



**Policy Chapter:** Chapter 11 Facilities and Real Estate

**Policy Number and Title:** 11.012 Art Exhibited on Campus

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## **I. Policy Statement**

It is the policy of the State of Texas to protect expressive rights guaranteed by the Constitution of the United States. Consistent with this policy, the University of North Texas recognizes that freedom of expression is a fundamental right of all persons and that as a public institution of higher education it has a responsibility to operate and maintain an effective and efficient educational and work environment, including regulating the time, place and manner of expressive activities in its facilities as well as on its grounds. In keeping with this responsibility, students, faculty, staff and guests are free to exercise the right of artistic expression in UNT facilities in a constitutionally-protected manner subject only to the content and viewpoint-neutral regulations necessary to fulfill the University's mission and its obligation to preserve the rights of others, coordinate multiple uses of limited space, maintain campus facilities, and assure financial accountability for any damage caused to the facilities.

## **II. Application of Policy**

All University of North Texas ("UNT" or "University") students, faculty, staff, student and employee organizations, and guests. This policy is not intended to impeded faculty from applying academic standards in instructional settings.

## **III. Policy Definitions**

### **A. Exhibition Space**

"Exhibition Space," in this policy, means areas inside University facilities and appurtenant campus grounds designated for the public display of art for the purpose of providing artist a platform to showcase their works and exposing the UNT community to different art forms and artists.

### **B. Academic Works**

"Academic Works," in this policy, means Artistic Expression created by students for academic credit, or created or invited by faculty as part of their teaching or research/scholarship/creative activities.

### **C. Art**

"Art," in this policy, means a creation by an artist or individual working under the direction of an artist that is valued primarily for artistic rather than practical function. For purposes of this policy art includes curation.

### **D. Artistic Expression**

"Artistic Expression," in this policy, means the expression of an idea, thought, emotion, opinion, or experience typically through a physical medium - such as visual or audible - like painting, drawing and two-dimensional forms, sculpture and three-dimensional forms,

installation art, performance, film, video, digital media, dance, writing, or photography - and includes curation.

***E. Common Space***

“Common Space,” in this policy, means all areas inside UNT facilities that generally are accessible to the public during regular operational hours, enclosed or not, including but not limited to atria, auditoriums, corridors, display case, foyers, hallways, lobbies, performance halls, parking garages, sports and recreational facilities, and stairways.

***F. Curation***

“Curation,” in this policy, means is the activity of researching, selecting, managing, organizing, and presenting art in the form of an exhibition.

***G. Exhibition Space***

“Exhibition Space,” in this policy, means areas inside University facilities and appurtenant campus grounds designated as locations for displaying art, providing artist a platform to showcase their works, and exposing the UNT community to different art forms and artists.

***H. Guest***

“Guest,” in this policy, means a person other than a current UNT student, faculty or staff employee.

***I. Historic Building***

“Historic Building,” in this policy, means any local, state or federal historic district, building or structure included in or eligible for inclusion in the National Register of Historic Places as set out in 36 CFR Part 800 or designated as a Recorded Texas Historic Landmark by the Texas Historical Commission.

***J. Non-Academic Works***

“Non-Academic Works,” in this policy, means Artistic Expression that is created by UNT students or other individuals for a purpose other than academic credit.

***K. Obscenity***

“Obscenity,” in this policy, means artwork that appeals to the average person’s prurient interest in sex; depicts sexual conduct in a patently offensive way as defined by community standards, including the UNT community; and lacks serious artistic, political or scientific value when taken as a whole.

***L. Official Function***

“Official Function,” in this policy, means any activity, event, or program sponsored by a UNT academic or administrative unit that is directly related to fulfilling the University’s educational mission, including but not limited to instruction, testing and exams, meetings

and programs.

***M. Spirit Art***

“Spirit Art,” in this policy, means a work of art created with the intent of promoting school spirit and identity, typically relating to the University’s mascot.

