



Number: UWF/REG 5.050
Title: Speech, Assembly, and Public Expression on Campus
Responsible
Department: Division of Finance and Administration and Division of Academic Engagement and Student Affairs

I. General Statement:

The freedoms of speech, peaceful assembly, and expression are basic and essential freedoms that the University of West Florida (the “University”) strives to protect. Reasonable time, place, and manner restrictions will be enforced so Expressive Activities do not materially and substantially disrupt the orderly functioning of the University, interfere with academic programs or administrative processes of the University, or infringe upon the rights of other individuals or organizations to engage in Expressive Activities. Enforcement will be content neutral.

Nothing herein shall be interpreted as limiting the right of Expressive Activity so long as the Expressive Activities do not violate any law, regulation, policy, or other restrictions designated in this regulation.

II. Definitions

Commercial Speech – speech in which the individual is engaged in commerce, the intended audience is commercial or actual or potential consumers, and the content of the message is commercial. *See* UWF Policy P-05, Commercial Solicitation, for additional information.

Expressive Activities – include, but are not limited to, any lawful oral or written communication of ideas, including all forms of peaceful assembly, protests, and speeches; distributing literature; carrying signs; circulating petitions; faculty research, lectures, writings, and commentary, whether published or unpublished; and the recording and publication, including the Internet publication, of video or audio recorded in Outdoor Areas. Expressive Activities, for purposes of this regulation, do not include defamatory or Commercial Speech.

Indoor Areas – spaces in or attached to University buildings and facilities, including classrooms, libraries, laboratories, offices, and residence halls.

Material and substantial disruption – any conduct that intentionally and significantly hinders another person’s or group’s expressive rights. The term does not include conduct that is protected under the First Amendment to the United States Constitution and Art. I of the State Constitution, including, but not limited to, lawful protests and counter-protests in the Outdoor Areas or minor, brief, or fleeting nonviolent disruptions that are isolated or brief in duration.

Outdoor Areas – generally accessible areas of the University’s Pensacola campus in which members of the University Community are commonly allowed, including grassy areas, walkways, or other similar common areas. The term does not include Restricted Areas and Indoor Areas.

Restricted Areas – include roads, parking areas, athletic or recreational facilities, fields, stadiums, and any area restricting access as indicated by a gate, signage, or the common use of that area (for example, a classroom) unless written permission is granted by the University. Additional areas may be designated by the President.

University Community – the employees, officers, students, and agents of the University while they are on University property, engaged in University business, or while attending activities sponsored by the University, including student organizations as defined in SA-22, Student Organizations.

III. Expressive Activities

Subject to the limitations described in this regulation, Expressive Activities generally may take place on University property. Expressive Activities may occur freely, spontaneously, and contemporaneously as long as the person’s conduct is lawful and does not create a material and substantial disruption of the functioning of the University or infringe upon the rights of other individuals or organizations to engage in Expressive Activities. Expressive Activities must comply with the following parameters:

A. Outdoor Areas:

1. Expressive Activities shall not create a material and substantial disruption of University functions, as more specifically described below in Section IV.
2. Any sound amplification must not interfere with University business or academic activity. Only a University-related group or organization will be permitted to use amplified sound in an Outdoor Area. Student organizations must go through the appropriate procedures to obtain approval.
3. Occupying space overnight, including camping, without written authorization from an appropriate vice president is prohibited.
4. Erecting permanent or semi-permanent structures without written authorization from an appropriate vice president is prohibited.
5. Expressive Activities may be limited by the University, in its discretion, in the duration of the activity (i.e., a time limitation such as a certain number of hours or days).

B. Indoor Areas:

1. Expressive Activities are permitted in Indoor Areas only upon obtaining written authorization from the University for use of that facility, room, or other indoor space by following the procedures described in UWF policy SA-02, Use of University Facilities for Events and Activities.
2. Amplification of sound is permissible in an Indoor Area only with express written permission.

