibilities/student-handbook-2/>)

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