

Free Speech At UNT

University of North Texas
Dean of Students
University Union, Suite 319
940-565-2648

UNT

UNIVERSITY
OF NORTH TEXAS

A green light to greatness.™

Policies of the University of North Texas	Chapter- 07
18.4.8 Free Speech and Public Assembly on Campus Grounds	Chapter Name Student Affairs

Policy Statement.

The University of North Texas 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 and staff 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.

All University of North Texas students, employees, organizations and sponsored guests. This policy does not apply to official academic and administrative activities and functions of the University.

Definitions.

The following definitions apply for purposes of this policy only:

1. Amplified Sound means sound that is increased or enhanced by any electric, electronic, or mechanical means, including handheld devices such as megaphones and sound trucks. Other sound, specifically individual shouting or group chanting/singing is subject to general regulations concerning disruption of official University functions.
2. Campus Grounds means all outdoor areas owned, leased or controlled by the University that are common and accessible to all students and employees such as sidewalks, park-like areas and malls.

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3. Designated Areas means outdoor areas of property owned, leased or controlled by the University that may be reserved by students and employees for expressive activity and used by sponsored guests for this purpose.
 4. Employee means a person currently employed by the University on a full-time, part-time or hourly basis.
 5. Expressive Activity means the verbal or symbolic expression of an idea, thought or opinion and may include speeches, assembly, marches, parades, rallies, picketing, distribution of literature, graphic or pictorial displays and other 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 defamatory, obscene or commercial in nature.
 6. Literature means any printed material that 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 means all activities, events and programs sponsored by an academic or administrative unit of the University.
 8. Outdoor Structure or Exhibit means anything built, constructed or displayed temporarily on campus grounds as part of an expressive activity, including tents.
 9. Sponsored Activity means any expressive activity that is presented by a sponsored guest under this policy.
 10. Sponsored Guest means any person or organization invited to engage in expressive activity on campus grounds by a sponsoring organization in accordance with this policy.
 11. Student means any person who is currently enrolled and attending the University of North Texas.
 12. Sponsoring Organization means a group of students who share a common interest and who are registered with the Student Activities Center, or a group comprised of University students or employees who officially represent the University at activities sanctioned or sponsored by the University, including but not limited to the cheer squad, ROTC, athletic teams, marching band, etc.
 13. University Business Hours means Sunday through Saturday 8:00am to 10:00pm.

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PROCEDURES and RESPONSIBILITIES

1. Use of Campus Grounds

The facilities and campus grounds of the University are intended to be used first for instructional and research programs 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 registered student organizations and student groups.

Students and employees may engage in expressive activity on campus grounds during university business hours without the need for prior reservation or registration except as set out in this and other applicable University policies. Expressive activity may not create a vehicular or other safety hazard or constitute disruptive activity, defamation, riotous conduct or obscenity as those terms are defined by federal or state law and may not impede access to other expressive activity, such as blocking the audience's view or preventing the audience from hearing a speaker. Displaying a sign, gesturing, wearing symbolic clothing or otherwise protesting silently is permissible anywhere unless it is a disruptive activity as defined by federal or state law.

Students, employees and sponsoring organizations that wish to organize parades, marches or rallies in areas that cross thoroughfares or would stop or slow traffic must register with the Office of the Dean of Students at least eight 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.

University facilities and campus grounds may not be used by individuals or organizations not directly connected with the University except as permitted by this and the University Facilities Use Coordination policies.

Responsible Party: Dean of Students

2. Reservation of Campus Grounds for Expressive Activities

Campus grounds generally are open to students, employees and sponsoring organizations for expressive activity during university business hours. However, these individuals and organizations are encouraged to reserve areas on campus that are designated for expressive activity when the activity is promoted in advance or when the activity may reasonably be anticipated to draw a crowd of 25 or more people. Designated areas may be reserved on a first-come, first-serve basis and are subject to the reservation procedures published by the Dean of Students and set out in this policy. Only the individuals or sponsoring organization that reserves a designated space may use the area for expressive activity during the reserved period. A reservation is required for use of amplified sound

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and/or outdoor structure. Sponsoring organizations are required to reserve a designated area for expressive activity by a sponsored guest. Only sponsoring organizations may invite sponsored guests to use campus grounds for expressive activity. A request to reserve space for use by a sponsored guest must be made no fewer than eight business days in advance of the sponsored activity.

