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**MGA**

# Middle Georgia State University Policy Manual

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## 6.4 Freedom of Expression Policy

**Proposed:** 04/10/2017

**Adopted:** 05/10/2017

**Last Reviewed:** 06/09/2022

**Effective:** 07/23/2022

Middle Georgia State University (MGA) respects and honors the rights guaranteed by the First Amendment, including the right to free speech, free expression, free exercise of religion, and the right to assemble peaceably. The University abides by [Board of Regents Policy 6.5](#) on Freedom of Expression. MGA agrees with the University System of Georgia that these rights are of the utmost importance and are likewise committed to protecting those rights.

As a public institution of higher education, MGA promotes open ideas and academic freedom on our campuses. The policy that follows aims to promote campus safety, to ensure the proper functioning of the academic environment and institution activities, and to protect individual rights. It should not be used to unduly burden the free expression rights of any member of the University community.

The University community includes faculty, staff, students, administrators, recognized student organizations of the University, and guests thereof.

MGA may maintain and enforce reasonable time, place, and manner restrictions narrowly tailored to serve a significant institutional interest. Such restrictions must employ clear, published, content- and viewpoint-neutral criteria, and provide for ample alternative means of expression. Finally, any such restrictions may include reservation requirements, if needed, but must also allow for members of the campus community to spontaneously and contemporaneously assemble or distribute literature.

When used throughout this policy, “expressive activity” and “expression” include non-commercial speech and activities protected by the First Amendment, including speeches, performances, demonstrations, marches, protests, picketing, and the distribution of non-commercial literature. Commercial speech is regulated by MGA solicitation policies. This Policy does not impact classroom, academic or other University sponsored speech.

### **Provisions for Members of the MGA Community**

1. Planned Large Group Expression – Members of the MGA community who plan to engage in expressive activity on campus in a group that is expected to consist of 30 or more persons, not including those who may gather to protest the expressive activity, must submit a completed [Reservation Request Form](#) to MGA’s Office of Student Affairs three (3) university business days prior to the scheduled activity pursuant to the procedures set forth below and must receive approval in writing from a Student Affairs official prior to engaging in such activity. Prior notice is required to ensure that there is sufficient space for the large group event, that necessary University resources are available for crowd control and security, and that the academic and other operations of the University are not disrupted. The Student Affairs official may only deny a reservation for the limited reasons set forth below.
2. Spontaneous Large Group Expression - If an individual or small group of individuals within the MGA community, while engaging in spontaneous expression, attracts a group of 30 or more persons (not including those who may gather to protest the expression), then a representative from the group should provide the University with as much notice as circumstances reasonably permit. MGA reserves the right to direct a group of 30 or more persons to one of the Designated Campus Areas or another available area of campus in order to ensure the safety of campus members, to provide for proper crowd control, and to limit disruption of the academic and other operations of the University. The MGA official must not consider or impose restrictions based on the content or viewpoint of the expression when relocating any expression.

### **Designation of Forums on MGA’s Campus for Outside Individuals or Groups**

Institutions can designate accessible, high-traffic locations on campus as public forum areas for individuals or groups who are not members of the campus community and can require these individuals or groups to comply with reasonable time, place, and manner restrictions, including reservation requirements. Outside individuals or groups of people may only engage in expressive activity on MGA’s campus in the Designated Campus Areas and only after submitting a completed [Reservation Request Form](#) to MGA’s Office of Student Affairs at least three (3) university business days prior to the scheduled speech and obtaining approval for such use in writing from a Student Affairs official pursuant to the procedures set forth below. Organizers are encouraged to submit their requests as early in the planning stages of the event as possible. This provision does not apply to MGA Classroom Visitors or to any University-sponsored events.

MGA has designated the following highly visible locations as public forums on MGA’s campus (“[Map of Designated Campus Areas](#)”): • Cochran Campus: The lawn area west of the tennis courts (defined by sidewalks on three sides and the tennis stands), • Dublin Campus: The grass area (inside the horseshoe shaped sidewalk) between the student center and the back parking lot), • Eastman Campus: The grass area bounded by the static airplane display south, Airport Road right of way east, and parking areas north and west, • Macon Campus: The lawn between the Teacher Education Building and the Library or the grassy amphitheater outside of the Student Life Center, • Warner Robins Campus: The grass section of the circular drive in front of Oak Hall.

