



University of North Alabama

Employee Policy Manual and Handbook

Free Speech and Assembly Policy

The University of North Alabama (UNA or the University) recognizes and supports the rights of members of the campus community to engage in expressive activities in a manner consistent with local, state and federal law. The purpose of this policy is to promote the free exchange of ideas and the safe and efficient operation of the University. The primary function of the University is the discovery, improvement and dissemination of knowledge by means of research, teaching, discussion and debate. It is not the role of the University to shield individuals from speech protected by the First Amendment to the United States Constitution and Article I, Section 4 of the Constitution of Alabama of 1901, including ideas and opinions they find unwelcome, disagreeable, or offensive. The University protects intellectual freedom and free expression. In balancing the rights of students, faculty, staff and visitors to speak on campus with the University's need to preserve and protect its campus community, expressive activities may be subject to reasonable regulation with regard to time, place and manner, whether inside buildings or outside on campus ground.

Within this policy "expressive activities" include:

- Meetings and other group activities of registered UNA student organizations;
- Speeches, performances, demonstrations, rallies, vigils and other similar events by members of the campus community, which is defined as students, administrators, faculty, and staff, and the invited guests of the University and the University's student organizations, administrators, faculty, and staff;
- Distribution of literature by members of the campus community, such as leaflets and pamphlets;
- Students, administrators, faculty, and staff taking positions on public controversies; and
- Any other expression protected by the First Amendment to the United States Constitution or Article I Section 4 of the Alabama Constitution.

The University supports free association and will not deny a student organization any benefit or privilege available to any other student organization or otherwise discriminate against an organization, based on the expression of the organization, including any requirement of the organization that the leaders or members of the organization affirm and adhere to an organization's sincerely held beliefs or statement of principles, comply with the organization's standard of conduct, or further the organization's mission or purpose, as defined by the student organization.

The University will strive to remain neutral, as an institution, on the public policy controversies of the day, except as far as administrative decisions on the issues that are essential to the day-to-day functioning of the University, and will not require students, faculty, or staff to publicly express a given view of a public controversy.

The University campus is open to any speaker invited by registered student organizations or faculty. The University will not charge fees based on the protected activity of the member of the campus community or student organization, or the content of the invited guest's speech, or the anticipated reaction or opposition of listeners.

The University will maintain and enforce constitutional time, place and manner restrictions for outdoor areas of campus only when they are narrowly tailored to serve a significant institutional interest and when the restrictions employ clear, published, content-neutral and viewpoint-neutral criteria, and provide for ample

alternative means of expression. All restrictions shall allow for members of the University community to spontaneously and contemporaneously assemble, speak and distribute literature. The University provides forums for the expression of ideas and opinions, and outdoor areas are deemed to be a forum for members of the campus community. The University does not create free speech zones or other designated outdoor areas of the campus in order to limit or prohibit protected expressive activities by members of the campus community.

Persons other than members of the campus community may engage in expressive activity in designated campus areas, so long as their expressive activity is otherwise lawful, compliant with university policies and procedures, and does not disrupt the functioning of the University or interfere with the expressive activity of another person or group. Contact UNA Police for locations designated for expressive activity by persons other than members of the campus community.

GUIDELINES

- The University strongly encourages that all activities be registered with the appropriate office and the desired location be reserved in advance to determine if the space is available and to allow time to make adequate University arrangements. For more information regarding space availability, contact the Office of University Center Operations and Event Management located in the Guillot University Center, room 107, (256) 765-4658.
- If literature is distributed, the party distributing the literature is responsible for cleaning up any discarded literature and restoring the campus to its previous condition.
- Use of campus land is on a temporary basis.
- Time, Place and Manner Restrictions: Expression by members of the campus community may be limited or restricted with respect to time, place or manner only as provided for in this policy or other related statements of policy. For outdoor areas of campus, such limitations shall be narrowly tailored to serve a significant institutional interest (such as avoiding disruption to the function or security of the University; prohibiting conduct that materially and substantially disrupts another person's or group's expressive activity; prohibiting unlawful harassment; avoiding the scheduling of two events at the same time in the same facility; prohibiting the blocking or use of threats to prevent any person from attending, listening to, viewing or otherwise participating in expressive activity; prohibiting conduct that prevents individuals from transacting business or lawful meeting, gathering or procession; etc.) and to assure compliance with applicable local, state and federal laws.
- No person may engage in conduct that materially and substantially disrupts the protected expressive activity or infringes on the rights of members of the campus community to engage in or listen to a protected expressive activity that is occurring in a location that has been reserved for that protected expressive activity.
- All time, place and manner restrictions must be both reasonable and content-neutral, the latter term meaning that they shall be applied without regard to the content of the expression or the purpose of the assembly. Limitations may include requiring scheduling and planning with the appropriate office, restricting or prohibiting the use of certain areas (i.e., ingress and egress areas, instructional classrooms and areas, laboratories, etc.), limiting amplification within a certain distance of academic buildings when classes or other academic activities are being conducted, and reimbursing the institution for any costs and damages associated with the use of a facility, area or medium.

Nothing in this policy is intended, nor should it be understood, as an endorsement or approval by the University of any speech or demonstration on campus. Given the wide range of expression that occurs at higher education institutions, the use of any institutionally controlled facility, area or medium for any expression shall not constitute or suggest endorsement by the Board, the University, its administration, staff, faculty, student body or any individual member of these constituencies.

Individuals and groups utilizing university property shall assume full responsibility for any violation of law they commit while on university property.

REVIEW

The Vice President for Student Affairs is responsible for the review of this operating policy every four years or as needed.

Approved by Shared Governance Executive Committee and President Kenneth Kitts, 05/09/2019

Approved by Executive Council as interim policy until review/approval by Shared Governance and Board of Trustees, 07/30/2024

This policy will be interpreted and enforced consistent with Ala. Code 1975 § 16-68-1 through 8

Approved by the Board of Trustees, 03/14/2025 (Interim designation removed)