

PEACEFUL PUBLIC ASSEMBLY

The freedoms of speech, expression, and assembly are fundamental rights of all persons and are central to the mission of the university. Students, faculty, and staff, when not operating in their official capacity, have the right to assemble, to speak, and the 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. The university is committed to these freedoms and has adopted the free speech policy statement produced by the Committee on Freedom of Expression at the University of Chicago. A link to the university's statement can be found on the UTSA website (<https://www.utsa.edu/president/>).

However, these activities are subject to the well-established right of colleges and universities to regulate time, place, and manner so that the activities do not intrude upon or interfere with the academic programs, administrative processes or other authorized activities of the university. The university shall not discriminate on the basis of the political, religious, philosophical, ideological, or academic viewpoint expressed by any person. Further, no 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 person engaging in expression or assembly to damage or deface his or her property. University staff, faculty and students may peaceably assemble anywhere on the UTSA campuses that they are otherwise permitted to be without advanced permission, as long as there is no disruption to other university activities. In keeping with the university's mission, any program or event sponsored by an academic or administrative unit of the university shall have priority in the use of space and facilities over any speech, expression, and assembly that is not sponsored by an academic or administrative unit.

No person, including a student or university employee, shall distribute any petition, handbill, object, or piece of literature; post or carry any sign, placard, or banner; or engage in speech or conduct on property or in buildings or facilities owned or controlled by UTSA if it is obscene, unlawfully defamatory, or directed to inciting or producing imminent lawless action and is likely to incite or produce such action. Further, no person may attempt to coerce, intimidate, or badger any other person into viewing, listening to, or accepting a copy of any communication or persist in 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. Persons or organizations who are planning a public assembly with more than 50 participants are strongly encouraged to notify and consult with Events Management and Conference Services (EMCS) as soon as practicable after the point at which the planners anticipate or plan for more than 50 participants. Persons or organizations planning smaller assemblies are encouraged to consult with EMCS if there is uncertainty about applicable university rules, the appropriateness of the planned location, or possible conflict with other events. EMCS has experience in helping student organizations structure events in ways that both comply with the university's rules and achieve the organization's goals for the event. EMCS can help identify appropriate space and potentially conflicting events, as well as help the planners avoid unintended disruption or other violations.

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 in this policy. For example, libraries typically have highly restrictive rules concerning noise; fire and safety codes prohibit the obstruction of exits and limit the constriction of hallways; classroom speech may be confined to the subject matter of the class; and individual professors may have rules of decorum in their

classroom. Such rules must be viewpoint neutral and should not restrict speech more than is reasonably necessary to serve their purpose.

In accordance with Regents' *Rules and Regulations*, Rule 80101, the grounds and buildings owned or controlled by UTSA are not open for assembly, speech, or other activities for general public use as are the public streets, sidewalks, and parks. In furtherance of the University's educational mission, the University campus is a limited forum open only to the expressive activities of faculty, staff, and students. Unaffiliated groups and individuals may not engage in expressive activities at the University except in accordance with this Policy.

Section 9.37(II), University of Texas at San Antonio, Handbook of Operating Procedures. For the complete Peaceful Public Assembly Policy, please refer to the Handbook of Operating Procedures (<http://utsa.edu/hop/chapter9/9-37.html>).