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## **UNIVERSITY POLICY MANUAL (HTTPS://POLICY.UNCG.EDU/)**

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### **FREE SPEECH, PUBLIC ASSEMBLY, PETITIONING, AND AMPLIFIED SOUND**

The University of North Carolina at Greensboro

Approved by the Chancellor, 03/20/2006

Revised, 11/02/2015

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#### **1. PURPOSE**

The University of North Carolina at Greensboro values freedom of speech as one of the fundamental rights guaranteed by the U. S. Constitution and as the best means for arriving at truth and mutual understanding. Peaceable assembly and the right to petition the government for a redress of grievances are also rights guaranteed by the First Amendment and are concomitant to the right of free speech. Therefore, UNCG is committed to making the majority of its outdoor spaces available to members of the University community and invited guests for purposes of speech, assembly, and petitioning activities, except as may be necessary to protect its property and to avoid interference with scheduled activities of students, University personnel, and invited guests. This policy also addresses reasonable times, places, and manner for the use of sound which is amplified (electronic, mechanical, public address) and sound which could be disruptive to academic classes in surrounding buildings.

#### **2. SCOPE**

This policy applies to all persons who wish to use outdoor spaces for the purposes of free speech, public assembly, petitioning, and/or amplified sound on the UNCG campus, including students; registered student organizations; UNCG community members (faculty, staff); and external businesses and individuals.

#### **3. POLICY**

##### **3.1 FREE SPEECH ACTIVITIES**

One of the fundamental responsibilities of the University is to protect the rights and freedoms of all members of the University community and of invited speakers and guests. To that end, and as provided by law, reasonable time, place, and manner requirements are included in this policy. Participants in outdoor assemblies and those distributing/petitioning must abide by the requirements listed in this policy. Forums, assemblies, amplification, and petitioning activities may not interfere with University operations.

The University encourages contact with the University Reservations Office in the Elliott University Center, 336.334.5378, to secure space, equipment, utilities, or support for free speech activities. Nothing in this document, however, should be interpreted as limiting the right of expression as long as the expressive activities or related conduct do not violate any other applicable university policies.

The University supports outdoor assembly of persons for free speech activities, including vigils, protests, demonstration, and similar activities. Outdoor spaces are also frequently used for University-sponsored events and activities, such as educational activities, Homecoming, concerts, and similar.

- a. Persons may not block or otherwise interfere with the free flow of vehicular, bicycle or pedestrian traffic. The right of way of streets and sidewalks must be maintained.
- b. Persons may not obstruct, disrupt, interrupt or attempt to physically force the cancellation of any event or activity sponsored by the University or by any users authorized to use University property.
- c. Persons shall not engage in unlawful words or conduct toward any person.
- d. Persons on University property may be required to provide picture identification and to provide evidence of qualification to a University official upon request. Evidence of qualification means a current and valid University identification card, or accompaniment by a University community member that is a representative of the group that issued the invitation.
- e. No outdoor assembly, vigil, or outdoor event may be conducted within 200 feet of a childcare playground or facility, or within 50 feet of any building. In addition, assemblies may not take place within the confines of any Campus Recreation facility or Athletic facility. No outdoor assemblies may take place in areas immediately adjacent to residence halls between the hours of 9:00 p.m. to 9:00 a.m. Exceptions to this may be granted by the Office of the Vice Chancellor for Student Affairs, and must be requested in writing at least three business days prior to the event.

- f. Notification to the University: Prior to an outdoor assembly reasonably expected to include a large crowd (more than 150 persons), or the potential for violence, the event organizers need to notify the University Reservations Office in the Elliott University Center, 336.334.5378, so the University may institute any necessary safety measures.
- g. Sales, solicitation, merchandising: This policy prohibits the sale of products or food, the exchange of goods, contractual arrangements, or services, or the barter or trade of merchandise or material by any unaffiliated person or group. Outside commercial activities are prohibited. The Office of the Vice Chancellor for Student Affairs may authorize, in writing, exceptions to this provision based on written requests received at least three business days prior to the event or activity.
- h. When using spaces that can be reserved, the group who has reserved the space has priority over any other group. When using space that cannot be reserved, the first group to provide notification to the University Reservations Office as required above has priority to use it.
- i. Those who participate in an outdoor assembly are responsible for any clean-up and/or damages associated with the event.

