5,303: Public Forum

Revised: December 2019

Preamble

This University has always created an environment for raising challenging questions and the discussion of significant issues. There is perhaps none more significant than the challenge and issue of free speech. A function of free speech is to invite debate which can result in unrest, anger, and dissatisfaction. It is in this light that the University has traditionally understood the First Amendment's application to our campus. Of all social institutions, universities should be the most friendly toward and protective of the right of free expression.

For over one hundred years, the University has followed the traditions of college campuses in this country by designating public forum areas on campus. The University has interpreted law and policy in a broad and flexible manner so as to allow all views to be expressed while continuing to carry on the mission of learning, discovery, and engagement. The public forum policy now reflects the long time practices of this University. It was, in fact, developed in full consultation with student, faculty and staff whose ideas are reflected in this policy. The ability to craft a policy that is open and inclusive while taking into consideration such a diverse set of views, is a testament to the value of what is taught, learned and practiced at the University.

Public Forums on University Grounds for Non-Commercial Speech

The modern land grant institution fosters acquisition of knowledge and the search for and distribution of newly discovered information. It enlivens curiosity, cultivates critical judgment and encourages the contribution of its informed students to the development of American society. The University is committed to these land-grant goals and to the maintenance of an academic environment which advances the free exchange of ideas.

Public expression in the form of freedom of speech, expression and assembly, including video recording of matters of public interest, is a fundamental right and an essential element in the marketplace of ideas of higher education. In the spirit of open discussion and freedom of expression, any individual or group may use campus grounds to exercise this constitutionally protected right. The University is obligated to create an environment where free speech and higher learning will enhance its mission of learning, discovery and engagement.

In order to protect this fundamental right and assure the University fulfills its responsibility as an educational institution the University shall define time, place, and manner provisions. This policy applies to outside public areas open to the public generally such as sidewalks, lawns, and plazas. Individuals, University Groups and Outside Groups, as those terms are defined in section 5,302, and groups using campus grounds have an obligation to follow all university policies, local ordinances, state and federal laws. This includes: following university policies regarding the reservation and scheduling of space where applicable, following university policies regarding the recording of classes and ticketed events, allowing the university's regularly scheduled classes, research, events, ceremonies or normal and essential operations to proceed without interference; allowing parking; allowing the flow of vehicular and pedestrian traffic; allowing the ingress and egress to and from all buildings; allowing a group that has reserved the space to use it; allowing a speaker or performer to be seen and heard by the audience; maintaining a noise level in compliance with the University's Sounds Policy as stated in section 5,440; and assuring that actions do not create an imminent health or safety hazard.

The University reserves the right to immediately terminate any ongoing activity that violates time, place and manner provisions included in this policy. The individual or group shall be informed by a university official of the specific time, place and manner violation.

While it is the university's intention to assure maximum use of its grounds for the purpose of free expression, reservations are strongly encouraged in order to ensure that a location is available for outdoor assembly at a specific date and time. An individual or group with a reservation shall have priority in the use of the location. Reservations for outdoor space shall be made pursuant to UAM 5,302.