In order to allow reasonable access to designated areas, students, employees and sponsoring organizations may reserve these locations a total of fifteen days and no more than five consecutive days. The Dean of Students is responsible for administration of this policy, including:

- a. identifying locations and establishing times for use as designated areas and identifying locations and establishing times for use of amplified sound;
- b. managing requests for reservation of campus grounds under this policy;
- c. relocating expressive activities as allowed under this policy;
- d. developing procedures for reserving areas for expressive activity and use of amplified sound and for registering for parades, marches and rallies;
- e. creating forms for use in reserving designated areas, using amplified sound, and registering for parades, marches and rallies; and
- f. publishing the locations, times, procedures and forms required under this policy at the beginning of each academic year.

The Dean of Students will act on requests to reserve designated areas and to register for a parade, march or rally no later than two business days after a properly submitted request is received in the Dean of Student Office. If a request is denied, the Dean of Students will, where feasible, propose measures to address any defects in the request. When the basis for denial is receipt of an earlier request for the same location and time, the Dean of Students will inform the individual or organization whose request is denied of other dates, times and locations that are available for reservation.

Responsible Party: Dean of Students

3. Use of Amplified Sound in Outdoor Areas

Advance reservation is required before amplified sound may be used on campus grounds. Students, employees, sponsoring organizations and sponsored guests may use amplified sound on campus grounds only at the locations and times published by the Dean of

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Students. Amplified sound areas may be reserved on a first-come, first-serve basis and are subject to the reservation procedures published by the Dean of Students and this policy.

Amplification in the designated areas cannot exceed 92 decibels on the “A” scale at 50 feet from the source of amplification. Amplification will not be approved for any time period during the seven calendar days preceding the final week of each fall and spring semester.

Responsible Party: Dean of Students

4. Reason for Denial of a Reservations/Permit

Requests to reserve a designated area, to use amplified sound, or to register a route for a parade, march or rally may not be denied based on the content of the proposed expressive activity. Requests may be denied only for the following reasons:

- a. an earlier request to reserve the same location and time has been made;
- b. the designated area or an adjacent area has been reserved for an official University function or the designated area is no longer suitable for use due to a conflict with a nearby official University function;
- c. the reservation or registration form is incomplete;
- d. the request is exceeds more than fifteen days in a semester or is for more than five consecutive days;
- e. the proposed route of a march, parade or rally will cross space that has been reserved for an official University function or space that otherwise has been reserved in accordance with this policy or the proposed route will substantially interrupt the safe and orderly movement of traffic or create a safety hazard; or
- f. the request was submitted by an individual or organization that is not permitted to reserve space on campus under this policy.

Responsible Party: Dean of Students

5. Relocation of Expressive Activities

Individuals and organizations engaged in expressive activity on campus may be required to relocate 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:

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- 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, parking, or blocks the ingress or egress to buildings 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; or
 - e. the activity creates a health or welfare hazard, such as interfering with fire, police or emergency services.

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

6. Distribution of Literature

Students, employees and sponsoring organizations may distribute literature on campus grounds. Sponsored guests may distribute literature only in the designated area reserved for their use. Otherwise, literature may be distributed in accordance with University policy 10.13.

Students, employees, sponsoring organizations and sponsored guests who distribute literature should be considerate about collecting any litter that may be generated as a consequence of their distributions and are expected to collect 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, sponsoring organization, or sponsored guest that contains the name "University of North Texas" or "UNT" in its name or that contains any reference to being affiliated with the University, must include the statement that the literature is not official university literature and does not represent the views or official position of the University.

