

# UNIVERSITY OF OKLAHOMA EXPRESSIVE ACTIVITY GUIDELINES

## I. Statement on Expressive Activity

The University of Oklahoma is dedicated to fostering the free exchange of ideas and opinions and committed to the principles of free speech and expression. Likewise, the University recognizes the historic significance of speech and assembly in society generally and on college campuses in particular. Expressive activity can take innumerable forms such as picketing activity, silent symbolic speech, or even writing an opinion piece published on social media. Consistent with the Constitution of the United States and the Oklahoma Constitution, the University recognizes the rights of students and faculty to engage in all forms of protected activity. These rights are codified in the [Student Rights and Responsibilities Code](#), which acknowledges the rights of students to peaceably assemble, inform, or protest, in the [Board of Regents' Policy 5.1.1.3](#), which adopts the principles of academic freedom for the faculty of the University of Oklahoma, and in the adoption of the [Chicago Statement by the Board of Regents in November of 2022](#).

These Guidelines do not apply to the University's official use of its spaces for University programs and activities.

These Guidelines do not apply to Special Events. A Special Event is defined as any activity proposed to take place on University property that alters the property's ordinary use, requires University resources (e.g., electricity), and/or involves the erecting or placement of tents, structures, stages, platforms, inflatables, fixed equipment, automotive vehicles, aircraft, or other mobile craft in an effort to assemble persons for the purposes of live entertainment/performances, celebrations, attractions, participation, races, walks, runs, parades, fairs, festivals, rides, competitions, sponsored outdoor catered events, and similar occasions. Special Events: [[Norman/OUHSC/ Tulsa](#)]

## II. Principles

The right to freedom of speech and assembly is expansive but not unlimited. The University reserves the right to enforce reasonable time, place, and manner restrictions on expressive activity as set forth in these Guidelines and its policies governing facilities use. These policies are viewpoint- and content-neutral and are designed to limit disruption to normal business operations, patient care, and academic operations on campus and to promote campus safety. All speakers, regardless of point of view, are prohibited from interfering with the campus community's ability to move safely about campus and to conduct University business. The University also reserves the right to discipline or request that law enforcement remove any speaker who is unlawfully inciting violence or otherwise violating the law or University policy against any person or group of people. [Harassment](#), as defined by Oklahoma law, [Harassment](#) as defined by the University's [Nondiscrimination Policy](#), [Sexual Harassment](#), as defined in the [Sexual Misconduct, Discrimination, and Harassment Policy](#), and [Disorderly Conduct](#), as defined in the [Student Rights and Responsibilities Code](#), are not recognized as protected speech. In certain limited cases, speech

that would otherwise be protected may also subject the speaker to discipline if it violates the speaker's duties as a student or employee of the University (e.g., dishonesty is prohibited conduct).

Notwithstanding its broader definition, for the purposes of these Guidelines, "expressive activity" means conduct, the sole or principal object of which is the expression, dissemination, or communication by verbal, visual, literary, or auditory means of opinion, views, or ideas. Expressive activity includes, but is not limited to, public oratory and the distribution of literature. It includes assemblies, rallies, demonstrations, or protests where individuals gather for a common expressive purpose.

### **III. Guidelines for Spontaneous and Organized Outdoor Assembly and Demonstrations**

- a. Spontaneous Activity. Vital to the free and spirited exchange of ideas is that the exchange should be conducted in an appropriate forum. The outdoor areas of campus that are generally accessible to the public are available to be used for expressive activity on a first-come, first-served basis. The University does not limit demonstration activity taking place along its public roads and sidewalks, including leafleting and the dissemination of information, if the activity does not unreasonably restrict pedestrian traffic, cause damage to landscaping, disrupt the normal operations of the University, or otherwise violate law or University policy.
- b. Reservations. Advance reservations are not required for expressive activity in the generally accessible outdoor areas of campus; however, reservations and prior approval are required if the use of the property will be reserved for the exclusive use of a group or if the activity is a Special Event. There are several areas on campus with high visibility and historic significance that are particularly compatible with expressive activity (e.g., area near Bizzell library; South Oval area across from Dale Hall; Bird Library Veranda). These areas may be reserved in advance:
  - On the Norman Campus, student groups and University departments may reserve several areas, such as the grassy area on the South Oval across from Dale Hall, through [Campus Scheduling](#).
  - On the Health Sciences Campus, (OUHSC) student groups and University departments may reserve space such as the exterior of the [David L. Boren Student Union and the Robert M. Bird Library Veranda](#). These spaces are available to student groups and University departments as well as to Third Party groups.
  - On the Tulsa Campus, student organizations and Third Party groups can reserve the exterior space of the Founders Student Center on the OU-Tulsa Campus through the [OU-Tulsa Student Affairs Office](#).
- c. Visitors. Although the primary purpose of University facilities and grounds is to further the University's academic mission for students, employees, and their invited guests, the University welcomes members of the public to campus. Visitors to campus may engage in expressive activity, including leafleting, in the publicly

