
SUBJECT: FREE SPEECH

1.0 PURPOSE

1.1. Snow College supports and encourages the free exchange of ideas and believes that is central to the education mission of the College. In addition, Snow College supports and believes in the free speech guarantees of the First Amendment to the United States Constitution, the Constitution of the State of Utah, and Utah statutory law including Utah Code §53B-27-203 or successor statutes. Therefore, Snow College is adopting this Free Speech Policy.

2.0 DEFINITIONS

- 2.1. **Free speech:** An "expressive activity" including: (1) peacefully assembling, protesting, or speaking; (2) distributing literature; (3) carrying a sign; or (4) circulating a petition. Free speech may be referred to herein as "expressive activities".
- 2.2. **Campus public forum:** An outdoor area of any Snow College campus including the Ephraim and Richfield campuses. This does not include restricted access areas such as rodeo grounds, stadiums or temporary event facilities such as tents or blocked off and restricted access areas.
- 2.3. **Literature:** Published material that is not commercial (for profit) in nature.
- 2.4. **Commercial Literature:** Published material that is for profit including advertising and solicitations. Literature and Commercial Literature may be referred to as "Postings".
- 2.5. **College community:** Students, faculty, staff, administration and recognized College entities including College Groups.
- 2.6. **College Groups:** Groups directly connected to the College including administrative or academic units of the College and approved student clubs and groups.
- 2.7. **Scheduling Office:** The College office and personnel therein that schedule the use of College spaces, facilities and activities and regulate such as stated herein.

3.0 POLICY

- 3.1. It is the policy of Snow College that members of the College community and the public shall have the right to freedom of speech and assembly in a Campus public forum without prior restraint or censorship, subject only to clearly stated, reasonable, and nondiscriminatory rules and regulations regarding time, place, and manner. Freedom of speech and expressive activities, including peacefully assembling, protesting, or speaking; carrying signs; circulating petitions; and distributing literature are allowed in any campus public forum subject to reasonable time, place and manner rules.
- 3.2. This Policy is not intended to apply to the College in the regular conduct of its business.

4.0 PROCEDURES

4.1. Time, Place, and Manner Rules

- 4.1.1 The use of violence, or credible threats of violence, defamatory, obscene or other regulated speech, or harm or damage to persons or college or private property is strictly prohibited. Speakers may not carry open flames, weapons of any kind, ammunition, explosives, body armor, helmets, mace/pepper spray, masks, torches, and any other item identified by the College as increasing the risk of injury to persons.
- 4.1.2 Expressive activities which infringe upon the rights of another person are prohibited.
- 4.1.3 Expressive activities may not disrupt classes, other educational activities, College events, and other planned events. Because the main mission of the College is to teach, classes are given special consideration.
- 4.1.4 Expressive activities may not obstruct the free flow of vehicular or pedestrian traffic on campus.
- 4.1.5 Expressive activities may not use sound amplification except with prior approval by the Scheduling Office. The Scheduling Office will prepare and publish guidelines for approval of sound amplification. The guidelines shall include that sound amplification at a volume that does not disrupt or disturb classes, other educational activities, College events, and other planned events may be used at the Bell Tower at the Ephraim campus without written approval. In the event of competing uses of the Bell Tower priority shall be given to planned events of student government and then those that have obtained written approval. Except at the Bell Tower all other approvals must be in writing.
- 4.1.6 Expressive activities may not block the entrances or exits to any campus building or facility.
- 4.1.7 Spontaneous expressive activities, assemblies and demonstrations are permitted consistent with the time, place and manner rules.
- 4.1.8 Planned expressive activities, assemblies and demonstrations must submit an event proposal to the Scheduling Office at least 2 business days prior to the event to guarantee consideration. Such events will be directed to an area consistent with the expected number of participants and general nature of the event (such as marches, use of amplified

sound, requested use of tables or other items, etc.). The Scheduling Office will prepare and publish guidelines for approval of planned events.

4.1.9 Individuals and organizations are responsible for cleanup and for any cleanup costs resulting to the College from their activities including the distribution of literature.

4.1.10 The Scheduling Office will prepare and publish additional guidelines related to the time, place and manner of free speech. Such guidelines shall be narrowly tailored to serve a significant institutional interest; be based on published, content-neutral, and viewpoint-neutral criteria; and leave open ample alternative channels for communication.

4.1.11 Expressive activities as allowed by this Policy are limited to Campus public forums. College buildings, facilities, stadiums, or temporary event facilities such as tents or blocked off and restricted access areas are not Campus public forums and are not areas where expressive activities are allowed as a matter of right. Use of such spaces for any purpose is subject to the Facilities Use Policy.

4.2. Camping, Sleeping, and Structures

4.2.1 Camping and overnight sleeping as expressive activities are not allowed on any College property. This includes using any part of the College property for living accommodation purposes such as overnight sleeping, making preparations for overnight sleeping, laying down bedding, storing personal belongings or erecting any tent or shelter.