Responsible Party: Dean of Students

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7. Commercial Solicitation and Advertising

Individuals and organizations may engage in commercial solicitation and advertising only as allowed under UNT policies 8.3 and 10.13.

Responsible Party: Dean of Students

8. Signs and Banners

Students and employees, sponsoring organizations, sponsored guests may display signs by holding them or otherwise attaching them to their persons. Otherwise, all displays of signs and banners, including displays on outdoor bulletin boards and displays by sponsored guests, must comply with UNT policy 8.3.

Responsible Party: Dean of Students

9. Outdoor Exhibits and Structures

Outdoor exhibits and structures may be placed only in designated areas, except that individuals may place displays on 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. may not exceed twenty-five feet in length or width or fifteen feet in height,
- b. may not extend into or 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.
- 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.

Sponsored guests may set up exhibits only in accordance with this policy and University policy 8.3.

Exception to the dimension regulations shall be granted by the Dean of Students 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 that the individual or organization has insurance to cover injury or damage to persons or property is not grounds for an exception to the dimension regulations.

Request for exception to the outdoor exhibit regulation must be made at least eight business days in advance of the desired display date.

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Responsible Party: Dean of Students

10. Responsibilities of Individuals, Sponsoring Organizations and Sponsored Guests

Sponsoring organizations are responsible for ensuring that sponsored guests read and understand all obligations set out in this and all other applicable University policies. Members of the University community may be held individually responsible and sponsoring organizations may be held collectively accountable for any violations of University policies, including the Code of Student Conduct and personnel policies, as applicable.

Sponsored guests who do not comply with this or other applicable University policies automatically forfeit their reservations and must immediately vacate University property. Repeat violations of this policy by a sponsored guest may result in loss of privilege for the sponsored guests as determined by the Dean of Students.

Responsible Party: Dean of Students

11. Appeal of Decisions Related to Expressive Activity.

Students, employees and organizations whose requests for use of campus grounds for expressive activity are denied may appeal the decision to the Vice President for Student Affairs no later than two business days after the decision that is being challenged was made.

The appeal must be made in writing and state the specific reason(s) the individual or organization disagrees with the decision. The appeal should include all information the individual or organization believes will assist the Vice President for Student Affairs decide the matter.

The Vice President for Student Affairs will issue a decision on the appeal within three business days of its receipt. The decision is final.

Responsible Party: Vice President for Student Affairs

References and Cross-references.

University of North Texas policies 6.3 (Facilities Use); 6.8.1.7 (Union Bulletin Boards); 6.8.1.8 (Union Banners); 6.8.1.11 (Union Table Use); 8.3 (Signs and Banners); 9.2 (Protection of Grounds); and 10.13 (Solicitation). Dean of Student procedures and forms related to Expressive Activities.

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Forms and Tools.

[Dean of Students forms related to Expressive Activities.](#)

[Administrative Procedures: Free Speech and Public Assembly in Outdoor Area](#)

Approved: 11/3/2009

Effective: 4/17/2012

Revised: 4/17/2012

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ADMINISTRATIVE PROCEDURE

Free Speech and Public Assembly in Outdoor Area

Related Policy: 18.4.8 - Free Speech and Public Assembly on Campus Grounds

These procedures have been established to implement UNT Policy 18.4.8, Free Speech and Public Assembly on Campus Grounds Policy ("Free Speech Policy"). The procedures relate only to the regulation of expressive activity on campus grounds by students, employees, sponsoring organizations and sponsored guests as set out in the Free Speech Policy and do not apply to official academic and administrative activities and functions of the University.

I. Procedure for Reserving Space for Expressive Activity and/or Use of Amplified Sound

A request to reserve a designated area for expressive activities, or, to engage in amplified speech in a designated area, must be submitted to the Office of the Dean of Students, on the designated form, no fewer than eight (8) business days before the proposed expressive activity. Only singular reservations will be reviewed. Requests for periodic or recurring reservations will not be approved.

