



Policy Chapter: Chapter 7 Student Affairs

Policy Number and Title: 07.006 Free Speech and Public Assembly on Campus Grounds

I. 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.

Nothing in this policy may be construed to limit or infringe on a person's right to freedom of expression protected by the United States and Texas Constitutions.

II. Application of Policy

This policy applies to University of North Texas students, employees, their organizations, and visitors to campus.

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

III. Policy Definitions

A. Amplified Sound

"Amplified Sound," means sound that is increased or enhanced by any electric, electronic, or mechanical means. Other sound, specifically individual shouting or group chanting/singing is subject to general regulations concerning disruption of official University functions.

B. Antisemitism

"Antisemitism," in this policy, means a certain perception of Jews that may be expressed as hatred toward Jews. The term includes rhetorical and physical acts of antisemitism directed toward Jewish or non-Jewish individuals or their property or toward Jewish community institutions and religious facilities.

C. Campus Grounds

"Campus Grounds," in this policy, means all common outdoor areas owned, leased or controlled by the University that are accessible to all students, employees, and visitors, such as sidewalks, park-like areas and malls.

D. Class Hours

“Class Hours” in this policy, means 8:00 am - 5:00 pm, Monday – Friday.

E. Designated Area

“Designated Area,” in this policy, means the outdoor area or areas on the University of North Texas campus for visitors to engage in expressive activity as defined in this policy.

F. Employee

“Employee,” in this policy, means an individual who is employed part-time, full-time, or in a temporary capacity by a component of the University of North Texas System, and organizations and groups comprised of these individuals.

G. Expressive Activity

“Expressive Activity,” in this policy, means the verbal or symbolic expression of an idea, thought or opinion and could include speeches, assembly, marches, parades, rallies, protests, picketing, distribution of non-commercial literature, circulation of petitions, graphic or pictorial displays, or 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, intimidation, or threats of physical harm, threats to engage in unlawful activity, expression that is obscene, or commercial in nature, or discrimination, unlawful harassment, or defamation that rises to such level and can be disciplined by UNT.

UNT recognizes that some constitutionally protected speech may be considered offensive by some or all viewers/listeners. An expressive activity does not automatically rise to the level of denying constitutional, statutory, or legal rights of others solely because a viewer/listener is offended by the idea presented. However, expressive activities that interfere with the legal rights of others are not permitted.

H. Intimidation

“Intimidation,” in this policy, means conduct perceived by the individual to whom it is directed as placing the individual in fear of immediate physical harm, and the conduct would be perceived objectively as placing an individual in fear of immediate physical harm even if no physical contact or injury occurs.

I. Literature

“Literature,” in this policy, means any 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.

J. Official University Function

“Official University Function,” in this policy, means any activity, event, or program sponsored by an academic or administrative unit of the University.

K. Organization

“Organization,” in this policy, means a group composed of students, employees, or visitors who come together in pursuit of a common purpose.

L. Outdoor Structure or Exhibit

“Outdoor Structure or Exhibit,” in this policy, means anything built, constructed, or displayed temporarily on campus grounds as part of an expressive activity.

M. Student

“Student,” in this policy, means any person who is currently enrolled at the University of North Texas, and includes student organizations and student groups.

N. University Business Days

“University Business Day,” in this policy, means Monday through Friday during regular University business hours (8:00 a.m. to 5:00 p.m.).

O. University Official

“University Official,” in this policy, means the Vice President of Student Affairs, the Dean of Students, or other individual designated by the Vice President of Student Affairs engaging in an official duty.

P. Visitor

“Visitor,” in this policy, means a person who is not a student enrolled at the University of North Texas, an employee of a UNT System component institution, or an organization comprised solely of these students and employees.

IV. Policy Responsibilities

A. Use of Campus Grounds

1. The facilities and campus grounds of the University are intended to be used primarily for academic 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 student organizations and student groups.
2. Students, employees, and visitors may engage in expressive activity on campus grounds, including by responding to the expressive activities of others, as long as the conduct is not unlawful and the expressive activity does not materially and substantially disrupt the functioning of the university; and as set out in this policy.

