

Proposed UAF Policy 04.06.300
Original Adoption: 01-19-2021
Responsible Chancellor's Cabinet Member(s):
 Vice Chancellor for Student Affairs, Vice Chancellor
 for Rural, Community and Native Education
Responsible Department/Office: Center for Student Engagement



CAMPUS ASSEMBLY POLICY

1.0 POLICY STATEMENT

The University of Alaska Fairbanks is committed to academic freedom, freedom of speech, petition and assembly. These are fundamental to the democratic process, and fundamental to the academic mission of the university.

UAF makes clear that these freedoms are to be exercised in a manner that protects the rights of all members of the campus community. UAF reserves the right to determine the time, place and manner of assembly or presentation in order to assure the continuation and quality of the educational process, the protection of property, and the health and safety of our campus community.

Under the authority delegated from the Chancellor, UAF's Wood Center's Center for Student Engagement's Scheduling Office will serve as the point of contact for free expression activities.

2.0 DEFINITIONS

TIME, PLACE AND MANNER:

University of Alaska Fairbanks defines time, place and manner restrictions as limitations on when, where and in what manner expressive rights can be exercised, which are congruent with the right to freedom of expression provided that the limitations are justified without reference to the content of the regulated speech; that they serve a significant governmental interest; and that, in so doing, they leave open ample alternative channels for communication of the information. For all people, including students and community members, public freedom of speech and freedom of assembly are protected by the U.S. and the Alaska State Constitution. However, people cannot interfere with the regular operations of educational institutions and may need to accommodate the nature or space in which they assemble, including exterior space. This includes instances in which the particular space has been reserved for an event or

programmatic purpose. If, for instance, any assembly is overly loud, blocks passage across campus, or threatens physical health or safety of others, then the institution may need to change the location or more directly address the disruptive aspects of the assembly.

FREE EXPRESSION ACTIVITIES:

Activities entailing speech or communicative expression, scheduled or unscheduled, whose primary purpose is the public articulations of ideas or viewpoints, including, but not limited to, demonstrations, protests, displays or performances, signage, distribution of literature, and circulation of petitions, and including passive expression such as wearing arm bands or kneeling.

UNIVERSITY PROPERTY:

Indoor and outdoor spaces owned, leased or occupied by the University of Alaska.

3.0 BACKGROUND AND JUSTIFICATION

The following principles provide the foundation for expression at the University of Alaska Fairbanks:

1. Freedom of speech (also called freedom of expression) is a fundamental right guaranteed by the U.S. and Alaska State constitutions.
2. The values and behavior of the campus community with respect to expression are informed not only by the law, but by a shared responsibility and commitment to treating each other with respect, civility, and empathy, including when discussing or debating controversial topics.
3. Freedom of expression at UAF does not extend to obscenity, defamation, fraud, incitement, true threats, or speech integral to criminal conduct.
4. The university may reasonably regulate the time, place and manner of expression to ensure that it does not disrupt the university's activities or the legal rights of others.
5. UAF's respect for freedom of expression rights does not equate to UAF endorsement of the views that may be expressed. This policy does not preclude the university from exercising its prerogative to issue its own statements in furtherance of UAF's mission and principles, including statements that may express disagreement with views expressed by others.
6. It is vital in a university community to exercise freedom of thought and expression with respect for the same rights in other members of the university community. It is the responsibility of all - faculty, staff, students, administrators, and visitors and guests to

campus - to ensure that freedom of expression and assembly are conducted in an atmosphere that allows others to enjoy those same rights and promotes intellectual discussion and learning.

7.0 REFERENCES RELIED UPON

Regents' Policy 05.12.101. Campus Solicitation. All canvassing, peddling, or soliciting on university grounds or in university buildings will be subject to university regulation and campus procedures as to time, manner, and place

Regents' Policy 01.02.010. Freedom of Speech. A. An environment of free and honest inquiry is essential to the functioning and the mission of the university. The board and the university therefore acknowledge, affirm, and espouse the right of freedom of speech as guaranteed in the Constitutions of the United States and the State of Alaska. The essential purpose of the university is to engage in the pursuit of truth, the advancement of learning and the dissemination of knowledge. To achieve this purpose, all members of the university must be assured of the constitutionally protected right to question, speculate, and comment, as well as the right to criticize the university and society at large. B. The university will not limit or abridge any individual's constitutional right to free speech. (06-07-06)

Regents' Policy 01.02.030. Maintenance of Good Order. Consistent with university policies and regulations and the laws of the State of Alaska, all officers and employees of the university and all persons on premises owned, used, or controlled by the university, are required to comply with university policies and regulations and MAU rules and procedures to maintain orderly procedures within the university, to avoid disruptions of the university's operations and to protect and preserve life and property. (09-15-78)

Alaska Constitution, Article 1

§5 Every person may freely speak, write, and publish on all subjects, being responsible for the abuse of that right.