***N. Work-Related Space***

“Work-Related Space,” in this policy, means areas inside UNT facilities that generally are not accessible to the public, such as classrooms, laboratories, offices, studios, suites, and other space capable of being locked by the business unit or employee to whom the space is assigned or where University employees perform assigned duties.

**IV. Policy Responsibilities**

***A. Use of UNT Facilities***

**1. Purpose and Use of Facilities**

University facilities are for use primarily by UNT students, faculty and staff employees for official functions as defined in this policy.

**2. Artistic Expression in Facilities**

Decisions regarding works of art exhibited in UNT facilities shall be consistent with the First Amendment of the U.S. Constitution, the State of Texas Constitution, the principles of academic freedom and academic responsibility, and applicable UNT System Regents Rules, UNT System Regulations, and campus policies. Accordingly, the University recognizes that artistic expression does not automatically rise to the level of infringing on constitutional, statutory, or other legal rights solely because a viewer is offended by the idea or opinion portrayed in a work of art. Likewise, artistic expression does not include a work that is likely to incite or produce imminent lawless action; consists of fighting words, intimidation, or threats of physical harm; is obscene in nature; or is unlawfully discriminatory, harassing, or defamatory

**3. Neutrality**

The University does not discriminate against works of art based on its content or the viewpoint(s) expressed. Further, exhibiting or promoting a work of art does not represent an official or unofficial endorsement of the ideas, opinions or views expressed by the artist, nor does it necessarily represent the views, opinions or positions of UNT, its student body, employees or officials.

**4. Interference with Artistic Expression**

Activities that interfere with artistic expression and the legal rights of others, such as blocking another’s view of the work of art, defacing the work, or materially interfering with activities ancillary to its exhibition (e.g., the artist’s statement, reception, etc.) are

not permitted and are subject to disciplinary action.

***B. Use of Facilities for Artistic Expression***

**1. Art Exhibition Space**

The spaces below are designate for exhibition of artwork in UNT Facilities and appurtenant grounds:

<b>Exhibition Space Name</b>	<b>Location</b>	<b>Type of Use</b>
Art Annex	Entire Building	Academic Works
Art Building	Entire Building	Academic Works
Eagle Exhibit Hall	ESAT Building Room 160	Academic & Non-Academic Works
Atrium	EESAT Building	Academic & Non-Academic Works
UNT CoLAB	Downtown Denton	Academic & Non-Academic Works
Union Art Gallery	University Union	Non-Academic Works

**2. Temporary Designation of Space for Art Exhibition**

The Vice President for Academic Affairs (VPAA) and Vice President for Student Affairs (VPSA) may designate other locations as temporary exhibition space in facilities over which they have responsibility, including appurtenant grounds, consistent with this policy. When space is designated as temporary exhibition space its use shall be limited to a specific purpose, individual or group, and time and shall not interfere with other official functions.

***a. Academic Buildings***

The VPAA or designee, in consultation with the Dean of the College of Visual Arts and Design, may authorize the use of academic facilities as exhibition space for Academic Works and Non-Academic Works.

***b. University Union***

The VPSA or designee may authorize the use of space in the University Union for exhibition of Non-Academic Works, and may designate this space for exhibition of Academic Works at the request of the VPAA or designee.

### 3. Management and Curative Responsibilities

The Vice President responsible for the facility or program in which an area is designated as exhibition space, in consultation with the appropriate academic and administrative official, is responsible for the management of galleries and curative activities associated with the space, including ensuring guidelines and other material related to exhibitions (e.g., request/application forms, exhibition agreements, etc.) are developed consistent with this policy.

### 4. Exhibition Decisions – Academic Works

The instructor(s) of record, faculty advisor, exhibition space curator and other individuals, as determined by the Dean, are responsible for deciding which student Academic Works are exhibited. Exhibition decisions regarding faculty Academic Works shall be determined in accordance with applicable UNT policies and department and college bylaws, and other individuals as determined by the Dean.

