



Angelo State University
Operating Policy and Procedure

OP 74.07: Freedom of Expression Activities and Forum Areas

DATE: August 11, 2015

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 every five years, or as needed, by the executive director of student affairs with recommended revisions forwarded through the vice president for student affairs and enrollment management 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 solely 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 policies are intended to protect the interests of all students as well as other members of the university community. These policies 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 Expression Activities and Forum Areas

Although the Angelo State University campus is generally an open campus for purposes of student freedom of expression activities, students are encouraged, and persons and groups not affiliated with the university are required, to use the Forum Areas of the campus for freedom of expression activities.

4. Forum Area

The Forum Area on the Angelo State University campus is the student gathering area located

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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 affairs, 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 affairs 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 affairs 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 because of 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.

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;
 1. Activities that deny the rights of other students, faculty and staff of the university;
 2. 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;

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3. Activities that deny the use of offices or other facilities by students, faculty, staff, or guests of the university;
4. Activities that threaten or endanger the health or safety of any person on the university campus;
5. Activities that include the use of obscenities, libelous statements, or “fighting words,” as defined by law;
6. Activities that result in damage to or destruction of university property or;
7. Activities that attempt to prevent a university event or other lawful assembly by the threat or use of force or violence.
8. Signs, banners, posters, and other displays used for freedom of expression activities must be handheld and must remain in the hands of individuals engaged in the expressive activities at all times.

5. Appeals of Ground Use Request Denials

Students of registered student organizations, whose requests for the use of Forum Area(s) are denied, may appeal to the Director of Student Life as follows:

- a. A written appeal describing the objections to the denial presented to the Director of Student Life must be filed no later than five (5) university business days after the receipt of notice of the denial from the Director of Student Life.
- b. The Director of Student Life will convey the appeal decision, in writing, to the student or registered student organization or to the Executive Director of Student Affairs within a reasonable time from the receipt of the written appeal.

6. Use of Amplification Equipment

- a. Use of Amplification Equipment for Freedom of Expression Activities.
 - Use of Amplification Equipment in Forum Areas. Students and registered student organizations may use amplification equipment for freedom of expression activities within the designated Forum Areas from 8:00 am to 5:00 pm Monday through Friday.
 - Use of Amplification Equipment in All Other Outdoor Areas. Students and registered student organizations may use amplification equipment for freedom of expression activities in all other outdoor areas of the campus after 5:00pm Monday through Friday.
 - Use of amplification equipment is subject to all rules concerning the time, place, and manner of freedom of expression activities and Forum Areas as set forth in section 3 of this policy.
 - Only handheld amplification devices are permitted.

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- No amplification of sound is permitted during the week prior to or the week of final exams.
- The volume and direction of amplification equipment shall be controlled so as not to interfere with classes in session, examinations, or other campus community activities.
- Use of amplification equipment shall not create a sustained or repeated noise disturbance that substantially interferes with the normal activities of the university community.

b. Other Use of Amplification Equipment

- The use of loudspeakers, any other type of amplification equipment (e.g. portable stereo devices, portable studios, etc.), or amplified musical instruments on university grounds by students and/or registered student organizations for any purpose other than expressive activities as set forth in section 3, above, is by permission only.
- Applications from individuals, departments, and organizations for permission to use amplification equipment must be submitted as a reservation request to the Office of Special Events online at <http://reservations.angelo.edu>.
- Applications must be submitted at least two weeks before the intended use.
- The Director of Business Services may prescribe rules concerning scheduling, maximum sound levels, location and direction of speakers, and other rules to facilitate the use of amplified sound to mediate any conflict with university functions, classes in session, examinations, other nearby activities, and the campus environment.
- The use of amplification equipment for solicitation purposes must conform to all campus grounds use provisions, as well as policies governing solicitation and commercial activities.
- The use of such equipment or loudspeakers is not permitted in the vicinity of classrooms during regularly scheduled class hours without written permission from the Director of Business Services.
- Sound equipment must not be disruptive, and the volume and direction of amplification equipment shall be controlled so as not to interfere with classes in session, examinations, or other campus community activities.
- Special events such as dances, pep rallies, ceremonies, or recreational activities that include the use of bands or amplification equipment may be held in approved locations only with prior approval of the Director of Business Services.
- Requests for outdoor dances utilizing sound amplification devices must be submitted as reservation requests to the Office of Special Events online at

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<http://reservations.angelo.edu>. Bands may use their own equipment on such dates.

c. Academic Use

- The appropriate use of loudspeakers for official university activities inside academic buildings, or on the campus as a part of the academic instructional program, is determined and approved by the Office of the Provost and Vice President of Academic Affairs.
- Permission for use of the carillon bells in the Sol Mayer Administration Building must be requested through the Office of the President at least three (3) university working days before time of intended use. Use of the bells must not interfere with the normal functions and programs of the university.