accessible outdoor areas of campus as long such activity is consistent with these Guidelines and provided such activity does not:

- interfere with the conduct of University business, such as by significantly impacting classes and other University administrative or student activities;
- impede ingress and egress to University facilities, roads, or parking lots;
- cause harm to the facilities, landscaping, people, or personal property; or
- violate other laws and/or University policy.

#### **IV. Guidelines for Use of Interior University Areas**

- a. Disruption to Academics/Operations Prohibited. The interior areas of all University-owned or -operated buildings are designated as either nonpublic or limited public fora. Any activity, including expressive activity, that has the effect of obstructing ingress or egress to any facility, disrupting normal operations (e.g., blocking food service operations, sit-ins, obstructing business services), disrupting operating hours, or exceeding allowable capacity is prohibited.
- b. Visitors. Visitors to campus are not permitted inside academic buildings, patient care facilities, or student housing except with prior approval and in connection with University business (e.g., campus tours, invited guests, contractors), or where the facility welcomes the general public or patients (e.g., Bizzell Library on Norman Campus, Robert M. Bird Library on HSC Campus, Schusterman Library on OU Tulsa Campus).
- c. Space Reservation and Rentals. The Facilities Use Policy for each respective campus and the Facilities Use Agreement applicable to each facility contain more information about reservation and rental of designated interior University areas. Facilities Use Policy: [[Norman](#)/ [OUHSC](#)/ [Tulsa](#)]

#### **V. General Time, Place, and Manner Restrictions**

Protected expressive activity on campus is subject to certain reasonable time, place, and manner restrictions. Any use of University property, whether indoors or outdoors, is subject to compliance with local, state, and federal laws and University policies. In addition, the following restrictions are applicable:

- a. Time and Place Restrictions
  - Outdoor campus spaces are closed to organized expressive activities involving 10 or more participants between 11 p.m. and sunrise except for official University business or authorized Special Events.
  - No event may exceed 8 hours in length in a 24-hour day.
  - Special restrictions apply on major event days (e.g., graduation, convocation) and home football game days (Norman Campus) because of the high concentration of people moving about campus on those days. See [Tailgating and Major Event Day Policy](#) for details.

- People engaged in expressive activity on campus must comply with reasonable requests by University officials to move to another location if necessary to prevent damage to facilities or grounds or blocking of ingress/egress or to avoid disruption to the educational or healthcare environment.

b. Manner Restrictions

- If asked by University officials, individuals shall provide acceptable identification.
- Roadways and thoroughfares shall be unobstructed and available for customary business use and emergency vehicle access at all times.
- Sandwich boards/signs/banners left unattended on sidewalks or public ways or that are being carried by more than one person and that interfere with the normal flow of pedestrian or other traffic are prohibited.
- Any person holding or carrying a sign will exercise due care to avoid bumping, hitting, or injuring any other person or property.
- Levels of sound from amplification equipment shall not exceed noise levels specified by the city codes for Norman, Oklahoma City, and Tulsa, respectively. Individuals and organizers are responsible for securing sound permits from any municipality with authority, if applicable, as well as a University permit where required. University officials have the right to require that amplification systems be turned down or off entirely whenever it is determined that sound levels exceed specified levels or whenever it is determined that the amplified sound is interfering with OU's academic, patient care, or educational mission or with other activities that may be taking place elsewhere on campus.
  - On the Norman campus, the use of sound amplification near University buildings and student campus residences is prohibited from 7:30 a.m. to 9 p.m., Monday through Thursday, 7:30 a.m. to 5 p.m. Friday, and 8 a.m. to noon Saturday.
  - For OUHSC and Tulsa Campuses, special rules may apply depending upon the facility. Please consult the Facilities Use policy for each campus for further information.
- Vehicles may not travel on sidewalks or campus grounds other than roadways or parking lots.
- People engaged in expressive activities may not interfere with the peaceful conduct of other expressive activities, Special Events, or University events.