Responsible Party	Action
Students, employees, sponsoring organizations	<ol style="list-style-type: none">1. Obtain a copy of the <i>Request to Reserve Designated Area and/or Use of Amplified Sound for Expressive Activity</i> form online at the Dean of Students' website (dos.unt.edu) or in the Office of the Dean of Students – Union suite 319.2. Complete the form and submit it electronically through OrgSync or deliver a hardcopy to the Office of the Dean of Students by no later than eight (8) business days prior to the date of the event.
Dean of Students	<ol style="list-style-type: none">1. Review properly completed and submitted requests on a first-come, first-serve basis, based on the date and time of delivery, as soon as possible, but no more than two (2) business days after receipt.2. Approve or deny the request and notify the requestor of the decision via the e-mail address provided on the registration form.3. Provide requestor with notice of the specific boundaries of the approved designated area as well as the date and time of the approved reservation.4. Maintain a copy of the request form and decision in accordance with the Records Retention Schedule. <p>(Note: The Dean of Students may rescind an approved reservation in order to accommodate a request to use the reserved space for an official University function or an activity related to academic or research purposes. If an approved request is rescinded, the Dean of Students will contact the requestor to consider alternative options to relocate or reschedule).</p>
Students, employees, sponsoring organizations	Maintain a copy of the approved reservation on site during the period of the reservation for confirmation upon request by an appropriate University official.

II. Registering a Parade, Rally, or March

All organized parades, marches, or rallies held for expressive activity purposes, including silent protest, that will cross thoroughfares or could stop or slow traffic, must be registered with the Dean of Students no fewer than eight (8) days in advance of the planned event.

Routes for parades, rallies, and marches must be designed to avoid substantial disruption of the orderly movement of traffic or emergency services.

Routes may be designed to cross over streets and parking lots, but may not be designed to occur on University streets.

Planned routes that will occur on streets under the authority of the City of Denton are subject to municipal permit requirements and such permits must be secured in accordance with the requirements of the City of Denton.

Procedure for Registering a Parade, Rally, or March

Responsible Party	Action
Students, employees, sponsoring organizations	<ol style="list-style-type: none"> 1. Obtain a copy of the <i>Request to Reserve Designated Area and/or Use of Amplified Sound for Expressive Activity</i> form online at the Dean of Students’ website (dos.unt.edu) or in the Office of the Dean of Students – Union suite 319. 2. Complete the form and include a map or description of the proposed route of the parade, march, or rally. 3. Submit an electronic copy of the form through OrgSync or deliver a hardcopy to the Office of the Dean of Students by no later than eight (8) business days prior to the date of the event.
Dean of Students	<ol style="list-style-type: none"> 1. Review properly completed and submitted requests on a first-come, first-serve basis, based on the date and time of delivery, as soon as possible, but no more than two (2) business days after receipt. 2. Approve or deny the request and notify the requestor of the decision via the e-mail address provided on the registration form. 3. Maintain a copy of the request form and decision in accordance with the Records Retention Schedule.
Students, employees, sponsoring organizations	Maintain a copy of the approved form for review on site, upon request during the activity.

III. Displaying Exhibits that Require Securing

Reservation of campus grounds for expressive activity that requires securing exhibits or displays or that could damage campus grounds or underground utilities/systems must be made in advance of the activity and may require approval/assistance from the UNT Facilities department. Outdoor exhibits may not be staked in areas the Facilities department determines is unable to secure the exhibit or in areas where utilities or ground irrigation systems may be damaged.