### 5. Exhibition Decisions – Non-Academic Works

#### *a. Selection of Works for Exhibition*

The Vice President responsible for the facility or program in which Non-Academic Works are exhibited or designee is responsible for determining which works will be displayed. A committee or jury may be appointed to provide recommendations regarding the selection of the works.

#### *b. Committee/Jury Composition*

If appointed, the Vice President or designee shall determine the composition of the committee or jury, which may include individuals outside the University.

#### *c. Criteria for Selection Proposals*

The Vice President or designee is responsible for approving content and viewpoint neutral criteria for selecting works of art, with priority given to UNT students, faculty, staff and alumni. Other criteria may include, but are not limited to:

- i. the work's consistency with any published theme for the exhibit;
- ii. whether the work is spirit art (as defined in this policy);
- iii. artistic quality and craftsmanship, and whether the work supports and enhances the University's educational mission;
- iv. likelihood to inspire contemplation, reflection and dialog;
- v. the work's scale, materials, form, structural soundness and environmental health and safety impact;
- vi. space availability and utilization (e.g., group or solo exhibit);
- vii. whether the work aligns with other activities in multi-use spaces;

- viii. time necessary to install and de-install the work and other time constraints; and
- ix. compliance with federal and state law including obscenity standards.

*d. Exhibit of Academic works in Non-Academic Exhibition Space*

When Academic Works are exhibited in spaces other than academic facilities, section IV.B.4 of this policy shall apply.

6. Work-Related Space

This policy does not apply to art in work-related spaces. Employees displaying art in offices and other work areas are responsible for complying with applicable UNT policies and administrative directives.

7. Common Space

Common space is reserved for works of art commissioned, solicited, acquired or accepted as private gifts on behalf of the University in accordance with [UNT Policy 09.002, Fundraising and Private Support](#) and art purchased by a department for decorative purposes except as otherwise approved by the President, in writing. When common space is designated for use as exhibition space, the use shall be limited to a specific purpose, individual or group and time, and shall not interfere with other official functions.

8. Historic Buildings

Space in Historic Buildings is reserved for use solely by the University and may be used for the exhibition of works of art as authorized by the President, in consultation with the appropriate UNT System official(s). Authorization must be in writing and the installation and exhibition shall comply with applicable federal and state law, and contractual agreements.

**C. Relocation or Removal**

The University may remove or relocate works of art when the work:

- A. Is in danger of being irreparably damage, due to such things as water leaks, fire, or other conditions that would place the work in harm's way;
- B. has an erroneous attribution or is discovered to be inauthentic;
- C. unlawfully, or materially and substantially disrupts the normal operations of the facility in which the work is exhibited, including ingress or egress;
- D. substantially interferes with fire protection, law enforcement, or emergency or medical services;
- E. threatens or endangers the health or safety of any person or property in or near the space where the work is exhibited, and law enforcement or health and safety officials have reasonable concerns that the threat or endangerment may not be managed in a way that ensures the health and safety of the UNT community; or

- F. presents an imminent threat of riotous conduct as defined by federal or state law and law enforcement officials have reasonable concerns that the threat not be managed in a way that ensures the safety of the University community.

***D. Reconsideration of Decisions Related to Works of Art***

Exhibition decisions regarding Academic Works may be reconsidered as set out in applicable UNT policy. Decisions regarding Non-Academic Works are final.

**V. References and Cross-References**

[Texas Educ. Code §51.9315](#)

[Texas Penal Code §43.21\(a\)\(1\)](#)

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

[UNT Policy 06.035, Academic Freedom and Academic Responsibility](#)

[UNT Policy 07.006, Free Speech and Public Assembly on Campus Grounds](#)

[UNT Policy 09.002, Fundraising and Private Support](#)

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

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

**VI. Revision History**

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