§6 The right of the people peaceably to assemble, and to petition the government shall never be abridged.

8.0 RESPONSIBILITIES

The UAF Center for Student Engagement's (CSE) scheduling office will be responsible for administration and enforcement of this policy, and with communicating these events to relevant university departments including, but not limited to: the UAF Police Department; Facilities Services; Environmental Safety, Health and Risk Management; University Relations; Center for Student Rights and Responsibility; and Office of the

General Counsel. CSE will be responsible for training its professional and student staff in their responsibilities with respect to free expression events, and how to handle complaints when they arise.

9.0 NON-COMPLIANCE

Parties may be asked to relocate and/or adjust their activities to prevent disruption of normal campus operations or to maintain public health or safety. This may include lowering the volume of activities interfering with normal university business in nearby classrooms, meeting spaces or other indoor facilities.

10.0 EXEMPTIONS

State of Alaska and CDC guidelines for health and safety may be taken into consideration when reviewing registration of assembly.

Exemptions will be approved by the Chancellor's Office.

11.0 PROCEDURES

Under the authority delegated from the Chancellor, UAF's Wood Center's Center for Student Engagement will serve as the point-of-contact for free expression activities.

1. Groups or individuals that wish to engage in free expression activities in outdoor areas or indoor common areas on university property are requested to do the following:
 - a. Groups or individuals expecting more than 50 participants are required to register two (2) business days before the event with the CSE Scheduling Office during regular business hours [link to form]. This is for outdoor, traditional public forum areas; i.e. Constitution Park, Cornerstone Plaza.
 - b. Groups expecting under 50 participants are required to notify CSE's scheduling office two (2) business days before the event.
 - c. UAF recognizes that due to evolving circumstances or spontaneous free expression, people or groups may not have the two days' notice to register. In these cases, groups are encouraged to notify the CSE Scheduling Office as soon as possible.
 - d. In the event that two or more groups seek to engage in expressive activities simultaneously in the same area requiring one or the other to

relocate or reschedule, priority will be given to the individual or group registering first.

- e. Chalking: Sidewalk chalking is permitted in order to promote the activities and events of student groups and organizations formally associated with the University of Alaska Fairbanks. Student organizations choosing to utilize this method of communication must obtain an approval form from the Scheduling Office in Wood Center prior to chalking. Chalking by individuals or outside groups is not permitted.

Chalking is permitted on concrete outdoor sidewalks in the following places:

- South and north entrance of Wood Center 10ft from the entrances.
- Sidewalk on the south side of Yukon Drive (closest to Wood Center) between Wood Center and MBS.
- Constitution Park, within 10 ft of raised concrete wall (see CSE scheduling for specifics).

Chalking is also permitted on sidewalks in the residential communities in accordance with policies established thru the Office of Residence Life. Contact Res Life for more permission prior to chalking.

Chalking is not permitted on any other campus sidewalks, on any vertical surfaces, and any buildings or walls. Only water-soluble chalk may be used. Chalking must be removed 3 days after the event. Removal of chalking is the responsibility of the organization. If it is not removed in a timely manner, the organization is subject to a removal fee or a possible loss of future privileges.

2. CSE's scheduling coordinator will send the registration form to the UAF Police, UAF Risk Management, UA General Counsel, and UAF University Relations, and will enter information in the UAF events form as an FYI. [<https://www.uaf.edu/universityrelations/services/events.php>].
3. The use of walkways or other common areas for free expression activities may not block the free passage of others nor impede the regular operation of the university.
4. Signage and Alternate Routes: The university may post signage near free expression activities to inform members of the campus community of the nature of the activities, including the presence of any graphic or traumatizing speech or expression, and to offer alternate routes for those who wish to avoid the area.
5. Indoor Areas: Indoor areas will be subject to each building's guidelines.

6. Clean Up: Those engaging in free expression activities are expected to remove any associated materials including, but not limited to, signs, flagging, literature, and trash from indoor and outdoor areas at the conclusion of that activity. Any materials left at the conclusion of the activity will be disposed of by the university.

The conclusion of the activity must be documented on the advance registration materials submitted by groups.

7. Nothing in this policy shall guarantee any group or individual exclusive use of university property for free expression activities.

THIS POLICY IS EFFECTIVE AS OF JANUARY 19, 2021. THE POLICY IS APPROVED:



Daniel M. White, Chancellor
University of Alaska Fairbanks

January 19, 2021

Date