Policy 8.14 Respect for Open Expression Policy

Responsi le Official: VP and Dean for Campus Life

! dministerin" #ivision/#epartment: Campus Life

Effective #ate: October 29, 2013

\$ast Revision #ate: September 21, 2018

Policy %ections:

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Policy #etails

8!1+!1 Principles

8!1+!2 \$pplicabilit&, Scope, and Definitions

8!1+!3 Committee for Open , -pression

8!1+!3!1 .urisdiction

8!1+!3!2 Committee 'esponsibilities

8!1+!3!3 Composition and /erm

8!1+!3!+ Committee Procedures

8!1+!+ 0iling Compliaints to t1e Committee for Open , -pression

8!1+!+!1) earing Pane

8!1+!+!2 n"estigations

8!1+!+!3 0indings

8!1+!+!+ \$ut1orit&

8!1+!2 Communit& 'esponsibilities

8!1+!2!1 \$#areness of Communit& 'esponsibilities

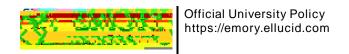
8!1+!2!2 Oreedom of Speec1 and Oreedom of , -pression3 .oint Standards

8!1+!2!3 Standards for Sc1eduling 4 eetings, Protests, and , "ents for bot1 ndoor and Outdoor Locations

8!1+!2!+ Violation of Communit& 'esponsibilities

8!1+!2!2 Violation of Ot1er Policies t1at relate to Open , -pression

8!1+!2!5 Supporting, -pression, Protest, and Dissent t1roug1 6ni "ersit& Space



, mor& 6ni ersit& also affirms alues of di ersit&, inclusion, and communit&! /1e 6ni ersit& Communit& is di erse α in race, et1nicit&, gender, se-ual orientation, bac(ground, age, religion, abilities, life e-periences, political ideologies, ideas of t1oug1t, and in man& ot1er #a&s! /1e actions of eac1 member 1a e an impact upon t1e culture of inclusion 42 comniif6un n uaotd/16s\$67(for]#1ibd1#6. Str0' asta cionm1unit&! /1ec6ni er

8.14.+ *ommunity Responsi ilities

, mor& 6ni "ersit& respects t1e Constitutional rig1ts of free speec1 and assembl&! \$s suc1, t1e onl& responsibilities outlined in t1is section t1at limit t1e free e-ercise t1ereof 1a e been done in a #a& to ensure ma-imum open e-pression and narro#l& tailoring e-ceptions to specific safet& or communit& concerns!

8!1+!2!1 \$#areness of Communit& 'esponsibilities

, ac1 member of t1e Communit& is e-pected to (no# and fo\mo\# t1is Po\mo\mathbb{ic&!} \$ person #1o "io\mathbb{io\mathbb{a}tes t1ese standards or ot1er po\mo\mathbb{icies of t1e 6ni\mathbb{n}\mathbb{e} resit\mathbb{e} in t1e course of open e-pression ma\mathbb{e} be 1e\mathbb{d} accountable for t1at conduct! \$n\mathbb{e} member of t1e Communit\mathbb{e} #1o is in doubt as to t1e propriet\mathbb{e} of p\mathbb{a}nned conduct ma\mathbb{e} see(guidance from t1e Committee for Open , -pression in ad\mathbb{e} ance of t1e , \"ent!

8!1+!2!2 Oreedom of Speec1 and Oreedom of , -pression3 .oint Standards

, -pression t1at communicates a "ie#point, regardless of form, is protected as long as it does not "iolate t1e guidelines of t1is Polic&! /1is includes protest, dissent, and an& ot1er communicati"e acti"it&, #1et1er or not it occurs in t1e conte-t of a 4eeting or , "ent!

