

Institution:	University of North Texas at Dallas
Policy Number & Chapter Title:	07.009 Student Affairs, Education, & Funding
Policy Title:	Free Speech & Public Assembly on Campus Grounds

I. **Policy Statement.** The University of North Texas at Dallas (UNT Dallas) recognizes that the freedom to exchange ideas and to publicly assemble is an essential component of the educational process. Such activities promote debate and the sharing of ideas that substantially contribute to the marketplace of ideas and are a fundamental principle of educational institutions.

The responsibility of UNT Dallas 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 activity on campus grounds. In keeping with this responsibility, University students, faculty and staff, and visitors are free to engage in expressive activity at UNT Dallas in a constitutionally protected manner subject to the content-neutral regulations necessary to fulfill the mission and obligations of UNT Dallas, preserve the rights of others, coordinate multiple uses of limited space, and assure preservation of campus facilities and grounds.

II. **Application of Policy.** This policy applies to all members of the University community and visitors. It does not apply to official UNT Dallas academic and administrative activities and functions, and does not prohibit faculty members from maintaining order in the classroom.

III. **Policy Definitions.** The following definitions apply for the purposes of this policy only:

- A. **Amplified sound.** An “amplified sound” means sound that is increased or enhanced by any electric, electronic, or mechanical means, including hand-held devices such as megaphones and sound trucks. Other sounds, specifically individual shouting or group chanting/singing is subject to general regulations concerning disruption of official university functions.
- B. **Campus grounds.** “Campus grounds” means all common outdoor areas owned, leased, or controlled by UNT Dallas that are accessible to all members of the University community and visitors, such as sidewalks, courtyards, and grassy areas.
- C. **Designated area.** A “designated area” means an outdoor area of property owned, leased, or controlled by the University that may be reserved by University community and visitors for expressive activity.
- D. **Expressive activity.** An “expressive activity” means the verbal or symbolic communications of an idea, thought, or opinion. It may be a speech, assembly, march, parade, rally, picketing, distribution of literature, graphic/pictorial displays, or other similar forms of expression intended to communicate an idea or an opinion. It does not include speech that is likely to incite or produce imminent lawless action, an expression that consists of fighting words or threats of physical harm or an expression that is defamatory, obscene, or commercial in nature.
- E. **Literature.** “Literature” means any printed or digital material that is produced in for distribution or publication to an audience, including but not limited to; flyers, handbills, leaflets, placards, bulletins, newspapers, and magazines. It does not include any UNT Dallas-sanctioned student newspaper or official UNT Dallas materials.
- F. **Normal business hours.** “Normal business hours” mean Monday through Friday 7:00 a.m.- 11:00 p.m. and Saturday 7:00 a.m.-8:00 p.m.
- G. **Official University function.** An “official University function” means any activity, event, or

program by an academic or administrative unit of UNT Dallas and any activity and on-campus program sponsored by a student or an employee organization.

- H. Organization.** An “organization” means a group comprised of members of the University community or visitors who come together in pursuit of a common purpose.
- I. Outdoor structure or exhibit.** An “outdoor structure or exhibit” refers to anything built, constructed, or displayed temporarily on campus grounds as part of an expressive activity, including tents.
- J. Student.** A “student” is an individual who is currently enrolled and attending UNT Dallas.
- K. University.** “University” means the University of North Texas at Dallas.
- L. University community.** “University community” means all students enrolled and faculty and staff working at UNT Dallas, and organizations as defined in this policy.
- M. Visitor.** A “visitor” means an individual who is not a student, faculty member, or staff member.

IV. Responsibilities.

- A.** The Office of Events Management is responsible for the administration of this policy, including:
 - 1. identifying locations and establishing times for use of designated areas on campus grounds;
 - 2. establishing times for use of amplified sound on campus grounds;
 - 3. managing requests for reservation of designated areas on campus grounds;
 - 4. relocating expressive activities in accordance with this policy;
 - 5. implementing procedures to request reserving designated areas on campus grounds for the purpose of conducting expressive activities;
 - 6. communicating the locations, times, procedures, and forms required under this policy at the beginning of each academic year; and
 - 7. ensuring this policy is included in student and employee handbooks, provided at freshman, transfer and graduate student orientation and is posted on THE UNT Dallas website.

