

Free Speech and Public Forum Policy

Authority: Student Affairs

Date Enacted or Revised: January 2009; Revised August 2015; September 12, 2018; March 18, 2022; August 2, 2022; August 19, 2024; November 25, 2024

Administrative Authority

The senior vice president for student affairs is the administrative officer charged by the University president with oversight of free speech and public forum activities. Contact the Office of Student Affairs in the SEED Center, Office 143, located at 4310 Ryan Street, or by telephone at [\(337\) 475-5610](tel:337-475-5610) for information regarding use of free speech and public forum areas by individuals and groups not affiliated with the University.

Purpose and Background

As a publicly supported institution within the University of Louisiana System, McNeese State University values the publicly accessible nature of its campus and facilities and embraces the free and open exchange of ideas in the context of a diverse community of teachers and learners. The University also recognizes its responsibility to maintain focus on its primary educational objectives. As such, the University strongly encourages its students, faculty, and staff to engage in vigorous and collegial debate and discussion within the context of classroom instruction, formal and informal interactions with others, and in social interactions throughout the campus. It is not the role of McNeese to shield individuals from speech protected by the First Amendment of the Constitution of the United States of America and Article 1, Section 7 of the Constitution of Louisiana, and other applicable laws including without limitation ideas and opinions they find unwelcome, disagreeable, or even deeply offensive.

Students and faculty have the freedom to discuss any topic that presents itself, as the First Amendment of the Constitution of the United States of America and Article 1, Section 7 of the Constitution of Louisiana, and other applicable laws permit and within the limits on time, place, and manner of expression that are consistent with the part and are necessary to achieve a significant institutional interest; such restrictions shall be published and provide ample alternative means of expression. However, faculty shall be prohibited from imposing their political views on students in violation of R.S. 17:3399.39.

University students and employees may freely communicate their ideas, including political views and freedom of association, through the exchange of verbal and written communications, creative processes and productions, and formal and informal gatherings on the campus at any time and must do so in a manner that does not impede customary pedestrian walkways, vehicle traffic flow, or interfere with the University's capacity to achieve its educational mission. Spontaneous displays of free speech and expressive activities should not be disruptive to events and activities reserved through the formal reservation process.

Any person lawfully present on-campus may protest or demonstrate at McNeese. Protests and demonstrations that infringe upon the constitutional rights of others to engage in or listen to expressive activity by creating a substantial and material disruption to the functioning of the institution or to someone's expressive activity shall not be permitted.

Public areas of campuses at McNeese are traditional public forums and are open on the same terms to any speaker.

This policy supersedes and nullifies any provision in University policies and regulations that restricts speech on campus.

Procedures

Persons unaffiliated with the University by virtue of enrollment or employment who wish to conduct activities on the campus which, by their nature, involve engaging in public speech, public demonstrations, political campaigning, and distribution of literature in an effort to appeal to wide audiences and attract interest from internal and external constituents of the campus community, must adhere to the guidelines set forth in this policy. This policy addresses public forum activities conducted by individuals and groups not affiliated with the University that generally fall into the following categories:

- Distribution of literature;
- Political campaigning for public office;
- Public demonstrations; and

- Public speech.

Policy

Distribution of Literature

The University recognizes the right of individuals and groups to distribute literature regarding social, cultural, political, religious, and other ideological issues on the campus. To assure distribution activities do not disrupt normal campus processes and operations, the following regulations regarding time, place, and manner of such distribution will apply to individuals and groups not affiliated with the University:

- **Distribution Zones:** The following locations shall be deemed distribution zones:
 - **Zone A**
 - **Zone B**
- **Calendar:** Individuals or groups may distribute literature on campus three times per year (once each fall, spring, and summer term) in the assigned distribution zone(s) only.
- **Length:** Distribution of literature may occur for up to four hours on three consecutive business days for each distribution period. The distribution activity shall be deemed to have begun at the time and date indicated on the application.

