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Owner Elene Garrison:  
Interim General  
Counsel  
Area University Wide  
References Policy

## Expressive Activity Policy

### I. POLICY PURPOSE

- A. The University of North Georgia (the "University") is committed to providing an educational and work climate that is conducive to the personal and professional development of each individual. In fulfilling its mission as an institution of higher learning, it encourages the free exchange of ideas.
- B. The purpose of this policy is to promote and facilitate Expressive Activity and respect the constitutional rights of the University Community while allowing the University to make necessary arrangements (such as arranging march routes, providing security, and avoiding multiple events at the same time and location) and ensuring such activities do not interfere with the University's mission and operations or with the rights of others.
- C. It applies to all students, employees, visitors and other individuals while at the University. This policy does not replace, but supplements, applicable federal, state, and local laws and regulations.

### II. DEFINITIONS

- A. **Expressive Activity:** Communicative conduct or activity, other than commercial speech/activity, that is protected by the First Amendment of the Bill of Rights of the United States Constitution, such as public speeches, demonstrations, marches, protests and picketing, and the distribution of literature.
- B. **Designated Public Forum:** The following areas are designated by the University for Expressive Activity:
  - 1. Cumming Campus – the grass area in front of the building closest to the lower parking lots
  - 2. Dahlonega Campus – the west side of the promenade nearest the drill field
  - 3. Gainesville Campus – the grass area stretching from the Student Center to the Strickland Building

4. Oconee Campus – the grass area between the quad walkway and the Library wing of the Student Resource Center
  5. Blue Ridge Campus – the grass area in front of the sidewalk/plaza area in front of the building
- C. **Limited Public Forum:** Areas with limited access for Expressive Activity and that may be limited to particular groups, for particular purposes, or during particular times. Examples include, but are not limited to, classrooms (when not being used for instructional or academic purposes), the Drill Field, sidewalks, streets, paved areas, terraces, patios, and lawns.
- D. **Non-Public Forum:** Areas that are not Traditional Public Forums, Designated Public Forums, or Limited Public Forums. Examples include, but are not limited to, residence hall rooms, faculty and staff offices, administration buildings, student health centers, libraries, the Pine Valley Recreation Area, Colonel Ben Purcell Formation Plaza, Retreat Triangle, and Memorial Wall, and other memorial areas. These forums will be restricted to use for their intended purpose and are not available for public Expressive Activity.
- E. **Traditional Public Forum:** The public streets and sidewalks surrounding a UNG campus.
- F. **Recognized Student Organization or RSO:** Any number of persons who have complied with the formal requirement for University recognition, including Fraternities, Sororities, Chapters and Student Clubs, the Corps of Cadets and affiliated Co-curricular Clubs.
- G. **Structured Volunteer:** A non-employee who performs service for the University for civic, charitable, educational or humanitarian reasons, without promise, expectation or receipt of compensation for services rendered, and who has completed all of the necessary requirements as outlined by the Office of Human Resources is considered to be a volunteer during such hours.
- H. **Invited Guests:** A person who is not an employee or current student at UNG, but is invited and accompanied by a UNG employee or student. For the purpose of Expressive Activity, Invited Guests should always be accompanied by their UNG employee or student host.
- I. **University Community Member:** Any persons enrolled at or employed by the University, including faculty, staff, administrators and employees, and recognized University-affiliated entities such as University foundations, Recognized Student Organizations, and Structured Volunteers.

### III. POLICY STATEMENT

The University supports and encourages Expressive Activity. This Policy does not apply to University-sponsored activities or classroom instruction or participation; but rather establishes the content-neutral time, place, and manner restrictions concerning acts of expression and dissent outside the classroom environment. Nothing in this policy permits the University to regulate the content of Expressive Activity protected by the First Amendment. The University maintains a position of neutrality as to the content of expression and any materials distributed on campus under this policy.

The following categories of activities or speech are not protected by law and are not permitted on campus:

- speech that incites imminent lawless action that is integral to the commission of a crime,

- speech that triggers an automatic violent response ("fighting words"),
- true threats, obscenity, child pornography, certain types of defamatory speech, and
- certain types of commercial speech.

## A. University Community Members

Traditional Public Forums, Designated Public Forums and Limited Public Forums are available to University Community Members and their Invited Guests for Expressive Activity. Non-Public Forums are not available for Expressive Activity.

### 1. Designated Public Forums

- The Designated Public Forums on each campus are available for Expressive Activity between 8 a.m. and 6 p.m., Monday through Friday.
- It is not necessary for University Community Members to request a reservation for use of the Designated Public Forum for the purposes of expression, unless groups of twenty-five (25) or more persons wish to gather in the Designated Public Forum. [Reservations](#) for groups of 25 or more persons should be made in accordance with the Procedures related to this policy.
- Use of the Designated Public Forums must comply with the time, place and manner restrictions in Section C of this policy.
- To ensure the safety of the participants, the University reserves the right to move persons to other locations on campus or to discontinue the Expressive Activity, if the size of the group cannot be accommodated by the Designated Public Forum.