A. Use of Campus Grounds.

- 1. Campus grounds at UNT Dallas are intended to be used, primarily for UNT Dallas instruction, research programs, and administrative activities and, secondarily, for programs sponsored and conducted by UNT Dallas academic and administrative departments or organizations affiliated with those departments, including student, faculty, and staff organizations.
- 2. Members of the University community, and visitors may engage in expressive activity on campus grounds without the need for prior reservation, except as set out in this and other applicable UNT Dallas policies. An expressive activity may not create a vehicular or other safety hazard or constitute disruptive activity, defamation, riotous conduct, obscenity, or unduly interfere with the expressive activity of others.

3. Displaying a sign, gesturing, wearing symbolic clothing, or otherwise protesting silently is permissible on campus grounds unless such activity is determined to be disruptive.
4. An individual or organization planning to organize a parade, march, rally in areas that cross streets or would stop or slow traffic must register with the Office of Student Affairs at least three (3) business days in advance of the activity in order to help ensure the proposed activity does not substantially interrupt the safe and orderly movement of traffic or create a safety hazard. A member of the University community planning to organize a parade, march, rally in areas that cross streets or would stop or slow traffic must register with the Office of Events Management at least three (3) business days in advance of the activity in order to help ensure the proposed activity does not substantially interrupt the safe and orderly movement of traffic or create a safety hazard. .
5. UNT Dallas does not augment existing utilities, restrooms, equipment, or parking services to support an expressive activity on campus grounds.

B. Reservation of Designated Area for Expressive Activities.

Generally, designated areas on campus grounds are open to members of the University community, and visitors for expressive activity during the normal business hours of the University. In order to allow reasonable access to designated areas, members of the University community and visitors may request to reserve these locations a total of 15 days and no more than five (5) consecutive days in a semester.

1. **Designated Areas for Expressive Activity Anticipated to Draw a Crowd.**
Individuals and organizations are encouraged to reserve a designated area on campus grounds for an expressive activity when it is reasonably anticipated that the activity may draw a crowd of twenty-five (25) or more individuals. Designated areas are reserved on a first-come, first-serve basis, subject to the reservation procedures set out in this policy.
2. **Visitors.**
Visitors may reserve a designated area on campus grounds for the purpose of engaging in an expressive activity by submitting a request to the Office of Events Management no later than three (3) business days before the proposed expressive activity is to take place.
3. **Actions on Reservation Requests.**
The Office of Events Management will act on a request to reserve a designated areas on campus grounds no later than two (2) business days after a properly submitted request is received. If a request is denied, the Office of Events Management will, if possible, propose measures to address any defects in the request. When the basis for denial is receipt of an earlier request to reserve the same designated area and time, the Office of Events Management will inform the individual or organization of other dates, times, and locations that are available for reservation.

Responsible Party: Office of Events Management

C. Use of Amplified Sound on Campus Grounds.

1. **Advance Registration.**
Advance registration is required before amplified sound may be used on campus grounds. Members of the University community and visitors may use amplified sound on campus grounds only at designated areas and times published by the Office of Events Management. Amplified sound areas may be reserved on a first-come, first-serve basis and are subject to the reservation procedures published by the Office of Events Management.

2. **Amplification Levels.**
The amplification of sound in designated areas cannot exceed 92 decibels on the "A" scale at fifty (50) feet from its source.
3. **Limitations.**
The request to use amplified sound will not be approved for any time period during the seven (7) calendar days preceding the final week of each fall and spring semester due to the University exam schedule.

D. Relocation of Expressive Activity.

Individuals and organizations engaged in expressive activity on campus grounds may be required to relocate to other areas by the Office of Events Management or, when immediate action is necessary, the UNT Dallas Police Department, under the following circumstances:

1. the noise generated by the activity disrupts an official UNT Dallas function or substantially interferes with official UNT Dallas activities (e.g., activity is too close to academic building);
2. the designated area does not safely accommodate the number of participants;
3. 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 UNT Dallas activities;
4. the designated area has been reserved for an official UNT Dallas function, has been reserved in accordance with this policy, or the designated area is needed for an official UNT Dallas function; or
5. the activity creates a health or welfare hazard, such as interfering with health and safety services, or inclement weather.

