

<b>Policies of the University of North Texas</b>	Chapter- 07 Student Affairs
<b>07.006 Free Speech and Public Assembly on Campus Grounds</b>	

**Policy Statement.**

The University of North Texas (UNT) recognizes that freedom of expression and public assembly are fundamental rights of all persons and are essential components of the education process. These activities promote debate and the sharing of ideas, which are the foundation of educational institutions.

The responsibility of the University to operate and maintain an effective and efficient institution of higher education requires regulation of the time, place and manner of assembly, speech, and other expressive activities on the grounds of the University. In keeping with this responsibility, students, faculty, staff and visitors are free to exercise the rights to assemble and engage in expressive activity in a constitutionally protected manner subject only to the content-neutral regulations necessary to fulfill the mission and obligations of the University, preserve the rights of others, coordinate multiple uses of limited space, assure preservation of the campus facilities and grounds, and assure financial accountability for any damage caused by these activities.

**Application of Policy.**

All University of North Texas students, employees, organizations and visitors to campus. This policy does not apply to official academic and administrative activities and functions of the University.

Nothing in this policy is intended to prohibit faculty members from maintaining order in the classroom.

**Definitions.**

The following definitions apply for purposes of this policy only:

1. Amplified Sound. “Amplified Sound” means sound that is increased or enhanced by any electric, electronic, or mechanical means, including handheld devices such as megaphones and sound trucks. Other sound, specifically individual shouting or group chanting/singing is subject to general regulations concerning disruption of official University functions.
2. Campus Grounds “Campus Grounds” means all outdoor areas owned, leased or controlled by the University that are common and accessible to all students, employees, and visitors, such as sidewalks, park-like areas and malls.

3. Designated Areas “Designated Areas” means outdoor areas of property owned, leased or controlled by the University that may be reserved by students, employees, and visitors for expressive activity.
4. Employee. “Employee” means a person currently employed by the University on a full-time, part-time or hourly basis.
5. Expressive Activity. “Expressive Activity” means the verbal or symbolic expression of an idea, thought or opinion and may include speeches, assembly, marches, parades, rallies, protests, picketing, distribution of non-commercial literature, circulation of petitions, graphic or pictorial displays and other similar activities intended to communicate an idea or opinion. Expressive activity does not include speech that is likely to incite or produce imminent lawless action, expression that consists of fighting words or threats of physical harm or expression that is defamatory, obscene or commercial in nature.
6. Literature. “Literature” means any printed material that does not concern a commercial transaction and is produced in multiple copies for distribution or publication to an audience, including but not limited to flyers, handbills, leaflets, placards, bulletins, newspapers, and magazines, but does not include the North Texas Daily or official University material.
7. Official University Function. “Official University Function” means all activities, events and programs sponsored by an academic or administrative unit of the University.
8. Outdoor Structure or Exhibit “Outdoor Structure or Exhibit” means anything built, constructed or displayed temporarily on campus grounds as part of an expressive activity, including tents.
9. Student. “Student” means any person who is currently enrolled and attending the University of North Texas and, for the purposes of this policy, it also includes student organizations and student groups.
10. University Business Hours. “University Business Hours” means Sunday through Saturday 8:00am to 10:00pm.
11. Visitor “Visitor” means a person who is not a student, faculty member or staff member.

## **PROCEDURES and RESPONSIBILITIES**

### **1. Use of Campus Grounds**

The facilities and campus grounds of the University are intended to be used primarily for instructional and research programs and administrative activities of the University and secondarily for programs sponsored and conducted by University academic and

administrative departments or organizations affiliated with those departments, including registered student organizations and student groups.

Students, employees, and visitors may engage in expressive activity on campus grounds, including by responding to the expressive activities of others, as set out in this policy.

Expressive activity may not create a vehicular or other safety hazard, substantially interrupt the safe and orderly movement of traffic, or constitute disruptive activity, defamation, riotous conduct or obscenity as those terms are defined by federal or state law and may not impede access to other expressive activity, such as blocking the audience's view or preventing the audience from hearing a speaker. Displaying a sign, gesturing, wearing symbolic clothing or otherwise protesting silently is permissible anywhere unless it is a disruptive activity as defined by federal or state law.

Students, employees and visitors who wish to organize parades, marches or rallies in areas that cross thoroughfares or would stop or slow traffic must notify the Office of the Dean of Students at least eight business days in advance of the activity in order to ensure that the proposed route does not substantially interrupt the safe and orderly movement of traffic or create a safety hazard.