Procedure for Setting Up Exhibits that Require Securing

Responsible Party	Action
Students, employees, sponsoring organizations	<ol style="list-style-type: none">1. Complete the <i>Request to Reserve Designated Area and/or Use of Amplified Sound for Expressive Activity</i> form, indicating that staking or heavy objects will be used on campus grounds during the event.2. Submit a copy of the form to the Office of the Dean of Students by no later than eight (8) business days prior to the date of the event.
Dean of Students	<ol style="list-style-type: none">1. Approve or deny the request to reserve the space and/or the use of exhibits during the event.2. Notify the UNT Facilities department of all requests to stake outdoor exhibits a minimum of three (3) days prior to the event.3. Notify requestor if the UNT Facilities department determines that additional ground reinforcement must be provided.4. Maintain a copy of the request form and decision in accordance with the Records Retention Schedule.
Students, employees, sponsoring organizations	Maintain a copy of the approved reservation for review on site, upon request during the period of the reservation.

IV. Appeal of Decision Denying Request for Use of Campus Grounds

All decisions made by the Dean of Students related to use of campus grounds for expressive activity are subject to review by the Vice President of Student Affairs. All appeals must be in writing and must include the basis for the disagreement with the decision of the Dean of Students and any other information relevant to the appeal. The appeal must be submitted electronically to the Vice President for Student Affairs. The decision of the Vice President for Student Affairs is final.

Decisions made by the University police to relocate an expressive activity in accordance with the Free Speech Policy may not be appealed.

Procedure for Filing an Appeal

Responsible Party	Action
Students, employees, organizations and sponsored guest	<p>Submit the written appeal and any other relevant information to the Vice President or Student Affairs by no later than two (2) business days after the date of the decision by the Dean of Students electronically or by hand delivery.</p> <p>The request must include, at a minimum, the reason(s) the requestor believes the Dean of Students' decision to deny the reservation or registration request was incorrect and an e-mail address where notice of the decision concerning the appeal should be sent.</p>
Vice President for Student Affairs	<ol style="list-style-type: none">1. Issue a decision on the appeal as soon as possible, but not later than three (3) business days after receiving the appeal.2. Notify the requestor of the decision via the e-mail address provided by the requestor.3. Maintain a copy of the appeal and decision in accordance with the Records Retention Schedule.

V. Areas Designated for Expressive Activity and Sound Amplification

The areas and times listed in the chart below have been designated for reservation for expressive activity. These areas may be reserved Monday through Friday. Amplified sound is permitted at the locations and times as specified.

Main University Campus

<u>Area</u>	<u>Description</u>	<u>Capacity</u> <i>(estimate only)</i>	<u>Hours Available for Amplified Sound</u>
1	Grassy area northeast of Information Science Building	200	11:30 am to 1:00 pm / 5:00 pm to 10:00 pm
2	Grassy area southwest of the Business Building	75-100	11:30 am to 1:00 pm / 5:00 pm to 10:00 pm
3	Grassy area northeast of the University Union	75	11:30 am to 1:00 pm / 5:00 pm to 10:00 pm
4	Grassy area southeast of the University Union	125	8:00 am to 10:00 pm
5	Grassy area south of the Library Mall near Highland by the Willis Library	125	8:00 am to 10:00 pm
6	Grounds north of Library Mall to Onstead Plaza and campus grounds just north of Willis Library	1,000	11:30 am to 1:00 pm / 5:00 pm to 10:00 pm
7	Grassy area just west of the southwest entrance of the Information Science Building	50-75	11:30 am to 1:00 pm / 5:00 pm to 10:00 pm
8	Grassy area just southwest of the General Academic Building	50	11:30 am to 1:00 pm / 5:00 pm to 10:00 pm

Designated Areas for Expressive Activity and Sound Amplification (cont'd)

