



## University Policies and Procedures

### 06-04.11 – POLICY ON TIME, PLACE AND MANNER

- I. Policy Statement:** Towson University (“University”) supports the right of University Students, faculty and staff (“University Community”) to engage in protected speech and assembly, including demonstrations, marches, picketing, leafleting and protesting (“Expressive Activity”) in Public Areas. This policy establishes guidelines to assure that expressive activities do not unreasonably disrupt University Operations, violate the protected speech activity of others, endanger the safety of others or risk destruction of University property.
- II. Definitions:**
- A. Expressive Activity: protected speech and assembly including, demonstrations, marches, picketing, leafleting and protesting.
  - B. Speaker’s Circle: the outdoor amphitheater between Hawkins, Smith and Lecture Halls.
  - C. Freedom Square: the area between the Lecture Hall and Hawkins Hall including a raised circle with steps leading up on all sides and the chalkboards located at one end of the Lecture Hall.
  - D. Scheduled Academic Hours: 8:00 a.m.-10:00 p.m. (Monday - Thursday), 8:00 a.m.-5:00 p.m. (Friday), and 9:00 a.m.-3:00 p.m. (Saturday).
  - E. Non-Recognized Student Group: a group of University Students which is not recognized by, sponsored by, or affiliated with the University, in accordance with University procedures.
  - F. Recognized Student Group: a group of University Students which is recognized by, sponsored by, or affiliated with the University, in accordance with University procedures.
  - G. Student: a person who: 1) is enrolled in or registered with an academic program of the University; or, 2) has completed the immediately preceding term and is eligible for re-enrollment; or 3) is on approved leave status.

- H. Public Areas: the Speakers Circle and University streets, sidewalks and open areas, traditionally used by the University Community for Expressive Activity.
- I. Non-public Areas: areas necessary to conduct University Operations, including offices, lobbies, classrooms, Student residences and the corridors and hallways leading thereto, and areas that must be reserved pursuant to University procedures, including conference and meeting rooms in the University Union and space controlled by Events and Conference Services.
- J. University Facilities: land, buildings and physical space owned, leased, or operated by the University.
- K. University Operations: all operations necessary to carry out the University's educational, health, safety and administrative functions.

**III. Responsible Executive and Office:**

Responsible Executives: Vice President for Student Affairs  
Provost and Vice President for Academic Affairs  
Vice President for Administration and Finance and  
Chief Fiscal Officer

Responsible Offices: Office of Student Affairs  
Office of the Provost  
Office of Administration and Finance

**IV. Entities Affected by this Policy:** University Community.

**V. Procedures:**

- A. Scope
  - 1. This policy applies to Expressive Activities of the University Community in Public Areas. Group Expressive Activity is not permitted in Non-public Areas except in accordance with University procedures.
  - 2. This policy does not designate any part of the University as a public forum for Expressive Activity by the general public.

3. No protected Expressive Activity will be prohibited on the basis of the content of the Expressive Activity.
4. This policy does not create any rights beyond those provided under the United States Constitution and the Maryland Declaration of Rights as interpreted by Federal and Maryland courts.
5. The First Amendment rights of faculty and staff to engage in Expressive Activity may not be the same as the rights of Students to do so.

B. Guidelines for Expressive Activity in Public Areas

1. Public Areas will be available for Expressive Activity on a first come basis. The preferred location for Expressive Activity is the Speaker's Circle and Freedom Square.
2. Students, Student Groups, faculty or staff planning Expressive Activity must contact the following offices in advance of any planned Expressive Activity: the Office of Campus Life (Students and Student groups); the Office of the Provost (faculty); and the Office of the Vice President for Administration and Finance (staff).
3. The purpose of the advance contact is to determine the availability of space and to discuss time, place and manner policy. The persons or groups interested in using Public Areas for Expressive Activity must provide the date, time and duration of the proposed activity and the number of participants reasonably expected to attend.
4. Groups or individuals wishing to use sound amplification must notify Campus Life prior to use.
5. Signs, banners, flags and similar items that are carried should be constructed entirely of soft material such as cardboard or cloth, and should not be attached to rigid sticks or poles.
6. Student organizations and University Departments may not reserve space on behalf of an individual, group, business or organization.
7. Outside entities wishing to use a public space on campus for Expressive Activity should contact Events & Conference Services.

8. Requests for use during Scheduled Academic Hours may be denied for the following reasons: violation of the Conditions of Use as set forth in section V.C., a prior request having been granted for the same time and location, or failure to comply with the provisions of this policy. If a request is denied, the applicant will be informed of the reason in writing no later than the first business day following the request. If a request is denied because of a failure to comply with this policy, the applicant will (where feasible) have the opportunity to propose measures to correct the failure to comply with the policy. If a request is denied because space is not available, reasonable accommodations will be offered.
9. If a request is denied, the applicant may, within five (5) business days after the denial, appeal the decision to the appropriate Vice President. The appropriate Vice President or designee will respond no later than the first business day following the appeal. The Vice President's decision is final.

C. Conditions of Use

1. Expressive Activity must comply with applicable Federal, state and local law, including, but not limited to, this policy, other applicable University System of Maryland and University policies, regulations established by the State Fire Marshall, traffic laws, and ordinances regarding sound amplification systems. In addition, such activities may not:
  - a. disrupt the University's teaching, research, administrative or service activities, or obstruct or disrupt other authorized or approved activities on the University's campus;
  - b. block entrances to or otherwise interfere with the free flow of vehicular and/or pedestrian traffic into and out of University Facilities or parking lots or into or out of the campus itself;
  - c. include construction of any permanent or semi-permanent structures, without prior approval;
  - d. include camping or lodging, except in authorized facilities;

- e. include any discriminatory, harassing or threatening conduct toward any person, obscene or lewd conduct, disturbance of the peace or unlawful assembly;
  - f. include theft, misuse, or destruction of University property or equipment;
  - g. include sound amplification greater than 95dBA (within five feet of amplification source) or sound amplification from handheld units greater than 90dBA;
  - h. include commercial solicitation (e.g., advertisements, solicitations or testimonials for goods or services offered for sale; distribution of commercial leaflets, fliers, handbills and/or circulars).
2. Speakers shall not be subject to harassment, nor shall others' right to hear the speaker be infringed. At the same time, members of the University Community shall have the right to peacefully protest any such activity.
  3. Activities that violate this policy may be stopped or moved to another location by University officials.
  4. Individuals who damage or destroy University property will be held responsible for such damage or destruction (including but not limited to damage caused by posting on walls or windows or staking items in the ground).
  5. The University reserves the right to provide security when appropriate to uphold the rights and/or to protect the safety of speakers and members of the University Community.
  6. Participants in such activities shall be allowed to distribute petitions, circulars, leaflets, newspapers, and other non-commercial printed matter only within the Public Areas. Any such materials which are discarded or dropped in or around the activity areas(s), other than in an appropriate receptacle, must be retrieved and removed or properly discarded by those persons distributing the material prior to their departure from the designated activity area(s). If Facilities Management is called to clean the area after an event, the group will be charged for the cost of their services.

**Related Policies:** USM Policy VII-2.20

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