

# COLUMBUS STATE UNIVERSITY

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Policy Name:	<b>Policy on Freedom of Expression</b>
Policy Owner:	<b>General Counsel</b>
Responsible University Office:	<b>Office of Legal Affairs, Ethics &amp; Compliance</b>
Effective Date:	January 11, 2023 <sup>1</sup>
BOR Related Policy:	<a href="#"><u>BOR 6.5 Freedom of Expression</u></a>

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## A. PURPOSE OF POLICY

To affirm Columbus State University's support and respect for the rights embodied in the First Amendment, including the right of freedom of speech, freedom of expression, the free exercise of religion, and the right to peaceably assemble. This policy is intended to promote campus safety, to ensure the proper functioning of the academic environment and institution activities, and to protect individual rights. In no way is this policy intended to place an undue burden on members of the CSU community to freely express themselves. Time, place, and manner restrictions imposed by the University shall be content and viewpoint neutral and leave open ample alternative means of expression.

## B. DEFINITIONS

**"CSU Community"** means any of the following: (i) any persons enrolled at or employed by the University including University students, faculty, staff, administrators, and employees, (ii) University colleges, schools, departments, units, registered University student organizations, and recognized cooperative organizations, and (iii) invited guests of any party listed in the foregoing (i) and (ii) provided such guests are in the company of the inviting party. In the case of invited guests, the inviting party remains responsible to the University under this Policy and other applicable University policies for the guest's conduct.

**"Non-CSU Community"** means individuals or group who are not members of the CSU Community.

**"Protected expressive activity"** consists of speech and other conduct protected by the First Amendment to the United States Constitution, including, but not limited to, lawful verbal, written, audio-visual, or electronic expression by which individuals may communicate ideas to one another,

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<sup>1</sup> This Policy was adopted on an interim basis on September 5, 2022.

including all forms of peaceful assembly, distributing literature, carrying signs, circulating petitions, demonstrations, protests, and speeches including those by guest speakers.

**“Unrestricted outdoor area of campus”** means any outdoor area of campus that is generally accessible to members of the campus community, including, but not limited to, grassy areas, walkways, or other common areas, and does not include outdoor areas when and where access to members of the campus community is lawfully restricted.

### **C. POLICY**

In accordance with Board of Regents Policy 6.5 Freedom of Expression, CSU agrees and affirms that freedom of expression is of the utmost importance and must be protected and that as an institution, CSU is responsible for providing a secure learning environment that allows members of the CSU community, as well as non-CSU community members, to express their views in ways that do not disrupt the operation of the University.

CSU community members are free to engage in undisrupted, spontaneous expressive activity in all unrestricted outdoor areas of campus.

### **D. PROVISIONS FOR MEMBERS OF THE CSU COMMUNITY**

#### **I. Planned Large Group Expression**

Submission of Reservation Request: Members of the CSU community who plan to engage in non-spontaneous expressive activity on campus in a group that is expected to consist of thirty (30) or more persons must submit a Reservation Request [via the Astra Schedule Portal on CSU’s webpage](#) at least two (2) university business days prior to the scheduled activity and must receive approval in writing prior to engaging in such activity. Prior notice is required to ensure that there is sufficient space for the large group event, that necessary University resources are available for crowd control and security, and that the academic and other operations of the University are not disrupted.

Response to Reservation Request: The University may only deny a reservation request for the limited reasons set forth in Section G below. The reservation request must be processed and the requesting party must be notified within one (1) university business day after its submission.

Appeal of Denial of Reservation Request: The denial of a Reservation Request by a member of the CSU community may be appealed to CSU’s Vice President Student Affairs in writing setting forth the reasons why the appeal should be granted. CSU’s Vice President for Student Affairs, or his or her designee, must respond to the appeal in writing within one (1) university business day.

#### **II. Spontaneous Large Group Expression**

If members of the CSU community, while engaging in spontaneous expression, attracts a group of 30 or more persons, CSU reserves the right to direct a group of 30 or more persons to a particular area

of campus in order to ensure the safety of campus members, to provide for proper crowd control, and to limit disruption of the academic and other operations of the University. The CSU official must not consider or impose restrictions based on the content or viewpoint of the expression when relocating any expression.

**E. PROVISIONS FOR NON-CSU COMMUNITY MEMBERS**

Mandatory Submission of Reservation Request: Members of the non-CSU Community may only engage in expressive activity on Public Forum Areas and only after submitting a completed Forum Reservation Request Form [via the Astra Schedule Portal on CSU’s webpage](#) at least two (2) university business days prior to the scheduled speech and obtaining approval for such use in writing pursuant to the procedures set forth in Section E below. Organizers are encouraged to submit their requests as early in the planning stages of the event as possible.

