



Freedom of Expression Policy

NAME:	Freedom of Expression Policy
ISSUING DEPARTMENT:	Student Affairs
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AUTHORITY:	Cabinet
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PURPOSE

The purpose of this policy is to ensure that members of the Mansfield University community are able to express their First Amendment rights in a productive and safe manner that complies with University policies and regulations, and state and federal laws.

SCOPE

Mansfield University supports every individual's right to freedom of expression consistent with the forum (area of campus) in which the expression is made. Mansfield University also recognizes the importance of fostering a culture of tolerance and civility that is a cornerstone for the accomplishment of its educational goals.

Speech may be regulated, as per the U.S. Supreme Court, under "Time, Place and Manner" regulations. At Mansfield University, time, place and manner regulations reflect the value of encouraging diverse ideas, community engagement on campus, and academic freedom, while also preserving interests including campus safety.

RESPONSIBILITY

This policy applies to all members of the Mansfield University community including, but not limited to students, student organizations, faculty, faculty organizations, staff, staff organizations, campus-affiliated organizations, and other off-campus groups or persons while on campus grounds, including commercial vendors or solicitors.

POLICY

A. Free Speech

It is not the proper role of the University to attempt to shield persons from ideas and opinions they find unwelcome, disagreeable, or even deeply offensive. Although Mansfield University greatly values civility, and all members of the MU community are responsible for maintaining a climate of mutual respect, concerns about civility and mutual respect are not a justification for closing discussion of ideas.

Within the classroom, visual and/or oral demonstrations, depictions or conduct that may be offensive to an individual will not be restricted when there is a legitimate pedagogical context, such as material having an appropriate connection to course subject matter. Similarly, campus discourse on topics of political, artistic or social issues that are conducted consistent with the nature of the forum and reasonable institutional limitations (registration to use certain spaces; time, place and manner regulations, etc.) that are clear and unambiguous will be supported.

Online postings or other electronic communication by students are considered speech protected by the First Amendment and outside the purview and jurisdiction of the University, unless such communication constitutes cyber-bullying, cyber-stalking, cyber-harassment or otherwise falls within prohibited conduct as established by University policy; and causes substantial disruption to the educational mission of the University. The use of University resources, including University networks, websites or email accounts in a manner contrary to the established policies and values of the University is not allowed and will not constitute protected speech or expression.

B. Assembly

Mansfield University's campus primarily exists to serve as the vehicle through which its students, faculty, and staff advance the institution's educational mission. As a public university, part of that mission includes encouraging the free exchange of viewpoints and ideas by individuals or groups regardless of their affiliation with the University. The University also has a significant interest in furthering its educational mission and protecting the educational experience of its students by ensuring the safety and security of the campus.

Mansfield University acknowledges the rights of individuals, regardless of their affiliation to the University, to assemble in groups. Therefore, anyone may distribute printed material, offer petitions for signature, make speeches, and hold protests or demonstrations outside University buildings. All such activities must avoid acts or credible threats of violence and preserve the normal operation of the University. This policy prohibits harm to others, damage to or defacement of property, blockage of access to University buildings, or the disruption of classes. The enforcement of this policy will not depend in any way on the message or sponsorship of the act or event. Should events be deemed by the University administration to interfere with the operation of the University, jeopardize the public safety, and/or fail to abide by the standards set forth above,

the University Police may take any actions they deem appropriate, up to and including, ending the event. Failure to abide by the directives of the University Police may result in citation and/or arrest. Mansfield University reserves the right to seek compensatory restitution from any parties involved in the proscribed behavior through any legal means.

C. Guest Speakers

It is the policy of the University to foster a spirit of free inquiry and to encourage the timely discussion of the broad range of issues that concern our community, provided that the views expressed are stated openly and are subject to critical evaluation.

Student Organization Responsibilities A recognized student organization may invite guest speakers to the campus, subject to the following provisions:

- a) Sponsorship must be by an institutionally recognized student organization.
- b) Proper arrangements for the use of University facilities must be made, consistent with institutional policy.
- c) It must be clear that the student organization, not Mansfield University, is extending the invitation and that any views the speaker may express are his or her own and not those of Mansfield University.
- d) The student organization must take whatever steps are necessary to ensure that the event is conducted in an orderly manner. This may necessitate consultation with University Police and/or hiring of outside security.
- e) The student organization must comply with any and all conditions for the orderly and scholarly conduct of the event.

D. Amplification

Any group wanting to use its own sound amplification system must receive permission from the Office of Student Affairs. Sound amplification equipment used on campus must meet all electrical safety requirements.

Time: Monday-Friday, 11 a.m.-1 p.m.; Thursday and Friday, 5 p.m.-10 p.m., and Saturday, 8 a.m.-10 p.m.

Place: South Hall Mall

Manner: Amplified speech and musical performances with amplification must be presented in a manner that is conducive to, and will not disturb, the academic environment. Amplification above 85 decibels, as measured from the nearest building, will not be permitted.

Time: Monday-Friday, 11 a.m.-2 p.m.; Friday, 5 p.m.-10 p.m. and Saturday, 8 a.m.-11 p.m.

Place: Van Norman Field

Manner: Amplified speech and musical performances with amplification must be presented in a manner that is conducive to, and will not disturb, the academic environment. Amplification above 85 decibels will not be permitted for musical performances.

Exceptions to amplification policies require approval of the Office of Student Affairs, Alumni 327. Any noise complaints or disturbances to classroom instruction, whether or not the decibel levels are below 85, will be addressed by lowering the volume and/or removal of amplification.

E. Prohibited Activity

The exercise of free speech and assembly rights shall not:

1. interfere with class instruction or other scheduled academic, educational, or cultural/arts programs or with the use of the North Hall Library or dining facilities;
2. disrupt University staff or officials while they are fulfilling their University responsibilities;
3. block attendees from entering or exiting the event;
4. obstruct pedestrian or vehicular traffic, or otherwise endanger persons or property;
5. permit one to touch or spit on a speaker or any other individual present;
6. employ sound amplification or create noise that disrupts University activities or interferes with the exercise of free speech by others
7. be conducted in or on campus parking lots, driveways, crosswalks, streets, roadways, and paths of pedestrian travel, unless or except when designated as an approved assembly area by the University administration;
8. harass, intimidate, or impede the movement of persons;
9. allow individuals to occupy an office or other non-public space;
10. create or cause unsafe congestion around stairs or other locations such that the totality of the circumstances create unsafe or hazardous conditions.

The First Amendment protects the right to dissent in many forms, but not civil disobedience. By definition, civil disobedience refers to the refusal to obey laws by violating them. Dissent becomes unprotected civil disobedience when taking over a campus building, materially disrupting classes or events, trespassing, vandalizing, disturbing the peace, or other types of conduct subject to time, place, manner restrictions. Civil disobedience could potentially result in criminal or conduct charges.

DISTRIBUTION

This policy will be posted to the Policies and Procedures web page.