

## Policy GA-PA-PO2 General Rules on Means of Expression

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#### I. **Section 11-301 Disruption**

- A. Except as expressly authorized in Section 11-802 or by an authorized University official responsible for a program or event sponsored by an academic or administrative unit, no speech, expression or assembly may be conducted in a way that disrupts or interferes with any
  - 1. Teaching, research, administration or other authorized activities on the campus;
  - 2. Free and unimpeded flow of pedestrian and vehicular traffic on the campus; or
  - 3. Signs, tables, exhibits, public assemblies, distribution of literature, guest speakers or use of amplified sound by another person or organization acting under the rules in this chapter.
- B.
  - 1. The term "disruption" and its variants, as used in this rule, are distinct from and broader than the phrase "disruptive activities," as used in the Regents Rules and Regulations, Rule 30103 & Rule 40502. This rule is concerned not only with deliberate disruption but also with scheduling and coordination of events to manage or minimize the inevitable conflicts between legitimate events conducted in close proximity.
  - 2. Except in the most extreme cases, interference and disruption are unavoidably contextual. Intentional physical interference with other persons is nearly always disruptive in any context. Interfering with traffic depends on the relation between the volume of traffic and the size of the passageway left open. Disruptive noise is the most contextual of all because it depends on the activity disrupted. Any distracting sound may disrupt a memorial service. Any sound sufficiently loud or persistent to make concentration difficult may disrupt a class or library. Occasional heckling in the speaker's pauses may not disrupt a political speech, but persistent heckling that prevents listeners from hearing the speaker

does disrupt a political speech. These illustrations may be helpful, but none of them includes enough context to be taken as a rule. We cannot escape relying on the judgment and fairness of University authorities in particular cases. In this context where difficult enforcement judgments are unavoidable it is especially important to remind administrators and law enforcement officials that their judgments must not be influenced by the viewpoint of those claiming disruption or of those allegedly disrupting.

C.

1. Potentially disruptive events can often proceed without disruption if participants, administrators, and law enforcement officials cooperate to avoid disruption without stopping the event. In cases of marginal or unintentional disruption, administrators and law enforcement officials should clearly state what they consider disruptive and seek voluntary compliance before stopping the event or resorting to disciplinary charges or arrest.

## II. **Section 11-302 Damage to Property**

- A. No speech, expression or assembly may be conducted in a way that damages or defaces property of the University or of any person who has not authorized the speaker to damage or deface his or her property.
- B. No person may damage, deface or interfere with any sign, table or exhibit posted or displayed by another person or organization acting under the rules in this chapter.

## III. **Section 11-303 Coercing Attention**

- A. No person may attempt to coerce, intimidate or badger any other person into viewing, listening to or accepting a copy of any communication.
- B. No person may persist in requesting or demanding the attention of any other person after that other person has attempted to walk away or has clearly refused to attend to the speaker's communication.

## IV. **Section 11-304 Co-sponsorship**

- A. Neither registered student, faculty or staff organizations, nor individual students, faculty nor staff may co-sponsor any event on campus with an off-campus person or organization. Only academic or administrative units with authority delegated from the President of the University may co-sponsor events with an off-campus person or organization.
- B. An event is a prohibited co-sponsorship if an individual or a student, faculty or staff organization
  1. Depends on an off-campus person or organization for planning, staffing or management of the event; or

2. Advertises the event as co-sponsored by an off-campus person or organization; or
  3. Operates the event as an agent of, or for the benefit of, an off-campus person or organization, except for solicitation of charitable contributions under the authority of Section 6-401; or
  4. Distributes any proceeds of the event to an off-campus person or organization, except for
    - a. the proceeds of charitable contributions solicited under the authority of Section 6-401; or
    - b. payment of a fair market price for goods or services provided to the University person or organization; or
  5. Reserves a room or space for the use of an off-campus person or organization; or
  6. Engages in any other behavior that persuades the Director that an off-campus person or organization is in fact responsible for the event, in full or in substantial part.
- C. The following facts do not, in and of themselves, indicate a prohibited co-sponsorship:
1. A University person or organization endorses an off-campus person or organization or its message;
  2. A University person or organization sells, distributes, or displays literature prepared by an off-campus person or organization or containing contact information for an off-campus person or organization;
  3. A University person or organization has purchased goods or services from an off-campus provider;
  4. A registered student, faculty or staff organization has invited a guest speaker under Subchapter 11-1000;
  5. A registered student, faculty or staff organization has received financial contributions to support the event from an off-campus donor.
- D. The purpose of this rule is to preserve the limited space on campus for the use of students, faculty and staff and the rule shall be interpreted to serve that purpose. It is not the purpose of this rule to prevent students, faculty or staff from exercising their right to associate with other persons or organizations holding views similar to their own.

V. **Section 11-305 Other Rules with Incidental Effects on Speech**

- A. Other generally applicable or narrowly localized rules, written and unwritten, incidentally limit the time, place and manner of speech, but are too numerous to compile or cross-reference here. For example, libraries typically have highly

restrictive rules concerning noise; laboratories and rooms containing the electrical and mechanical infrastructure of the University typically have safety rules and rules excluding persons without specific business there; fire and safety codes prohibit the obstruction of exits and limit the constriction of hallways. Speech within classrooms is generally confined to the subject matter of the class; the right to attend a class at all is subject to registration and payment of tuition; individual professors may have rules of decorum in their classroom. These kinds of rules limit the right of students, faculty and staff to enter and speak in the places to which these rules apply.

- B. Reasonable and nondiscriminatory rules of this kind generally control the rights of free speech guaranteed in this chapter. But, even these kinds of rules are subject to the constitutional right of free speech. Such rules must be viewpoint neutral. Such rules cannot regulate speech more restrictively than they regulate other activities that cause the problems to be avoided by the rule. Such rules should not restrict speech more than is reasonably necessary to serve their purpose. Such rules cannot ban unobtrusive forms of communication with no potential for disruption even in the specialized environment subject to the localized rule. Thus, for example, means of silent expression or protest confined to the speaker's immediate person, such as armbands, buttons and t-shirts are nearly always protected because they are rarely disruptive in any environment.