Responsible Party: Events Management & UNT Dallas Police Department

E. Speakers and Approvals.

1. Students and employees may invite individuals to the campus 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 in reviewing the engagement or in assessing a fee to use campus facilities.

When reviewing and 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 non-compliance with University policies by the speaker or the requestor.
2. Use of UNT Dallas facilities must follow Facilities Use Coordination and other

applicable university policies and procedures.

F. Distribution of Literature.

1. Literature to be distributed on campus grounds must be of a non-commercial nature.
2. Literature must clearly indicate the name of the individual or organization.
3. Literature distributed by an individual or organization that includes the name UNT Dallas or University of North Texas at Dallas in its name, or that contains any reference to an affiliation with UNT Dallas, must include a statement that the literature is not official UNT Dallas literature and does not represent the views or official position of UNT Dallas.
4. Distribution of literature cannot obstruct the free flow of traffic.
5. Materials may be offered to, but not forced upon, individuals.
6. The individual or organization is responsible for collecting literature that is left over or that is on the ground in the area in which it is distributed.

Responsible Party: Office of Events Management

G. Commercial Solicitation and Advertising.

Individuals and organizations may engage in commercial solicitation and advertising only as allowed under UNT Dallas policy.

H. Use of Signs and Banners During Expressive Activity.

Members of the University community, and visitors may display signs by holding them or otherwise attaching them to themselves. Displays of signs and banners, including displays on outdoor bulletin boards must comply with the applicable UNT Dallas policies.

I. Outdoor Structures or Exhibits.

1. Stationary Exhibits.
Stationary exhibits and structures may be placed only on designated areas, except that individuals may place displays on easel-type supports on campus grounds that are open and accessible for expressive activity. Stationary exhibits and structures may not exceed 25 feet in length/width or 15 feet in height and 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. The Office of Events Management may grant exceptions to the dimension requirements upon a showing that an exhibit will not present a safety hazard and will not interfere with pedestrian or vehicular traffic. Requests for exceptions must be submitted at least five (5) business days in advance of the desired display date.
2. Enclosed Structures or Exhibits.
The interior of three-dimensional structures or exhibits must be fully visible from at least one side of the structure or exhibit and no outdoor structure or exhibit may provide opportunity for individuals to be completely hidden from view.

J. Disciplinary Sanctions for Interference with Expressive Activity.

1. Individuals and organizations are responsible for reading and understanding all obligations set out in this policy and all other applicable UNT Dallas policies.
2. Members of the University community and student organizations who unduly interfere with or disrupt an expressive activity are subject to disciplinary action. Students and student organizations are subject to discipline under the UNT Dallas Code of Student Conduct. Faculty and staff employees are subject to action under the faculty or staff discipline policies, as applicable.
3. Visitors who do not comply with this or other applicable UNT Dallas policies will be directed to vacate the University grounds.

Responsible Party: Dean of Students, Provost, and Human Resources

K. Review of Decisions Related to Expressive Activity.

Members of the University community and visitors 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 Chief Financial Officer (CFO). The request for review must be filed by 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:

1. The specific reason(s) the individual or organization disagrees with the decision or believes the policy violation has occurred, as applicable; and
2. All information the individual or organization believes will assist the CFO in reaching a determination on the matter.

The CFO will issue a written decision within a reasonable time, usually within three (3) business days of a receipt of a request. The Chief Financial Officer's decision is final.

Responsible Party: Chief Financial Officer

L. Education, Training, and Resources.

1. The University will make this policy available by:
 - a. Publication on University website and in the academic catalogs; and
 - b. Providing the policy to all new students and employees during orientation programs and through the university policy manual.
2. The University will develop training materials and programs for employees and students to ensure each individual understands their responsibilities in adhering to this policy.

Responsible Party: Dean of Students and Human Resources

V. References & Cross-References.

- UNT Dallas Policy 5.021; *Disciplinary Procedures for Staff Employees*
- UNT Dallas Policy 6.011; *Faculty Discipline & Termination*

- UNT Dallas Policy 7.001; *Code of Student's Rights, Responsibilities, & Conduct*
- UNT Dallas Policy 11.006; *Facilities Use*
- UNT Dallas Procedures for Free Speech and Public Assembly in Outdoor Areas

VI. Revision History

Policy Contact:	Dean of Students
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