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POLICY #5.1 SUBJECT: Free Speech and Advocacy on Campus

[suu.edu/policies/05/01.html](https://www.suu.edu/policies/05/01.html) (<https://www.suu.edu/policies/05/01.html>)

I. PURPOSE

Southern Utah University is committed to the principles of free speech and assembly guaranteed by the United States Constitution and the Utah Constitution as well as applicable statutory and regulatory law, and in accordance with generally accepted concepts of academic freedom. It is the purpose of this policy to protect and enhance the free exchange of ideas, the right to free speech, and academic freedom in the University and on the University Campus, without prior restraint or censorship, subject to limitations on unlawful/unprotected speech and to clearly stated, reasonable, and nondiscriminatory rules regarding time, place, and manner.

II. REFERENCES

1. Southern Utah University
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1. Appeals Committee:

4. Freedom of the Press

1. Members of the University Community in their publications or broadcasts are entitled to the full protection of the constitutional right of freedom of the press. Reasonable and nondiscriminatory rules and procedures, consistent with this Policy, may be adopted regarding the operations of student, faculty, and staff publications, posting of signs and notices, the distribution of commercial advertising materials, and the solicitation of funds.
2. Student publications supported by University funds or student fees, other than those publications sponsored by a college/school, department, or academic program, shall be regulated by the Student Involvement and Leadership Office pursuant to reasonable and nondiscriminatory procedures, which shall be viewpoint neutral, consistent with this Policy, and published on the Student Involvement and Leadership website or made available for public inspection upon request. No member of administration or staff, including but not limited to employees who advise student organizations, shall exercise any prior restraint or editorial control over the content of these publications.
3. In the case of student publications sm

6. Right to Form Chartered Student Clubs

1. Chartered Student Clubs and organizations may be established for any lawful purpose. Affiliation of any student club with lawful off-campus groups shall not, in itself, disqualify that club from enjoying the benefits and privileges that the University affords to student clubs. Student clubs shall have the right to keep membership lists confidential and solely for their own use. The names and addresses of officers are required by the University as a condition for registration or access to University funds or enjoyment of University privileges.
2. Any chartered student organization may be added to the University club roster upon the filing and approval of completed new Registered Student Organization (RSO)/University Sponsored Organization (USO) documentation and/or other currently required documentation with the Student Involvement and Leadership Office.
3. Chartered student organizations shall maintain their position on the University student club roster upon filing with the Student Involvement and Leadership Office each fall semester (by a deadline provided by the Student Involvement and Leadership Office). This re-registration form shall include any changes in the initial constitution since its latest filing and shall list the current officers. Clubs that renew by the appropriate date are eligible to be considered for money from the University. Any club may register at any time.
4. The Student Involvement and Leadership Office may remove a student club from the University clubs roster for failure by the club to abide by University rules and policies or Federal or state law.

7. Student Body Officer Elections

1. Subject to the limitations on unlawful/unprotected speech (Section IV.B.2.) and reasonable, viewpoint-neutral, and nondiscriminatory Time, Place, and Manner Restrictions, student body officer elections for the Southern Utah University Student Association (SUUSA) shall be regulated pursuant to the SUUSA constitution and bylaws.

8. Speakers

1. The rights of speakers to freedom of expression under the United States Constitution and the Utah Constitution shall be protected. The rights of speakers to speak and audiences to hear, free from undue disruption and interference, shall also be protected.
2. In permitting the exercise of free speech on its campuses, the University does not sponsor or sanction the messages stated or the methods of speech used unless expressly stated otherwise.
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9. Protests and Demonstrations

1. To facilitate robust debate and the free exchange of ideas, peaceful protests and demonstrations on campus are legitimate means of expression. Anyone who wishes to engage in protests and demonstrations shall be permitted to do so, as long as the protest/demonstration and the conduct of participants:
 1. Does not take place in indoor rooms/areas where quiet or reflection may be expected by those using these rooms/areas (including but not limited to classrooms, laboratories, museums, the Gerald R. Sherratt Library, the Beverly Taylor Sorenson Center for the Arts, and other indoor and outdoor venues where theatrical/musical performances or public or private ceremonies are occurring);
 2. Does not take place inside buildings where minors are predominantly present;
 3. Is not violent; and
 4. Does not unduly disrupt the functioning of the University, interfere with the rights of other Members of the University Community, or damage University or private property. Protests and demonstrations are also subject to the limitations on unlawful/unprotected speech (Section IV.B.2.) and reasonable and nondiscriminatory Time, Place, and Manner Restrictions.
2. Time, Place, and Manner Restrictions for Protests and Demonstrations
 1. Although it is not necessary for a person planning a protest or demonstration to obtain prior permission from the University, the University encourages such persons to contact the campus Centralized Scheduling Office to reserve or schedule a place in advance to ensure availability, and to review [Policy 5.13 \(https://www.suu.edu/13.html\)](https://www.suu.edu/13.html). University Organizations and Members of the University Community reserving use of University facilities and places shall be given priority over those who do not have a reservation.
 2. Protests and demonstrations must be orderly at all times and must not jeopardize public order or safety. The University reserves the right to prohibit protestors from wearing masks or otherwise disguising their identity during protests if protestors' conduct threatens to endanger the safety of others or to damage University property.
 3. Protests and demonstrations must not interfere with the entrances and exits to buildings or the normal flow of pedestrian or vehicular traffic.
 4. Protests and demonstrations must not disrupt or obstruct university functions, organized meetings, or other assemblies in such a way as to invade the rights of others to assemble and the rights of speakers to free expression.
 5. Protests and demonstrations must not interfere with classes and teaching, the use of administrative or academic departments or offices, University activities related to teaching or research, or previously scheduled meetings or events.
 6. Persons violating the Time, Place, and Manner Restrictions relating to protests and demonstrations may be subject to arrest or other action authorized by law after notice is given of the restrictions being violated and the persons refuse to cease and desist.
 7. Protesters and demonstrators shall be financially responsible for any damages caused by their protests and demonstrations. Damages caused by third parties not part of the protests and demonstrations shall be assessed against such third parties, with such assessments not being final until they are appealed to and reviewed by the Appeals Committee (Section IV.O.1.).

