

## Policy 11-1200

### Enforcement and Appeals

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#### Contents

- I. Section 11-1201 Police Protection
  - II. Section 11-1202 Response to Violations
  - III. Section 11-1203 Appeals
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#### I. Section 11-1201 Police Protection

- A. It is the responsibility of the University to protect the safety of all persons on campus and to provide police protection for speakers, public assemblies, persons staffing or viewing exhibits and other events. The normal patrolling of officers during regular duty areas in the area of such events will be at the cost of the University. When the magnitude, timing or nature of an event requires overtime hours from police officers (including contract hours for officers hired from other departments or private security agencies), the University will, to the extent specified in Subsections (B) and (C), charge the cost of overtime or contract officers to the person or organization sponsoring the event or exhibit that requires overtime police protection. The purpose of Subsection (B) and (C) is to charge for police overtime where reasonably possible, but not to charge for police overtime made necessary by the content of speech at the event or by the controversy associated with any event.
- B. A reasonable and nondiscriminatory fee for overtime police work will be charged for events that require overtime police service, and
  - 1. charge a price for admission, or
  - 2. pay a speaker, band or other off-campus person or organization for services at the event, or
  - 3. advertise to the community at large as an open event.

Persons or organizations planning such events should budget for the cost of police service.

- C. The University shall have the sole power to decide, after reasonable consultation with the person or organization planning the event, whether and to what extent overtime police protection is required. No fee shall be charged for officers assigned because of political, religious, philosophical, ideological or academic controversy anticipated or actually experienced at the event. All fees shall be based on the number of officers required for an uncontroversial event of the same size and kind in the same place and at the same time of day handling the same amount of cash.

- D. Nothing in this section applies to any interdepartmental charge or transfer among units or accounts funded by the University.

## II. **Section 11-1202 Response to Violations**

- A. A student who violates a prohibition in this chapter may be disciplined under the procedures in Chapter 9.
- B. A faculty member who violates a prohibition in this chapter may be disciplined under applicable procedures provided by other rules. If no such procedures exist, violations by faculty members shall be referred to the Office of the Provost.
- C. A staff member who violates a prohibition in this chapter may be disciplined under applicable procedures provided by other rules. If no such procedures exist, violations by staff members shall be referred to the Office of Human Resources.
- D. Authorized University personnel may prevent imminently threatened violations, or end ongoing violations of a prohibition in this chapter by explanation and persuasion, by reasonable physical intervention, by arrest of violators, or by any other lawful measures. Alternatively or additionally, they may initiate disciplinary proceedings under paragraph (A), (B) or (C). Discretion regarding the means and necessity of enforcement shall be vested in the chief of police, or in University personnel designated by the University President, as appropriate, but such discretion shall be exercised without regard to the viewpoint of any speaker.
- E. Persons and organizations on the campus shall comply with instructions from University administrators and law enforcement officials at the scene. A person or organization that complies with an on-the-scene order limiting speech, expression or assembly may test the propriety of that order in an appeal under Section 11-1203.

## III. **Section 11-1203 Appeals**

- A. A person or organization denied permission for an activity requiring advance permission under this chapter may appeal the denial of permission.
- B. A person or organization that complies with an on-the-scene order limiting speech, expression or assembly may, on or before the fifth weekday after complying with the order, file an appeal to determine the propriety of the order limiting the speech, expression or assembly. The question on appeal shall be whether, under the circumstances as they reasonably appeared at the time of the order, the appellant's speech, expression or assembly should have been permitted to continue. Such an appeal may be useful to clarify the meaning of a rule, or to resolve a factual dispute that may recur if the appellant desires to resume the speech, expression or assembly that was limited by the order.

An appeal authorized by this section shall be heard under the procedures set out in Subchapter 12-400.