

<b>Policy Title:</b>	Speech Activities - Time, Manner, and Place Rules for Speech Activities at SOU
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<b>Governing Body:</b>	Southern Oregon University	<b>Policy Number:</b>	AAD.043
<b>Policy Contact:</b>	Provost	<b>Date Revised:</b>	2015
<b>Custodial Office:</b>	Academic Affairs	<b>Date Approved:</b>	June 2015
<b>Approved By:</b>	Executive Cabinet	<b>Next Review:</b>	June 2018
<b>Related Policy:</b>			

**A. Purpose**

- (1) Southern Oregon University (“SOU” or “University”) recognizes and supports the rights of free expression and speech. It is the purpose of these regulations to balance the free speech rights of non-SOU groups/individuals with the significant interests SOU has in preserving its space and employee resources for its needs. It is the further intent to support the primary educational purpose of the University and ensure that the University’s space and employee resources are primarily dedicated to the needs of the University and its students, while promoting dialogue, debate and the dissemination of information.
- (2) The right of free speech and expression on the SOU campus allows great latitude for dialogue, debate and the expression of ideas. However, it does not permit unlawful activity or disorderly conduct, activity that endangers or imminently threatens to endanger the safety of any member of the community, activity that may cause harm to the University’s physical facilities, or any activity that disrupts or obstructs the functions of the University or imminently threatens such disruption or obstruction.
- (3) The right of free speech and expression also does not protect expression that is so severe, pervasive, and objectively offensive that it can be said to constitute unlawful harassment which interferes with a student’s access to the educational opportunities or benefits provided by SOU. Therefore, this policy does not protect unlawful harassment pertaining to matters of race, ethnicity, religion, gender and gender identity, sexual orientation, nationality, age, or disability. Nothing in this policy shall prevent SOU from exercising its authority to take appropriate steps to prevent harassment implicating such concerns on its campus.
- (4) These rules do not limit otherwise authorized University community use of University facilities.
- (5) These rules do not affect any rights which an employee organization, certified as the exclusive representative pursuant to ORS 243.650 and following, may have been granted pursuant to its collective bargaining agreement or Oregon Revised Statutes.

**B. Definitions**

- 1) "Person" means any member of the public or the University community.
- (2) "Public" means any individual or group not included in the definition of "University community."
- (3) "Speech Activities" means distribution of printed materials, chalking, picketing, posting of signage, public speech or address, demonstration, petition circulation, and similar activities.
- (4) "University" means Southern Oregon University.
- (5) "University Community" means all students, faculty and staff of the University including student, faculty and

staff-sponsored organizations.

(6) "Content-neutral" means that such restrictions on time, manner and space shall be applied without discrimination toward the content of the view being expressed or the speaker.

#### Public Areas

(1) University grounds are open to the public and the University community for speech activities except any grounds designated for authorized access only.

(2) University buildings are open to the public and the University community for speech activities during the regular business hours of the particular building, except the following:

(a) Classroom buildings;

(b) Research and laboratory facilities and buildings;

(c) The Hannon Library;

(d) The Student Health and Wellness Center;

(e) Churchill Hall and Britt Hall

(f) Any area or building designated for authorized access only or designated for otherwise limited access.

(2) Speech activities in residence halls and University-owned housing may be regulated by the Director of SOU University Housing in consultation with appropriate student residence associations. Speech activities at the University's Higher Education Center may be regulated by the Vice President for Finance and Administration in consultation and cooperation with the co-owners of that building. Such regulations shall be content neutral.

### **C. Policy Statement**

#### Requirements Concerning Access, Traffic, and Use of Campus Grounds

(1) No speech activities shall impede pedestrian and vehicular traffic nor unreasonably disrupt regular or authorized activities in classrooms, offices, laboratories and other University facilities or grounds. The Vice President of Finance and Administration may require any speech activity to be conducted 15 feet or more from any exit, entrance, staircase, parking lot, or roadway if necessary to allow access.

(2) No speech activities shall be conducted at a volume that unreasonably disrupts the normal use of classrooms, offices, laboratories or other facilities.

(3) Chalking is permitted only in outside areas of campus. Chalk must be water-soluble "sidewalk" chalk, which wears away with water or foot traffic. Chalking on the exterior walls of any campus building (academic, administrative or residential), University fixtures, or public art installation or exhibition is prohibited.

(4) This policy does not allow members of the Public or University Community to affix signage or other materials to interior or exterior of campus buildings or University fixtures unless otherwise authorized by the University.

(5) Persons engaged in Speech Activities resulting in unreasonable mess, damage or harm to the grounds may be asked to alter or cease their activities. For example, persons distributing literature should be responsible for ensuring that their materials are not left unreasonably strewn about the campus grounds for University employees to clean.

(6) The Vice President of Finance and Administration may designate the portion of a driveway, roadway, pathway, sidewalk or street under the control of the university and the time of day during which it is not available for speech activities in order to meet traffic, emergency access, and public transit needs.

(7) It is the responsibility of any person engaged in Speech Activities on campus to acquire any state, county, or municipal licenses necessary for the conduct of that person's activities.

#### Notification

(1) In order to allow scheduling and to assure public safety, persons desiring to picket or demonstrate are encouraged to notify the appropriate University official at least 24 hours in advance.

(2) The officials to be notified are:

- (a) The Stevenson Union and adjoining plaza: Director of Student Life
- (b) Hannon Library: University Librarian
- (c) Residential Areas: Director of Student Housing
- (d) All other areas: the Vice President for Finance and Administration.

#### Use of Tables, Carts, Booths, and Similar Structures

(1) Safety: Tables, carts, booths or similar structures may be set out and used on campus only as provided in this rule. Notwithstanding any other provision of these rules, the University retains the authority to ensure the safety or operational needs of the campus with regard to the installation, timing and use of tables, carts, booths or other structures.