### 2. Limited Public Forums

Recognized Student Organizations, Faculty and Staff wishing to engage in Expressive Activity in those Limited Public Forums that utilize a reservation process, should follow the reservation process to use the space. Reservation requests will be processed on a first-come, first-served basis, but in the event that multiple requests conflict, the use of the space will be reserved in a manner consistent with the reservation priorities detailed in the University [Facilities Use Policy](#).

## B. Non-University Community Members

### 1. Designated Public Forums

- Individuals or groups who are not University Community Members or the Invited Guest(s) of University Community Members are permitted access to the Designated Public Forums between the hours of 8 a.m. and 6 p.m., Monday through Friday.
- All individuals or groups who are not University Community Members or their Invited Guests must make a [reservation](#) to use the Designated Public Forum.
- The Designated Public Forums are provided on a content-neutral basis and are designated for any non-University Community Members or groups to

share an opinion or viewpoint with the University Community.

- d. Non-University Community Members or groups are limited to four scheduled (4) activities per month so that opportunities are available to other applicants to use the area. Once scheduled, if you cannot use the space, please cancel as early as possible to allow others to use the space. Missed scheduled dates count toward the limit of four activities per month, if no notice is given within 24 hours of the proposed reservation.

## 2. Limited Public Forums

- a. Individuals or groups, who are neither a University Community Member nor the Invited Guest(s) of a University Community Member, may reserve Limited Public Forums for Expressive Activity, as set forth in the [University Facilities Use Policy](#).
- b. All reservations of Limited Public Forums must comply with the time, place and manner restrictions in Section C of this policy.

## C. Time, Place and Manner Restrictions

Individuals engaging in Expressive Activity on campus must also abide by the following requirements and all other Board of Regents policies, University policies and applicable law.

Expressive Activities must not:

1. Attract a crowd larger than the occupant limitations the location can safely contain;
2. Disrupt University activities inside or outside of buildings (including classes);
3. Disrupt previously scheduled campus events;
4. Obstruct entrances or exits to buildings (unless otherwise permitted). Expressive Activity should be conducted 20 feet from building entrances and exits;
5. Obstruct vehicular or pedestrian traffic;
6. Represent a threat to public safety, according to the discretion of the University Office of Public Safety;
7. Include camping or the use of temporary shelters, as such activities are prohibited on University property;
8. Affix items to any permanent structure (fences, trees, etc.);
9. Light any material on fire, with the exception of hand-held candles which may be utilized with special permission of the Associate Dean of Students; other open flame devices and fires are strictly prohibited;
10. Utilize any amplification device, (unless it is a University-sponsored event);
11. Involve solicitation or commercial enterprises;
12. Additional time, place and manner restrictions for chalking, signs and political activities are set forth in separate University policies.

## D. Additional Provisions

The following provisions apply to both reservation requests and Expressive Activity:

1. No publicity, for a speaker or program that requires a reservation, may be released prior to confirmation of the reservation by the University.
2. When assessing a reservation request for Expressive Activity on campus, University personnel must not consider the content or viewpoint of the expression or the possible reaction to that expression. University personnel may not impose restrictions on individuals or organizations engaged in Expressive Activity due to the content or viewpoint of their expression or the possible reaction to that expression. In the event that other persons react negatively to this expression, University personnel shall take all necessary steps to ensure public safety and limited disruption to University operations, while allowing the Expressive Activity to continue. The Public Safety Department maintains discretion to end any activity deemed to be a threat to campus safety.
3. Persons or organizations responsible for an activity covered under this policy must remove all signs and litter from the area at the end of the event. If this is not accomplished, persons or organizations responsible for the event will be held financially responsible. Persons or organizations responsible for an activity will not be assessed charges for the removal of signs, litter or other materials left by counter-protestors. The University may remove any items left behind or unattended, including memorials, at the conclusion of the event.
4. Distribution of written material: Non-commercial pamphlets, handbills, circulars, newspapers, magazines and other written materials may be distributed on a person-to-person basis.
5. Activity that results in 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 responsible.

## IV. SUPPORT INFORMATION

- A. Related policies include: Facilities Use Policy, Chalking Policy, and Political Activities Policy which can be located in the [UNG Policy Portal](#).
- B. See University System of Georgia [Freedom of Expression Policy](#).

### Approval Signatures

Step Description	Approver	Date
Policy Office - Final Approval/ Posting	Wesley Burnett: Policy & Procedure Coordinator	02/2023
Policy Office - Final Approval/ Posting	Kate Maine: Vice President of University Relations and Chief o	02/2023

President	Bonita Jacobs: President	02/2023
General Counsel	Elene Garrison: Interim General Counsel	01/2023
Policy Office	Kate Maine: Vice President of University Relations and Chief of	01/2023
Policy Office	Wesley Burnett: Policy & Procedure Coordinator	12/2022
	Elene Garrison: Interim General Counsel	12/2022

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