

Free Expression Policies and Procedures

Purpose: To meet the requirements of ACT 184 also known as the Forum Act, forming open and robust University minds. Southern Arkansas University Tech will meet the requirements by adhering to the stated requirements:

- First Amendment rights are critical components of the education experience for students and requiring that each state-supported institution of higher education in this state ensure free, robust, and uninhibited debate and deliberation by students, whether on or off campus.
- Provide adequate safeguards for the First Amendment rights of their students to avoid a stifling of expression on campus.
- Recognizing freedom of speech as a fundamental right for all.
- Ensure the fullest degree of intellectual and academic freedom and free expression. It is not the proper role of state-supported institutions of higher education to shield individuals from speech that is protected by the First Amendment to the United States Constitution, including without limitation ideas and opinions the individuals may find unwelcome, uncollegial, disagreeable, or even deeply offensive.

Expectations from the Campus Community: Campus Community Defined - Campus community means a state-supported institution of higher education's students, administrators, faculty, staff, and invited guests.

- Free Expression (demonstration) means lawful action or conduct that criticizes or objects to an expressive activity on campus.
- It does not violate the rights of others in the campus community by materially disrupting previously scheduled or reserved activities in a portion or section of the campus at that scheduled time.
- It does not allow for harassment meaning an expression that is so severe, pervasive, and subjectively and objectively offensive that it effectively denies access to an educational opportunity or benefit provided by the state-supported institution of higher education.
- It does not allow for expression that materially and substantially disrupts. Meaning a disruption that occurs when a person, with the purpose or knowledge of significantly hindering the expressive activity of another person or group, prevents the communication of a message of another person or group, or prevents the transaction of the business of a lawful meeting, gathering, or procession. This is done by engaging in fighting, violence, or other unlawful behavior, or by physically blocking or using threats of violence to prevent any person from attending, listening to, viewing, or otherwise participating in an expressive activity.
- Free Expression does allow for lawful protests in an outdoor area of campus that is generally accessible to members of the campus community, except during times when the area has been reserved in advance for another event.
- Free Expression also allows for minor, brief, or fleeting nonviolent disruptions of events that are isolated and short in duration.

- Protected expressive activities are communicating through any lawful verbal, written, or electronic means. Participating in peaceful assembly, protesting, making speeches, including without limitation those of guest speakers. Distributing literature, making comments to the media, carrying signs and circulating petitions.
- A member of the campus community who wants to engage in noncommercial expressive activity in an outdoor area of campus of a state-supported institution of higher education shall be permitted to do so freely, if the individual's conduct is not unlawful and does not materially and substantially disrupt the functioning of the state-supported institution of higher education.
- Prohibited actions include true threats, expression directed to provoke imminent lawless actions, harassment, and allowing an individual to engage in conduct that materially and substantially disrupts another person's expressive activity if the other person's activity is occurring in an area of campus that is reserved for an activity under the exclusive use or control of a particular group.

Public Forums: Where can Free Expression areas be found?

- Outdoor areas of campus meaning the generally accessible outside areas of the campus of a state-supported institution of higher education where members of the campus community are commonly allowed including without limitations grassy areas, walkways, and other similar common areas.
- Outdoor areas' of campus does not include outdoor areas where access by the majority of the campus community is restricted.
- Designated indoor areas (see Usage of Reservable Indoor Information Dissemination Areas document in student handbook.)