

The University of North Texas at Dallas Policy Manual	Chapter 7.000
7.009 Free Speech and Public Assembly	Student Affairs, Education & Funding

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 foundation 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 UNT Dallas grounds. In keeping with this responsibility, students, faculty and staff are free to exercise their rights to assemble and to engage in expressive activity at UNT Dallas in a constitutionally protected manner subject only 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 grounds.

Application of Policy. This policy applies to all UNT Dallas students, student organizations, employees and sponsored guests. This policy does not apply to official UNT Dallas academic and administrative activities and functions.

Definitions.

The following definitions apply for the purposes of this policy only:

1. **Amplified sound.** “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 sound, specifically individual shouting or group chanting/singing is subject to general regulations concerning disruption of official university functions.
2. **Campus grounds.** “Campus grounds” mean all outdoor areas owned, leased or controlled by UNT Dallas that are common and accessible to all students and employees such as sidewalks and courtyards and grassy areas, excluding all UNT Dallas parking lots.
3. **Designated areas.** “Designated areas” mean outdoor areas or property owned, leased, or controlled by UNT Dallas that may be reserved by students and employees for expressive activity and used by sponsored guests for this purpose.

4. Employee. "Employee" means a person currently employed by UNT Dallas on a full-time, part-time or hourly basis.
5. Expressive activity. "Expressive activity" means the verbal or symbolic expression of an idea, thought or opinion that 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 an 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. "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 any UNT Dallas sanctioned student newspaper or official UNT Dallas materials.
7. Official University function. "Official university function" means all activities, events and programs sponsored by an academic or administrative unit of UNT Dallas and all activities and on-campus programs sponsored by student or employee organizations.
8. 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.
9. Normal business hours. "Normal business hours" mean the hours between 7:00 a.m. and 10:00 p.m., on Monday through Thursday and 7:00 a.m. and 8:00 p.m., on Friday and Saturday.
10. Sponsored activity. "Sponsored activity" means any expressive activity that is presented by a sponsored guest under this policy.
11. Sponsored guest. "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.
12. Student. "Student" means any person who is currently enrolled and attending UNT Dallas.
13. Sponsoring organization. "Student organization" means a registered student organization, or a group comprised of UNT Dallas students or employees who officially represent UNT Dallas at activities sanctioned by UNT Dallas.
14. University. "University" means the University of North Texas at Dallas.

Procedures and Responsibilities.

1. Use of Campus Grounds.

- a. Campus grounds at UNT Dallas are intended to be used first for UNT Dallas instructional and 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 organizations.
- b. Students and employees 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. 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 on university grounds unless such activity is disruptive as defined by federal or state law.
- c. Students, employees and sponsoring organizations that wish to organize parades, marches or rallies in areas that cross streets or would stop or slow traffic must register with the Office of Student Life at least eight (8) 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.
- d. Campus grounds may not be used by individuals or organizations not directly connected with UNT Dallas except as permitted by UNT Dallas policy.
- e. UNT Dallas does not provide water or electricity to support expressive activity.

2. Reservation of Campus Grounds for Expressive Activities.

Campus grounds generally are open to students, employees and sponsoring organizations for expressive activity during the University's normal business hours.

- a. Areas designated for expressive activity anticipated to draw a crowd.
Individuals and organizations are encouraged to reserve areas on campus that are designated for expressive activity when the activity may reasonably be anticipated to draw a crowd of twenty-five (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 Office of Student Life and Success and set out in this policy. Only the individuals or sponsoring organizations that

reserve a designated space may use the area for expressive activity during the reserved period.

- b. Use of amplified sound. A reservation is required for the use of amplified sound anywhere on campus grounds.
- c. Sponsored guests. 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 (8) business days in advance of a sponsored activity.

In order to allow reasonable access to designated areas, students, employees and sponsoring organizations may reserve these locations a total of 15 days and no more than five (5) consecutive days in a semester.

The Office of Student Life is responsible for administration of this policy, including:

- i. identifying locations and establishing times for use as designated areas and identifying locations and establishing times for use of amplified sound.
- ii. managing requests for reservation of campus grounds under this policy.
- iii. relocating expressive activity as permitted under this policy.
- iv. developing procedures for reserving areas for expressive activity and use of amplified sound and for registering parades, rallies and marches.
- v. creating forms for use in reserving designated areas for expressive activity, using amplified sound and registering parades, rallies and marches; and,
- vi. publishing the locations, times, procedures and forms required under this policy at the beginning of each academic year.

- d. Actions on reservation requests. The Office of Student Life will act on a request to reserve designated areas and to register a parade, rally or march no later than two (2) business days after a properly submitted request is received. If a request is denied, the Student Wellness Coordinator or designee 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 Office of Student Life will inform the individual of organization whose request is denied of other dates, times and locations that are available for reservation.

