



Coppin State University

Policy Title:

Freedom of Expression Policy

Policy #: Freedom of Expression Policy

Authority: University President

Original Issue Date: TBD

Replacing: n/a

Responsible office (s): Enrollment Management and Student Affairs Division

Authority for the Policy: The University System of Maryland (“USM”) Chancellor and the Board of Regents, have delegated authority to presidents of USM institutions, including Coppin State University (the “University”) to establish policies and procedures for the efficient and orderly administration of the University consistent with the USM values and guidelines.

Reason for the Policy:

The University values freedom of expression and the open exchange of ideas. The free exchange of ideas and information is central to higher education’s foremost obligation of fostering both intellectual development and the discovery and dissemination of knowledge. With certain exceptions, such as threats of physical violence and unlawful harassment, free speech and expression is protected by the First Amendment to the U.S. Constitution. As a public institution, the University endeavors to protect each person’s free speech rights, and may not limit speech or expression, however offensive or disagreeable, based solely on the content or the views being expressed. This policy provides the structure for the open exchange of ideas on the University campus.

DEFINITIONS

Expressive Activity. As used in this policy, “expressive activity” or “expression” is defined as protected communicative conduct or activity, other than commercial speech/activity (any form of expression or conduct that falls outside the scope of commercial transaction or the promotion of goods, services, or financial transaction) including public speeches, demonstrations, marches, protests, and picketing, and the distribution of literature.

University Community. As used in this policy, “University community” shall be defined as (1) any persons enrolled at or employed by the University including University students, faculty, staff, administrators, employees and University affiliated volunteers, and (2) recognized University affiliated entities including the Foundation (CSU Development Foundation).

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I. University Affiliated Speakers

A. Reserving Campus Locations for Expression

1. Only designated publicly accessible areas of campus may be used for expression by members of the University community. Except as provided in Section I.B. below, publicly accessible areas of campus may be used by members of the University community subject to the following conditions:

- a. All requests must be made through Facilities Events and Conference Services.
- b. Events and Conference services must issue a reservation confirmation for the requested location within five (5) business days, if possible, of its submission. Once reservation is approved, the requester must attend a scheduled orientation with the Coordinator of Student Conduct and Community Standards.
- c. The request for reservation may be denied only for the reasons set forth in Section I.C. below, and the reason for the denial shall be provided to the member of the University community who submitted the request. A denied request may be appealed to the Vice President for Enrollment Management & Student Affairs.

B. Spontaneous Campus Expression

1. Welcoming and Free Expression Areas: To accommodate the need for immediate and spontaneous demonstration and to better facilitate the free exchange of ideas, the University has also designated "Welcoming and Free Expression Areas" for speeches and demonstrations in high-visibility areas. These areas are the Academic Quad, Residential Quad, and the North Lawn from Fannie Jackson Coppin Statue which is available for this purpose between 8:00 a.m. and 5:00 p.m., Monday through Friday. Although it is not necessary for students and other University affiliated speakers to request a reservation for use of the Free Expression Area for the purposes of expression, the University encourages all parties to contact Events and Conference Services for scheduling to minimize reservation conflicts and best accommodate all interested users. Groups of ten (10) or more people wishing to gather in the Free Expression Areas at times other than the hours noted above are required to provide notice by calling the Events and Conference Services and Campus Police Chief to plan accordingly.
2. Members of the University Community may also engage in spontaneous expressive activity without a reservation in publicly accessible areas of campus other than the designated Free Expression Areas only if the spontaneous expressive activity:

- a. is prompted by news or affairs coming into public knowledge less than forty-eight hours prior to such event;
- b. is not planned more than 24 hours in advance, making it impractical to make a reservation in accordance with Section I.A., above;
- c. takes place in open, publicly accessible outdoor areas of campus;

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- d. adheres to the time, place, and manner restrictions set forth in Section C, below; and
- e. involves less than ten (10) persons; provided, however, that if the spontaneous expressive activity involves ten (10) or more persons, the expressive activity may continue only if immediate written notice is provided to Events and Conference Services during normal business hours. If the spontaneous expressive activity occurs after normal business hours or on weekends, immediate notice must be provided by calling the Chief of the Campus Police.

C. Time, Place, and Manner Restrictions

Members of the University community engaging in expressive activity on campus must also abide by the following requirements. Expressive activities must not:

- 1. Attract a crowd larger than the requested location or location of spontaneous expressive activity can safely contain;
- 2. Significantly disrupt University activities inside or outside of buildings (including classes);
- 3. Significantly disrupt previously scheduled campus events;
- 4. Obstruct entrances or exits to buildings;
- 5. Obstruct vehicular or pedestrian traffic;
- 6. Represent a threat to public safety, according to the discretion of University Police;
- 7. Include camping or the use of temporary shelters (e.g., tents) as such activities are prohibited on University property;
- 8. Affix items to any permanent structure (fences, trees, etc.); or
- 9. Light any material on fire provided that handheld candles may be utilized with special permission of the Chief of Police; other open flame devices and bonfires are prohibited.

D. Additional Provisions. The following provisions apply to both reservation requests and spontaneous expressive activities.

- 1. Distribution of Written and/or Digital Material. Non-commercial pamphlets, handbills, circulars, newspapers, magazines, digital signage, email notice and other written and/or materials may be distributed on a person-to-person basis in open areas outside of buildings and other closed structures on the campus;
- 2. Expressive activity and expression covered under this policy must comply with all applicable state and federal laws and University policies, rules, and regulations.
- 2. Activity that results in damage or destruction of property owned or operated by the University or property belonging to students, faculty, staff, or guests of the University is prohibited. Persons or organizations causing such damage may be held financially responsible.
- 3. Persons or organizations responsible for an activity covered under this policy must remove all signs and litter from the area at the end of the event. If this is not accomplished, persons or

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organizations responsible for the event will be held financially responsible. Any items left behind or unattended (including memorials) may be removed at the conclusion of the event.

4. When assessing a reservation request or when informed of spontaneous expressive activities on campus, University personnel must not consider the content or viewpoint of the expression or the possible reaction to that expression, except to the extent such factors are relevant to assessing appropriate security measures. University personnel may not impose restrictions on individuals or organizations engaged in expressive activities due to the content or viewpoint of their expression or the possible reaction to that expression. In the event that other persons react negatively to this expression, University personnel (including University Police) shall take all necessary steps to ensure public safety while allowing the expressive activity to continue. University Police maintain ultimate discretion to end any activity if deemed to be a threat to campus safety.

II. Non-University Affiliated Speakers

A. Free Expression Areas. Individuals or groups who are not affiliated with the University nor the invited guest(s) the University are permitted access to the three Free Expression areas outlined in Sec. I.B.1 above between the hours of 8:00 am and 9:00 pm, subject to the following requirements.

1. Non-University affiliated speakers must submit a reservation request as outlined in Sec. I.A. above.
2. Non-University affiliated speakers must comply with all requirements set forth in Sections I.C. and I.D. above.

B. Outside Areas of the University Campus. Individuals or groups who are not affiliated with the University nor the invited guest(s) of a member of the University community are not permitted access to the campus grounds, except the Free Expression Areas as outlined in Sec. II.A. above, for purposes of speech and demonstration.

Questions about this policy may be directed to:

Coordinator of Student Conduct and Community Standards

Division of Enrollment Management & Student Affairs

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