Visitors who plan to engage in expressive activity on campus grounds and have a reasonable expectation of attracting a crowd of 50 people or more must notify the Dean of Students Office no fewer than eight business days prior to the activity so that appropriate measures can be taken to ensure the safety of the university community and minimize disruption to the learning environment.

The Dean of Students will respond to notifications regarding parades, marches or rallies, or expressive activities expected to draw a crowd of 50 people or more, within two business days.

University facilities and campus grounds may not be used by individuals or organizations not directly connected with the University except as permitted by this and the University Facilities Use Coordination policies.

Responsible Party: Dean of Students

## **2. Reservation of Campus Grounds for Expressive Activities**

Campus grounds generally are open to students, employees and visitors for expressive activity during university business hours. However, individuals and organizations are encouraged to reserve areas on campus that are designated for expressive activity when the activity may reasonably be anticipated to draw a crowd of 50 or more people. Designated areas may be reserved on a first-come, first-served basis and are subject to the reservation procedures published by the Dean of Students and set out in this policy. Only the individuals or organizations that reserve a designated space may use the area for expressive activity during the reserved period. A reservation is

required for use of amplified sound and/or outdoor structure. A request to reserve space for use by an individual or organization must be made no fewer than eight business days in advance of the activity.

In order to allow reasonable access to designated areas, students, employees and visitors may reserve these locations for a total of fifteen days per semester and no more than five consecutive days. The Dean of Students is responsible for administration of this policy, including:

- a. identifying locations and establishing times for use as designated areas and identifying locations and establishing times for use of amplified sound;
- b. managing requests for reservation of campus grounds under this policy;
- c. relocating expressive activities as allowed under this policy;
- d. developing procedures for reserving areas for expressive activity and use of amplified sound and for registering for parades, marches and rallies;
- e. creating forms for use in reserving designated areas, using amplified sound, and registering for parades, marches and rallies; and
- f. publishing the locations, times, procedures and forms required under this policy at the beginning of each academic year.

The Dean of Students will act on requests to reserve designated areas no later than two business days after a properly submitted request is received in the Dean of Students Office. If a request is denied, the Dean of Students may, where feasible, propose measures to address any defects in the request. When the basis for denial is receipt of an earlier request for the same location and time, the Dean of Students will inform the individual or organization whose request is denied of other dates, times and locations that are available for reservation.

Responsible Party: Dean of Students

### **3. Use of Amplified Sound on Campus Grounds**

Advance reservation is required before amplified sound may be used on campus grounds. Students, employees and visitors may use amplified sound on campus grounds only at the locations and times published by the Dean of Students. Amplified sound areas may be reserved on a first-come, first-served basis and are subject to the reservation procedures published by the Dean of Students and this policy.

Amplification in the designated areas cannot exceed 92 decibels on the "A" scale at 50 feet from the source of amplification. Amplification will not be approved for any time period during the seven calendar days preceding the final week of each fall and spring semester.

Responsible Party: Dean of Students

#### **4. Reason for Denial of a Reservation**

Requests to reserve a designated area or use amplified sound may not be denied based on the content of the proposed expressive activity. Requests may be denied only for the following reasons:

- a. an earlier request to reserve the same location and time has been made;
- b. the designated area or an adjacent area has been reserved for an official University function or the designated area is no longer suitable for use due to a conflict with a nearby official University function;
- c. the reservation or registration form is incomplete;
- d. the request exceeds more than fifteen days in a semester or is for more than five consecutive days; or
- e. the request otherwise conflicts with this policy.

Responsible Party: Dean of Students

#### **5. Relocation of Expressive Activities**

Individuals and organizations engaged in expressive activity on campus may be required to relocate to other areas by the Vice President for Student Affairs, the Dean of Students or, when immediate action is necessary, the University Police Department, under the following circumstances:

- a. the noise generated by the activity disrupts an official University function or substantially interferes with resident housing life and activities (*e.g.*, the activity is too close to an academic, administrative or residential building);
- b. the location does not safely accommodate the number of participants;
- c. the number of individuals participating in or attending the activity creates unsafe conditions for vehicular or pedestrian traffic, or parking, or blocks the ingress or egress to buildings, staircases or official university activities;
- d. the space has been reserved for an official University function, has been reserved in accordance with this policy, or a reserved location is needed for an official University function;
- e. the activity creates a health, safety or welfare hazard, such as interfering with fire, police or emergency services; or

- f. the activity interferes with the expressive activity of another individual or organization, such as blocking the audience's view of a speaker or preventing the audience from hearing a speaker.

Responsible Party: Vice President for Student Affairs, Dean of Students or  
University Police Department

## **6. Distribution of Literature**

Students, employees and visitors may distribute literature on campus grounds.

