



OPERATING PROCEDURES REGARDING UNAPPROVED DEMONSTRATIONS AND PROTESTS ON UNIVERSITY OF ALBERTA CAMPUSES

A. Overview and application

The University of Alberta (the “**University**”) has policies and procedures that provide opportunities for students, faculty, staff (collectively, “**affiliates**”) and persons not affiliated with the University (collectively, “**non-affiliates**”) to apply for the University’s approval to book indoor or outdoor space on University campuses to hold events on the University’s private property.¹

These operating procedures apply to situations in which affiliates and/or non-affiliates enter onto University property and organize and hold **unapproved events** that have either not been approved pursuant to University policies or which exceed the scope or permission of any approved event, particularly high risk events such as protests, marches, demonstrations, encampments or occupations (collectively referred to herein as “**Unapproved Events**” and each individually an “**Unapproved Event**”).

The University relies on existing policies and procedures, authorities, collective agreements, other official instruments and laws to manage Unapproved Events. These include, but are not limited to the following:

- [Statement on Freedom of Expression at the University of Alberta](#)
- [Discrimination, Harassment and Duty to Accommodate Policy](#)
- [Ethical Conduct and Safe Disclosure Policy](#)
- [Lands and Buildings Security Policy](#)
- [Student Conduct Policy](#)
- Collective agreement between AASUA and the University
- Collective agreement between NASA and the University
- [Trespass to Premises Act](#)
- [Criminal Code of Canada](#)

Collectively, the foregoing serve to confirm that the University is committed to free expression in all forms of communication, including non-violent protest and dissent, subject always to the University’s obligation to provide a safe and secure working and learning environment, and the responsibility of individuals to respect policies and the law and not infringe upon the other rights

¹ These policies and procedures are: the [Space Management Policy](#) and its related procedures - [Classroom Scheduling for Courses Procedure](#), [Outdoor Site Booking Procedure](#), [Pets on Campus Procedure](#), [Short-Term Casual Events Booking Procedure](#), [Space Management Procedure](#), [Vending Procedure](#), the [Student Groups Procedure](#) which applies to recognized students groups of the University and the [Canvassing and Solicitation Policy](#) and it related [Procedure](#), which applies to non-affiliates and the [Signage Policy](#) and [Posting Announcements, Notices and Banners Procedure](#) and [Appendix](#), which allows, upon University approval, University affiliates and non-affiliates to post announcements, notices and banners on University property.

enjoyed by members of the University community engaged in the pursuit of truth and the advancement of knowledge.

The presence or persistence of Unapproved Event(s) is not reflective of any official University permission or approval. Because Unapproved Events are not permitted and may not be within the University's means to monitor or control, participants may not rely upon or expect the University to apply any particular resource or assistance to the event(s) or to protect participants from harm arising from activities associated with the Unapproved Event(s). Participants in any Unapproved Event(s) do so exclusively at their own risk as to illness, injury, death or other damages resulting from same, are acknowledging and assuming the risk of their activities and assumed to be accepting said risks. The University will assume no liability or responsibility of any kind for any such illness, injury, death or other damages.

These operating procedures will serve as one (but not the only) interpretive resource for how the University intends to determine whether or not action or intervention is necessary with respect to Unapproved Events and explain how the University will manage a range of situations arising out of such Unapproved Events, including defusing potentially unsafe situations.

These operating procedures do not constitute disciplinary procedures and they do not replace any other policies.

In general, tolerance is expected for the peaceful expression of viewpoints and dissent that is not unlawful or in breach of policies, and for a certain degree of inconvenience arising from the means by which dissenting opinions may be expressed.

