

**UNF Board of Trustees**

September 18, 2003

**Issue:** Demonstrations Rule

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**Proposed action:** Approval

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**Background information:**

Attached is a recommended rule on demonstrations. The purpose of this rule is to outline regulations in regard to time, place, and manner of free speech activities in accordance with the rights of the University and the individuals requesting to exercise their right of free speech. The rule helps to ensure that the activities do not intrude upon or interfere with the academic programs and administrative processes of the University. This rule has been vetted by legal counsel and by the President's executive staff, and has been recommended by the Educational Policy Committee.

UNF's administration held an open forum on the rule for the University community and other interested parties. Upon approval by the Board of Trustees, the rule will be sent to the Joint Administrative Procedures Committee (JAPC) in Tallahassee for a final review prior to University publication of the rule. This process can take from 90 to 120 days.

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Attachments: Proposed rule

Florida Administrative Code Annotated  
Title 6. Department of Education  
Subtitle 6C 1. Division of Universities  
University of North Florida  
Chapter 6C 9-7. Public Functions

6C 9-7.014 Public Speaking, Assemblies, Demonstrations, Booths, and Free Speech Zone

(1) The freedoms of speech and assembly are basic and essential freedoms. However, these personal freedoms are subject to well-established rights of the University to regulate time, place, and manner so that the activities do not intrude upon or interfere with the academic programs and administrative processes of the University.

(2) Use of Free Speech Zone: The University has designated the Free Speech Zone located adjacent to the Robinson Student Life Center as an appropriate area on campus where people, participating as individuals, may assemble and engage in informal, unscheduled, and unamplified expressions of opinion. The University President may designate locations in addition to the area adjacent to the Robinson Student Life Center where free speech activities are unlikely to disrupt class sessions and other University functions and where there is frequent pedestrian traffic to provide a meaningful venue for free speech. These impromptu speakers will be held responsible for orderly behavior and for no disruption of academic activities, scheduled public functions, or pedestrian or other traffic. They must follow applicable laws and administrative rules.

(3) Booths: In this rule, "booths" are tables or temporary structures installed for distributing petitions, handbills, or literature, or for displaying signs, or for other forms of expression.

(a) A student or student organization may install a booth on campus after reserving space with the Office of Student Life. The University provides the Courtyard area as the primary locations for booths, and it will provide other areas of campus for such activities only in unusual circumstances. In order to reserve space, the student or student organization must contact the Office of Student Life at least seven days before the first day the student or student organization plans to set up the booth.

(b) Non-University persons, groups and organizations must obtain a Solicitor's Permit pursuant to Rule 6C 9-7.010 in order to set up a booth on campus.

(4) Demonstrations, Assemblies, and Public Speaking Events: People or organizations may apply to use areas of campus for demonstrations, assemblies and public speaking events. Priority will be given to applications from University personnel, students and student organizations. Applicants must apply at least three weeks before the scheduled demonstration/assembly/public speaking event, and they must receive prior approval of their applications from the Office of Student Life. When compelling reasons prevent an applicant from submitting his/her application three weeks in advance, the Office of Student Life, with the applicant's assistance will make reasonable efforts to expedite the application approval process. In order to receive Office of Student Life approval, applicants will fill out an Event Approval Form providing:

- (a) The applicant's name;
- (b) The proposed location, date, and time for the demonstration/assembly/public speaking event;
- (c) The anticipated number of participants;
- (d) The purpose of the demonstration/assembly/public speaking event;
- (e) The signature of the applicant or, if an organization, its authorized representative; and
- (f) A statement indicating whether or not the person or organization intends to use a public address system or other amplification device, including megaphones.

Office of Student Life will approve an application properly made under this paragraph after determining that

- (a) The proposed location is available and appropriate at the time requested;
- (b) The proposed date is reasonable;
- (c) There are no reasonable grounds to believe that the demonstration/assembly/public speaking event would obstruct pedestrian or other traffic;
- (d) There are no reasonable grounds to believe that the demonstration/assembly/public speaking event would prevent, obstruct, or unreasonably interfere with regular academic and institutional activities, or other approved activities, of the University;
- (e) There are no reasonable grounds to believe that the demonstration/assembly/public speaking event would constitute an immediate and actual danger to University students, faculty, or staff, or to the peace or security of the University; and
- (f) There are no reasonable grounds to believe that the applicant is under a disciplinary penalty or probation prohibiting public assembly or demonstration.

If an application under this section is refused, upon request, Office of Student Life will give the applicant a written statement of the grounds for refusal.

(5) In order that demonstrators/participants not interfere with the operation of the University or the rights of others, all demonstrations/assemblies/ public speaking events conducted pursuant to this rule shall not:

- (a) obstruct vehicular, pedestrian, or other traffic;
- (b) obstruct entrances or exits to buildings or driveways;
- (c) interfere with educational activities inside or outside any building;
- (d) harass passersby or otherwise disrupt normal activities;
- (e) interfere with or preclude a scheduled speaker from being heard;
- (f) interfere with scheduled University ceremonies or events; or
- (g) damage property, including lawns, shrubs, or trees.

(6) In the event of disruptive action, University employees and students involved in demonstrations/assemblies/public speaking events shall identify themselves by presenting appropriate documents such as ID cards when requested to do so by the President or his/her designated representative. And such representative will identify him/herself when making this request. Demonstrators/participants not officially related to the University of

North Florida will be directed to leave the campus immediately or be subject to arrest for a violation of the law forbidding the disruption or interference with the administration or functions of an educational institution.

(7) If, in the opinion of the President or his/her designated representative, a demonstration/assembly/public speaking event is disrupting normal University operations or infringing on the rights of other members of the University community, the President or his/her representative may:

(a) identify him/herself to the demonstrators/participants, giving name and official position;

(b) inform the demonstrators/participants that they are in violation of the University policy and/or in violation of the law and specify the nature of the violation;

(c) request that the violation cease; and

(d) in the event of noncompliance with this request, enlist the assistance of the University Police in restoring order and enforcing the law.

(8) The University Police, as the President's designated representatives, have a responsibility to:

(a) declare a demonstration/assembly/public speaking event to be in violation of law and request all demonstrators/participants to cease and desist and to disperse and clear the area or be subject to arrest and/or University disciplinary action;

(b) arrest the demonstrators/participants observed to be in violation of the law; and

(c) enlist the assistance of outside law-enforcement agencies, if necessary.

(9) Scope of this rule: This rule does not govern the scheduling of official University functions sponsored by University colleges, schools, divisions, departments, or direct support organizations. The distribution of printed material is governed by Rule 6C 9-7.015, not this rule. This rule does not govern or restrict University colleges, schools, divisions, departments, or direct support organizations from setting up booths on campus. Tables set up for the purpose of conducting commercial activity and fundraising shall be governed by Rule 6C 9-7.010, not paragraph 3 of this rule.

Specific Authority 1001.74 (4) FS.

Law Implemented 1001.74 (6) FS.

History -- Formerly 6C 9-7.007, Amended 8-28-88; 6C 9-7.008, Amended 8-28-88; 6C 9-7.014 New 11-25-82, Formerly 6C 9-7.14, Amended 9-26-88.