10. Sound Amplification Equipment

1. Sound equipment shall be used only at volume levels that do not disrupt or disturb teaching, research, or other duly authorized meetings or activities at the University, and in accordance with city ordinances.

2. Time, Place, and Manner Restrictions for Posting Non-Commercial Signs, Notices, Posters, and Banners

1. Members of the University Community may post non-commercial signs, notices, and posters on bulletin boards and kiosks located on SUU campus and maintained by the University; however, they may not be posted on bulletin boards or kiosks maintained by academic and administrative departments of the University or in classrooms (per Section IV.K.2.b.). Noncommercial signs, notices, and posters shall not be attached to non-bulletin board or non-kiosk locations, such as on trees, buildings or portions of buildings (including walls, doors, windows, fixtures, handrails), fountains, statues, equipment, furniture, or machinery, unless otherwise expressly authorized by the Student Involvement and Leadership Office. For lawn sign requirements, see Section IV.K.2.i.
2. Unless expressly designated for broader use, bulletin boards, easels, and kiosks maintained by an academic or administrative department of the University, and all walls, doors, whiteboards, chalkboards, windows, and other areas within classrooms, are reserved exclusively for University Organizations for University speech. Designated areas in bathroom stalls at the University are also reserved exclusively for University speech by the Student Involvement and Leadership Office. In addition, designated areas for the hanging of artwork on campus are reserved exclusively for University Organizations. Postings under this section do not need approval from the Student Involvement and Leadership Office, but are required to comply with the department's nondiscriminatory rules and procedures.
3. University websites and digital signage are reserved for University Organizations for University speech. However, 10 digital signage slots shall be reserved for Chartered Student Clubs to advertise meetings, fundraisers, service projects, or other events that are open to the entire student body. Chartered Student Clubs must submit their signage to the Student Involvement and Leadership Office and comply with the digital signage procedures of the office. The Student Involvement and Leadership Office shall post digital signage that complies with such procedures on a first-come, first-served basis to the 10-slot limit. The Student Involvement and Leadership Office (and any other relevant campus office) digital signage procedures shall be viewpoint-neutral and shall not violate this Policy.
4. University Organizations, SUUSA, and Chartered Student Clubs may post posters

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3. Commercial Signs, Notices, Posters, and Banners

1. Facilities Management shall publish procedures governing the posting or distribution of commercial signs (including digital signage and projections on the side of buildings), notices, posters, banners, and other materials for commercial purposes, except for commercial signage at athletic and Shakespeare facilities, and at University athletic and Shakespeare events. Athletics and Shakespeare signage shall be expected to comply with University policies and procedures that apply to those departments.

13. Distribution of Commercial Handbills

1. Facilities Management shall publish rules and procedures governing the distribution of commercial handbills. The procedures may include a schedule of fees and limitations upon the areas in which such commercial activity may take place. The rules and procedures shall be published on the Facilities Management website, and a written record of actions taken under the rules and procedures shall be maintained and open for public inspection upon request.
2. Any person distributing handbills or written material shall be personally responsible for the content of the material and hold the University harmless for any assessed damage or liability incurred as a result of the distribution of the handbills or material.

14. Non-Commercial Structures

1. Members of the University Community and their organizations may erect noncommercial Structures on campus to express their views or opinions subject to the limitations on unlawful/unprotected speech (Section IV.B.2.) and reasonable and nondiscriminatory Time, Place, and Manner Restrictions. Such Structures may deal with any subject matter, including but not limited to social or political issues.

2. Time, Place, and Manner Restrictions for Non-Commercial Structures

1. Members of the University Community may erect non-commercial Structures in speaker areas defined in Section IV.H.5.a. of this Policy. Members of the University Community may erect Structures outside of the speaker areas in Section IV.H.5.a. where it is shown that the message is intended for an audience elsewhere on the campus.
2. The campus Facilities Management office may create viewpoint-neutral, nondiscriminatory procedures related to the physical requirements and limitations, such as health and safety, of noncommercial Structures, which shall be maintained and available for inspection on the campus Facilities Management webpage.
3. Prior to the erection of any non-commercial Structure, a person or organization must obtain a permit from Facilities Management for each proposed Structure. Permit application forms may be obtained from the Facilities Management Office. The permit application shall include the identity of the member or Members of the University Community responsible for the Structure; the proposed location, size, and design of the Structure; the period of time the Structure will be in place (up to 10 calendar days for 12 hours per day for booths and buildings of any kind and 24 hours per day for other Structures); an agreement to remove the Structure at the end of each day and upon expiration of the permit and to pay for any damage the Structure may cause to the site upon which it is erected; and an agreement to hold the University harmless for any assessed damages or liabilities caused by the Structure itself. In the case of Structures other than lawn signs, billboards, banners and similar self-explanatory Structures, the Facilities Management Office shall require that the Structure be regularly staffed during daytime school hours as a condition of issuing the permit and renewing the permit.
4. The Facilities Management Office shall issue the permit if (a) the intended noncommercial Structure and uses made of it will not constitute a safety hazard and



