

BLACK HILLS STATE UNIVERSITY
Policy and Procedures Manual

SUBJECT: Freedom of Speech and Use of Institutional Facilities and Grounds for Expression &

the University, which will render the performance of its obligations under this policy impracticable.

- h. Nothing in this policy shall prohibit university students, faculty, administrators, and other employees to spontaneously and contemporaneously assemble, as long as their conduct is not unlawful and does not materially and substantially disrupt the functioning of the institution. Advance notice to the Department of Public Safety and written authorization are required for events that:

- i. Are reasonably expected to attract a large crowd

activity by non-affiliated parties will be permitted during the first week of each new semester, the week prior to final exams, and the week of final exams.

iv.

generally available for non-affiliated parties, who are otherwise in compliance with the provisions of this policy, to engage in expressive activity without paying a fee, so long as:

1. All applicable federal and state laws, city ordinances, and BHSU and SDBOR policies are followed;
2. Pedestrian and/or vehicular traffic is not impeded.
3. Instructional, research, service or administrative

- i. Items distributed on University property are the responsibility of the non-affiliated party, and in no way imply or suggest any relationship with, or official sanction by, BHSU.
 - ii. The distribution of any item that would infringe upon, or in any way violate, a legal trademark or copyright will be prohibited. Exceptions will be granted only with the expressed written consent of the trademark or copyright holder.
 - iii. No individual may be forced to take materials from a non-affiliated party engaging in an expressive activity.
 - f. A request form for expressive activity may be denied, and the University reserves the right to cancel or postpone any previously approved request form on one or more of the following grounds:
 - i. Conflict with a pre-existing reservation or planned use of the location that would unreasonably interfere with the event.
 - ii. Failure to comply with reasonable restrictions on signage, display, erection of structures, sound amplification restrictions, or other aspects of the expressive activity that would unreasonably interfere with the health or safety of persons, protection of property, access, traffic, or the peaceful, orderly operations of the campus.
 - iii. Inadequate notice for purposes of providing security, facilities, or other preparations necessary for the protection of persons and property.
 - iv. The reservation or request form is incomplete.
 - v. Failure to comply with any of the provisions of this policy.
 - g. Non-affiliated parties wishing to appeal a denial may use the appeal process listed in [Board of Regents Policy 6:13](#).
4. Responsible Administrator

The Vice President for Finance & Administration, or designee, is responsible for the ad hoc and annual review of this policy and its procedures. The University Presdm0 g-2(d)JTJETQ0.000009

SOURCE: Approved by President Laurie Nichols on 10/5/2020; Revised 4/8/2021; Revised 2023.02.27