Discovery Park Campus

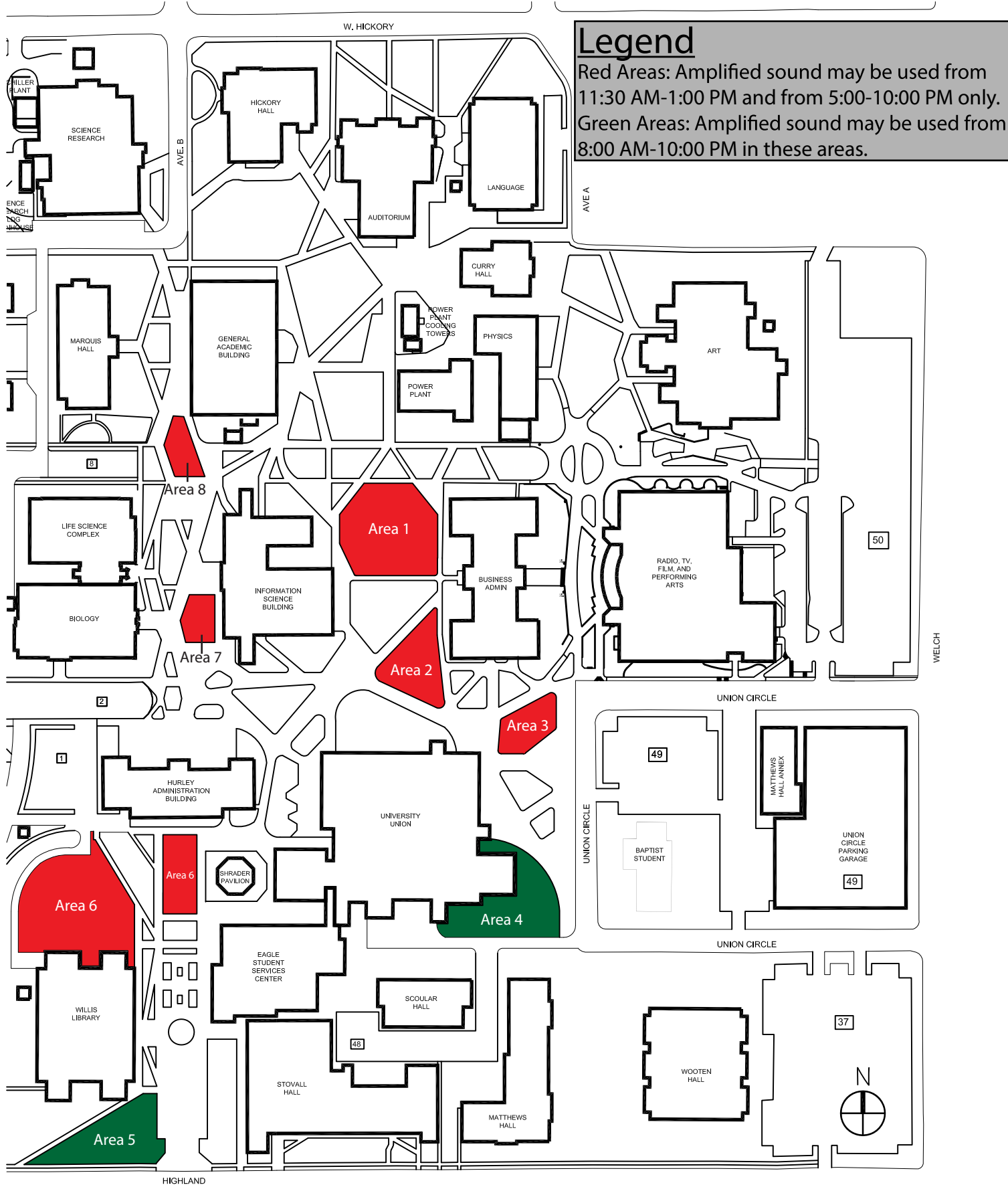
<u>Area</u>	<u>Description</u>	<u>Capacity</u> <i>(estimate only)</i>	<u>Hours Available for Amplified Sound</u>
1	Grounds between UNT Discovery Park main stop and building	75-100	11:30 am to 1:00 pm / 5:00 pm to 10:00 pm
2	Grounds between UNT Discovery Park east stop and building	50	11:30 am to 1:00 pm / 5:00 pm to 10:00 pm