B. Applicable policies

The following excerpts from applicable University policies are not all-inclusive but are helpful in understanding and applying these operating procedures:

<p>Excerpts from the <i>Statement on Freedom of Expression at the University of Alberta</i></p>	<p>“The University of Alberta remains committed to free expression in all forms of communication, including non-violent protest and dissent. The university is a place of free and open inquiry in all matters, and all members of the university community have the broadest possible latitude to speak, write, listen, view, challenge, profess, and learn. Members of the university community have the right to criticize and question other views expressed on our campuses, but may not obstruct or otherwise interfere with others’ freedom of expression.”</p>
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	<p>“The university has the authority to restrict expression that violates law, causes the university to violate law, violates applicable university policies, procedures or collective agreements, falsely defames, constitutes a genuine threat or harassment, or unjustifiably violates privacy or confidentiality interests. The university may also regulate the time, place and manner of expression to ensure that it does not disrupt the ordinary activities of the university. However, this administrative discretion should not be exercised in a manner inconsistent with the University of Alberta’s overarching commitment to free expression.”</p>
<p>Excerpt from the <i>Lands and Buildings Security Policy</i></p>	<p>“The University will take the necessary steps to provide a safe and secure working and learning environment. Efforts to provide an environment without threat to personal safety must strike a reasonable balance between the individual’s privacy and the institutional duty to promote a safe and secure environment”</p>
<p>Excerpt from the <i>Student Conduct Policy</i></p>	<p>“The University is defined by tradition as a community of people dedicated to the pursuit of truth and advancement of knowledge, and as a place where there is freedom to teach, freedom to engage in research, freedom to create, freedom to learn, freedom to study, freedom to speak, freedom to associate, freedom to write and to publish. However, these freedoms come with the responsibility to respect and not infringe upon these freedoms when they are exercised by others. For these freedoms to exist, it is essential to maintain a learning environment that fosters the safety, security, and the inherent dignity of each member of the community and to ensure that students conduct themselves accordingly.”</p>
<p>Excerpts from the <i>Ethical Conduct and Safe Disclosure Policy</i></p>	<p>“Whether involved in research, teaching or the governance and administration of the organization, all representatives of the University of Alberta have an obligation to conduct themselves in a manner that is consistent with the University’s stated values regarding ethical conduct.”</p> <p>“As part of this obligation, and to protect the University and individuals from harm, representatives of the University are encouraged to report conduct that does not meet the</p>



	University’s ethical standards.”
Excerpts from the <i>Discrimination, Harassment and Duty to Accommodate Policy</i>	<p>“All university community members and visitors can reasonably expect to pursue their work, studies and recreational activities in a safe and respectful environment.”</p> <p>“Neither the university nor any associated individual shall practice or condone any discriminatory or harassing conduct that adversely affects the pursuit of work, study or life on campus.”</p>

C. University obligations and private property

The University respects our faculty, staff and students’ rights to assemble and protest and is committed to free expression, including non-violent protest and dissent. At the same time, the University is responsible for ensuring compliance with its policies, for taking reasonable steps to ensure the safety of all members of the University community and its visitors, to ensure the proper functioning of the University, for protecting and managing its property and for exercising good stewardship of public resources.

As a result, activities on University property must remain peaceful, lawful and safe. Unapproved Events are not permitted, and are particularly problematic and will cause their participants to be exposed to various consequences if they:

- create a health and/or safety risk,
- interfere with the ability of students, faculty, and staff to learn, teach, research, work and live on our campuses,
- cause damage to the University buildings, grounds or other property,
- disrupt or impede other authorized University activities, or
- otherwise violate policies or the law.

The University’s grounds and buildings are private property and, therefore, Unapproved Events on University grounds or in University buildings, are considered trespassing and the University may, at any time, invoke the remedies under the [Trespass to Premises Act](#) or any other applicable law.



