

legitimate interest that each such party has in obtaining this information. Such record of access shall be available only to the student, to the school official and his/her assistants who are responsible for the custody of such records, and to persons or organizations authorized in, and under the conditions of paragraph 1.a. and 1.c., as a means of auditing the operation of the system.

Destruction of Records

Troy University retains the right, if not otherwise precluded by law, to destroy records as a matter of policy. However, upon written request, a student shall be granted access to and copies of his/her records, which are not excluded by the provisions of paragraph 2, prior to the destruction of such records. Absent such a request on file prior to destruction, no copy of records to be destroyed need be furnished the student.

Cost of Copies

Any copies of records furnished at the request of a student shall be subject to the payment of a reasonable fee, to be established by the university from time to time, for such service. At present, the cost is \$10.00 for official transcripts.

Food and Beverages in Classrooms

Food and beverages are allowed in classrooms at the discretion of individual faculty members, but will not be allowed in computer labs. Further, faculty members allowing food or beverages in classrooms needs to stress to their students the importance of being careful not to spill food and drinks and of properly disposing of cups, wrappers, etc. Abuse of this policy could result in reassessment and/or greater restrictions.

Free Speech and Assembly Policy

I. Background

Alabama State Legislature Act 2019-396 enacted in June 2019 mandated certain free speech and assembly actions applicable to state universities and concurrent with other state and Constitutional freedoms. Complying with provisions of this new law, Troy University fully supports a campus environment that promotes, protects and upholds intellectual freedom of expression contributing to the marketplace of ideas to include those expressions that may be considered unwelcome, unpopular or disagreeable.

II. Policy Statement

Troy University recognizes and supports the role of a university as a marketplace for ideas. Freedom of expression and public assembly are essential components of the education process. Troy University is committed to its function as an institution in which stakeholders discover and disseminate knowledge by means of research and teaching. Further, Troy University supports the rights of students, employees, and visitors to speak in public and to demonstrate for or against actions and opinions with which they agree or disagree.

Such freedom comes with a responsibility to welcome and promote this freedom for all, even in disagreement or opposition. The responsibility of the University to operate and maintain an effective and efficient institution of higher education requires regulation of time, place, and manner of assembly, speech, and other expressive activities on the grounds and facilities of the University. In keeping with this responsibility, students, faculty, and staff are free to exercise the rights to assemble and engage in expressive activity in a constitutionally protected manner subject only to the content-neutral regulations necessary to fulfill the mission and obligations of the University, preserve the rights of

others, coordinate multiple uses of limited space, assure preservation of the campus facilities and grounds, and assure financial accountability for any damage caused by these activities.

It is not the proper role of the University to shield individuals from speech protected by the First Amendment of the United State Constitution and Article I, Section 4 of the Constitution of Alabama, including, without limitation, ideas and opinions they find unwelcome, disagreeable, or offensive.

The University will at all times strive to remain neutral as an institution on the public policy controversies of the day, except as far as administrative decisions on the issues are essential to the day-to-day functioning of the University. The University will not require students, faculty, or staff to publicly express a given view of a public controversy. However, students, administrators, faculty, and staff are free to take positions on public controversies and to engage in protected expressive activity in outdoor areas of the campus, and to spontaneously and contemporaneously assemble, speak, and distribute literature.

In all cases of expressive activity, university employees must be mindful such expression should be in keeping with the mission of the university and do no harm to the university or others.

III. Definitions

Amplified Sound is sound that is increased or enhanced by any electric, electronic, or mechanical means, including handheld devices such as megaphones and sound trucks.

Campus Grounds means all outdoor areas owned, leased or controlled by the University that are common accessible to all students and employees such as sidewalks, lawns, parking lots, and promenades.

Demonstration action by a mass group or collection of groups of people in favor of a political or other cause or people partaking in a protest against a cause of concern; it often consists of walking in a mass march formation and either beginning with or meeting at a designated endpoint, or rally, to hear speakers.

Debate is a discussion involving opposite viewpoints in which opposing sides of an issue are advocated and/or presented by differing speakers.

Expressive Activity is the verbal or symbolic expression of an idea, thought or opinion and may include speeches, assembly, marches, parades, rallies, picketing, distribution of literature, graphic or pictorial displays and other similar activities intended to communicate an idea or opinion. Expressive Activity does not include speech that is likely to incite or produce imminent lawless action, expression that consists of fighting words or threats of physical harm or expression that is defamatory, obscene or commercial in nature.

Literature is any printed material that is produced in multiple copies for distribution or publication to an audience, including but not limited to flyers, handbills, leaflets, placards, bulletins, newspapers, and magazines, but does not include the *Tropitian* or official University material.

Official University Function is all activities, events and programs sponsored by an academic or administrative unit of the University.

Outdoor Forum is a designated area on campus not confined by walls or a roof. Within this designated area, individuals or groups are encouraged to openly discuss, express, and/or exchange ideas on topics in accordance with university policies.

Outside Group/Individual. An **Outside Group** is an organization or group of people not registered with or recognized by the Dean of Students or, if a nonstudent group, another University division. An **Outside Individual** is any person not enrolled at or employed directly by the University.

Registered Student Organization is an organization that has been approved and recognized by the Division of Student Affairs in accordance with the ORACLE.

Sponsored Activity is any expressive activity that is presented by a sponsored guest under this policy.

Sponsored Guest is any person or organization invited to engage in expressive activity on campus grounds by a sponsoring organization in accordance with this policy.