Victory Hall/Mean Green Campus

<u>Area</u>	<u>Description</u>	<u>Capacity</u> <i>(estimate only)</i>	<u>Hours Available for Amplified Sound</u>
1	Grounds corridor from Victory Hall/UNT Shuttle Eagle Point stop to outside CHAMPS dining hall entrance	50	8:00 am to 10:00 pm

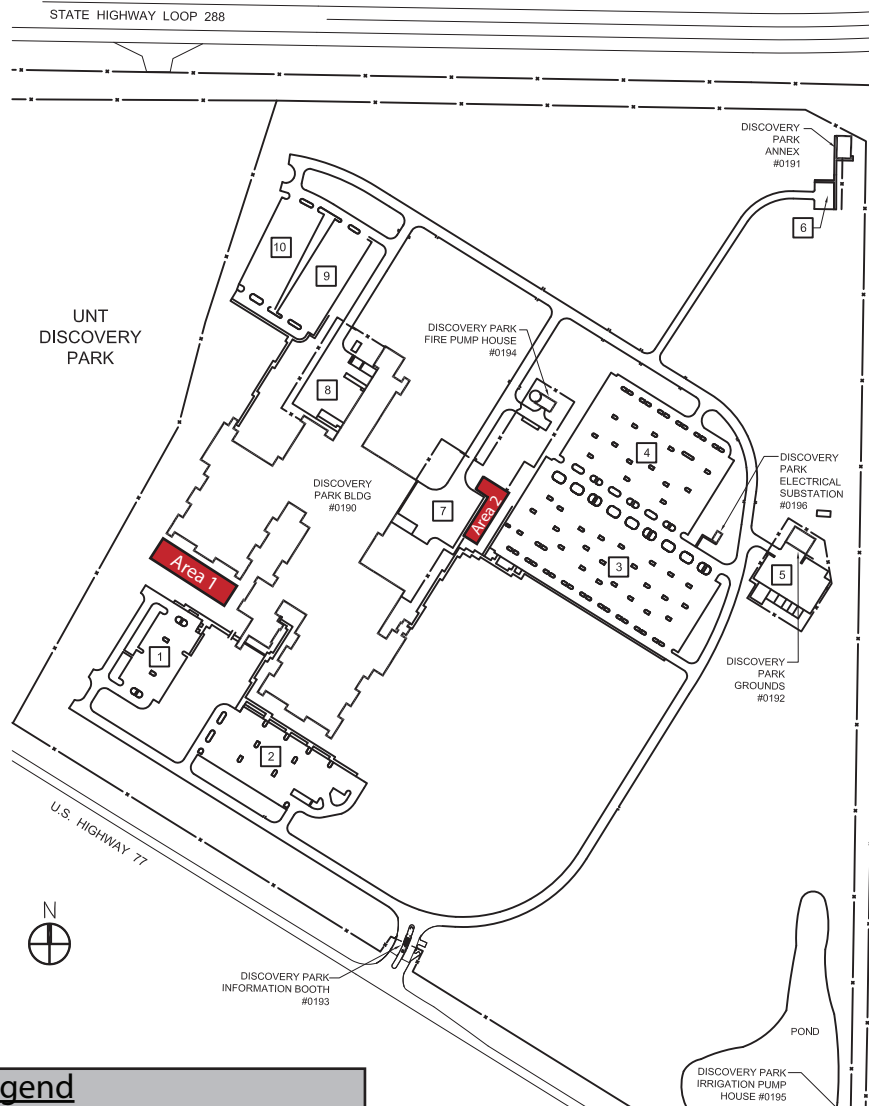
Questions concerning these procedures should be directed to the Office of the Dean of Students at (940) 565- 2648.

Main University Campus



Discovery Park Campus and Victory Hall/Mean Green Campus

UNT Free Speech Designated Areas for Reservation Discovery Park Campus



Legend
Red Areas: Amplified sound may be used from 11:30 AM-1:00 PM and from 5:00-10:00 PM only.

UNT Free Speech Designated Areas for Reservation Victory Hall/Mean Green Campus

