



Angelo State University
Operating Policy and Procedure

OP 74.07: Use of University Grounds for Freedom of Expression Activities

DATE: April 27, 2012

PURPOSE: The purpose of this Operating Policy/Procedure (OP) is to establish the parameters for freedom of expression activities. The *Student Handbook* contains university policies relating to the use of space and facilities by students and student organizations.

REVIEW: This OP will be reviewed in January of each year by the executive director of student life with recommended revisions forwarded through the vice presidents to the president by March 15.

POLICY/PROCEDURE

1. Authority
Section 08.08, Regents' Rules

The *Regents' Rules* state, "No individual or group shall be denied the right to speak within the physical confines of the TTU system on the basis of the views sought to be expressed by the speaker." Each component institution has been charged with developing operating policies to place reasonable restrictions regarding time, place, and manner for on-campus speech.

2. General Statement

The open exchange of information, opinions, and ideas between students is an essential element of the campus educational experience. These regulations are intended to protect the interests of all students as well as other members of the Angelo State University community. These regulations presume that students are generally free to engage in freedom of expression activities in those outdoor areas of the campus that are common and accessible to all students, such as park-like areas and sidewalks, without the need of prior approval of the university.

3. Freedom of Speech Activities

For the purposes of these regulations, the phrase "freedom of expression activities" means those activities that involve public orations, rallies, demonstrations, etc., where the speaker is seeking a public forum for the expression of opinions and ideas. These regulations are not intended to limit or govern private speech that occurs in a social setting among students in campus areas such as residence halls, food service facilities, student lounges and gathering areas, classrooms, etc. In addition, these regulations do not cover activities that are part of a university-sponsored event, such as persons brought to the campus by a university department or program for the expressed purpose of presenting their opinions and ideas.

4. Free Speech Area

The Angelo State University campus is an open campus for the purposes of student freedom of expression activities. Students are encouraged, and persons and groups not affiliated with the university are required, to use the free speech area(s) of the campus for such activities. Requests to use the free speech area must be submitted to the executive director of student life. Reservations are assigned on a first-come first-served basis.

The free speech area on the Angelo State University campus is the student gathering area located between the Porter Henderson Library and the Houston Harte University Center. Additional free speech areas may be designated at any time by the university.

In order to maintain an orderly flow of activity on the campus, the executive director of student life, or his/her designee, is charged with the responsibility of overseeing freedom of expression activities on the campus and for monitoring compliance with university regulations. A decision by the executive director of student life to require a student or group of students to relocate, curtail, or cease their activities may be appealed to the vice president for student affairs and enrollment management.

Non-university persons or groups who violate university regulations are subject to removal from university property, as determined by the executive director of student life or his/her designee. A decision to remove a non-university person or group from university property may be appealed to the vice president for student affairs and enrollment management.

Students engaged in freedom of expression activities on campus may be required to relocate under the following circumstances:

- a. The location selected for the activity is inadequate for the purpose for which it will be used (either too close to buildings, not big enough for the event, etc.);
- b. The activity substantially interferes with either vehicular or pedestrian traffic;
- c. The activity blocks the ingress to or the egress from buildings;
- d. The space is not available due to a prior reservation;
- e. The activity conflicts with a previously planned university activity;
- f. The activity creates a sustained or repeated noise disturbance that substantially interferes with the normal activities of the university;
- g. The activity presents an unreasonable danger to the health or safety of the participant(s) or other individuals;
- h. The activity is prohibited by local, state, or federal law; or
- i. The activity prevents fire protection, law enforcement, or emergency medical service providers from access to areas on the campus.

[Reviewed with no changes: April 27, 2012]

Students engaged in freedom of expression activities may be subject to disciplinary action under the Code of Student Conduct for the following actions:

- a. Activities that are illegal;
- b. Activities that deny the rights of other students, faculty and staff of Angelo State University;
- c. Activities that substantially obstruct or restrict the free movement of persons on any part of the university campus, including the free entry or exit from university facilities;
- d. Activities that deny the use of offices or other facilities by students, faculty, staff, or guests of Angelo State University;
- e. Activities that threaten or endanger the health or safety of any person on the university campus;
- f. Activities that include the use of obscenities, libelous statements, or “fighting words,” as defined by law;
- g. Activities that result in damage to or destruction of university property; and
- h. Activities that attempt to prevent a university event or other lawful assembly by the threat or use of force or violence.