

## FREE SPEECH AND PUBLIC ASSEMBLY POLICY

**APPLICABILITY: TOTAL UNIVERSITY**

### **Application for Free Speech and Public Assembly**

The University of North Texas recognizes and supports the rights of free speech. This policy informs members of the University community and the public of the manner in which they may engage in constitutionally protected speech and expression at the University of North Texas. It is intended to ensure the primary educational purpose of the University, which includes promoting debate and the sharing of information.

The University will protect the rights of freedom of speech, petition, and peaceful assembly as set forth in the U.S. Constitution. The University of North Texas maintains its right to regulate reasonable time, place, and manner restrictions concerning acts of expression and dissent. Any acts that are disruptive to the normal operations of the University including but not limited to classes and University business or invades the rights of others will not be tolerated. Faculty, staff, and students engaging in a disruptive activity may be subject to disciplinary action. Any participant in a disruptive activity may face criminal charges.

### **Free Speech Areas**

**Area A:** Lawn area Southeast of the University Union.

**Area B:** Lawn area West of the Business Building and closest to the South main walkway.

**Area C:** Treed area just east of Area B.

**Area D:** Lawn area North of Area B.

**Area E:** Lawn area North of the Language Building on the corner of Ave. A and Fry Street. No sound amplification equipment is permitted in this area.

**Area F:** Lawn area South of the Library Mall (LMA). Residence Hall Quiet Hours apply to this space.

\*The volume of any sound equipment may not exceed 75 decibels on the A scale at 50 feet from the source of amplification in order to keep from interfering with any academic or other program taking place in nearby buildings.

\*Areas B, C, D, E, and F, Library Mall Area, are also considered programmable space and are available on a first come-first-serve basis. However, university Departments will have first priority in scheduling.

A Free Speech area may be reserved, between the hours of 8:00 AM and 10:00 PM, for up to five (5) consecutive days if there are no scheduling conflicts and may be renewed if space is available. The Dean of Students will renew reservation requests unless there has been a specific violation(s) of a significant university interest.

## **Registration and Use of Free Speech Areas**

### Scheduling Request

Individuals or groups wishing to use Free Speech Areas should request use of the space through the Dean of Students Office on the second floor of the University Union. The spaces provided for free speech are also programmable areas; reservations should be made at least two working days in advance of the event for scheduling purposes.

Usually, use of the space will be assigned to the person or organization that requests the area first. University sponsored events have first priority on the use of campus grounds. The University reserves the right to re-locate any assembly to ensure that the activity does not interfere with the normal operation of the University or interfere with the rights of others.

At the time of the request, the following information will be required:

- Name of the person or organization sponsoring the event.
- Location, date, and time requested.
- List of planned activities (i.e. speech or rally, march, signs, picketing, distribution of literature).
- Special equipment used.
- Anticipated attendance.

### **Guidelines for Speech and Public Assembly**

**1. Speakers:** In view of the desire of the university to promote free speech, the free speech areas of the campus are open to speakers for whom official arrangements to speak have been made with the University, following the provisions of this policy.

**2. The Right to Dissent:** The right to dissent is the complement of the right to speak, but these rights need not occupy the same forum at the same time. The speaker is entitled to communicate her or his message to the audience during her or his allotted time, and the audience is entitled to hear the message and see the speaker during that time. A dissenter must not substantially interfere with the speaker's ability to communicate or the audience's ability to hear and see the speaker. Likewise, the audience must respect the right to dissent.

**3. Picketing and Distribution of Literature:** Picketing in an orderly manner or distributing literature within the free speech areas is acceptable with the appropriate permit. Picketing is not permitted inside campus buildings. Non-commercial literature may be distributed only in the free speech areas. Distribution of commercial literature requires a separate solicitation permit and is limited to certain areas of campus. See UNT Policy Nos. 8.3 and 10.13. Such activities should not be disruptive or impede access.

**4. Symbolic Protest:** During a presentation, displaying a sign, gesturing, wearing symbolic clothing, or otherwise protesting silently is permissible unless it is a disruptive activity or impedes access, such as acts that block the audience's view or prevent the audience from being able to pay attention.

**5. Marches:** Campus marches are acceptable on campus with the appropriate parade/march permit in order to prepare for and facilitate the safety of participants and bystanders. The permit will outline expected attendance, and approved parade/march route. Permits should be requested at least two working days in advance of the event for campus marches.

