



Freedom of Expression Policy

1.0 Purpose

Albany State University (“ASU”) is committed to respecting the First Amendment rights of all individuals, including freedom of speech, freedom of expression, and the right to peaceably assemble. ASU also recognizes its responsibility to provide a secure learning environment that allows individuals enrolled at or employed by ASU (“members of the ASU community”) to express their views in ways that do not disrupt the operation of the University. This policy in no way prohibits members of the ASU community from engaging in conversations on campus and does not apply to University-sponsored activities or classroom instruction or participation, but rather only establishes as designated public forums certain outdoor areas of ASU’s campus and sets forth requirements for forum reservations in the following limited circumstances: (1) members of the ASU community who plan an event with 30 or more persons; and, (2) individuals or groups who are not members of the ASU community who wish to speak on ASU’s campus. By placing reasonable limitations on time, place, and manner of speech, ASU does not take a position on the content or viewpoint of the expression, but allows for a diversity of viewpoints to be expressed in an academic setting.

2.0 Scope

This policy represents the ASU policy regarding Freedom of Expression. This policy applies to all members of the ASU Community; which includes students, employees, and visitors.

3.0 Policy

A. Designation of Public Forums on ASU’s Campus

To accommodate the need for immediate and spontaneous demonstration and to better facilitate the free exchange of ideas, ASU has designated the following areas on campus as “Public Forum Areas”:

- (a) East Campus (Pedestrian Mall and the Student Center Amphitheater)
- (b) West Campus (The brick paved area in front of the Student Center)
- (c) Cordele Center (The far right section of the parking lot adjacent to the railroad tracks)

The Public Forum Areas are generally available from 8:00 a.m. and 8:00 p.m., Monday through Friday, provided that the Public Forum Areas have not previously been reserved by a University-Affiliated department or student organization. Reservations will only be processed on days that ASU’s Campus Life Department is open for business (“university business days”).

Though reservations to use the Public Forum Areas are only required as set forth in Section C and Section D below and for weekend use, ASU recommends that all parties interested in using the Public Forum Areas submit a completed Forum Reservation Request Form to the Department of Campus Life at least 72 hours in advance of the event so that ASU may minimize scheduling conflicts, accommodate all interested users, and provide adequate security for the speaker and the audience. Plans for speaking activities in other campus areas and times must be approved by the Vice President of Student Affairs and Success or his or her designee. Such plans will be considered in a content neutral manner. No amplified sound will be allowed in an effort to minimize disruption in the academic arena and other daily operations.

B. Marches

The Dean of Students/Campus Life Director or his or her designee must approve plans for an event of this nature. Requests for marches will be approved in a content neutral and viewpoint neutral manner in accordance with Section E. below. Requests for marches should be submitted at least 72 hours in advance and the Dean of Students/Campus Life Director or his or her designee will respond to all requests within one university business day. Marches may only take place on Pedestrian Mall and approved sidewalk areas.

C. Provisions for Members of the ASU Community

I. Planned Large Group Expression

Members of the ASU community who plan to engage in expressive activity on campus in a group that is expected to consist of 30 or more persons must submit a completed Forum Reservation Request Form to ASU's Department of Campus Life 72 hours prior to the scheduled activity and must receive approval in writing from the Dean of Students/Campus Life Director or his or her designee 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. The Dean of Students/Director of Campus Life or his or her designee may grant a reservation for one of the Public Forum Areas or another available area of campus, as requested by the applicant, and may only deny a reservation for the limited reasons set forth in Section E below. The reservation request must be processed and the requesting party must be notified within one college business day after its submission. Any denial may be appealed to ASU's Vice President for Student Affairs and Success in writing setting forth the reasons why the appeal should be granted. ASU's Vice President for Student Affairs and Success or his or her designee must respond to the appeal in writing within one University business day and that person's decision is final.

II. Spontaneous Large Group Expression

If an individual or small group of individuals within the ASU community, while engaging in spontaneous expression, attracts a group of 30 or more persons, then a representative from the group should provide the University with as much notice as circumstances reasonably permit. ASU reserves the right to direct a group of 30 or more persons to one of the Public Forum Areas or another available 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 ASU official must not consider or impose restrictions based on the content or viewpoint of the expression when relocating any expression.

D. Procedures for Forum Reservations Requests

Completed Forum Reservation Request Forms should be submitted to ASU's Department of Campus Life in person or by email to OSA@asurams.edu. No publicity for a speaker or program may be released prior to authorization of the Forum Reservation Request Form.

Reservation scheduling will be coordinated by a Department of Campus Life Official, who will schedule forums for expression on a first-come, first-served basis. The Campus Life Official must respond to all requests in writing as soon as practicable, but in no event more than one 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.

The Dean of Students/Campus Life Director or his or her designee may only deny a reservation request for one of 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 or disturb 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 ASU community and that such a location exists on ASU'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 ASU community, or the public; or,
- 7) The use or activity intended by the applicant is prohibited by law or ASU policy.

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

Appeals related to the decision of the Dean of Students/Campus Life Director or his or her designee should be made in writing to ASU's Vice President for Student Affairs and Success. ASU's Vice President for Student Affairs and Success or his or her designee must decide all appeals within one college business day. The decision of ASU's Vice President for Student Affairs and Success or his or her designee is final. All campus reservations are subject to the general provisions in Section F. below.

E. Distribution of Written Material

Members of the ASU community or visitors may distribute non-commercial pamphlets, handbills, circulars, newspapers, magazines, and other written materials on a person-to-person

basis in open outdoor areas of the campus. Unauthorized use of the University's trademark on any written material is strictly prohibited.

F. General Provisions

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

- No interference with the free flow of vehicular or pedestrian traffic within and/or under the control of the ASU campus or the ingress and egress to buildings to campus is permitted.
- No interruption of the orderly conduct of classes or other activities, including ceremonies and events, is permitted.
- No commercial solicitations, campus sales, or fundraising activities shall be undertaken which are not authorized by ASU.
- 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 clean-up costs.
- The individual/organization using the area must supply their own tables, chairs, etc., if needed (unless already a part of the location).
- 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 expressing themselves on ASU's campus must comply with all applicable federal, state, and local laws, and ASU 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 may be addressed to the Department of Campus Life in the Division of Student Affairs and Success at (229) 903-3606.

Accountability

Department of Campus Life
Division of Student Affairs and Success

Contacts

Dean of Students/Campus Life Director
Vice President of Student Affairs and Success

References

N/A

Last Update

August 31, 2017