### **3.2 OVERNIGHT ASSEMBLY**

Because of the special dangers associated with overnight outdoor assembly on University property, the following shall apply, *in addition to*, the provisions set forth elsewhere in this Policy.

- a. Students, faculty or staff who wish to use an outdoor area as temporary overnight assembly space must coordinate their activities with UNCG to protect the safety and security of those participating. Event organizers must contact the University Reservations Office in the Elliott University Center, 336.334.5378, at least one (1) business day prior to the planned event to complete a reservation request and find a mutually-agreed upon space for overnight assembly. No overnight assembly may occur until the University approves the space.
- b. EUC Staff will coordinate with Facilities, UNCG Police, and other offices as necessary to determine an appropriate site. Due to safety and operational concerns, areas under construction or near construction sites, in locations where assembly is likely to disrupt normal University activities, or close to public streets or public access cannot be used for outdoor overnight assembly.
- c. Overnight assembly areas include:

1. Jackson Library Lawn: Area bordered by South Spencer Hall, College Avenue, Faculty Center, and Jackson Library.
  2. Stone Building Lawn: Area bordered by Stone Hall, Forney Building, College Avenue, and Petty Science Building.
- d. In order to protect the safety and free speech rights of those who wish to remain overnight as part of a protest or assembly, while at the same time allowing the campus community to continue safe operations, the following conditions, in addition to those set forth in all sections of this policy, must be met:
1. Persons staying overnight must be current UNCG students, faculty or staff and must have a valid UNCG ID with them at all times. Any individual without a valid UNCG ID may be escorted from campus.
  2. No permanent structures are allowed.
  3. Electrical outlets may not be used.
  4. No person may use open flames, campfires, grills, liquid fuels, generators or gaseous fuels.
  5. There is no cooking permitted.
  6. No motorized vehicles (cars, mopeds, scooters, motorcycles, etc.) are permitted in the assembly area. Vehicles must be parked in compliance with UNCG policy; see [parking.uncg.edu](http://parking.uncg.edu).
  7. There is no smoking in the assembly area; smokers must move at least 50 feet from the assembly area while also adhering to the UNCG Smoking Policy's restriction that smoking is not allowed within 25 feet of any university building unless designation has been otherwise provided.
  8. If sanitation becomes a concern, the University will require installation of portable sanitary facilities. Should such a determination be made by the University, UNCG will contract for the facilities and those persons conducting the outdoor, overnight assembly must pay for all costs incurred by the use of such facilities. Prior to contracting for such services, the University will notify those persons conducting the outdoor, overnight assembly that such cost will be assessed and the group shall have the option to disperse rather than have the University contract for such services.
  9. The University is not responsible for participants' personal belongings.
  10. Conduct in violation of University rules, local or state law, or federal law, will not be tolerated and may result in arrest and/or University discipline.
- e. There must be an identified representative or small (no more than 3) group of representatives available 24/7 to communicate with UNCG Police and UNCG staff in

the event of a problem, concern, or emergency. The representative or small group should identify themselves to UNCG personnel when asked or at any time if there is an emergency.

- f. Subject to compliance with the conditions set forth in this Policy, UNCG will approve overnight assembly for an initial period of up to three weeks, with an expectation that members/leaders/representatives from the assembly group will participate in an ongoing discussion with UNCG officials about safety and any other actual or potential concerns or problems associated with the overnight outdoor assembly.

Subjects for ongoing consideration and discussion include the following:

1. Safety concerns
2. Sanitation issues
3. Requests from the assembly group
4. University needs, which may include:
  1. Relocation to allow grass to recover
  2. Changes to meet safety needs/concerns
  3. Concerns about sanitation, communicable disease, or other health-related issues

- g. When the initial time period expires, and if no extension has been granted, the participants shall vacate the designated area and remove all personal belongings and trash. If members/leaders/representatives of the assembly group wish to extend the overnight assembly beyond the initial time period, they shall meet with the Director of the Elliott University Center, or designee, to discuss extensions, if any, to be granted by the University and if so, what conditions and time limitations shall apply.

