

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

**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.**

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

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. 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 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.
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 an individual who is employed part-time, full-time, or in a temporary capacity by the University.
5. Expressive Activity. “Expressive Activity” 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 or threats of physical harm or expression that is obscene or commercial in nature.
6. Literature. “Literature” 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.
7. Official University Function. “Official University Function” means any activity, event or program sponsored by an academic or administrative unit of the University.
8. Organization. “Organization” means a group composed of students, employees or visitors who come together in pursuit of a common purpose.
9. 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.
10. Student. “Student” means any person who is currently enrolled at the University of North Texas, and, for the purposes of this policy includes student organizations and student groups.
11. University Business Days. “University Business Day” means Monday through Friday during regular University business hours (8:00 a.m. to 5:00 p.m.).
12. Visitor. “Visitor” means a person who is not a student or employee of the University.

## **Procedures and Responsibilities**

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

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.

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.

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 Dean of Students Office at least five (5) 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 at least five (5) 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.

Individuals or organizations not directly connected with the University may use University facilities and campus grounds as permitted by this and the University Facilities Use Coordination policies, and are responsible for reading and following these policies, as applicable.

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. However, individuals and organizations are encouraged to reserve areas on campus that are designated for expressive activity. 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 Office 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 five business days in advance for use of amplified sound, outdoor structure, and/or when a crowd of 50 or more people are anticipated.

To allow reasonable access to designated areas, students, employees and visitors may reserve locations for a total of fifteen days with no more than five 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 for use as designated areas;
- 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 required under this policy at the beginning of each academic year.

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 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.

Amplification in the designated areas:

- a. Cannot exceed 92 decibels on the "A" scale at 50 feet from the source of amplification; and
- b. Amplification will not be approved for any period during the two weeks preceding fall and spring graduation dates.

### **4. Prohibited Activities**

**The following activities are prohibited:**

- a. Activities that are unlawful or materially and substantially disrupt the normal operations of the University.
- b. Activities that substantially interfere with vehicular or pedestrian traffic, including the ingress or egress of University facilities.
- c. Activities that substantially interfere with fire protection, law enforcement, or emergency or medical services.
- d. Activities that threaten or endanger the health or safety of any person on University grounds.
- e. Activities that result in damage or destruction of University property. Nothing may be affixed to or written on University buildings.
- f. Activities that constitute disruptive activity, riotous conduct or obscenity as those terms are defined by federal or state law.
- g. 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.
- h. Open flames on the University campus without the written permission of UNT Risk Management.

Responsible Party: Dean of Students

## 5. 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:

- 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;
- 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; or
- g. The University reserves the right, as necessary, to impose additional reasonable time, place, and manner restrictions as circumstances arise.

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

## 6. Speakers and Approvals

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.

When reviewing an invitation or assessing a fee, the University will consider the following 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.

Use of UNT facilities must follow Facilities Use Coordination and other applicable University policies and procedures.

#### **7. Distribution of Literature**

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.

Literature distributed under this policy by a student, employee, or visitor cannot contain any University trademarks without the express written consent of the University.

Responsible Party: Dean of Students

#### **8. Commercial Speech**

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

Responsible Party: Dean of Students

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

Outdoor exhibits and structures may be placed only in designated areas. 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.

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

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.

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.

Responsible Party: Dean of Students

#### **10. Review of Decisions and Other Actions Related to Expressive Activity.**

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.

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.

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.

Responsible Party: Vice President for Student Affairs or designee, Dean of Students

#### **11. Disciplinary Sanctions for Interference with Expressive Activity**

Students and employees who unduly interfere with expressive activities of others on campus are subject to disciplinary action under the UNT Code of Student Conduct or applicable faculty and staff discipline policies.

Responsible Party: Dean of Students, Provost, Human Resources

## **12. Education and Resources**

The University will make this policy available by:

- a. Publication on the University website and academic catalogs; and
- b. Providing the policy to all new students and employees during orientation programs and through the university policy manual.

Responsible Party: Dean of Students, Human Resources

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

[UNT Policy 05.015 Ethics and Standards of 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 04.032 Solicitation](#)

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

UNT Policy 05.033 Staff Employee Discipline and Involuntary Termination

UNT Policy 06.025 Faculty Misconduct and Discipline

[Tex. Educ. Code § 51.9315](#)

### **Forms and Tools**

[Request to Reserve Designated Areas](#)

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

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