EDINBORO UNIVERSITY OF PENNSYLVANIA

RIGHTS OF STUDENTS AND OTHER PERSONS TO ASSEMBLE FOR THE PURPOSE OF DEMONSTRATING THEIR CONCERNS - Policy No. C005

Supersedes Policy No. B004, Dated 4/6/95, 12/1/99, 03/15/2004

Recommended for Approval By Dr. Gerald Kiel, Vice President for Student Affairs and Student Success

Approved By Frank G. Pogue, President on 2/15/2005

Review Date: As Required

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INTENT

The University recognizes the rights of students and other persons under the Constitution of the United States and the Commonwealth of Pennsylvania to assemble peacefully, to petition the University, and to demonstrate concerns.

Edinboro University of Pennsylvania encourages the sharing of knowledge, the holistic development of the student, and the right of free expression and inquiry. All members of the University community are challenged to think critically, engage discussion, and actively seek out opportunities to learn and express differing and similar viewpoints.

In order to live up to its mission of teaching, research, and public service, the University may regulate the time, manner, and place of protected expression, to the extent it is constitutionally permitted to do so. The primary purpose of the entire campus is to further the mission of the University.

POLICY


   a. On University grounds (outside of buildings) generally open to the public, all persons may exercise the constitutionally protected rights of free expression, which include, but are not limited to, distribution of literature incidental to the exercise of these freedoms; however, these activities must not substantially interfere with the orderly operation of the campus and must be conducted in accordance with the campus time, place and manner regulations stated in this policy.
b. It is the responsibility of the University to provide opportunities for the expression of a variety of viewpoints.

(1) This policy is not to be taken to condone or permit unlawful behavior or activity, or activity that materially disrupts the operations and mission of the University.

(2) In addition to the principle stated in the previous paragraph, no person or group of persons may interfere with the rights of University invited speakers to express their ideas and to have them heard in accordance with the program format properly established by a sponsoring University organization or official.

(3) Persons that have concerns with policies governing speech and advocacy may present their point of view to the Office of the Vice President for Student Affairs and Student Success.

(4) Use of facilities and grounds by University personnel, students and departments will have priority over other uses and scheduled events or activities by groups registered with the University will have priority over those that are not registered. Note: Individuals are not required to register for use of grounds open to the public generally (see 2a below), but groups or individuals planning to assemble an audience are required to register with the University (see item 2 below).

c. These policies and campus regulations in no way constitute prohibition on the right by any individual in the University community to hold or express political views. If support of candidates or issues is extended by a University student or employee in a context that might ostensibly imply University support, the individual(s) must clearly indicate that the disclosure of any title or affiliation with a group or other connection with the University is used for identification purposes only and not to represent the University or any of its offices or units.

2. Time, Place, and Manner Regulations

The time, place, and manner of exercising speech and advocacy on the campus are subject to the following regulations that provide for non-interference with University functions and reasonable protection to persons from practices that would make them involuntary audiences. Individuals or groups wishing to assemble on the Edinboro University campus must complete a Facilities Request Form through the Conference and Convention Center Office. A copy of the Facilities Request Form is attached to this policy. In addition, individuals or groups must meet with the Dean of Student Life whose office is located in the University Center.
a. Grounds Open to the Public Generally

For the purpose of these regulations, "grounds open to the public generally" are defined as the outdoor areas of the campus (i.e. lawns, patios, and plazas) that are adjacent to campus buildings and parking lots.

(1) In the event that the architecture of a building includes entrances with stairs or landings, activity in these areas must be conducted in such a way that traffic is not impeded and the normal activities in classrooms and offices are not disrupted.

(2) Tables or moveable stands may not be placed in areas where passages to any entrance or walkways are blocked, where the free flow of pedestrian traffic is excessively restricted, or where emergency fire lanes are blocked. Individuals engaging in activities that might block pedestrian or vehicle traffic or otherwise raise questions under this policy, are asked to contact the Dean of Student Life, University Center, or the University Police, Earley Hall, to arrange for appropriate space and direction as to how to proceed.

(3) In order to facilitate ingress and egress, all activity must not block any entrance/exit, parking lot, staircase, landing or roadway. If the activity is conducted 25 feet or more from such areas, it will usually be presumed to be appropriate.

(4) No flyers, announcements or literature of any kind may be placed on automobiles (e.g. under the windshield wipers) on University property.

(5) Organizations/persons are prohibited from leaving flyers, announcements or literature of any kind unattended on campus grounds or in the classrooms. That is, literature may be handed to interested persons or posted on bulletin boards for their information, but it may not simply be left for others to pick up. Each campus building (with the exception of residence halls) has at least one official bulletin board on which postings may be placed.

(6) Bulletin boards are cleared regularly for both safety and space availability purposes. All posted and distributed materials must identify a contact individual and contact information (phone number or E-mail address).
(7) Posting that may damage or deface any University property is prohibited.

(8) Posting for the purposes of way-finding on locations other than bulletin boards may be requested when submitting a Facilities Request Form for the event/activity.

b. Involuntary Audiences

Persons on University property have the right to be protected against becoming part of an audience for an event or activity against their will. This right particularly applies in residence halls, dining areas, and other indoor areas of the campus. To the extent activities such as organized recruitment or proselytizing constitute harassment, they are prohibited.

c. Established Free Speech Areas and Outdoor Gatherings

With the exception of University personnel who have appropriate authority, individuals wishing to use sound amplification equipment at any location must secure written approval.

If the University concludes that amplification sound level, even if amplification was approved, is interfering with the operations of the campus, the responsible person(s) will be asked to lower the volume. If additional complaints the problem recurs, the person(s) in charge of the amplification equipment will be asked to turn off the sound completely.

d. Failure to Comply

Persons refusing to comply with these time, place and manner regulations relating to the exercise of speech and advocacy shall be subject to University discipline and/or to law enforcement measures as appropriate.