3. Students and employees who engage in expressive activity on campus grounds are required to present proof of identity and status as either a student of UNT or an employee of a component of the UNT System on the request of a University Official engaging in their official duty if the Official reasonably believes the inquiry is necessary to maintain order on campus and the Official has good faith reason to believe the individual engaged in conduct that violates this policy.
4. Visitors may engage in expressive activity only in a Designated Area or Areas and published by the University.
5. Students, employees, visitors, and organizations who wish to organize parades, marches, or rallies in areas that cross thoroughfares or would stop or slow traffic must notify the Dean of Students Office at least five (5) business days in advance of the activity to ensure that the proposed route does not substantially interrupt the safe and orderly movement of traffic or create a safety hazard.
6. Campus grounds are available for expressive activities between the hours of 8:00 a.m. and 10:00 p.m. as permitted by this policy.

B. Reservation of Campus Grounds for Expressive Activities

1. Campus grounds generally are open to students and employees for expressive activity. Individuals and organizations are encouraged to reserve the common outdoor areas on campus identified by the Division of Student Affairs as available for reservation. These areas may be reserved on a first-come, first-served basis and are subject to the reservation procedures published by the Dean of Students Office and set out in this policy. Visitors may only reserve space in the Designated Areas. Only the individuals or organizations that reserve space may use the area for expressive activity during the reserved period.
2. A reservation is required to engage in expressive activity on campus grounds at least five (5) business days in advance of an event when the use of amplified sound, outdoor structure, or when a crowd of 50 or more people is anticipated.
3. To allow reasonable access to common outdoor areas available for reservation and Designated Areas, students, employees, and visitors may reserve locations for a total of fifteen (15) days with no more than five (5) consecutive days in a four-month period. The Dean of Students Office is responsible for administration of this policy, including:
 - a. identifying locations and establishing times the common outdoor areas are available for reservation;
 - b. identifying locations and establishing times for use of amplified sound;
 - c. managing requests for reservation of campus grounds under this policy;
 - d. relocating or rescheduling expressive activities as allowed under this policy;

- e. developing procedures for reserving areas for expressive activity and use of amplified sound;
- f. registering parades, marches, and rallies and;
- g. publishing the locations, times, procedures, and forms necessary to administer this policy at the beginning of each academic year.

C. Use of Amplified Sound on Campus Grounds

1. Advance reservation is required before amplified sound may be used on campus grounds. Students, employees, and visitors may use amplified sound on campus grounds at the locations and times published by the Dean of Students Office. 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 Office and this policy.
2. Amplification during expressive activities:
 - a. May be used only in the area or areas identified by the university for amplified sound; and
 - b. cannot exceed 92 decibels on the “A” scale at 50 feet from the source of amplification.
3. Amplified sound cannot be used during class hours when it:
 - a. intimidates others;
 - b. interferes with campus operations; or
 - c. interferes with an institution employee or a peace officer’s lawful performance of a duty.
4. Amplified sound is prohibited at all times during the last two weeks each semester. The last two weeks of a semester are the two weeks prior to and including graduation day.

D. Prohibited Activities

The following activities are prohibited:

1. Activities that are unlawful or materially and substantially disrupt the normal operations of the University.
2. Activities that substantially interfere with vehicular or pedestrian traffic, including the ingress or egress of University facilities.
3. Activities that substantially interfere with fire protection, law enforcement, or emergency or medical services.
4. Activities that threaten or endanger the health or safety of any person on University grounds.

5. Activities that result in damage or destruction of University property. Nothing may be affixed to or written on University buildings.
6. Activities that constitute disruptive activity, riotous conduct, or obscenity as those terms are defined by federal or state law.
7. Expressive signage, gesturing, wearing symbolic clothing, or otherwise protesting silently is permissible anywhere unless it is a disruptive activity as defined by federal or state law.
8. Open flames on the University campus without the written permission of UNT Risk Management.
9. The use of drums or other percussive instruments in an expressive activity event during the last two weeks of each semester. The last two weeks of a semester are the two weeks prior to and including graduation day.
10. Camping or otherwise erecting a tent or other living accommodation on campus as an expressive activity.
11. Wearing a disguise or using any other means to conceal a person's identity while engaging in expressive activity if done with the intent to obstruct the enforcement of the law or university policy by avoiding identification, intimidate others, or interfere with an employee's or peace officers' lawful performance of a duty.
12. Lowering the United States flag or Texas flag with the intent to raise the flag of another nation or a flag representing another organization or group of people.

E. Relocation of Expressive Activities

Individuals and organizations engaged in expressive activity on campus may be relocated 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:

1. 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);
2. the location does not safely accommodate the number of participants;
3. 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;
4. 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;

5. the activity creates a health, safety, or welfare hazard, such as interfering with fire, police, or emergency services;
6. 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; or
7. The University reserves the right, as necessary, to impose additional reasonable time, place, and manner restrictions as circumstances arise.