- h. Any variation from these Overnight Assembly provisions must be approved by the Director of the Elliott University Center. Any violation of these Overnight Assembly provisions, or any actual or threatened behavior that constitutes a threat to the safety of any person or University property, at the discretion of University officials or Police, shall constitute grounds for the immediate closure of any overnight outdoor assembly or modification of the conditions under which it operates.

### **3.3 SOUND AMPLIFICATION**

Individuals and organizations using this policy must take care not to violate UNCG's Student Code of Conduct related to 6.5: Responsibility. Within that framework, the use of amplified sound is allowed on the UNCG campus with the following reasonable time, place, and manner requirements:

a. Locations and Times Allowed

1. The Elliott University Center lawn (Kaplan Commons), at least 50 feet from the building
2. Jackson Library Lawn, at least 50 feet from any building
3. Stone Building Lawn, at least 50 feet from any building
4. Foust Park, at least 50 feet from any building
5. All other locations are prohibited.
6. The use of amplified sound will be allowed between 11:00am and 10:00pm. The maximum duration for an event with amplified sound taking place Monday – Thursday or prior to 4:00pm on Friday is two hours. For events taking place between 4:00pm Friday through 10:00pm Sunday, events may be permitted to exceed two hours but still must conclude by 10:00pm.

b. Purposes and Messages

1. Approved and registered student organizations, recognized by Campus Activities and Programs, and individual students, faculty, and staff at UNCG may request the use of electricity for amplified sound for the purpose of a specific event. No permission is required for the use of amplified sound that does not require use of the University's electricity (see Section 5).
2. Anyone (including individuals who are not expressly part of the UNCG community) engaged in free expression may request the use of electricity for amplified sound under this policy.
3. Commercial messages and/or advertising using amplified sound are prohibited.
4. The use of amplified sound for the purpose of speech which is violent (directed to, or likely to, incite violence), obscene (appealing to a prurient interest in sex and offensive or without redeeming social value), or defamatory is prohibited.

c. Specific volume restrictions may be imposed based on an event after consideration of the potential impact of the event under the factors outlined in this section. Absent specific considerations, Amplified Sound events taking place between 11:00am Monday and 4:00pm Friday may not exceed sound levels above 85 decibels and events taking place between 4:00pm Friday and 10:00pm Sunday may not exceed sound levels above 100 decibels.

d. Non-Amplified Sound Events may be subject to the same reasonable time, place, and manner requirements if the nature of the event creates a volume of sound that requires the event to follow guidelines for Amplified Sound Events. Such events will be reviewed on a case-by-case basis, but examples of events that may require

approval include events where there is especially loud audience participation (g. group singing or chanting) or where certain instruments (e.g. drums) are used without amplification

1. Mechanically and Battery Amplified Sound: This type of amplified sound may be based on battery, direct current, or low voltage amplification, and has an on/off switch, or may be without any batteries and have no on/off switch. Common examples include a cordless bullhorn, backpack bullhorn, "boom box", megaphones, plastic cones and similar.
  2. No permission or approval is required for mechanically or battery amplified sound.
  3. Mechanically or battery amplified sound must meet the requirements for all amplified sound, including reasonable time, place, and manner requirements
- e. Electrically Amplified Sound. This type of amplified sound requires a connection to an electrical outlet, panel, generator, or other source of continuous electrical source.
1. To request permission for an electrically amplified sound activity, an individual or organization must complete a Request for Electrically Amplified Sound/Event Space form, available from Campus Activities and Programs, Elliott University Center.
  2. This request should be made to Campus Activities and Programs at least three business days prior to the event. A separate event contract will not be required.
  3. Use of electrically amplified sound equipment must comply with all applicable laws, including but not limited to any noise ordinances of Guilford County, City of Greensboro and/or the University of North Carolina at Greensboro.
  4. Approval for an electrically amplified sound request is based upon the following factors:
    1. Impact on surrounding classes.
    2. Impact on facilities & operations.
    3. Prior reservation of space.
    4. Completion of necessary form/s and receipt of approvals.
    5. Risk management of the event.
  5. Facilities Management will determine costs, if any, for the electrical service to amplify sound. The requesting student organization or individual must pay costs for connection to UNCG utilities.
- f. Any variation from the Amplified Sound provisions must be approved, in writing, by the Office of the Vice Chancellor for Student Affairs. Request for variation must be made in writing at least three business days prior to the event

