A. GENERAL STATEMENT

The freedom of speech and assembly guaranteed by the Constitutions of the United States and the State of Florida shall be enjoyed by all members of the University community. It is the intent of the University to encourage a free discourse of ideas while ensuring the safe and normal operations of campus life and education. To that end, this Regulation describes the parameters for use of the University premises for public expression and some time, place, and manner parameters on campus expression.

B. APPLICABILITY

This Regulation applies to all members of the University community, invitees, as well as persons from the general public.

C. PUBLIC EXPRESSION

1. Public expression activities may be conducted on any unreserved public area of the University premises. Public expression activities may include the use of personal sound amplification equipment.

2. Persons engaged in protected speech occurring in public spaces must follow all applicable University Policies and Regulations.

3. Public expression activities may also be scheduled in reservable spaces, subject to availability.

4. A public expression activity that requires use of University resources, including, but not limited to, University-owned sound amplification equipment, reservable spaces, and security must comply with the University facility use regulations.

5. Public expression activities must not disrupt the normal operations of the University or infringe on the rights of other members of the University community.

6. No public expression activities may be held inside University buildings.

7. Each speaker or group shall be fully responsible for any violation of federal or state law or University regulation committed by them.
D. SOUND AMPLIFICATION EQUIPMENT

The use of personal or University-owned sound amplification equipment in the outdoor areas of campus must not interfere with the academic, social, or administrative operations of the University nor disrupt the use of reserved outdoor spaces by University Units, community members, or outside groups or persons. The use of personal or University-owned sound amplification equipment is controlled under guidelines available from the Office of Campus Reservations.

E. SUSPENSION OR TERMINATION OF ACTIVITIES

Public expression activities (to include postings) can be suspended, terminated or removed by the Vice President for Administrative Services and Finance or designee when, after consultation with University Police, it is determined that the activity is disrupting the University's normal operations, is causing harm to University property, or infringing on the safety or rights of others. The following occurrences may result in the suspension or termination of a public expression activity:

1. Intentional obstruction of ingress to or egress from any office, classroom, building, facility or area on campus;
2. Disruption of other ongoing, scheduled University functions or operations through excessive sound or noise, yelling or loud voices, or other means;
3. Damage, destruction, seizure or subversion of the University's buildings or other property;
4. Interference with the University's regularly scheduled classes or other educational functions, meetings, or events;
5. Physical harm, coercion, intimidation or other invasion of the lawful rights of any other person, including University students, faculty or staff members or officials; or
6. Acts which constitute a crime.

F. SUSPENSION OR TERMINATION PROCEDURE

If an activity is or becomes disruptive, the Vice President for Administrative Services and Finance or designee shall utilize the following procedure. University Police have the authority to act independently if the Vice President for Administrative Services and Finance, or designee, is not present:

1. Identify himself/herself to the participants, giving name and official position;
2. Inform participants that they are in violation of the law or this regulation and specify the nature of the violation;
3. Request of the participants that the violation cease;

4. In the event of non-compliance with the request, the University Official will contact the University Police for assistance in terminating the activity, restoring order and enforcing the law. The University Police have the authority to:

   a. Declare an assembly to be in violation of the law and this regulation and request all participants to cease and desist and to disperse and clear the area or be subject to arrest and/or University disciplinary action;

   b. Remove participants from the University premises upon the closure of the activity and for a period of time thereafter consistent with University regulations addressing trespass;

   c. Arrest participants observed to be violating the law; and

   d. Enlist the assistance of outside law enforcement agencies, if necessary.

G. APPEAL PROCESS

The suspension or cancellation of a public expression activity to include solicitation may be appealed to the Vice President for Administrative Services and Finance, or designee. The Vice President for Administrative Services and Finance, or designee, shall render a decision within a reasonable time not to exceed five (5) University business days after receiving the appeal. The written decision of the Vice President for Administrative Services and Finance, or designee, shall be delivered by electronic mail, hand delivery, or mailed certified return receipt to the individual or organization that filed the appeal. The decision of the Vice President for Administrative Services and Finance, or designee, shall be final agency action for purposes of appeal.

Authority
Section 1006.60, Florida Statutes
BOG Regulation 1.001, University Board of Trustees Powers and Duties

History of Regulation
Renumbered 01/15/08; Amended 04/21/09; Amended 06/19/12; Amended 06/18/13; Amended Organizational and Format Change 08/01/18; Amended 09/08/22

Approved by the Florida Gulf Coast University Board of Trustees
September 8, 2022