Students, employees, and visitors who distribute literature are expected to collect literature that is left over or that is on the ground in the area in which it is distributed. Literature may not be placed on automobiles (*e.g.*, under the windshield wipers) parked on University property.

Literature distributed under this policy by a student, employee, or visitor that contains the name "University of North Texas" or "UNT" or that contains any reference to affiliation with the University, must include the statement that the literature is not official university literature and does not represent the views or official position of the University.

Responsible Party: Dean of Students

## **7. Commercial Solicitation and Advertising**

Individuals and organizations may engage in commercial solicitation and advertising only as allowed under UNT policies 11.003 and 04.013.

Responsible Party: Dean of Students

## **8. Signs and Banners**

Students, employees, and visitors may display signs by holding them or otherwise attaching them to their persons. Otherwise, all signs and banners, including displays on outdoor bulletin boards, must comply with UNT policy 11.003.

Responsible Party: Dean of Students

## **9. Outdoor Exhibits and Structures**

Outdoor exhibits and structures may be placed only in designated areas, except that individuals may place displays on easel-type supports on campus grounds that are open and accessible for expressive activity. Outdoor exhibits and structures are subject to the following limitations:

- a. exhibits and structures may not exceed twenty-five feet in length or width or fifteen feet in height,

- b. exhibits and structures may not extend into or onto any sidewalks or walkways in such a way as to interfere with pedestrian or vehicular traffic or otherwise present an unreasonable threat to public safety,
- c. the interior of three-dimensional structures or exhibits must be fully visible from at least one side of the exhibit or structure, and no exhibit or structure may provide opportunity for individuals to be completely secluded from view.

Individuals setting up an outdoor exhibit or structure are responsible for cleanup of the area surrounding the exhibit or structure and shall return it to its original condition at the completion of the expressive activity. Individuals involved in the setup of an outdoor exhibit or structure shall not damage UNT property or grounds, and are responsible for returning the area surrounding the exhibit or structure to its original condition.

Exhibits may only be set up in accordance with this policy and University policy 11.003. The Dean of Students office must be contacted at least eight business days prior to the proposed activity involving an outdoor exhibit or structure.

Exception to the dimension limitations may be granted by the Dean of Students upon a showing by the individual or organization seeking the exception that the exhibit will not present a safety hazard and will not interfere with pedestrian or vehicular traffic. Proof of insurance to cover injury or damage to persons or property does not entitle the individual or organization to an exception to the dimension limitations. Requests for exception to the outdoor exhibit dimension limitations must be made at least eight business days in advance of the desired display date.

Responsible Party: Dean of Students

#### **10. Responsibilities Related to Expressive Activity**

Any individuals or organizations engaging in expressive activities on campus grounds are responsible for reading, understanding, and complying with all obligations set out in this and all other applicable University policies, including the Code of Student Conduct and personnel policies, as applicable.

Responsible Party: Dean of Students

#### **11. Appeal of Decisions Related to Expressive Activity.**

Decisions related to use of campus grounds for expressive activity that are denied may be appealed to the Vice President for Student Affairs no later than 5:00 p.m., on the second business day after notice of the decision that is being challenged is provided.

The appeal must be made in writing and state the specific reason(s) the individual or organization disagrees with the decision. The appeal should include all information

the individual or organization believes will assist the Vice President for Student Affairs in reaching a determination on the matter.

The Vice President for Student Affairs will issue a written decision on the appeal within three business days of its receipt. The decision is final.

Responsible Party: Vice President for Student Affairs

## **11. Interference with Expressive Activity**

Students, faculty and staff shall not unduly interfere with the expressive activities of others on campus. Students, faculty, or staff suspected of such interference may be referred to the Dean of Students, Office of the Provost, or Human Resources, respectively, for investigation and disciplinary action, if applicable.

Responsible Party: Dean of Students, Provost, Human Resources

### **References and Cross-references.**

UNT Policy 05.015 Ethics and Standards of Conduct

UNT Policy 11.001, Facilities Use

UNT Policy 11.003, Signs and Banners

UNT Policy 12.003, Protection of Grounds

UNT Policy 04.032, Solicitation

UNT Policy 07.012, Code of Student Conduct

Senate Bill 18 Tex. Educ. Code § 51.9315

### **Forms and Tools.**

Link for Dean of Students forms related to Expressive Activities

[Request to Reserve Designated Area and /or Use Amplified Sound For Expressive Activities or Crowds Over 50 Form](#)

[Request to Reserve Designated Areas and/or Use of Amplified Sound for Expressive Activities/Parades](#)

[Administrative Procedures: Free Speech and Public Assembly in Outdoor Area](#)

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