### **3.4 PETITIONING**

- a. Any member of the University community, and any affiliated student organization or group affiliated with the University, and any person or group invited to the campus by an affiliated student organization, or University unit may petition in any exterior campus space that is permissible for outdoor assembly as noted above. Materials must be designed for informational (not commercial) purposes.
- b. All provisions of this policy related to outdoor assemblies also apply to petitioning and distribution activities.
- c. The University does not assume responsibility for the content of the materials.
- d. The University community member is responsible for all cleanup and recycling of materials.

### **4. PUBLIC FORUMS**

City streets and sidewalks are public forums and they are available for assembly to all members of the public, as long as the assembly is in keeping with federal and state laws and city ordinances. The following streets and sidewalks adjacent to or running through the campus are examples of such public forums:

- Forest Street between Oakland Avenue and Spring Garden Street
- Highland Avenue between Oakland Avenue and Spring Garden Street
- Jefferson Street between Spring Garden Street and the Walker/Aycock parking lot
- Kenilworth Street between Oakland Avenue and Walker Avenue
- McIver Street between North Drive and West Market Street
- Stirling Street between Oakland Avenue and Walker Avenue
- Theta Street between Kenilworth Street and Stirling Street
- Walker Avenue between Aycock Street and Jackson Library and between Tate Street and McIver Street
- Aycock Avenue
- Oakland Avenue
- Tate Street
- West Market Street
- Spring Garden Street
- Lee Street

### **5. ENFORCEMENT**



Any violation of this policy by a University student is subject to the Student Code of Conduct. For Employees, any violation of this policy is “misconduct” under EHRA policies (faculty and EHRA non-faculty) and “unacceptable personal conduct” under SHRA policies, including any appeal rights stated therein. Employees and students are required to cooperate in investigations of any alleged violations of the policy. Violations of law may also be referred for criminal or civil prosecution.

Individuals or organizations that are not expressly part of the UNCG community will be referred to the UNCG Police Department.

Concerns about content, placement, and type of messages should be directed to the Office of the Vice Chancellor for Student Affairs, 140 Mossman Administration Building, [336.334.5099](tel:336.334.5099)

## **6. REVIEW**

This policy should be reviewed by a committee of faculty, staff, and students every five years, or more frequently as needed.

## **7. CONTACT**

The policy administrator is the Office of the Vice Chancellor of Student Affairs.

## **8. ADDITIONAL RESOURCES**

- Related Policies available through the University Policy Manual, at [policy.uncg.edu](http://policy.uncg.edu) (<http://policy.uncg.edu/>).
  - Alcoholic Beverages on Campus
  - Discriminatory Conduct Policy
  - Facility Use Policy
  - Illegal Drugs
  - Smoking
  - Solicitation by Affiliated and Unaffiliated Groups Policy
  - Weapons on Campus
- University of North Carolina at Greensboro Student Code of Conduct, available at:  
[sa.uncg.edu/handbook/student-code-of-conduct](http://sa.uncg.edu/handbook/student-code-of-conduct)  
(<http://sa.uncg.edu/handbook/student-code-of-conduct>)
- University of North Carolina at Greensboro Police Department, [336.334.4444](tel:336.334.4444) (Emergency)

- University of North Carolina at Greensboro Police Department, 336.334.5963  
(Non-Emergency)
- University Reservations Office, 336.334.5378

## REVISIONS

Revision Date	Revision Summary
05/15/2010	
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11/02/2015	

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- Free Speech, Public Assembly, Petitioning, and Amplified Sound. Retrieved 11/19/2022. Official version at [https://policy.uncg.edu/university\\_policies/free-speech-public-assembly-petitioning-and-amplified-sound/](https://policy.uncg.edu/university_policies/free-speech-public-assembly-petitioning-and-amplified-sound/). Copyright © 2022 The University of North Carolina at Greensboro.