

Free Speech: Non-Commercial Expressive Public Speech On Campus

University facilities and outdoor space are governed by the policies of the Board of Trustees of the University of Arkansas and exist for the primary purpose of serving a planned and scheduled program of educational activity. Consistent with Board of Trustees Policy 705.1 and University wide Administrative Memorandum 715.1, when not required for regularly planned educational or research programs, and subject to other University policies, University facilities or outdoor space may be made available for use by University entities and Non-University entities.

University entities shall only include colleges, departments, and other university organizational units; faculty; staff; students; University-related foundations and University alumni association; and registered student organizations. Non University entities shall only include individuals and organizations that are not acting as University entities and are not sponsored by a University entity.

Any non-University entity is welcome to share an opinion or viewpoint with the University community, provided the non-University entity is registered with the Office of the Vice Chancellor for Student Affairs (201A Campus Center 479.788.7310).

Access to public forum locations is provided on the city sidewalks that run parallel to the city streets that surround and cross the campus, subject to relevant city ordinances, state and federal law (maps indicating city streets and sidewalks are available through the University Police Department. Access is also provided at identified public forum locations, all external to campus buildings and identified below.

The identified public forum locations are available for use or reservation by University and non-University entities. Access to the identified public forum locations is provided on a content neutral basis. Any denial of access will specify the reasons for which registration is denied and offer an appeal procedure. The following time, place, and manner parameters apply to public forum locations as well as to expressive activities of members of the University community in other locations.

Time, Place and Manner Parameters

The following are parameters for the time, place, and manner of activities:

- The activity must not violate local ordinances, state or federal laws, or university policy;
- The duration of the event may be limited to a reasonable period of time, based on the type of event and the resources required to manage it;
- There shall be no obstruction of entrances or exits to buildings or driveways or impeding entry to or exit from buildings or parking lots;
- The activity must not unduly disrupt traffic, either vehicular or pedestrian, or a duly planned and scheduled university activity;
- The activity must not create unreasonable safety risks;

- There shall be no alteration, modification, defacement or destruction to University property or leased property or observer's personal property;
- To prevent damage to University infrastructure, the erection of tents or any temporary structures must be first approved by Plant Operations.
- Organizers must have decorations approved and/or facilities inspected for safety in advance by Plant Operations or facility official. This includes the use of wooden, plastic, or metal sticks, pipes, poles or the like to aid in signage.
- The location will be left in its original condition at the conclusion of the event, and any entity that causes damage to University owned or leased property will be responsible for paying any charges necessary to return the property to its original state. Reasonable charges or deposits may be imposed to enforce this requirement.
- Amplification equipment shall not be allowed except in designated areas where and when it is unlikely that disruption will occur;
- Expression that is obscene or defamatory, or consists of fighting words, threats of physical harm, inciteful of imminent lawless action, or is commercial in nature or otherwise not entitled to protection as expression is not permitted.
- All publicity, handouts, printed materials, etc. are governed by University policies and procedures.
- Material handed out may not be left out for people to take. If there is a significant issue with materials causing unsightliness or litter, that privilege be revoked;
- Those handing out material may not follow members of the campus community, and refusals to take material shall immediately be respected by expressive speakers;
- The organizer must be present throughout the event with a copy of the approved reservation form for the duration of the function and present the form to UAPD if requested. The event may be terminated by UAPD for failure to have a copy of the approved reservation form on the premises.
- The organizer shall be solely responsible for any and all costs arising from or relating to any event and by requesting to use University facilities agrees to pay all such charges.
- To help ensure a diverse array of activities and uses, non-University entities may schedule initially a total of three events per semester; requests for additional reservations will be limited to one event per reservation, and that event must transpire before another reservation is considered.

Public Forum Locations

Public forum locations for non-University entities include the following locations. These locations are made available on a content neutral basis subject to the defined time, place and manner parameters.

1. The Bell Tower area, assuming no university events are scheduled there;
2. Main Gates, along Kinkead Avenue (may not block drive-through traffic);

3. Sidewalk and adjacent area between the Campus center West entrance and the large parking lot between the Campus Center and the Sebastian Commons, or in the areas between the campus Center and the Math-Science building;
4. Either side of the tunnel providing access underneath Grand Avenue;

Objections to Expressive Activities

The University recognizes that individuals or groups may be opposed to certain expressive activities or speakers. Disagreement with different opinions is acceptable; however, use of violence or violation of law or University policy is counter to creating an environment where issues can be openly discussed. An individual or group wishing to protest an event is subject to the same standards as the presenters. Individuals who choose to listen bear the responsibility of recognizing and honoring the right of free speech.

Response to Violations

Violations of this policy by non-University entities may result in removal from campus, police arrest and criminal charges. Violations of this policy by members of the University community may result in review and sanctions under appropriate University policies. Specifically, students will be subject to procedures established in the Code of Student Conduct, and faculty and staff disciplinary procedures will be processed according to guidelines established in the Faculty Handbook and the Employee Handbook. Any police arrest and criminal charges of students, faculty, or staff are separate from University student conduct review or disciplinary sanction.

Procedures

1. Any non-invited non-University entity wishing to engage in expressive speech on the UA Fort Smith campus must register their intent and identifying information at the Office of the Vice Chancellor for Student Affairs a minimum of two days (48 hours) prior to the planned event, and scheduling will be dependent on the actual calendar of events for the days requested;
2. Requests to use amplification will be closely scrutinized for likely disruption of regular university activities and processes;
3. Applicants must agree to any neutrally applied time, place and manner requirements, as articulated above, that the University believes are necessary to conduct its core activities;
4. Violation of these provisions may result in removal from campus and the loss of privileges to utilize the campus property.

Noncommercial Expressive Speech Registration Form

University of Arkansas - Fort Smith

Name of Speaker, Speakers or Group:

Are you sponsored b/y a campus organization or department? Y N

If yes, do you need any equipment?

Type of Activity (e.g., public speech, handout of flyers, march, demonstration)

Public Forum Location Requested:

Belltower Area	Main Gates Area	W. or S. of Campus Center
Outside Grand Avenue Tunnel		East Gate Area

Date, Time and Duration Requested (form must be approved 48 hours before event). We will strive to consistently respond to requests in a timely manner, typically within two business days :

Estimated Attendance:

Contact information:

Do you anticipate security being needed:

Have you read the policy concerning noncommercial speech on campus?