These [Designated Campus Areas](#) (map linked) are generally available from 8:00 a.m. to 9:00 p.m., Monday through Thursday, unless campus is otherwise closed. The Designated Campus Areas are closed for the first full week of classes and final exam weeks of each semester. This policy does not apply to the reservation of indoor facilities, which is governed by procedures set forth at <https://www.mga.edu/hatcher-conference-center/policies.php>.

Reservations will only be processed on days that MGA’s Administrative Offices are open for business (“university business days”). Though reservations to use the designated campus areas are only required as set forth in the Procedures for Reservation Requests, MGA recommends that all parties interested in utilizing the Designated Campus Areas submit a completed [Reservation Request Form](#) to MGA’s Office of the Student

Affairs prior to use so that MGA may minimize scheduling conflicts, accommodate all interested users, and provide adequate security for the speaker and the audience.

When assessing a reservation request, the Student Affairs official must not consider or impose restrictions based on the content or viewpoint of the expression, including the possible reaction to the content or viewpoints anticipated to be expressed during the event.

Any denial of a reservation request in whole or in part may be appealed to MGA's Vice President for Student Affairs in writing setting forth the reasons why the appeal should be granted. MGA's Vice President for Student Affairs or his or her designee must respond to the appeal in writing within two university business days. The decision of MGA's Vice President of Student Affairs or his or her designee is final.

## **General Provisions**

In addition to the requirements set forth above, all individuals expressing themselves on MGA's campus must comply with the following provisions:

- No interference with the free flow of vehicular or pedestrian traffic within or under the control of the MGA campus or the ingress and egress to buildings on campus is permitted.
- No interruption of the orderly conduct of University classes or other University activities, including University ceremonies and events, is permitted.
- Motor vehicles may not be used indoors or in any outdoor area of campus except roads and parking lots.
- The representative who makes the reservation shall be responsible for seeing that the area is left clean and in good repair. If not accomplished, persons or organizations responsible for the event may be held financially responsible for cleanup costs for removal of signs, placards, litter, and other materials left by the representative's speaker or group.
- Expressive activities may not take place in a location that has already been reserved for another event.
- Expressive activities must not create a clear threat to public health or safety.
- Damage or destruction of property owned or operated by the University or property belonging to students, faculty, staff, or guests of the University is prohibited. Persons or organizations causing such damage may be held financially and/or criminally responsible.
- Individuals and groups of individuals expressing themselves on MGA's campus must comply with all applicable federal, state, and local laws; Board of Regents' policies; and MGA policies, rules, and regulations.
- Security fees may be assessed consistent with MGA's Security Policy. See <https://www.mga.edu/hatcher-conference-center/policies.php>.

Authorization of a speech, event, or demonstration is contingent upon compliance with the criteria listed above. The authorized representative of the speaker or group is required to sign a form acknowledging compliance with these administrative procedures and guidelines and acknowledging that the University will not be held responsible for the actions of participants in the expression. Additionally, the authorized representative must sign a form acknowledging agreement to make restitution for any litter or property damage that is caused by the representative's speaker or group.

MGA Public Safety and other appropriate administrators will be notified upon receipt of the reservation request. The reservation request is a public record and submitted requests will be released to interested parties in accordance with the terms of the Georgia Open Records Act.

The University reserves the right to refuse to permit individuals or groups to assemble, demonstrate, protest, or otherwise express themselves in accordance with this Policy if the individual or group refuses to abide by these administrative procedures and guidelines. Speakers or organizations failing to comply with this Policy may be asked to leave, a trespass warning may be issued, and/or University disciplinary action may be pursued.

MGA cannot be held responsible for the safety of children or other individuals participating in an event. Persons under the age of 12 years old must be accompanied by an adult. More information regarding minors on

campus is available in MGA [Policy 6.7](#)

## Freedom of Expression Policy Questions

Questions about this policy may be addressed to the MGA's Office of Student Affairs at [\(478\) 757-7383](tel:(478)757-7383) or [vpsa@mga.edu](mailto:vpsa@mga.edu).

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[478.471.2700](tel:478.471.2700) | [100 University Parkway | Macon, GA 31206](#)

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