Political Campaigns

The University recognizes the right of candidates for public office and their official and unofficial spokespersons to campaign. To assure campaign activities do not disrupt normal campus processes and operations, the following regulations regarding time, place, and manner of such campaign activities will apply to individuals and groups not affiliated with the University:

- **Campaign Zones:** The following locations shall be deemed campaign zones:
 - **Zone A**
 - **Zone B**
 - **Zone C**
 - **Zone D**
- **Calendar:** Individuals may campaign on campus once per month in the 90-day period leading up to a scheduled election date in the assigned campaign zone only.
- **Length:** Campaign activities may occur for up to two hours on three consecutive business days. The campaign activity shall be deemed to have begun at the time and date indicated on the application.
- **Political Signs:** Political signs may not be mounted, posted, or affixed anywhere on University property in order to ensure state laws pertaining to electioneering and ethics are upheld at all times.
- **Candidate Speeches:** Candidates for public office, upon approval by the senior vice president for student affairs, may offer campaign speeches in the first floor common area of the Student Union Annex. Such speeches are limited to 30 minutes and may occur only once per day on days where campaign activities have been approved.
- **Public Appearances by Candidates for Statewide Office:** Statewide elected officials may participate in public activities, such as half-time presentations at athletic events, by request to and upon approval of the University president and as coordinated through the athletic director or their designee. The University respectfully asks that such requests be made only in non-election years.

Public Demonstrations

The University recognizes the right of individuals and groups to conduct peaceful demonstrations. To ensure demonstrations do not disrupt normal campus processes and operations, the following regulations regarding time, place, and manner will apply to individuals and groups not affiliated with the University:

- **Public Demonstration Zones:** The following locations shall be deemed public demonstration zones:
 - **Zone A**
 - **Zone B**
- **Calendar:** Organized groups may demonstrate on campus once during each fall, spring, and summer term in the assigned demonstration zone only.
- **Length:** Demonstrations may occur for up to four hours on three consecutive days. The demonstration shall be deemed to have begun at the time and date indicated on the application.

Public Speech

The University recognizes the right of individuals to participate in the free and unfettered exchange of ideas on University property. Persons traversing public sidewalks and streets and common areas on University property may exercise their individual free speech rights at any time as long as they do not block the flow of pedestrian or vehicular traffic, do not interfere with normal University operations, and do not create a disturbance. Public speech occurring in contexts other than normal traversing of public sidewalks and streets and common areas by individuals and groups not affiliated with the University is subject to the following regulations regarding time, place, and manner:

- **Public Speech Zones:** The following locations shall be deemed public speech zones:
 - **Zone A**
 - **Zone B**
- **Calendar:** Individuals may speak on campus once per week in the assigned public speech zones.
- **Length:** Speeches may last for up to two hours. The speeches shall be deemed to have begun at the time and date indicated on the application.

Definitions

Expressive activities: Include but are not limited to any lawful verbal or written means by which individuals or groups communicate ideas to one another, as provided by the First Amendment of the Constitution of the United States of America and by Article I, Section 7 of the Constitution of Louisiana, including all forms of peaceful assembly, protest, speech, distribution of literature, carrying signs, and circulating petitions. Expressive activities expressly exclude a) commercial activities in which individuals or groups are being compensated or attempting to advertise, market, or accrue financial gain to any individual, corporation, business, or organization; b) activities in which an individual or group is knowingly being monetarily funded or organized by any individual, corporation, business, or organization that has been designated as a foreign terrorist organization or foreign adversary by the United States Department of State, pursuant to 8 U.S.C. 1189 or 15 CFR 7.4; and c) any criminal activity which is prohibited under Title 14 of the Louisiana Revised Statutes of 1950 or any other provision of state law with criminal penalties.

Material and substantial disruption: When a person, with the intent and knowledge of doing so, significantly hinders free speech and First Amendment-protected activities, prevents the communication of the message, or prevents the transaction of business of a lawful meeting, gathering, or procession by either of the following: (a) engaging in assault, battery, attempted battery, violence, or similar behavior in violation of Title 14 of the Louisiana Revised Statutes of 1950 or any other provision of state law with criminal penalties or (b) physically blocking or using threats of violence to prevent any person from attending, listening to, viewing, or otherwise participating in an expressive activity as defined above.

