



Freedom of Expression Policy

Policy #:	SA002.1
Policy Type:	University
Responsible Executive:	VP for Student Affairs
Responsible Office:	Office of Student Services
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I. Policy Statement

The University of Louisiana at Monroe (“ULM” or “the University”), a public post-secondary institution of higher education within the University of Louisiana System (“UL System” or “the System”), is fully committed to free speech among students, faculty, staff, and visitors. To fulfill our primary role of discovering and disseminating knowledge, a free exchange of ideas is necessary. We pride ourselves on being bastions of free expression and believe a culture of intense inquiry and informed argument generates lasting ideas. This freedom comes with a responsibility to welcome and promote expression for all people, even in disagreement or opposition. The right is inclusive of peaceful protests and orderly demonstrations but does not allow any conduct that disrupts University operations or endangers the safety of others.

II. Purpose of Policy

The purpose of the University’s Freedom of Expression Policy is to: (i) provide for expressive activity to be conducted on public (outside) areas of the University campus in a manner consistent with First Amendment principles; (ii) establish procedures whereby a person aggrieved by a violation of this Policy on free expression may seek relief; and (iii) provide for reasonable time, place and manner (TPM) restrictions on expressive activity.

III. Applicability

- This Policy applies to all ULM students, faculty, staff, administrators, and visitors engaging in and/or seeking to engage in Expressive Activities (as defined herein) in the Outdoor Areas of the University campus.
- This Policy does not apply to official University activities and/or University-sponsored activities.
- University Facilities and the interior of buildings or areas where access is restricted are not Public Areas under this Policy. Certain Facilities are made available for reservation in accordance with the University Facility Use Policy and/or departmental facility reservation policies for a particular facility.
- This Policy applies to all campus locations of ULM.
- The Public Areas of campus are deemed by State law as traditional public forums and are open on the same terms to any speaker.

IV. Definitions

For purposes of this Policy, the definitions of key terms and other mandatory provisions shall remain consistent with those in Act 666 of the 2018 Regular Session codified at R.S. 17:3391.31.

“Expressive Activities” include but are not limited to any lawful verbal or written means by which individuals or groups communicate ideas to one another, as provided by the First Amendment of the Constitution of the United States of America and by the Constitution of Louisiana, including all forms of peaceful assembly, protest, speech, distribution of literature, carrying signs, and circulating petitions. This expressly excludes commercial activities where individuals or groups are being compensated or attempting to advertise, market, or accrue financial gain to any individual, corporation, business, or organization.

“Outdoor Areas” are outside areas of the University campus generally accessible to the majority of students, administrators, faculty, and staff, such as grassy areas, walkways, or other similar common areas, and do not include areas where access is restricted.

“Public Areas” of the University campus mean all Outdoor Areas.

“Student Organization” means an officially recognized group at the University, or a group seeking official recognition, comprised of admitted students.

V. Policy Procedure

A. Policy Points

- The University strives to ensure intellectual freedom and free expression.
- It is not the proper role of the University to shield individuals from speech protected by the First Amendment of the Constitution of the United States of America and Article I, Section 7 of the Constitution of Louisiana, and other applicable laws, including without limitation ideas and opinions they find unwelcome, disagreeable, or even deeply offensive.
- Public areas of the ULM campus are deemed public forums and open to expressive activities. Nothing in this policy shall be interpreted as limiting the rights of expression elsewhere on campus.
- Expressive activities by students, administrators, faculty members, staff members, and invited guests are protected.
- On Public Areas, students and faculty may assemble, distribute literature, and engage in spontaneous expressive activity as long as such activity is not unlawful and does not materially and substantially disrupt the functioning of the institution, subject to the requirements of this Policy.
- Any person who wishes to engage in noncommercial expressive activity on the University campus will be permitted to do so freely, as long as the person’s conduct is not unlawful and does not materially and substantially disrupt the functioning of the University.

- Any person lawfully present on the campus may protest and demonstrate here. However, protests and demonstrations that infringe upon the constitutional rights of others to engage in or listen to expressive activity by creating a substantial and material disruption to the functioning of the institution or to someone's expressive activity shall not be permitted.

B. Association and Assembly

Students have the right to organize and join organizations to promote their common interests. These organizations are obligated to register with the Office of Student Life and Leadership via telephone at (318) 342-5287 for information regarding the use of Public Areas and are held to the policies and expectations outlined in the Student Organizational Handbook. Only approved organizations may enjoy the rights and privileges accorded by the University including the right to invite speakers to the campus to address the group of student body.

ULM will not deny a belief-based student organization any benefit or privilege available to any other student organization, or otherwise discriminate against a belief-based organization, based on the expression of the organization, including any requirement that the leaders or members of the organization:

- (1) Affirm and adhere to the organization's sincerely held beliefs.
- (2) Comply with the organization's standards of conduct.
- (3) Further the organization's mission or purpose, as defined by the organization.

C. Time, Place and Manner Regulations (TPMR)

Students and faculty have the freedom to discuss any topic that presents itself, as provided under the First Amendment of the Constitution of the United States of America and Article I, Section 7 of the Constitution of Louisiana, and other applicable laws permit and within the limits of time, place and manner of expression that are necessary to achieve a significant University interest. TPMRs enforced by the University will be consistent with First Amendment principles -- content-neutral, serve a significant university interest and leave ample alternative channels for communication of information. In order to maintain safety, security, and order, the University reserves the right to limit activity by the following regulations regarding time, place, and manner of such activities. Any expressive activity conducted in violation the TPMR shall be grounds for mandatory cessation of such activities.