F. Speakers and Approvals

1. Students and employees may invite individuals to the University to speak in accordance with this policy. The University may not consider the political, religious, philosophical, ideological, or academic viewpoint, or any potential controversy an invited-speaker may generate in reviewing the engagement or in assessing a fee to use campus facilities.
2. When reviewing an invitation or assessing a fee, the University will consider the criteria:
 - a. proposed venue and size of the expected crowd;
 - b. anticipated needs for campus security;
 - c. any other accommodations the University deems necessary for the speaker; and
 - d. relevant history of compliance or noncompliance with University policies by the speaker or the requestor.
3. During the last two weeks of a semester, students and employees may not invite speakers for the purpose of engaging in expressive activities. This prohibition does not apply to academic course instruction.
4. Use of UNT facilities must follow [UNT Policy 11.001 Facilities Use Coordination](#) and other applicable University policies and procedures.

G. Distribution of Literature

1. Students, employees, and visitors may distribute literature on campus grounds. Individuals who distribute literature are expected to collect all literature that is left over or that is on the ground in the area in which it is distributed.
2. Literature distributed under this policy by a student, employee, or visitor cannot contain any University trademarks without the express written consent of the University.

H. Commercial Speech

Expressive activities do not include commercial speech for purposes of this policy.

I. Outdoor Exhibits and Structures

1. Outdoor exhibits and structures may be placed only in areas identified by campus. However, individuals may place displays on existing 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 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; and
 - 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.
2. 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
3. Exhibits may only be set up in accordance with this policy and [UNT Policy 07.029 Prohibition of Camping on University Property](#). The Dean of Students Office must be notified at least five (5) business days prior to the proposed activity involving an outdoor exhibit or structure.
4. Exception to the dimension limitations may be granted by the Dean of Students Office 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 five (5) business days in advance of the desired display date.

J. Review of Decisions and Other Actions Related to Expressive Activity

1. Individuals who disagree with a decision regarding their use of campus grounds for expressive activity or who reasonably believe a student, employee, or visitor has violated this policy may request review by the Vice President for Student Affairs. The request for review must be filed no later than 5:00 p.m. on the third business day after notice of the decision that is being challenged or within a reasonable time after the person becomes aware of a possible policy violation.
2. The request must be submitted in writing and provide:
 - a. the specific reason(s) the individual or organization disagrees with the decision or

- believes a policy violation has occurred, as applicable; and
- b. all information the individual or organization believes will assist the Vice President for Student Affairs in reaching a determination on the matter.
3. The Vice President for Student Affairs will issue a written decision within a reasonable time, usually within three (3) business days of receipt of a request. The Vice President's decision is final.

K. Sanctions for Policy Violation

Individuals who violate this policy may face immediate removal from campus grounds and/or other appropriate actions by university officials including university police. Students and employees who unduly interfere with expressive activities of others on campus or who violate this policy are subject to disciplinary action under applicable student, faculty, and staff discipline policies, including, without limitation, [07.012 Code of Student Conduct](#), or [16.004 Prohibition of Discrimination, Harassment, and Retaliation](#).

L. Education and Resources

The University will make this policy available by:

1. publication on the University website and academic catalogs; and
2. providing the policy to all new students and employees during orientation programs and through the University policy manual.

V. Resources/Forms/Tools

[Request to Reserve Designated Areas](#)

[Request to Reserve Designated Areas for Parades, Marches, and Rallies](#)

VI. References and Cross-References

[Texas Executive Order GA 44](#)

[Texas Education Code § 51.9315](#)

[UNT Policy 04.013, Solicitation, Signs, and Posting](#)

[UNT Policy 05.015, Ethics and Standards of Conduct](#)

[UNT Policy 05.033, Staff Employee Discipline and Involuntary Termination](#)

[UNT Policy 06.025, Faculty Misconduct and Discipline](#)

[UNT Policy 07.012, Code of Student Conduct](#)

[UNT Policy 07.029, Prohibition of Camping on University Property](#)

[UNT Policy 11.001, Facilities Use Coordination](#)

[UNT Policy 12.003, Protection of Building and Grounds](#)

[UNT Policy 16.004, Prohibition of Discrimination, Harassment, and Retaliation](#)

VII. Revision History

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