

# Assembly and Demonstrations

**Original Implementation:** July 1980

**Last Revision:** July 23, 2019

## I. Introduction

1. Freedom of expression is of critical importance. It is imperative that public institutions of higher education ensure free, robust, and uninhibited debate and deliberations. Stephen F. Austin State University (SFA) reaffirms its commitment to the freedoms of speech, expression and assembly by establishing this policy. Individuals have the right to assemble, to speak, and to attempt to attract the attention of others, and corresponding rights to hear the speech of others when they choose to listen, and to ignore the speech of others when they choose not to listen.
2. The rules articulated in this policy apply to all students, faculty, staff, and their official organizations, as well as all other persons and groups. Due to practical administrative realities, this policy does not apply to university agents and employees when they are acting in the course and scope of their agency or employment. This exception also includes the official activities of the SFA Alumni Association and the SFASU Foundation.
3. Common outdoor areas of SFA's campus are deemed traditional public forums. Persons not affiliated with the university are free to express their views orally, by sign or exhibit, on any topic subject to the rules stated in this policy and other applicable SFA policy and procedures.
4. Students, faculty and staff are free to express their views, individually or in organized groups, orally, by sign or exhibit, on any topic, in all parts of the campus, subject to the rules stated in this policy and other applicable SFA policy and procedures.
5. Teaching, research and other official functions of the university shall have priority in allocating the use of space on campus.

## II. Definitions

1. "Student" shall mean any person registered for academic credit at the university.
2. "Faculty" and "Staff" shall mean any person employed by the university.
3. "Official organization" shall mean any organization recognized by the university.

## III. Rules

These rules shall govern the conduct of all assemblies and demonstrations on university property or at university-sponsored events.

1. Assemblies and demonstrations must be conducted in compliance with these rules, all other applicable university policies, and must not:
  - a. result in a breach of peace or violation of law;
  - b. negatively impact the security, health and safety of persons and/or property on campus; interfere with the free and unimpeded flow of pedestrian and vehicular traffic on campus or the entry or exit into university buildings;

- c. materially and substantially disrupt the normal activities of the university; or
  - d. result in damage to the university's grounds, buildings, and facilities.
2. No person conducting or participating in an assembly or demonstration on university property or at university-sponsored events may advocate the deliberate violation of the law. For the purposes of this section, "advocate" means speech directed to inciting or producing the audience for imminent action with the likelihood of producing such action, as opposed to the abstract espousal of the moral propriety of a course of action.
  3. Students, faculty, staff and their official organizations may assemble and/or demonstrate, including to distribute written material, anywhere on university grounds without a permit or permission from SFA between the hours of 8 a.m. and 7 p.m., Monday through Saturday, as long as the assembly and/or demonstration adheres to all applicable university policies and procedures.
  4. All other persons and groups may assemble and demonstrate in common outdoor areas between the hours of 8 a.m. and 7 p.m., Monday through Saturday, as long as the assembly and/or demonstration adheres to all applicable university policies and procedures, and a properly submitted Grounds Reservation form has been approved.
    - a. Requests by outside groups to reserve campus grounds for an assembly and/or demonstration, including to distribute written material, must be made in writing using the appropriate form. These forms are available in the Office of Student Engagement and on the Student Engagement website. The completed form must be submitted to the assistant dean of student affairs for programs for approval and must be received at least forty-eight (48) hours in advance of the activity. This advance notice allows the university to review whether such assembly or demonstration will be in compliance with these rules and to arrange for adequate security. Any approval or disapproval will be made using only content-neutral and viewpoint-neutral criteria. Each form requires the applicant to provide his/her name, address and phone number, in addition to signing and dating the form.
    - b. Although a reservation may be requested as many times per year as desired, no single reservation request can exceed five (5) working days. Persons or groups reserving space and not using the space without providing notice may receive a verbal warning for their first offense, a written warning for their second offense and after a third occasion may be restricted from reserving campus grounds for a period not to exceed one year from the date of the last infraction.
  5. The university may designate certain days in which outdoor spaces may not be used. These include, but are not limited to, commencements, Showcase Saturdays or other admission events, final exam week, and new student orientation days. Appeals may be made to the dean of student affairs.
  6. Persons or groups who violate this policy may, based on the severity of the offense, be restricted from use as long as the assembly and/or demonstration adheres to all applicable university policies and procedures.
  7. Persons or groups who violate this policy may, based on the severity of the offense, be

restricted from using university facilities or grounds. Such restriction will be made by the assistant dean of student affairs for programs and may be appealed to the dean of student affairs.

8. Students, official organizations or employees who unduly interfere with the expressive activities of others on campus may be subject to disciplinary action.

**Cross Reference:** Signs and Exhibits (16.24); Use of Amplified Sound on Campus Grounds (16.31); U.S. Const. amend. I; U.S. Const. amend. XIV, § 1; Tex. Educ. Code § 51.9315.

**Responsible for Implementation:** President

**Contact for Revision:** Dean of Student Affairs

**Forms:** SFA Group Grounds Reservation Form; Outside Group Grounds Reservation Form

**Board Committee Assignment:** Building and Grounds