c. Prohibited Items. Except in cases where prior approval has been granted for Special Events and official University purposes, such as performances or exhibitions or for students and employees requiring tools for academic purposes, the following are prohibited:

- Open flames (e.g., torches, fire pits, propane heaters, portable cooking equipment).
  - Sticks, clubs, bats, mace/pepper spray, knives, and/or other objects that may be used as a weapon or that are a facsimile thereof.
  - Masks, bandanas, or other material to cover a person's face or identity, other than masks or coverings for health or religious observance reasons or that are incidental to amusement, entertainment, holiday events, protection from weather, or for prescribed medical purposes.
  - Hand-held signs constructed of materials that create a hazard to other people, including sticks, poles, wood, metal, hard plastic, or other materials that could be construed as a hazard.
  - Tables, tents, chairs, portable generators, or any other equipment/furniture.
  - Body-armor or makeshift body-armor, helmets, and other garments, such as sporting protective gear, that alone or in combination could be reasonably construed as worn for participation in potentially violent activities.
- d. Prohibited Conduct. People engaged in expressive activity on campus must comply with all applicable federal, state, and local laws, and applicable University policies. The following conduct is also specifically prohibited:
- Intimidating, badgering, or attempting to intimidate/badger a person into viewing, listening to, or accepting a leaflet, handbill, or similar communication; and persistently requesting or demanding the attention of a person after that person has attempted to walk away or has clearly refused to attend to the speaker's communication.
  - Tampering with police or fire safety equipment.
  - Blocking traffic and ingress or egress to University facilities, including parking lots. For safety purposes, organized expressive activity is not allowed within ten (10) feet of exterior doors or entrances/exits to parking lots and parking garages and other University facilities.
  - Distribution or sale of food/drink.
  - Affixing posters/banners/leaflets/flags to University buildings, artwork, landscaping, flagpoles, or walls; covering, vandalizing, or removing authorized displays, artwork, or signage.
  - Commercial activity not authorized by and affiliated with the University.
  - Camping.
  - Use of University electrical outlets and other nonpublic resources.
  - Carrying flags, signage, posters, etc., that obstruct views of, or interfere with, a performance, speaker, or event.
  - Any conduct in violation of rules specific to a venue or facility.

- e. Violations. Any person who violates these Guidelines and/or any other state or federal law, local ordinance, or University policy may be subject to criminal or civil penalties, student, or employee disciplinary consequences, being trespassed from the University, and/or revocation of rights to attend University events.
- f. CERT. A Campus Event Response Team (CERT) has been established on Norman Campus and OUHSC campus to support student well-being and safety during campus protests, demonstrations, and select events during which there is a potential for counter demonstration or emotional triggers and responses. CERT provides student support regardless of the content or viewpoint held by those engaged in expressive activity. CERT: [[Norman/](#) [OUHSC](#)].

## **VI. Objections to Expressive Activity and Adverse Effects**

The University recognizes that individuals or groups may be opposed to certain expressive activities or speakers. Disagreement with different opinions is acceptable; however, use of violence or harassment or violating law or University policy is counter to creating an environment where issues can be openly discussed. An individual or group wishing to protest an event is subject to the same standards as the presenters. Individuals who choose to listen bear the responsibility of recognizing and honoring the right of free speech.

In some cases, a speaker's choice to exercise their rights to constitutionally protected expressive activity could nonetheless contribute to a negative working or learning environment for others. Any person whose right to learn, seek care, or work in an environment free from discrimination and harassment or is negatively impacted by the expressive activity of others may be entitled to receive supportive measures from the Office of Institutional Equity by contacting [ieo@ou.edu](mailto:ieo@ou.edu) or filing a report on [EthicsPoint](#). Threats of immediate harm in such instances should be reported to campus police or local law enforcement, as appropriate.