1. **Group Expression.** If an individual or group of individuals attract a group of 20 or more persons, then a representative from the group is encouraged to contact ULM Police as soon as circumstances reasonably permit. The University reserves the right to direct a group of 20 or more persons to another available Public Area 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. Any relocation must not be based on the content or viewpoint of the expression.
2. **Equipment Limitations.** Use of sound amplification systems and devices (artificial, electronic, instrumental, etc.) of any type is strictly prohibited except when and where authorized by the University for University-sponsored events only.

3. Demonstrations and protests should take place at least 150 feet from academic buildings during academic hours to avoid disrupting the academic functions of the university.
4. The interior of buildings may not be used for spontaneous expressive activity. Interior rooms and spaces must be reserved using that facility's reservation methods and be used for that facility's purpose.
5. Restricted areas of the University campus, or those areas not deemed a traditional public forum, may not be used for purposes other than for that facility's purpose.
6. Open Access Hours. Open access hours are from 6am to 12am. During the hours of 12am to 6am, access is generally restricted to students, faculty, staff, and invited guests.
7. Literature Distribution. Literature (fliers, brochures, information sheets, push cards) may be made available to interested persons during expressive activities subject to the TPM restrictions discussed herein.
8. Prohibited Activities. At a minimum, expressions, assemblies, or demonstrations may not:
 - a. Engage in provocations by fighting words or incitements to engage in immediate violence;
 - b. Make threats which demonstrate a serious expression of intent to commit an act of unlawful violence to a particular individual or group of individuals;
 - c. Interfere with the free and unimpeded flow of pedestrian and vehicular traffic on campus or the entry or exit into and out of University facilities, roadways, exterior patios, plazas, walkways, or gathering spaces;
 - d. Materially and substantially disrupt the educational mission and normal activities of the University;
 - e. Express or exhibit obscenity as defined by law;
 - f. Advocate the deliberate violation of law by preparing the group addressed for imminent action and seeing it to such action.
 - g. Engage in commercial for-profit activities absent a prior written agreement with the University authorizing such activities.
 - h. Force literature onto observers or passersby or affix literature to automobiles, trees, grounds, fixtures, or other stationary objects on the campus shall constitute a violation of this policy and will result in cessation of the Public Forum activity by appropriate University authorities.

D. Reservation of Rights

1. Nothing in this Policy shall be interpreted as preventing the University from prohibiting, limiting, or restricting expression that the First Amendment of the Constitution of the United States of America does not protect, such as threats and expressions directed to provoke or likely to product imminent lawless actions, or from prohibiting harassment.
2. Groups or individuals engaging in the type of non-protected activities described herein or failing to comply with other university policies or applicable local, state, and federal laws may face immediate removal from the campus and other appropriate actions by University officials and University Police. The University may cancel a speaker's reservation when there is a clear and present danger that the appearance would threaten the orderly operation of the University.

E. Non-Endorsement/Ratification

Expressive activities permitted under this Policy do not imply official endorsement or approval by the University. Groups or individuals engaged in expressive activities are responsible for the content of the expression. Expressive activities that are directed to provoke and likely to produce imminent lawless actions, or are harassing, threatening, or bullying are not protected.

F. Supplementary Procedures

The Vice President for Student Affairs is encouraged and authorized to develop, publish and disseminate supplementary procedures to further support the implementation of this Policy and any such supplementary procedures shall be consistent with this Policy.

VI. Enforcement, Grievance and Appeal Procedures

Any person aggrieved by a violation of this policy may file a written appeal of the decision or action with the ULM Vice President for Student Affairs (VPSA), or designee, within fourteen (14) business days of the decision or action. The University shall provide a written response to the appellant with fourteen (14) business days of receipt of the appeal, unless good cause, additional time is needed to ascertain facts or speak with the appellant or relevant officials. The decision of the VPSA shall be final.

VII. Policy Management

The Office of Student Life and Leadership (in consultation with the Vice President of Student Affairs, Dean of Students, and any Free Expression Committee established by the University President) is charged with the administration of this Policy. Contact the Office of Student Life and Leadership via telephone at (318)-342-5287 for information regarding use of Public Areas.

VIII. Exclusions

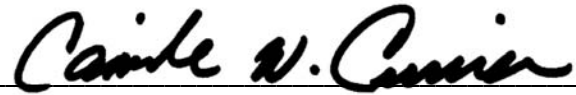
N/A

IX. Effective Date

This policy is effective upon the date signed by the Vice President for Student Affairs.

X. Adoption

This policy is hereby adopted on this 8th day of January 2019 and supersedes and nullifies any prior provision in the policies and regulations of the University that restricts speech on campus and is therefore inconsistent with this policy on free expression.



Camile Currier, Vice President for Student Affairs

XI. Appendices, References and Related Materials

UL System Policy Number M-22 (PPM M-22) on Free Speech, adopted by the System Board effective October 25, 2018 (<https://s25260.pcdn.co/wp-content/uploads/2018/10/Free-Speech-PPM-M-22.pdf>)

Act 666 of the 2018 Regular Session of the Louisiana Legislature, codified at R.S. 17:3399.31 through 3399.27 (“Louisiana Campus Free Expression Law”)
(<http://legis.la.gov/legis/BillInfo.aspx?sessionid=18RS&billtype=SB&billno=364>)

XII. Revision History

Original Version: October 25, 2018

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