C. Expressive Activities must comply with all other University regulations, policies, and general requirements for use of University buildings and grounds, including but not limited to P-05, Commercial Solicitation; P-20, Distribution of Written Materials; SA-02, Use of University Facilities for Events and Activities; and SA-30, Nighttime Events, as they may be amended.

IV. Prohibited Interference

A. Interference with University Functions

All persons and organizations who wish to engage in Expressive Activity may do so freely, spontaneously, and contemporaneously as long as the conduct is lawful and does not materially and substantially disrupt others' Expressive Activities or interfere with the functioning of the University. Examples of such behavior include, but are not limited to:

1. Obstructing vehicular, bicycle, pedestrian, or other traffic;
2. Obstructing entrances or exits to buildings or driveways;
3. Interfering with educational activities inside or outside any building;
4. Posing a health or safety threat to the University, the University Community, or the general public;
5. Utilizing a fire or open flame without the written approval of an appropriate vice president, excepting candles less than six inches in length utilized at outdoor vigils and outdoor grilling at tailgating activities on official game days;
6. Interfering with or precluding a scheduled speaker from being heard;
7. Inflicting violence or inciting a reasonable person to violence;
8. Damaging property of the University, including lawns, shrubs, or trees;
9. Harassing passersby or otherwise disrupting normal activities;

10. Remaining in any Restricted Area after permitted access hours, without written permission, or contrary to the common use of the area; or
11. Interfering with scheduled University ceremonies or events.

B. Interference with Others

All persons and organizations who wish to engage in Expressive Activity may do so freely, spontaneously, and contemporaneously as long as the conduct does not infringe upon the rights of other individuals or organizations to engage in Expressive Activity.

C. Violations

1. If, in the opinion of the President or his/her designee(s), an Expressive Activity is materially and substantially disrupting normal University operations or infringing on the Expressive Activity of others, the President or designee(s) may:
 - a. Identify themselves to the individual(s) participating in the Expressive Activity by providing their name and official position;
 - b. Inform the individual(s) that they are in violation of this University regulation or the law and specify the nature of the violation;
 - c. Request that the violation cease (which may include relocation of the Expressive Activity to mitigate or extinguish the disruption); and
 - d. In the event of non-compliance with this request, enlist the assistance of the University Police or local law enforcement in restoring order and enforcing the law.

Members of the University Community who intentionally act to cause a material and substantial disruption or impair, interfere with, or obstruct the orderly conduct, processes, and functions of the University may be subject to appropriate disciplinary action.

2. In the event of disruptive action or conduct, members of the University Community involved in Expressive Activities shall identify themselves by presenting appropriate documents such as ID cards when requested to do so by the President or designee. Individuals not officially related to the University Community may be directed to leave the property immediately or be subject to arrest for a violation of the law forbidding the disruption or interference with the administration or functions of an educational institution.

3. The University Police are designated as the President's representatives and have a responsibility to:
 - a. Declare an Expressive Activity to be in violation of law and request all individuals to cease and desist and to disperse and clear the area or be subject to arrest or University disciplinary action;
 - b. Arrest any individuals observed to be in violation of the law; and
 - c. Enlist the assistance of outside law enforcement agencies if necessary.

Nothing contained in this regulation is intended to limit or restrict the authority of the University of West Florida Police Department or other law enforcement personnel under applicable laws or University regulations, policies, and procedures. The President may designate additional designees.

V. Contact

Any individual, organization, or group that wishes to engage in Expressive Activities on University property is encouraged to contact the appropriate department responsible for the management of the space which the individual, organization, or group wishes to utilize.

Effective Date: September 12, 2024

Authority: §§ 1001.706, 1004.097, and 1006.61, Florida Statutes

History: Adopted as FAC Rule 6 C6-3.014 October 1975; amended May 1987; converted to UWF/REG 3.014 July 2005; amended December 2013; converted to UWF/REG 5.050 and amended July 2017; amended October 2018 and September 2024.

Last review: September 2024