Outdoor areas: Outside areas generally accessible to the majority of students, administrators, faculty, and staff, such as grassy areas, walkways, or other similar common areas, and do not include areas where access is restricted.

Student organization: An officially recognized group at a public, postsecondary education institution, or a group seeking official recognition, comprised of enrolled students.

Student-on-student discriminatory harassment: Unwelcomed conduct that targets a victim in violation of this Part and is so severe, pervasive, and objectively offensive and so undermines and detracts from the victim's educational experience that the victim is effectively denied equal access to an institution's resources and opportunities.

General Operating Procedures

Application and Approval

Application to utilize public forum areas must be received and approved at least 72 hours in advance (three business days, excluding weekends, holidays, and closures) through the Office of Student Affairs to ensure adequate review. Persons or groups wishing to utilize public forum areas are strongly urged to apply seven to 10 days prior to the desired event. The application must occur on the prescribed form (available for download below and through the Office of Student Affairs) and must contain the date and starting time of the proposed activity, the name and appropriate contact information (address, telephone number, email address, etc.) of the reserving party, identification of the specific proposed activity (public speech, public demonstration, political campaign, literature distribution), and signature of the person making application. The University may deny

requests for use of public forum areas if the event is deemed to require substantial planning and preparation beyond what can reasonably be accomplished within 72 hours in light of normal daily operations of the campus. Such determinations will be made in accordance with content-and viewpoint-neutral guidelines.

However, the University recognizes that such advance arrangements are not always possible. Students may use publicly available outdoor areas of the campus for spontaneous protests, demonstrations, and similar activity, so long as such use does not necessitate coordination or further planning on the part of the University, and the activity attracts fewer than 100 attendees.

Cancellations

Cancellation of reservations of public forum areas must occur in advance of the event start time. Events not properly canceled shall be deemed to have occurred at the date and time indicated on the original application.

Concurrent Events

Due to the relatively small and intimate nature of the campus, it is not unusual for multiple events to occur in close proximity to one another, particularly in central areas such as the campus Quadrangle, Student Union complex, and the athletics complex. Persons reserving public forum areas do so with the understanding that previously scheduled events and activities of the University may be ongoing in close proximity to public forum zones even during periods when such areas are reserved for use by individuals and groups not affiliated with the University.

Continuity of University Operations

The University's primary educational objectives relate to teaching, research, public service, and student success. Individuals and groups not affiliated with the University who exercise their right to utilize the public forum will conduct their activities in a manner that complements the University's educational mission, does not interfere with normal operations, and that conforms to University regulations regarding time, place, and manner. Threats to passersby, impeding or blocking the flow of pedestrian or vehicular traffic, committing acts leading to unsafe and/or unhealthy conditions, and posting or affixing signs or materials on walls, windows, grounds, doors, trees, sidewalks, benches, poles, fixtures, or any other equipment or surface, except where specifically authorized, or violations of time, place, and manner restrictions are strictly prohibited and will result in cessation of public forum activities by appropriate University authorities.

Hours of Operation

Authorized use of the public forum by individuals and groups not affiliated with the University is permitted only between dawn and dusk during periods of normal University operations (Monday through Friday, excluding holidays and closures).

Inclement Weather

The University does not provide alternative locations for public forum events interrupted by inclement weather, but does provide for properly canceled events to be rescheduled at a later date according to the same procedure under which the original event date was booked.

Literature Distribution

Literature (e.g., flyers, brochures, information sheets, push cards) may be made available to interested persons during public forum activities. Forcing literature onto observers or passersby or affixing literature to automobiles, trees, grounds, fixtures, or other stationary objects on the campus shall constitute a violation of University regulations and will result in cessation of the public forum activity by appropriate University authorities.

Maintenance and Preservation of the Physical Environment

Persons utilizing the public forum will conduct their activities in a manner that does not deface, litter, or otherwise damage the physical environment of the campus. Individuals and groups responsible for littering, vandalizing, defacing, or otherwise damaging University property are subject to restitution and criminal prosecution.

Official University Events

Events sponsored by the University and auxiliary groups officially recognized by the University may occasionally render designated public forum areas temporarily unavailable for use by persons and groups unaffiliated with the University. In circumstances where a public forum area is reserved in advance of the University's need for such space, the University may request the reserving party consider utilizing an alternate venue

mutually agreeable to the reserving party and the University. In such cases where a mutually agreeable alternate venue is not available, the reserving party's use of the public forum area will be honored.

Prohibited Activities

Activities that incite illegal conduct and/or disrupt University operations are strictly prohibited at all times.

Penalties for Non-Compliance with University Regulations

Individuals and groups not affiliated with the University are subject to civil law as well as University regulations regarding personal conduct for employees and students. Individuals and groups not complying with University regulations regarding use of the public forum, or any other policy of the University, are subject to immediate removal from the campus, may be barred from future access to the campus, and may be charged for criminal acts, where appropriate.

Physical Descriptions of Zones

- **Zone A:** The grassy lawn area surrounded by pavement on all sides, located in the southeast section of the Quad between the Student Union Annex and the east-west sidewalk, east of center, of the Quad. This area consists of approximately 14,000 square feet and has, as its centerpiece, a permanent concrete multipurpose stage and performance structure that is included as a part of the zone available for public forum use.
- **Zone B:** The grassy lawn area, surrounded by pavement or building walls on all sides, located south of the Holbrook Student Services building and north of Joe Dumars Drive. This area consists of approximately 3,000 square feet.
- **Zone C:** The grassy area outside of the football stadium complex bordered by pavement (Blue & Gold Drive, East Stadium Drive, Dr. Daryl V. Burckel Drive, and Cowboy Drive). This area exceeds 15,000 square feet. This area does not include paved pedestrian and vehicular thoroughfares leading into ticket and service areas of the stadium.
- **Zone D:** The common atrium area of the ground level floor of the Student Union Annex. This area consists of approximately 3,300 square feet.

Posting Bills

Students should refer to the University's [Placement of Printed Materials on Campus Policy](#) for information about posting bills.

Premises Restoration

Applicants for use of the public forum are responsible for removal of personal effects and literature and restoration of the physical environment of the premises at the conclusion of the activity.

Public Address and Sound Amplification Systems

Use of sound amplification systems or devices (artificial, electronic, instrumental, or otherwise) of any type is strictly prohibited on University property except where authorized by appropriate administrative authorities for University-sponsored events only.

Security

The chief of McNeese Police is the exclusive provider of security for events and activities occurring on University property and is the sole authority for determining need and quantity of officers required for an event. The chief of McNeese Police will consider the following content- and viewpoint-neutral guidelines when evaluating security for all events:

- Whether the event is limited to members of the campus community or is open to the public;
- The proposed location of the event;
- The anticipated number of attendees;
- The time of day that the event is taking place;
- The date and day of the week of the event;
- The proximity of the event to other activities or locations that may interfere, obstruct, or lessen the effectiveness of the security measures being implemented;
- The resources necessary to secure the event;
- The anticipated weather conditions;
- The anticipated duration of the event; and
- Any similar considerations relevant to the assessment of security needs.

Contact McNeese Police at [\(337\) 475-5711](tel:337-475-5711) for general information regarding rates and terms for event security.

Unauthorized Meetings

Individuals or groups not affiliated with the University who, whether as active participants or as spectators, participate in an unauthorized activity, create a substantial and material disruption, cause destruction of University property or the personal property of others, shall be subject to removal, arrest, prosecution, and restitution and may face University disciplinary proceedings, if applicable.

Civility and Personal Conduct

Information regarding procedures whereby a person aggrieved by a violation of the University's Free Speech and Public Forum Policy may seek relief through the [Civility and Personal Conduct Policy](#).

Application for Use of Public Forum

[Download the Public Forum Application](#) [Download](#)

The form can also be acquired by contacting the Office of Student Affairs:

SEED Center, Office 143

4310 Ryan Street

Box 92535

Lake Charles, LA 70609

[\(337\) 475-5610](tel:(337)475-5610)

studentaffairs@mcneese.edu

Communication

This policy is distributed via the University Policies webpage.