3. **Use of Amplified Sound on Campus Grounds.**

- a. Advance registration. Advance registration is required before amplified sound may be used on campus grounds. Students, employees, organizations and sponsored guests may use amplified sound on campus grounds only at the locations and times published by the Office of Student Life. Amplified sound areas maybe reserved on a first-come, first-serve basis and are subject to the reservation procedures published by the Office of Student Life.
- b. Amplification levels. Amplification in the designated areas cannot exceed 92 decibels on the "A" scale at fifty feet from the source of amplification.
- c. Limitations. Amplification will not be approved for any time period during the seven (7) calendar days preceding the final week of each fall and spring semester.

4. **Actions Regarding a Request for a Reservation or Permit.**

- a. 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.
- b. Request may only be denied for the following reasons:
 - i. an earlier request to reserve the same location has been made;
 - ii. the designated area or an adjacent area has been reserved for an official UNT Dallas function or the designated area is no longer suitable for use due to a conflict with a nearby official UNT Dallas function;
 - iii. the reservation or registration form is incomplete;

- iv. the request exceeds more than 15 days in a semester or is for more than five (5) consecutive days;
- v. the proposed route of a parade, march or rally will cross space that has been reserved for an official UNT Dallas function or space that otherwise has been reserved in accordance with this policy of the proposed route will substantially interrupt the safe and orderly movement of traffic or create a safety hazard; or
- vi. the request was submitted by an individual or an organization that is not permitted to reserve space on campus under this policy.

5. **Relocation of Expressive Activity.**

Individuals and organizations engaged in expressive activity on campus may be required to relocate to other areas by the Associate Provost for Student Success, the Office of Student Life, or when immediate action is necessary, the University Police, under the following circumstances:

- i. the noise generated by the activity disrupts an official UNT Dallas function or substantially interferes with official UNT Dallas activities (e.g., the activity is too close to an academic building);
- ii. the location does not safely accommodate the number of participants;
- iii. 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;
- iv. the space has been reserved for an official UNT Dallas function, has been reserved in accordance with this policy, or a reserved location is needed for an official UNT Dallas function; or
- v. the activity creates a health or welfare hazard, such as interfering with fire, police or emergency services.

6. **Distribution of literature.**

- a. Students, employees, and sponsoring organizations may distribute literature on campus grounds.
- b. Sponsored guests may distribute literature only in the designated area reserved for their use.
- c. Individuals and groups should be considerate about collecting any litter that may be generated as a consequence of their activities and are expected to collect all extra literature and any literature that has been discarded on the ground.
- d. Literature distributed by a sponsoring 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.

7. **Commercial Solicitation and Advertising.**

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

8. **Use of Signs and Banners During Expressive Activity.**

Students and employees and members of student and employee organizations may display signs by holding them or otherwise attaching them to their persons. Sign supports may not exceed 24 inches in length or one (1) inch thickness, and may not have a sharp point at the end. Otherwise, all displays of signs and banners, including displays on outdoor bulletin boards and displays by sponsored guests must comply with the University's Facilities Use Policy and corresponding guidelines.

9. **Outdoor Structures or Exhibits.**

- a. **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 or width of 15 feet in height; 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 Student Life 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. Proof that a requesting individual or organization has insurance to cover injury or damage to persons or property is not grounds for exception to the dimensions regulation. Requests for exceptions must be made at least seven (7) business days in advance of the desired display date.
- b. **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.
- c. **Sponsored guests.** Sponsored guests may set up exhibits only in accordance with this policy.

10. **Responsibilities of Individuals, Sponsoring Organizations and Sponsored Guests.**

- a. Sponsoring organizations are responsible for ensuring that sponsored guests read and understand all obligations set out in this policy and all other applicable UNT Dallas policies.
- b. A member of the sponsoring organization must be present for the duration of any expressive activity by sponsored guests.
- c. Members of the university community may be held individually responsible and sponsoring organizations may be held collectively accountable for any violations of UNT Dallas policies, including the Code of Student's Rights, Responsibilities and Conduct and personnel policies as applicable.
- d. Sponsored guests who do not comply with this or other applicable UNT Dallas policies will automatically forfeit their reservations and must immediately vacate UNT Dallas property.

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 Associate Provost for Student Success no later than two (2) business days after the challenged decision was issued.

The appeal must be 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 Associate Provost for Student Success decide the matter.

The Associate Provost for Student Success will issue a decision on the appeal within three (3) business days of receipt. The decision is final.

References and Cross-references.

[UNTD Policy 11.006, Facilities Use](#)

Procedures for Free Speech and Public Assembly in Outdoor Area

Approved: 8/26/2010

Effective: 8/26/2010

Revised: 4/23/2012