/1e rig1t to Dissent is t1e complement of t1e rig1t to spea(, but t1ese rig1ts ma& conflict at certain times! /1e 6ni"ersit& promotes simultaneous, but not disrupti"e, Dissent! \$s suc1, during a sc1eduled , "ent or 4 eeting, a spea(er is entitled to communicate a message to an audience during an allotted time, and t1e audience is entitled to 1ear t1e message and see t1e spea(er during t1at time! \$ dissenter must not substantialle interfere #it1 t1e spea(er!s abilit& to communicate or t1e audience!s abilit& to 1ear, see, or =uestion t1e spea(er! Protests outside of a 4 eeting, , "ent, or anot1er Protest s1all not impede access to t1e 4 eeting, , "ent, or Protest nor substantialle interfere #it1 t1e communication inside!

8!1+!2!3 Standards for Sc1eduling 4 eetings, Protests, and , "ents for bot1 indoor and Outdoor Locations

t is t1e polic& of t1e 6ni "ersit& to protect "oluntar& assembl& and to ma(e its facilities a "ailable for assembl&! /1e

- b! Cause substantial disruption to a 4 eeting or , "ent t1at impedes t1e rig1ts of attendees of t1at 4 eeting or , "ent, including e-cessi"e noise, continuall interrupting a spea(er, or pre"enting an audience from seeing*engaging #it1 a spea(er during a 4 eeting or , "ent!
- c! Create undue 1ards1ip t1at substantia\% impedes a Communit\% member\s rig1t to open e-pression, suc1 as unreasonab\end{a}e space reser"ation or usage po\(\)icies\!

8!1+!2!2 Violation of Ot1er Policies t1at relate to Open , -pression

Communit& members, in t1e course of t1eir actions, "iolate ot1er policies of t1e 6ni"ersit& \(\)suc1 as t1e 6ndergraduate Student Code of Conduct, Codes of Conduct in t1e J raduate and Professional sc1ools, and ot1ers t1at can be found at ###!policies!emor&!edu< and are no \(\)onger operating #it1in t1e spirit of Open , -pression at , mor& if\(\)

- a! /1e% "iolate an% federal, state, local or ot1er applicable la# 9e!g!, gaining unaut1oriAed access to restricted areas, refusing to lea "e restricted areas if instructed, defacing of public and*or pri ate propert%, etc!<!
- c! /1e& interfere unreasonabl& #it1 t1e general operations of t1e 6ni ersit&!
- d! /1e& 1olid 4 eetings, , "ents, or Protests under circumstances #1ere t1e 1ealt1 or safet& of persons is endangered!
- e! /1e& (no#ingl& interfere #it1 unimpeded mo"ement in a 6ni"ersit& location!, -amples ma& include pre"enting access to a building, or bloc(ing an& entrances or e-its in a #a& t1at causes safet& concerns!
- f! /1e& cause inBur& to persons or propert& or t1reaten to cause suc1 inBur&!
- g! /1e& use or t1reaten "iolence or force, or encourage ot1ers to use or t1reaten "iolence or force!
- 1! /1e& cause 1arassment, as defined b& state \a#!
- i! /1e& "io\ate reasonab\e noise \e"e\s, suc1 as but not \imited to DeKa\b Count\end{aligned} Count\end{aligned} noise ordinances!

8!1+!2!5 Supporting, -pression, Protest, and Dissent t1roug1 6ni "ersit& Space

/1ere are man& locations on campus especiall& conduci"e to , -pression, Protest, and Dissent! \$\\$\sist of suggested spaces can be obtained in t1e 6ni"ersit& Center\\$ 4eeting Ser"ices, #1o can assist #it1 reser"ations of most space on campus or assist in connecting #it1 o#ners of ot1er spaces!

4 oreo"er, t1e foundations of t1is Polic& are grounded in t1e principles of t1e entire campus being open and a"ailable to members to build communit& t1roug1 , -pression, Protest, and Dissent! \$s suc1, all spaces, bot1 indoors and outdoors, are a "ailable to support bot1 planned and impromptu , -pression, Protest, and Dissent e-cept as pro "ided belo#! Oor planned e "ents, reser ations can be made and no reser ation s1all be denied because of t1e content of e-pression! Oor impromptu , -pression, Protest, and Dissent, please see 8!1+!2!7!