Response to Reservation Request: The reservation request must be processed and the requesting party must be notified within one (1) university business day after its submission.

Appeal of Denial of Reservation Request: Any denial may be appealed to CSU’s Vice President for Student Affairs in writing setting forth the reasons why the appeal should be granted. CSU’s Vice President of Student Affairs or his or her designee must respond to the appeal in writing within one (1) university business day.

**F. DESIGNATION OF PUBLIC FORUM AREAS FOR NON-CSU COMMUNITY MEMBERS**

Public Forum Areas: For members of the non-CSU Community, the University has designated certain areas on campus as Public Forums (See **Attachment A** for a list of these Public Forum areas and the maximum number of people it can accommodate).

Availability of Public Forum Areas: For members of the non-CSU Community, these Public Forum Areas are generally available from 9:00 a.m. to 7:30 p.m. Monday through Friday, provided that the Public Forums have not previously been reserved. Reservations will only be processed on days that CSU’s Administrative Offices are open for business (“university business days”).

Submission of Reservation Request for Members of Non-CSU Community: Members of the non-CSU Community must submit a completed Forum Reservation Request Form to [via the Astra Schedule Portal on CSU’s webpage](#) to use the Public forum areas.

**G. SUBMISSION PROCESS FOR PUBLIC FORUM AREA RESERVATION REQUESTS**

Completed Forum Reservation Request Forms should be submitted [via the Astra Schedule Portal on CSU’s webpage](#). Any written materials that will be distributed by members or groups who are not members of the campus community in connection with the expression must be included with the request at least two (2) university business days prior to the distribution of the written materials.

University officials may not deny any request to distribute written materials based on the content or viewpoint of the expression. However, no publicity for a speaker or program may be released prior to authorization of the Reservation Request Form.

Response to Reservation Request: Reservation scheduling will be coordinated by Campus Services and CSU's Office of Student Life and Development, who will schedule forums for expression on a first-come, first-served basis. University officials must respond to all requests in writing as soon as practicable, but in no event more than one (1) university business day following receipt of the request, either authorizing the reservation and noting any special instructions, if applicable, or setting forth the reason for denial of the reservation.

Denial of Reservation Request: The denial of a reservation request is restricted to the following reasons:

- (1) The Forum Reservation Request Form is not fully completed;
- (2) The Forum Reservation Request Form contains a material falsehood or misrepresentation;
- (3) The Public Forum Areas have been reserved by persons who previously submitted a completed Forum Reservation Request Form(s), in which case the University must provide a reservation for the applicant at an alternate location, alternate date, or alternate time;
- (4) The use or activity intended by the applicant would conflict with previously planned programs organized and conducted by the University;
- (5) The Public Forum Areas are not large enough to accommodate the expected or actual number of persons engaging in large group expression, in which case the University must provide a reservation for the applicant at an alternate location that can safely accommodate the applicant provided that the applicant is a member of the CSU community and that such a location exists on CSU's campus;
- (6) The use or activity intended by the applicant would present a danger to the health or safety of the applicant, other members of the CSU community, or the public; or
- (7) The use or activity intended by the applicant is prohibited by law or CSU policy.

When assessing a reservation request, University officials must not consider or impose restrictions based on the content or viewpoint of the expression.

Appeals: Appeals related to the decision of the Student Affairs official should be made in writing to CSU's Vice President for and Student Affairs. CSU's Vice President for Student Affairs or his or her designee must decide all appeals within one (1) university business day. The decision of CSU's Vice

President for Student Affairs or his or her designee is final. All campus reservations are subject to the general provisions in Section I. below.

#### **H. DISTRIBUTION OF WRITTEN MATERIAL**

Members of the CSU community may distribute non-commercial pamphlets, handbills, circulars, newspapers, magazines, and other written materials on a person-to-person basis in the unrestricted outdoor areas of the campus. Members of the non-CSU community may only distribute written materials within the Public Forum Areas and only during the time in which the individual has reserved a Public Forum Area. Unauthorized use of the CSU's or the University System of Georgia's (USG) trademarks on any written material is strictly prohibited.

The policy, Distribution of Advertising Material, Propaganda, and the Like, which may be found in the Student Responsibilities and Rights Section of CSU Student Handbook, covers the distribution of commercial materials and publications.

