



WICHITA STATE
UNIVERSITY

WSU Policies and Procedures

11.12 / Use of University Campus for Free Expression Activities

Effective: September 29, 2017

Revised: August 07, 2020

i. Initiating Authority

Dr. Teri Hall, Vice President for Student Affairs

Werner Golling, Vice President for Finance and Administration

ii. Purpose

Wichita State University (University) recognizes and supports the rights of individuals and groups to engage in campus expressive activities, either within University facilities or at outdoor University venues/grounds. This includes discussion and expression of various views communicated through, but not limited to, oral, written, and/or electronic means of communication. The purpose of this policy is to articulate, clarify, and underscore this long-standing commitment in a manner that furthers both freedom of expression and the University's mission of teaching, research, and public service. This policy shall be interpreted to support such activities while simultaneously balancing the rights of students, employees, and visitors who make up the University community.

iii. Policy Statement

A. Campus Expressive Activities

1. Discussion and expression of all views are permitted within the University, subject to the Kansas Board of Regents Policy Manual Chapter II, Section F.2, and University Policy requirements for the maintenance of order and the prevention of interference with the conduct of the University. Support of any cause by orderly and peaceful means is permitted so long as it does not disrupt the operations of the institution, damage property, or otherwise threaten the health or safety of others. All individuals are entitled to conduct their lawful business at the University without interference or disruption. However, University buildings, facilities, and grounds are not available for unrestricted use by individuals and groups for purposes of constitutionally protected speech, assembly or expression. The University's regulations, procedures, and requirements are intended to preserve its mission, its normal functions, and the use of its buildings, facilities, and grounds.
2. The right of orderly and peaceful protest within the University community must be preserved. However, any rally, protest, or demonstration will be limited to outdoor venues absent extenuating circumstances or advance approval by the University and will not disrupt classes, block access to University buildings, offices, or classrooms, or otherwise infringe upon normal operations and functions. The University retains the right to assure the safety of individuals, to prevent true threats or harassment, to protect property, and to ensure the continuity of the educational process including the maintenance of entrance to and egress from all University buildings and offices, the ability to conduct regular class meetings, and other University functions. The University may reasonably regulate the time, place, or manner of expression to accomplish these goals. All events, activities, individuals, and groups are subject to the procedures, regulations, and requirements of the University, Kansas Board of Regents, local ordinances, state and federal law.

B. Political Activity

1. Pursuant to the Kansas Board of Regents policies, additional restrictions shall be imposed on Political Activity on campus. Those restrictions can be found at WSU Policy 11.22 (Political Activities and Campus Facilities), and at Kansas Board of Regents Policy Manual Chapter II, Section E.16 Use of Campus Facilities. In compliance with these policies, campus facilities and grounds shall not be made available for campaigning, electioneering or fundraising events for any candidate for political office, party committee or political committee.
2. For purposes of this policy only and to assist in determining whether or not such activity could be deemed "Political Activity," Political Activity includes any expression, event, or activity whose major purpose is to (1) support or oppose any candidate for federal, state, or local office, or (2) support or oppose a position on a political issue (this may include candidate debates).

IV. Administrative Procedure

- A. Except where such advance notice is impossible or unreasonable, a request to hold a Campus Expressive Activity should be submitted at least 72 hours before the start of the event to ensure its successful execution. Appropriate advance notice permits the University to engage with the individual, group, or entity to help ensure the event is effective, to ensure participants' safety, and to assist organizers in seeing that the event does not disrupt the normal functioning of the University.
- B. A Campus Expressive Activity should be registered with University Event Services by emailing letsmeet@wichita.edu (mailto:letsmeet@wichita.edu?subject=) or calling [\(316\) 978-3475](tel:316-978-3475) no later than seventy-two (72) hours prior to the Event, and by providing a Notification of Intent to be on University property. They can do so by filling out the Notification of Intent Form

- C. Subject to the time, place and manner restrictions set forth in this policy, Campus Expressive Activities will not be reviewed, denied, or approved due to the content of the proposed activity. Expression cannot nor should not be suppressed because the ideas put forth are thought by some or even by most members of the University community to be offensive, unwise, immoral, or wrong-headed. It is for the individual members of the University community, not for the University as an institution, to make those judgments for themselves.
- D. Public Areas will be available on a first-come basis and will be assigned by the University Event Services Office after considering the information provided by the Sponsor in the Notification of Intent.
- E. The Activity must not create safety hazards or pose unreasonable safety risks to University students, employees, or visitors.
- F. The Activity may not interfere with the operational, administrative, or educational activities inside or outside any University building or otherwise prevent the University from fulfilling its mission. The University may terminate, cancel, restrict or prohibit any Activity if it is determined, after consideration of the circumstances, that the event creates or will create an imminent threat of danger to persons or property or will impede the University's orderly operation.
- G. If a Campus Expressive Activity is denied space for its function, is limited in its scope, or is not permitted to be held, the Sponsor of the event may appeal to the Dean of Students (or designee). If the appeal is denied, the Sponsor may request a final review of the decision by the Vice President for Student Affairs (or designee) whose decision is final.
- H. However, nothing in this policy will be construed to limit the right of anyone to file a complaint with the Office of Institutional Equity and Compliance (OIEC) on the basis of discrimination, harassment or retaliation based on age (40 years or older), ancestry, color, disability, ethnicity, gender expression, gender identity, genetic information, marital status, national origin, political affiliation, pregnancy, race, religion, sex, sexual orientation, or status as a veteran.
- I. To avoid excessive campus littering and the creation of additional work for University employees, individuals and groups are expected to keep utilized areas clean and return them to the same condition as before the Event. Reasonable charges may be assessed against the Sponsor for the costs to repair damaged property or for clean-up that is deemed to be in excess of customary campus clean-up for campus events.
- J. Failure to comply with any University or Kansas Board of Regents policies, procedures, regulations, requirements, local ordinances, state or federal laws may be considered a violation. A violation may result in University sanctions or discipline imposed on the Sponsor, individual, or group.

v. **Applicable Laws and Additional Resources**

- A. U.S. Constitution, Amendment 1
- B. Kansas Board of Regents Policy Manual, Ch.II.E.16 Use of Campus Facilities
- C. WSU Policy 11.22 / Political Activities and Campus Facilities