- a! Pri"ate offices, researc1 \(\)aboratories or associated facilities, and computer centers!
- b! Specific areas of offices, museums, libraries, and ot1er facilities t1at contain "aluable or sensiti"e materials, collections, e=uipment, and records protected b& la#, or b& e-isting 6ni"ersit& polic& suc1 as educational records, student0related or personnel0related records, or financial records!
- c! Classrooms, seminar rooms, auditoriums, meeting rooms, or outdoor spaces in #1ic1 classes, pri"ate , "ents, or 4 eetings are being 1eld or are sc1eduled to be 1eld during t1e time of t1e Protest!

- d! Outdoor and indoor locations #1en t1e free flo# of traffic, bot1 "e1icular and pedestrian, is unreasonabl& impeded0 #1en entrances or e-its to pri ate offices, classrooms, and meeting spaces are bloc(ed0 or #1en undue 1ealt1 and safet& ris(s are created!
- e!) ospitals, clinics, and surrounding green space or grounds 9including, but not limited to, side#all(s, access roads, par(ing areas, etc!<, t1e facilities of 1ealt1care ser"ice pro"iders, emergenc& facilities, communication s&stems, utilities, or ot1er facilities or ser"ices "ital to t1e continued functioning of t1e 6ni"ersit&!

8!1+!2!7 Protests in Spaces t1at 1a"e not been reser"ed

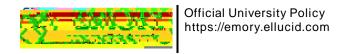
He full& support and ac(no#ledge as a Communit& t1at sometimes impromptu , -pression, Dissent, and Protest are pi"otal to ac1ie"e t1e principles of t1is Polic&! 8ot 1a"ing a reser"ation is not sufficient reason for terminating an& Protest unless t1e impromptu Protest unreasonabl& interferes #it1 prior sc1eduled 4 eetings, , "ents, or essential operations of t1e 6ni"ersit&! Communit& members ser"ing as Open , -pression Obser"ers s1all ensure impromptu , -pression, Dissent, or Protest continues until it s1ould ot1er#ise be relocated to allo# for prior sc1eduled acti"ities! /o encourage suc1 impromptu Dissent, t1e Open , -pression Obser"ers s1all demonstrate t1is affirmati"e commitment b& #or(ing #it1 t1ose in"ol"ed to identif& space #1ere t1e , -pression, Protest, or Dissent can be continued s1ould t1e space being used interfere #it1 ot1er sc1eduled 4 eetings, , "ents, or essential operations!

\$\\$\ genera\\$ outdoor public areas of t1e institution, e"en t1ose t1at 1a"e reser"ation procedures, s1ould be a"ai\ab\ef{e}e for impromptu , -pression, Protest, and Dissent un\ess it ot1er\#ise "io\ates t1is po\fic\!\ 'e=uirements to reser"e space s1ou\fid not be unreasonab\ef{e}e in terms of time frame, re=uirements, or costs to t1e group \#is1ing to 1ost t1e , "ent! 8o group or organi\text{Aation s1ou\fid be denied use of a space on campus because of t1e content of t1e 4 eeting, , "ent, or Protest, un\text{\text{\text{e}}} suc1 content \#ou\fid ot1er\#ise \"io\atext{\text{\text{e}}} io\atext{\text{\text{\text{e}}} te t1e responsibi\text{\text{\text{iii}}} set fort1 in 8!1+!2!2 of t1is Po\tic\text{\text{\text{\text{e}}}!}

8!1+!2!8 8onpersonal, -pression suc1 as fl&ers, signs, displa&s, etc!

Our purposes of nonpersonal e-pression suc1 as fl&ers, c1al(ing, signs, and displa&s, persons e-pressing t1emsel es s1ould follo# all applicable fl&er posting policies and banner reser ation rules 10#e er, t1ese re=uirements s1ould not be unreasonable in terms of access, time frame, re=uirements, or costs to t1e group! 80

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