IV. Policy

- A. **General.** Troy University is committed to providing an educational environment that is conducive to the development of each individual. As a public institution, the university provides formal and informal forums for the expression of ideas and opinions as long as it is done within the context of university policies and does not impede pedestrian and/or vehicular traffic, disturb or interfere with normal academic, administrative or student activities, or involve coercive behavior.
- B. **Application.** This policy applies to all University students, employees, organizations, and sponsored guests. This policy does not apply to official academic activities and official functions of the University. For Faculty policies, refer to the Faculty Handbook.
- C. **Outdoor Forums.**

Nothing in this section shall be interpreted to limit a student's right to free expression elsewhere on campus so long as the expressive activities or related conduct do not violate any other applicable university policies.

 1. An outdoor forum area is designated in the Quadrangle area adjacent to the student center on the Troy campus.
 2. An outdoor forum area is designated in the Quadrangle area between the three main campus buildings on the Dothan campus.
 3. An outdoor forum area is designated on the south side of the Riverfront Building on the Phenix City campus.
 4. An outdoor forum area is designated on the paved walkway to the west of the main entrance to Bartlett Hall on the Montgomery campus.

The University reserves the right to define, redefine or re-designate outdoor forum locations at its sole discretion.

These forum areas provide an area for free exchange of ideas and do not have to be pre-scheduled. However, sponsors/participants are encouraged to schedule with the Dean of Students to minimize possible conflict.

D. Free Expression Responsibilities

Freedom of expression at the university includes organized demonstrations or events. At the same time, the university has long recognized that this right does not include the right to engage in conduct that disrupts the university's operations or endangers the safety of others. Expressive activity may not create a vehicular or other safety hazard or constitute disruptive

activity, defamation, riotous conduct or obscenity as defined by federal or state law and may not impede access to other expressive activity, such as blocking the audience's view or preventing the audience from hearing a speaker. Displaying a sign, gesturing, wearing symbolic clothing or otherwise protesting silently is permissible anywhere unless it is a disruptive activity as defined by federal or state law.

E. Expressive Activity Speaking and Use of Campus Facilities

1. Campus Events

- Campus large scale events defined as events attracting 50 or more people require coordination with either the Senior Vice Chancellor for Academic Affairs (for academic events) or Dean of Students (for student organizations) for speaking events or demonstrations outside the outdoor forum.
- Such events may include: invited speakers, use of amplified sounds, marches etc.
- Only campus recognized organizations may sponsor such activities and must request authorization to use a university controlled building or campus area.
- Such requests must be submitted seven working days in advance to Dean of Students using the online event management request system.

2. Organization responsibility. Organizations inviting outside groups or speakers to campus will ensure that a safe, non-disruptive environment exists for free expression. In turn, speakers "expressive actions" must avoid defamation, threats, obscenities or conduct not conducive to good order and discipline. The University will not change security fees based on anticipated speech content requiring the need for additional security.

3. Reservation Denial.

- The University will not deny a registered student organization any benefit or privilege available to any other registered student organization or otherwise discriminate against the organization based on the expression or beliefs of the organization.
 - Requests to reserve a designated area, to use amplified sound, or to register a route for a parade, march or rally may not be denied based on the content of the proposed expressive activity.
 - Requests may be denied for the following reasons:
 - Scheduling conflict with another group;
 - the designated area or an adjacent area has been reserved for an official University function or the designated area is no longer suitable for use due to a conflict with a nearby official University function;
 - the reservation or registration form is incomplete;
 - the request exceeds more than fifteen days in a semester or is for more than five consecutive days;
 - the proposed event or activity will substantially interrupt the safe and orderly movement of traffic or create a safety hazard; or
 - the request was submitted by an individual or organization that is not permitted to reserve space on campus under this policy.
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4. Expressive Activities Relocation

Individuals and organizations engaged in expressive activity on campus may be required to relocate to other areas by the Dean of Students or, when immediate action is necessary, the University police department, under the following circumstances:

- a. the noise generated by the activity disrupts an official University function or substantially interferes with resident housing life and activities (e.g. the activity is too close to an academic, administrative or residential building);
- b. the location does not safely accommodate the number of participants;
- c. the number of individuals participating in or attending the activity creates unsafe conditions for vehicular or pedestrian traffic, parking, or blocks the ingress or egress to buildings or official university activities;
- d. the space has been reserved for an official University function, has been reserved in accordance with this policy, or a reserved location is needed for an official University function; or
- e. the activity creates a health or welfare hazard, such as interfering with fire, police or emergency services.

5. Distribution of Literature

Students, employees and sponsoring organizations may distribute literature on campus grounds. Sponsored guests may distribute literature only in the designated area reserved for their use. If no Registered Student Organization will sponsor an outside individual or organization to distribute literature on campus grounds, they may file a request with the Dean of Students seven business days before the requested event or activity. If an outside individual or organization does not reserve an area at least seven business days before they intend to distribute literature, they must use a designated outdoor forum defined in Section IV. C of this policy.

Students, employees, sponsoring organizations and sponsored guests who distribute literature should be responsible for refraining from littering on campus grounds.

It should be understood and presumed that all literature distributed by students, employees, sponsoring organizations, or sponsored guests does not represent the views and opinions of Troy University. If literature could be reasonably mistaken as taking an official position on behalf of the University, a disclaimer statement should be added to the literature.

This policy does not apply to attempts to distribute literature that is commercial in nature (i.e. information about goods or services offered for sale).

6. **Responsibilities of Individuals, Sponsoring Organizations and Sponsored Guests**

Sponsoring organizations are responsible for ensuring that sponsored guests read