(2) Use by Members of the Public: Use of a table, cart, booth or similar structure that does not exceed three feet by six feet (3' x 6') is permitted by any member of the Public or University Community engaged in speech activity in any Public Area, so long as the use does not disrupt University access, traffic or business. The University may require users of a table, cart, booth or similar structure who do not have a reservation pursuant to section (3) of this rule to move to a different on-campus Public Area as necessary to avoid such disruption.

(3) Use by University Community: Use of a table, cart, booth or similar structure larger than three feet by six feet (3' x 6') on campus for informational, nonprofit, commercial, or any other purposes, must be sponsored by a recognized student organization or University department, or a faculty or staff organization.

(a) Recognized student organizations, University departments, and faculty or staff organizations must reserve the space for their activity under this section at least 24 hours in advance prior to the installation of a structure larger than three feet by six feet (3' x 6') by contacting the Office of Finance and Administration at (541) 552-6319.

(b) Use of the Stevenson Union for Speech Activities, including its courtyard, is managed through the Stevenson Union Reservation Office. Use of the courtyard is allocated on a first-come first served basis to members of the Public and Campus Community at no charge to the user. Use of interior space at the Stevenson Union is limited to designated areas of the building and must be sponsored by a recognized student organization or University department, or a faculty or staff organization and standard rates covering the reservation, use, and maintenance of these University facilities may be charged for use of interior spaces (<http://www.sou.edu/su/rates.html>). All Speech Activities at the Stevenson Union shall be managed according to the Stevenson Union guidelines and other applicable University policies, including policies and guidelines restricting commercial activity and the solicitation of monetary contributions.

(c) Members of student organizations may provide their own tables, carts, or booths, or reserve tables available through the Stevenson Union. Use of Stevenson Union tables, carts, or booths for speech activities is restricted to members of recognized student organizations, University departments, and faculty or staff organizations. Uses of such resources are restricted to the Stevenson Union interior or courtyard and are allocated on a first-come,

first-served basis.

#### Commercial Activities

(1) Nothing in this rule is intended to:

(a) Authorize sale or distribution of products, food, or commercial literature on campus in conflict with existing exclusive contracts for similar merchandise or services;

(b) Authorize uses in conflict with any applicable SOU food service or catering policy.

(c) Prohibit SOU from lawfully managing, regulating or restricting commercial activities on campus, or promulgating additional policies or procedures for that purpose.

#### Enforcement

(1) Violations of the policy and/or guidelines by students will be handled through the disciplinary system administered through the Office of Student Support and Intervention.

(2) Any person violating these rules is subject to the institutional conduct or employment proceedings applicable to students or employees, respectively;

(3) A person in charge of University property may direct a person(s) in violation of these rules to leave the immediate premises or property owned or controlled by the University. Any person(s) refusing to comply with such a directive may be subject to law enforcement and/or, where applicable, student or employee conduct proceedings for failure to comply with the directive.

(4) The Vice President of Finance and Administration, Director of Campus Public Safety, Director of SOU Housing, University Librarian, and their designees, have the authority of "persons in charge" of University property for purposes of ORS 164.205(5) and these rules.

(5) Members of the Campus Community who believe that persons on campus are in violation of this policy should report their concerns to the Office of Finance and Administration (541) 552-6319. However, if the matter concerns the safety or welfare of another person, please call SOU's Campus Public Safety at (541) 552-6911 or dial 911 in an emergency to reach appropriate law enforcement, fire, or ambulance services.

#### Appeal

Any student aggrieved by the application of these rules may appeal according to student conduct procedures. A decision may be appealed to the Associate Provost within ten (10) working days of the date of the decision letter. Such appeals must be in writing and must be delivered by mail or email.

Employees shall be subject to the appeal procedures applicable to their employment.

This policy may be revised at any time without notice. All revisions supersede prior policy and are effective immediately upon approval.

#### **D. Policy Consultation**

Executive Council and Cabinet, Provost Council, Business Affairs Council, Academic Policies Committee, Faculty Senate

#### **E. Associated Procedures or Other Information**

## Additional Guidelines

In all instances, Speech Activities will be governed by the following expectations and principles:

1. **Disruptive Activity** – Obstruction, disruption, or interference with classes in session or other scheduled academic, educational, cultural arts programs, research, administrative functions, or other University activities is not permitted. Likewise, infringement on the rights of others is prohibited.
2. **Reasonable Access** – It is important to provide reasonable access to and exit from any office, classroom, laboratory, or building. Likewise vehicular and pedestrian traffic should not be obstructed.
3. **Peaceful Assembly** – Picketing or demonstrating in an orderly manner or distributing literature outside University buildings is acceptable. Demonstrations inside campus buildings are prohibited. All applicable University policies on written materials apply.
4. **Symbolic Protest** – Displaying a sign, gesturing, wearing symbolic clothing, or otherwise protesting silently is permissible unless it is a disruptive activity or impedes access. Such actions should not interfere with others or prevent them from being able to attend, hear, or participate in events, which may be occurring, nor should they pose a threat to immediate well-being or safety of students, faculty, staff or the University community.
5. **Noise** – Noise levels should not interfere with classes, meetings, or activities in progress. Amplified noise is prohibited.
6. **Force or Violence** – Any attempt to prevent a University activity or other lawful assembly by the threat or use of force or violence is prohibited.
7. **Damage to Property** – Care must always be taken to ensure that University and personal property is not damaged or destroyed.
8. **Other University Regulations** – All applicable University rules, regulations, policies, and guidelines must be adhered to.

The Policy Contact, defined above, will write and maintain the procedures related to this policy and these procedures will be made available within the Custodial Office.