## **Conduct and Manner**

1. Those who schedule speech or public assembly activities on campus must not:

- Threaten passers-by.
- Interfere with, impede, or cause blockage of the flow of vehicular or pedestrian traffic.
- Commit any act likely to create an imminent safety or health hazard.
- Interfere with or disrupt any other lawful activity by anyone in the same general location at the same time.
- Post materials on any walls, windows, doors, sidewalks, trees, light poles, etc., or on any other University equipment except in designated posting areas.
- Conduct speech that includes fighting words, which are those words that by their very utterance tend to incite an immediate breach of the peace.
- Engage in any other speech or action that is not allowed by law.

2. Public speech that is likely to incite or produce imminent lawless action or that is, under the current legal standards, either defamatory or obscene, is prohibited.

3. In accordance with the Texas Education Code, it is unlawful for any person on any property either owned or controlled by the University to refuse to identify him/herself to a University official in response to a request. A person may identify him/herself by presenting a student or faculty/staff ID card or driver's license or some other form of government issued identification.

4. Individuals who damage or destroy University property shall be held responsible for such damage or destruction. This includes the campus lawns, shrubs, and trees.

5. A request for use of free speech areas may be denied if a University official determines that the proposed speech/activity will constitute a clear and present danger to the University's orderly operation.

6. All applicable University regulations, state and federal laws and municipal ordinances should be followed when engaging in activities on campus. Failure to do so may result in immediate removal from the campus and any other appropriate action by University officials and/or University Police.

University of North Texas

APPLICATION FOR FREE SPEECH AND PUBLIC ASSEMBLY

Today's Date \_\_\_\_\_

Person or Organization Requesting (including University affiliation) \_\_\_\_\_

Contact Person: \_\_\_\_\_ Telephone: \_\_\_\_\_

Request a Permit for:

Speech \_\_\_\_\_ Rally \_\_\_\_\_ Signs \_\_\_\_\_ Picketing \_\_\_\_\_

Distribution of literature \_\_\_\_\_ \*March \_\_\_\_\_ \*Parade \_\_\_\_\_

Day and Date: \_\_\_\_\_ Time: From/Until: \_\_\_\_\_ Expected Attendance: \_\_\_\_\_

Location Requested: \_\_\_\_\_

NOTE: COMPLETED FORMS MUST BE RETURNED TO THE DEAN OF STUDENTS OFFICE, 3RD FLOOR OF UNIVERSITY UNION SUITE 320 AT LEAST TWO WORKING DAYS IN ADVANCE OF THE PLANNED FREE SPEECH ACTIVITY FOR SCHEDULING PURPOSES

OUTSIDE SPEAKER (individual who is not faculty, staff or a currently enrolled student of the University of North Texas)

Do you plan to present an outside speaker? \_\_\_\_\_ Yes \_\_\_\_\_ No

SPECIAL EQUIPMENT:

Do you plan to use amplified sound? \_\_\_\_\_ Yes \_\_\_\_\_ No

The volume of any sound equipment may not exceed 75 decibels on the A scale at 50 feet from the source of amplification.

Do you plan to erect a display/exhibit or sign? \_\_\_\_\_ Yes \_\_\_\_\_ No

If yes, please provide the dimensions of the display/exhibit or sign: \_\_\_\_\_

Will the display/exhibit or sign be staked in the ground? \_\_\_\_\_ Yes \_\_\_\_\_ No

If so please be aware tht additional steps regarding the University grounds will be required.

LITERATURE: Do you plan to distribute petitions, handbills, or literature? \_\_\_\_\_ Yes \_\_\_\_\_ No

The individual or group sponsoring the free speech activity is responsible for cleaning the area of all trash and discarded literature.

I have read the foregoing Policy and Guidelines for Free Speech and Public Assembly and agree to abide by the terms and conditions stated.

Print Name \_\_\_\_\_

Signature of Authorized Individual/Organization Representative \_\_\_\_\_

Note: Carry an approved copy of this application to the activity. Should it be determined that the activity is in violation of the Policy on Free Speech and Public Assembly and/or University Regulations, the activity may be canceled at any time. If the activity is in progress, participants will be requested to cease the activity and disperse from the area. Failure to comply with the proper directives of University officials can result in disciplinary charges/arrest/trespass from campus.

ALL SOLICITATIONS OR SALE OF ITEMS REQUIRES A SEPARATE FORM

<b>For Office Use only</b>			<b>Signature of Dean of Students or Designate</b>
Date received:	Time Received:	Designated Location:	Approved: