



## Freedom of Speech and Expression

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**Responsible Executive:** President

**Responsible Offices:** University Relations and Marketing

**Effective:** July 1, 2014

**Last Revised:** October 11, 2024

### 1. Policy Statement

- 1.1. Oregon State University (“university”) recognizes and supports the constitutionally guaranteed rights of free speech and expression (“free speech”) and will not infringe upon these rights, even when some find the content of expressed views offensive, objectionable, or contrary to the university’s institutional values.
- 1.2. The university may exercise its own right to free speech.
- 1.3. Free speech cannot be exercised in ways that significantly disrupt the operation of the university or the legal rights of others, and not all speech is protected.

### 2. Reason for Policy

- 2.1. The university seeks to create and maintain an inclusive environment that encourages the free exchange of ideas. Freedom of speech and expression are indispensable to the university’s ability to transmit knowledge and fundamental to the University Community’s pursuit to discover, explore, interpret, and question knowledge and opinions. Differences and dissenting viewpoints are not only tolerated but welcomed as part of the educational process.
- 2.2. Free speech may not be exercised in ways that unreasonably interfere with the university’s ability to fulfill its mission; nor may it be exercised in ways that threaten the safety of its property and people or its orderly operation; nor may it infringe upon the rights and interests of others to teach, learn, work, conduct business, use university facilities or pursue their normal activities.

### 3. Scope & Audience

- 3.1. This University Standard applies to university employees, students, contractors, volunteers, visitors and anyone on university-owned or -controlled property that is a Public Area or a Digital Public Area.
- 3.2. This University Standard does not affect any rights which an employee organization,

certified as the exclusive representative pursuant to ORS 243.650 *et seq.*, may have been granted pursuant to its collective bargaining agreement or Oregon Revised Statutes.

## 4. Definitions

- 4.1. **Digital public areas:** Chat rooms, social media platforms, blogs, virtual meeting spaces, and other technology owned or controlled by the university, whether synchronous or asynchronous, that are made open and available for comment or communication by the University Community and the Public.
- 4.2. **Public:** Any individual or organization not included in the definition of “University Community.”
- 4.3. **Public areas:** University property that is open to the University Community and the Public for Speech Activities. This includes the outdoor areas of university property, but also includes bulletin boards or other areas that have been designated as opened to the Public and University Community for Speech Activities.
- 4.4. **Recognized student organization:** Eligible student organizations that are registered with Clubs & Organizations, Student Experiences & Engagement.
- 4.5. **Speech activities:** Leafletting, picketing, speech-making, protests including silent protests, demonstrations, rallies, vigils, petition circulation, chalking, posts and comments in Digital Public Forums, visual and performing art pieces, wearing certain clothing or accessory items, and other similar forms of Speech Activity or artistic expression.
- 4.6. **University community:** Students, employees, and volunteers of the university, including student and employee organizations.

## 5. Responsibilities & Procedures

- 5.1. **Time Restrictions.** These restrictions may regulate the time of day, duration, or specific time frames during which Speech Activities are allowed or prohibited in Public or Digital Public Areas in order to prevent disruptions or conflicts with other legitimate university interests. University spaces, including digital spaces, are often multipurpose and the university may regulate Speech Activities based on the function a space is serving at a given time.
  - 5.1.1. In general, Speech Activities cannot unreasonably disrupt the university’s ability to fulfill its mission, which includes the unreasonable disruption of

classes, seminars, public lectures, meetings, studying, or other university-sponsored activities that are underway or immediately scheduled.

- 5.1.2. The university may require reservations for certain buildings or portions of buildings that are designated as open to Speech Activities. The university will take into consideration the potential disruption to university operations and the availability of necessary support services when reserving buildings and spaces.
  - 5.1.3. If university buildings or portions of buildings that are designated as open to Speech Activities become reserved for a specific university function at a particular time, Speech Activities may not be conducted in those areas until they become open again, nor may they interfere with the function being served at the time.
- 5.2. **Place Restrictions.** These restrictions may regulate where Speech Activities are allowed or prohibited to ensure the university may fulfill its academic mission, protect property, or maintain safety.
- 5.2.1. In general, university grounds (*e.g.*, quads, lawns, streets and sidewalks) may be used for Speech Activities.
  - 5.2.2. Speech Activities must not impede pedestrian or vehicular traffic, nor impede access to and egress from regular or authorized activities in classrooms, offices, laboratories, or other university facilities or grounds, and the university may place narrowly tailored, content-neutral restrictions on Speech Activities in Public Areas in order to meet traffic, emergency access, and public transit needs.
    - a. The Vice President for Finance and Administration or their designee may designate the portion of a street and the time of day during which a street is not available for Speech Activities, and 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 and egress.
  - 5.2.3. In general, university-owned and -controlled buildings may be used for Speech Activities during the regular business hours of the particular building. However, certain buildings and spaces are reserved primarily for the mission of the university and cannot be used for conducting Speech Activities without hindering essential university functions or posing health and safety hazards. Buildings and spaces where Speech Activities are prohibited include the following:

- a. Any spaces, including classrooms, seminar rooms, auditoriums, or meeting rooms, while classes, seminars, lectures, meetings, or other activities are being held or are immediately scheduled;
  - b. Classroom portions of mixed-use housing and dining facilities, such as those found in Obsidian Hall at OSU-Cascades or the International Living and Learning Center on the Corvallis campus.
  - c. Research and laboratory facilities and buildings;
  - d. Libraries;
  - e. Student health facilities and buildings;
  - f. Offices;
  - g. OSU-Cascades Graduate and Research Center; and,
  - h. Any area or building designated for authorized access only.
- 5.2.4. Buildings and spaces that are open to Speech Activities may maintain their own locations and rules for signs, posters, bulletin boards, banners, and similar materials within those buildings and spaces. For any areas that are Public Areas (including bulletin boards open to all speech), such rules must be content- and viewpoint-neutral and align with the principles in this University Standard.
- 5.2.5. No signage, posters, fliers, banners, chalking, or other materials may be placed on the exterior surfaces of university fixtures, structures, sculptures or other artwork, or buildings (or the interior surfaces of university buildings not designated for posting) by individuals other than university employees or departments in their official capacity.
- 5.2.6. Speech Activities may be subject to unit rules that govern signage pursuant to Sections 8.2.5 and 8.2.6 of this University Standard.
- 5.2.7. Speech Activities in Public Areas of residence halls and dining facilities are subject to rules and procedures established by a campus's university residential housing and dining service. The person in charge of the university residential housing and dining service, in consultation with the Office of General Counsel and the appropriate student residence associations, may enact rules and procedures governing Speech Activities in residence halls and university-owned dining facilities. Such speech regulations must be content- and viewpoint-neutral.

- 5.3. **Manner Restrictions.** These restrictions may regulate the manner or methods used for Speech Activities, such as noise level limitations, restrictions on the types of structures allowed, or that protect essential university functions.
- 5.3.1. Digital Public Areas may be used for Speech Activities, unless those activities are unprotected as noted in Section 5.4 of this University Standard.
- a. University students, employees, volunteers, or agents must not remove or edit published comments made by the University Community or the Public in Digital Public Areas, or block people from Digital Public Areas, without:
    - i. Following an approved content- and viewpoint-neutral moderation policy, or
    - ii. Approval from the Vice President for University Relations and Marketing or their designee. This action must be taken in consultation with the General Counsel or their designee and the Vice President and Chief Diversity Officer or their designee.
  - b. Digital Public Area moderation policies must be developed in consultation with the Office of Institutional Diversity and the Office of General Counsel, and approved by University Relations and Marketing.
  - c. Learning management systems and digital learning tools (*e.g.*, Canvas) are considered classrooms and are not Digital Public Areas, unless the university has opened them up for discussion and comment by the University Community and the Public. The university may limit the types of Speech Activities in these areas as needed to conform to the purpose of these virtual spaces and the typical operations of the institution.
- 5.3.2. Speech Activities must not be conducted at a volume that unreasonably disrupts the normal use of classrooms, offices, libraries, health facilities, residence halls or laboratories, or that unreasonably disrupts other academic or operational functions of the university.
- 5.3.3. Tables, carts, booths, and similar structures may be used in Public Areas for Speech Activities as follows:
- a. Tables, carts, booths or similar structures that do not exceed three feet by six feet (3'x6') are permitted by any member of the University Community or Public engaged in Speech Activities, so long as the use does not disrupt university access, traffic or business. The university may require users of tables, carts, booths or similar structures who do not have a reservation pursuant to Section 5.1.2 of this University Standard to move to a different area to avoid such disruption.

- b. Tables, carts, booths or similar structures larger than 3'x6' must be sponsored by a Recognized Student Organization, university department or unit, or an employee group or organization.
- 5.3.4. The University Community and the Public may distribute pamphlets, leaflets, newspapers or other written materials as follows:
- a. Unless otherwise designated, news bins and other means of distributing written materials inside university buildings are limited to university-sponsored uses.
  - b. The University Community and the Public must request and receive permission from the university to place portable outdoor dispensers for publications pursuant to the university's unit rule on [Outdoor Publication Dispenser Placement](#) and must abide by its standards and maintenance requirements.
  - c. The University Community and the Public may distribute written materials to willing recipients in outdoor spaces in accordance with this University Standard.

#### 5.4. Unprotected Speech

- 5.4.1. Some Speech Activities are not protected even in Public Areas or Digital Public Areas. Speech that communicates a serious intent to cause physical injury to a particular individual or group of particular individuals, that violates other university policies, or that otherwise violates state or federal law is not protected by the U.S. Constitution or the university. Determining whether the university can regulate any specific Speech Activities in Public Areas or Digital Public Areas pursuant to this Section 5.4.1 requires careful analysis of applicable laws and legal precedent as interpreted by relevant Oregon and federal courts, and requires consultation with the General Counsel or their designee.

#### 5.5. Authorities and Enforcement

- 5.5.1. The Vice President for Finance and Administration or their designee has the authority of "persons in charge" of university property for purposes of ORS 164.205(5) and this University Standard:
- 5.5.2. The Vice President for Finance and Administration or their designee may close any university property to preserve the safety of university employees, students, and the public.
- 5.5.3. Any person violating this University Standard is subject to:

- a. Institutional disciplinary proceedings if a student or employee.
- b. An order to leave the immediate premises or property owned or controlled by the university by a person in charge of university property. Persons failing to comply with an order by a person in charge to leave or to remain off the immediate premises or property that is owned or controlled by the university are subject to arrest for criminal trespass.

## 5.6. Appeals

- 5.6.1. Persons alleging a violation of this University Standard may appeal, in writing, the action taken by the university to the Vice President for Finance and Administration or their designee.
  - a. The written appeal must fully specify all the reasons and bases for the appeal, including a discussion of all relevant facts and University Standards, policies, or procedures at issue; and all ways in which the person has been aggrieved or adversely affected.
  - b. The written appeal must include all evidence that the allegedly aggrieved individual wants the university to consider, including copies of any relevant documents. Failure to include any reason for the appeal or any evidence in support of it will constitute a final, knowing, and voluntary waiver of the right to assert such reason or evidence. Irrelevant and immaterial evidence will not be considered.
  - c. The university official considering the appeal, in their sole discretion, may confer with and seek advice from university employees or university legal counsel about any factual, policy, or legal issues raised by the written appeal.
  - d. The university official considering the appeal will issue a final written decision in a timely manner. The final written decision may affirm, reverse, or modify the university's action at issue in whole or in part.
- 5.6.2. Judicial review of a university action under this University Standard is available pursuant to the pertinent provisions of Oregon Revised Statutes Chapter 34.
  - a. An allegedly aggrieved person must timely exhaust all opportunities to appeal an action at the university level under this section before seeking judicial review of the university's decision or action.
- 5.6.3. Institutional disciplinary proceedings resulting from a violation of this standard may be appealed through procedures outlined in the *Code of*

*Student Conduct*, University Policy 576-050 *Faculty Grievance Procedure*, or collective bargaining agreement grievance procedures, as applicable.

## 6. Forms & Tools

- 6.1. Office of Institutional Diversity, *Bias Incident Response* with form to submit a report: <https://diversity.oregonstate.edu/bias-incident-response-1>.
- 6.2. University Housing and Dining Services, *Grounds Use Request* form (with rules for use): <https://uhds.oregonstate.edu/grounds-use-request>.
- 6.3. Oregon State University requires approval to place portable outdoor dispensers for publications in designated locations on the Corvallis campus. The outdoor publication dispenser placement request form and instructions: <https://fa.oregonstate.edu/webform/outdoor-publication-dispenser-placement-request>.

## 7. Frequently Asked Questions

- 7.1. *Free Speech at Oregon State: Frequently Asked Questions*: [https://studentlife.oregonstate.edu/sites/studentlife.oregonstate.edu/files/freespeech\\_faqs\\_nov2020.pdf](https://studentlife.oregonstate.edu/sites/studentlife.oregonstate.edu/files/freespeech_faqs_nov2020.pdf).

## 8. Related Information

- 8.1. Related University Policies and University Standards.
  - 8.1.1. University Policy 01-200 *Academic Freedom*: <https://policy.oregonstate.edu/academic-freedom>.
  - 8.1.2. University Policy 04-100 *Discrimination and Discriminatory Harassment*: <https://policy.oregonstate.edu/policy/discrimination-and-discriminatory-harassment>.
  - 8.1.3. University Policy 576-050 *Faculty Grievance Procedure*: <https://policy.oregonstate.edu/policy/faculty-grievance-procedure>.
  - 8.1.4. University Board of Trustees policy on political activities: [https://leadership.oregonstate.edu/sites/leadership.oregonstate.edu/files/210521\\_amended\\_policy\\_on\\_political\\_activities.pdf](https://leadership.oregonstate.edu/sites/leadership.oregonstate.edu/files/210521_amended_policy_on_political_activities.pdf).
- 8.2. Department/Unit rules and information guides.
  - 8.2.1. University Housing and Dining Services (UHDS) *Student Policy and*

*Information Guide:*

[https://uhds.oregonstate.edu/sites/uhds.oregonstate.edu/files/2019-2020\\_uhds\\_policy\\_guide.pdf](https://uhds.oregonstate.edu/sites/uhds.oregonstate.edu/files/2019-2020_uhds_policy_guide.pdf).

- 8.2.2. OSU-Cascades Residential Education and Housing policy and information guide:  
[https://osucascades.edu/sites/osucascades.edu/files/2021-11/sept\\_2021\\_osu\\_cascades\\_housing\\_policy\\_guide.pdf](https://osucascades.edu/sites/osucascades.edu/files/2021-11/sept_2021_osu_cascades_housing_policy_guide.pdf).
- 8.2.3. Memorial Union reservation unit rules:  
<https://mu.oregonstate.edu/policies>.
- 8.2.4. OSU Libraries and Press (OSULP) chalk markings and graffiti unit rules: <https://library.oregonstate.edu/grounds-policies>.
  - a. OSULP displays unit rules:  
<https://library.oregonstate.edu/administration/display>.
- 8.2.5. University Facilities, Infrastructure and Operations, Capital Planning and Development unit rule 007-19 *Signage, Posters, and Banners*:  
<https://fa.oregonstate.edu/fac-manual/007-campus-facilities-and-grounds-policies-and-procedures/007-19-signage-posters-banners>.
- 8.2.6. Capital Planning and Development, University Land Use Planning policy on campus signs (the process by which university employees acting in their official capacity may seek and receive approval to place signage, including but not limited to monument signs, building signs, banners and posters, on OSU buildings and around campus):  
<https://fa.oregonstate.edu/cpd/osu-sign-plan>.
- 8.3. Information specific to students related to free speech and expression.
  - 8.3.1. Office of the Dean of Students *Freedom of Expression* webpage:  
<https://studentlife.oregonstate.edu/freedom-expression>.
  - 8.3.2. Office of the Dean of Students, *Supporting Activism* webpage (campus response to protest philosophy and procedures and information about freedom of expression):  
<https://studentlife.oregonstate.edu/supporting-activism>.
  - 8.3.3. Office of Student Conduct & Community Standards' *Code of Student Conduct*:  
[https://studentlife.oregonstate.edu/sites/studentlife.oregonstate.edu/files/student-conduct-community-standards/Code/code\\_of\\_conduct\\_83-2\\_compressed.pdf](https://studentlife.oregonstate.edu/sites/studentlife.oregonstate.edu/files/student-conduct-community-standards/Code/code_of_conduct_83-2_compressed.pdf).

- 8.4. Information specific to university social media accounts and platforms.
  - 8.4.1. University social media best practices and policies:  
<https://social.oregonstate.edu/policies>.
  - 8.4.2. University Relations & Marketing Social Media unit rules:  
<https://communications.oregonstate.edu/social/social-media-policies>.
  - 8.4.3. University Relations & Marketing’s best practices for social media from a “using the brand” perspective:  
<https://communications.oregonstate.edu/brand-guide/using-brand/social-media/best-practices>.
- 8.5. *Purpose, Priorities, & Philosophy of Campus Response to Assembly*:  
[https://studentlife.oregonstate.edu/sites/studentlife.oregonstate.edu/files/purpose\\_priorities\\_philosophy\\_of\\_student\\_protest.pdf](https://studentlife.oregonstate.edu/sites/studentlife.oregonstate.edu/files/purpose_priorities_philosophy_of_student_protest.pdf).
- 8.6. *Summary of OSU’s Speech and Expression Policies*:  
[https://studentlife.oregonstate.edu/sites/studentlife.oregonstate.edu/files/summary\\_osuspeechpolicies\\_9-10-2020.pdf](https://studentlife.oregonstate.edu/sites/studentlife.oregonstate.edu/files/summary_osuspeechpolicies_9-10-2020.pdf).

## 9. History

- 9.1. Adopted: Oregon State University adopted University Standard 576-005 *Time, Place, and Manner Rules for Speech Activities* from Oregon Administrative Rule 576-005 *Time, Place, and Manner Rules for Speech Activities* on July 1, 2014.
- 9.2. Revised: University Standard 576-005 *Time, Place, and Manner Rules for Speech Activities* was revised in 2017 and received housekeeping amendments in 2022 and 2023, and was revised and renumbered as University Standard 04-040 *Freedom of Speech and Expression* on February 9, 2024. The policy received housekeeping amendments on October 11, 2024 to update references.
- 9.3. Next scheduled review date: February 2029.

## 10. Website

- 10.1. <https://policy.oregonstate.edu/policy/freedom-speech-and-expression>

## 11. Contacts

### For students:

Division of Student Affairs  
541-737-3626

<https://studentaffairs.oregonstate.edu>

**For employees:**

Office of University Human Resources

(541) 737-3103

<https://hr.oregonstate.edu>

**For all other persons:**

University Relations and Marketing

(541) 737-4875

<https://communications.oregonstate.edu/>