D. Responsibilities and expectations for the University and others

To assist persons to understand the University's expectations for peaceful assembly, in conjunction with and in addition to the requirements of the law and its policies, the University requires that such persons engaging in such assembly and/or attending as part of an Unapproved Event:

- not interfere with the rights, opinions and personal safety of others,
- respect University property, including refraining from causing damage to or modifying property or from publicly urinating or defecating,
- maintain an open dialogue with the University throughout the event, providing reasonably requested information in a timely fashion upon request including but not limited to proof that they are a student or employee of the University,
- not interfere with others' right to peaceful expression and peaceful demonstration or protest,
- comply with instructions from University Protective Services personnel, any other University representative(s) and other law enforcement officers,
- not set fires of any kind including but not limited to bon fires, cooking fires, torches, or flame heaters,
- not possess or bring onto University property any solid fuels or combustible liquids (such as firewood, propane, gas or diesel) or containers of such things,
- not possess or bring onto University property any weapon that may be used to cause injury to a person, and
- not stay overnight on University property except in the individual's residence (if they have one) or in the residence of another member of the University community who has given express permission.

Unapproved Events are deemed to be peaceful (but not necessarily otherwise compliant with the law or policies) if

- they do not involve any use of physical force, threats, intimidation, hate speech, harassment, discrimination or other unlawful acts or acts that contravene University policies,



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- in the event of a counter demonstration, assembly or protest, they do not obstruct or interfere with the right that others have to peaceful demonstrations, assemblies, protests and expressions, and
- their intensity, duration, location and other aspects:
 - allow the University to maintain a safe and secure environment for all members of the University community and visitors to our campuses,
 - they do not interfere with the conduct of authorized University activities, including but not limited to learning, teaching, research, support and residence services, administration, or other authorized meetings, events or functions,
 - they occur in common spaces (i.e. spaces that are generally accessible to all members of the University community) and do not occur in spaces used for teaching, research, living, University athletics, sport and recreation and other business of the University including, but not limited to classrooms, laboratories, farm fields, other research facilities, libraries, staff or administrative offices, or the reception areas of such offices,
 - they allow safe and normal access to, or egress from, buildings or spaces inside them, and
 - they avoid unreasonable risks to persons, University property or assets.

Unapproved Events inside and outside a class or meeting space that do not interfere with the communication inside (i.e. silent or symbolic protests) or impede access to or egress from the class or meeting are an acceptable form of dissent.

Intensity, duration and location will be assessed against criteria including but not limited to the degree of disruption of University activities, the suitability of the location relative to the number of participants, the length of the disturbance relative to its location, and the level of disturbance created by noise, tone of discourse, and other factors.

Various laws and [University policies](#) may apply to an Unapproved Event, including but not limited to the [Trespass to Premises Act](#) (Alberta), the University [Student Conduct Policy](#), [Space Management Policy](#) and its associated procedures such as the [Outdoor Site Booking Procedure](#) or the [Short-Term Casual Event Booking Procedure](#). The University expects all Unapproved Events to stay within the parameters of applicable University policies and law. The existence and persistence of an Unapproved Event is not to be considered as a reflection that it is compliant with University policies, procedures or the law or that it will be permitted to continue.



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Attendees at Unapproved Events are responsible for their actions. Depending on the circumstances, certain behaviours may lead to disciplinary or other corrective actions being taken under University regulations, policies, procedures and collective and other employment agreements that apply to faculty, students, administrative and support staff, or under the civil or criminal law.

Unapproved Events will be monitored as appropriate. If such events contravene the parameters described herein, and if attendees at any such Unapproved Events refuse to comply with instructions from University Protective Services personnel or any other University representative, such as requiring attendees to reduce the level of noise, to identify themselves, to leave a particular location, to move to a more suitable location or to disperse, appropriate actions will be taken if necessary, including but not limited to disciplinary steps, suspension, civil or criminal proceedings, or legal claims seeking damages from individuals or organizations.

University representatives will, whenever reasonable, issue a warning to individuals regarding contravention of policies, procedures or laws. Such a warning may include a statement concerning their intention to take further action, such as action under University policies or the referral to other appropriate authorities to determine whether discipline or other sanctions should be imposed.