4.2.2 Permanent structures may not be erected on College property. Temporary structures—any object (other than objects such as handbills, signs, notices and posters, arm bands or personal attire) used in the process of expressing views or opinions including, but not limited to, lawn signs, tables (and other structures used to display materials), booths, billboards, banners, tents, awnings, shanties and other enclosures—may be erected by members of the College community to express their view or opinions. Such structures may deal with any subject matter including, but not limited to, expressions of positions and ideas on social or political topics. Structures must be removed at the end of each day. Prior to the erection of any structure, a permit from the Scheduling Office must be obtained. A permit shall be issued if the intended structure, including lawn signs, and uses made of them will not be an unreasonable safety hazard and will not impede the normal functions of the College; the structure does not block or impede entry to any building or interfere with normal pedestrian or vehicular traffic; and the proposed location of the

structure does not inflict unreasonable damage upon landscaping or College property.

- 4.2.3 This provision is not intended to apply to sleeping as a non-free speech activity (such as in dormitories or activities) which shall be regulated by the College in the normal course of its business.

4.3. Posting and Distributing Literature

- 4.3.1 Literature may be posted on campus by members of the College community on outdoor bulletin boards designated for College community use. Commercial literature and postings by those outside the College Community are allowed only with written permission from the Scheduling Office and a fee may be charged and limits placed on location. Postings may not be made on trees, light posts, vehicles parked on campus, buildings, or any other structure other than the officially designated bulletin boards. Postings must have a visible posting date and approval stamp and can only be posted for 14 days except with the written permission of the Scheduling Office according to their published guidelines. Postings that exceed the limit will be removed at regular intervals.
- 4.3.2 Literature may be posted in building interiors of any College building only by members of the College community for official College purposes. Official College purposes include notice of recognized College group meetings, notices by College entities of official activities, notices by student government, and departmental or division postings by faculty, staff or administration on bulletin boards maintained for those purposes. As necessary and after consultation with relevant College personnel the Scheduling Office may label billboards to designate official uses.
- 4.3.3 The Scheduling Office shall publish rules and regulations governing the outdoor posting of Literature or Commercial Literature. The regulations may include a schedule of fees and limitations upon the areas in which the posting of Commercial Literature or postings by non-members of the College community may take place.
- 4.3.4 Literature may be distributed on campus in connection with free speech activities. Literature to be distributed may not be commercial in nature. Literature may not be forced on any person.
- 4.3.5 Individuals and organizations are responsible for the content of their written materials posted or distributed on campus. They are also responsible to be aware of laws concerning defamation, obscenity, and truth in advertising, such materials may be removed or prohibited. They are responsible to clean up discarded literature.

- 4.4. Chalking
 - 4.4.1 Chalking—the writing on sidewalks or elsewhere with chalk or like substances—is not permitted on campus except with written permission of the Scheduling Office. In general, chalking is allowed only by (1) Student Government or College departments to announce activities or (2) by candidates for student government during specific time periods designated by the Scheduling Office or (3) by academic departments for planned instructional activities. Chalking is limited to sidewalks, must be at least 25 feet from any building entrance, and only a non-permanent, non-damaging substance may be used. Permission for chalking may be suspended at any time.
- 4.5. Priorities
 - 4.5.1 Snow College endeavors to allow all persons the right to free speech but recognizes that there may be competing requests for use of a space. In the event of a conflict the following priorities apply:
 - 4.5.1.1. Classes, educational activities, and planned College events
 - 4.5.1.2. Planned events
 - 4.5.1.3. Spontaneous free speech activities
- 4.6. Speakers on Campus
 - 4.6.1 Members of the College community shall have the right to invite speakers to address audiences on campus (at the expense of the organization and members), in accord with the College Space Use Policy. The rights of speakers to freedom of expression under the Constitution of the United States and the Constitution of the State of Utah shall be protected. The rights of speakers to speak and audiences to hear free from undue disruption and interference shall also be protected.
 - 4.6.2 Members of the College community and their organizations who invite speakers to address audiences on or off the campus, except College organizations designated by the College as an official organization of the College, may not use the name of the College to imply official College sponsorship of the speaker in advertising or publicizing the event, except to identify the location of the event.
- 4.7. Appeals
 - 4.7.1 Any person or group that is aggrieved by a decision of the College with regard to free speech or that believe their expressive rights were violated (including the denial or ending of an expressive activity) must appeal the decision to the Vice President for Student Success or designee (“VP”). The VP will promptly schedule a time to meet with the aggrieved person, allow them to present the reasons for their appeal, then shall contact the involved College personnel for further information. The VP shall then attempt to resolve the matter to the satisfaction of all interested persons. If a resolution is not reached the VP shall then issue a written decision.