#### **I. ADDITIONAL PROVISIONS**

In addition to the requirements set forth above, all individuals expressing themselves on CSU's campus must comply with the following provisions:

- Activities which will significantly hinder another person's or group's expressive activity, prevent the communication of the person's or group's message, or prevent the transaction of the business of a lawful meeting, gathering, or procession by (1) engaging in fighting, violent, or unlawful behavior, or (2) physically blocking, using threats of violence, or creating loud or sustained noise or vocalization intended to prevent any person from attending, listening to, viewing, or otherwise participating in an expressive activity is prohibited;
- Interference with the free flow of vehicular or pedestrian traffic within and/or under the control of the CSU campus or the ingress and egress to buildings on campus is prohibited.
- Any use of amplified sound, other than amplified sound used in connection with University-sponsored events, must only be intended to be heard in the immediate area of the expression in order to minimize any disruption of the central academic mission of the University. Use of amplified sound by student organizations must be approved by the Office of Student Life and Development.
- No interruption of the orderly conduct of university classes or other university activities, including university ceremonies and events, is permitted.
- No commercial solicitations, campus sales, or fundraising activities shall be undertaken which are not authorized by CSU. For CSU's policies on solicitation and fundraising, refer to the CSU Student Handbook.

- The individual who makes the reservation shall be responsible for seeing that the area is left clean and in good repair. If not accomplished, persons, or organizations responsible for the event may be held financially responsible for cleanup costs.
- The individual/organization using the area must supply their own tables, chairs, etc., if needed (unless already part of the location).
- Individuals who are not members of the CSU campus community may not camp or erect temporary structures (e.g., tents) on CSU's campus.
- Damage or destruction of property owned or operated by the University, or property belonging to students, faculty, staff, or guests of the University is prohibited. Persons or organizations causing such damage may be held financially and/or criminally responsible.
- Individuals and groups of individuals expressing themselves on CSU's campus must comply with all applicable federal, state, and local laws and USG and CSU policies, rules, and regulations

Authorization of a speech, event, or demonstration is contingent upon compliance with the criteria listed above. Speakers and/or organizations failing to comply with the above policy may be asked to leave, a trespass warning may be issued, and/or University disciplinary action or judicial action may be pursued.

### **Freedom of Expression Policy Questions**

Questions about this policy by Members of the CSU community may be addressed to the Office of Student Life and Development in the Division of Student Affairs at (706) 507-8950.

Questions about this policy by Non-Campus Members may be addressed to University Support Services at (706) 507-8203.

General questions about this policy can also be directed to the Office of Legal Affairs, Ethics & Compliance at (706) 507-8237.

**APPROVED:**

*Stuart Rayfield*

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Dr. Stuart Rayfield, President

4/25/2024 | 2:09 PM EDT

Date

## Attachment A

### PUBLIC FORUM AREAS COLUMBUS STATE UNIVERSITY

Main Campus	<u>Capacity</u>
<ul style="list-style-type: none"><li>• Mock Pavilion located on Clearview Circle</li></ul>	500
<ul style="list-style-type: none"><li>• Schuster Lawn located front of building</li></ul>	200
<ul style="list-style-type: none"><li>• Lumpkin Center westside lawn</li></ul>	500
<ul style="list-style-type: none"><li>• Clocktower</li></ul>	200
<ul style="list-style-type: none"><li>• Woodall lawn on east side of building</li></ul>	50
<ul style="list-style-type: none"><li>• CCT lawn (adjacent to the area back corner of building)</li></ul>	50
<ul style="list-style-type: none"><li>• Student Recreation Center side lawn (adjacent to parking garage)</li></ul>	50
RiverPark	
<ul style="list-style-type: none"><li>• Frank Brown Hall Grass plaza</li></ul>	100
<ul style="list-style-type: none"><li>• Yancey Center at One Arsenal Place courtyard</li></ul>	100
<ul style="list-style-type: none"><li>• Woodruff Park Grass festival area</li></ul>	500

### Map of Public Form Areas

## Speech Areas



- Mock Pavilion located on Clearview Circle - 1-500
- Schuster Lawn located front of building - 1-200
- Lumpkin Center westside lawn - 1-500
- Clocktower - 1-200
- Woodall lawn on east side of building - 1-50
- CCT lawn (adjacent to the area back corner of building) - 1-50
- Student Recreation Center side lawn (adjacent to parking garage) - 1-500

## Speech Areas



- Frank Brown Hall Grass plaza - 1-100
- Yancy at One Arsenal Place courtyard - 1-100
- Woodruff Park Grass festival area - 1-500