



# Eastern Kentucky University

## Policy and Regulation Library

University Policy: 9.3.3POL

Responsible Office(s): Public Safety and  
University Counsel

Effective: February 22, 2019

Next Review Date: March 1, 2021

## University Policy: 9.3.3POL

### Policy Governing Time, Place and Manner of Demonstrations, Meetings and Other Assemblies

#### Statement

Eastern Kentucky University recognizes that freedom of expression and academic freedom are fundamental values and foundations for the development of knowledge, transmission of learning, and the general well-being of society. Consistent with the United States and Commonwealth of Kentucky Constitutions, all members of the University community have a right to free expression, assembly, and advocacy in a peaceful manner. Eastern Kentucky University is committed to protecting the right of free expression and academic freedom, upholding open inquiry, and promoting lively debate.

The University does not impose restrictions on speech except where such restrictions are:

- Content neutral;
- narrowly tailored to serve a significant government interest; and
- leave open ample alternative channels of communication.

This policy is established to facilitate the effective use of University facilities and outdoor spaces for the exercise of free expression.

#### Entities Affected

Internal and External constituents.

#### Procedures

##### I. Demonstrations, Meetings or Assemblies

Individuals or groups who desire to use University areas for demonstrations, meetings or other assemblies are strongly encouraged to reserve a specific area(s)

in advance to ensure the availability of space. Without a reservation, the University allows most University areas to be utilized on a first-come, first-served basis, in accordance with University Policy 7.1.1P, Scheduling of University Facilities and Outdoor Space.

Planned or spontaneous demonstrations, meetings or assemblies may be conducted in those appropriate areas of campus that are regularly available to the public, provided such demonstrations, meetings, or other assemblies meet the following non-exhaustive list of time, place and manner restrictions:

- Are conducted in a lawful manner.

- Do not prohibit or interfere with vehicular or pedestrian traffic.

- Do not interfere with the normal operations of the University, to include classes, other scheduled meetings, events, ceremonies, and other educational processes.

- Do not willfully, negligently or recklessly commit any act likely to create an imminent health or safety hazard.

- Do not utilize Sound Amplification equipment above an 8-hour time-weighted average sound level (TWA) of 85 decibels and a not to exceed limit of 95 decibels at any time.

- Do not include expression that is threatening of physical harm; incites imminent

Reservations and scheduling of University facilities (all indoor and outdoor spaces outside of the designated time frame in Section II) should be made in accordance with University Policy 7.1.1.P, Scheduling of University Facilities and Outdoor Space.

### **A. Indoor Spaces**

All indoor spaces must be reserved in advance in accordance with University Policy 7.1.1P, Scheduling of University Facilities and Outdoor Space.

### **B. Outdoor Spaces**

The University shall not impose restrictions on the time, place, and manner of free expression that occurs in the outdoor areas of the Uni protected by the United States and Commonwealth Constitutions unless the restrictions are content neutral, are narrowly tailored to serve a significant government interest, and leave open ample alternate channels for communication.

Free expression in outdoor areas between University buildings is subject to the following reasonable content-neutral restrictions:

Speakers may not be in the streets, parking lots, or on sidewalks.

Speakers may be in areas adjacent to the sidewalks provided the speaker and audience do not block or impede pedestrian traffic.

Speech involving the use of tables, stationary displays, or the exhibition of images, or the amplification of sound is limited to areas designed by Conferencing and Events and requires a prior reservation.

The University may temporarily restrict expressive activities in areas that are otherwise open for expressive activities when those areas have been reserved for a University-approved function.

### **C. Restricted Outdoor Areas Requiring a Reservation**

The following restricted areas may be utilized on a reservation-only basis:

- All areas and buildings within athletic facilities;

- intramural fields and other recreational areas;

- amphitheaters;

- parking lots and parking structures; and

- residential areas on campus, including sidewalks and pedestrian walkways.



appropriate security, the request must be modified and/or cannot be approved as submitted. In order that a written record of all communication be maintained, email shall be the preferred form of communication between the University and requestor.

## Definitions

**Business Days:** Days and hours the University is open for business (Monday through Friday, 8:00 a.m. to 5:00 p.m.).

**External Constituents:** Individuals, groups, or organizations not affiliated with Eastern Kentucky University.

**Internal Constituents:** University Employees, Students, academic departments and colleges, administrative offices and units, and registered student organizations.

**Organizer:** Individual, group or organization responsible for organizing, coordinating, and communicating all event logistics with the Office of Conferencing and Events. Organizer may be a Student, Faculty, Staff, Internal or External Constituent.

**Sponsored External Constituents:** Individuals, groups, or organizations not



