

1.07 - USE OF UNIVERSITY PROPERTY FOR FREE EXPRESSION ACTIVITIES

Effective: XXXX, 2026

Purpose: Emporia State University is committed to protecting freedom of speech, freedom of expression, freedom of religion, freedom of the press, freedom of association, peaceful assembly, and the right to petition the government as guaranteed by the First Amendment to the United States Constitution, Section 3 of the Bill of Rights of the Kansas Constitution, the Kansas Intellectual Rights and Knowledge Act, also known as the KIRK Act, Kansas Board of Regents policy, and other applicable law.

The purpose of this policy is to establish content-neutral and viewpoint-neutral rules governing the use of University property for expressive activity while preserving campus safety, access, the educational mission of the University, and the orderly operation of University programs and activities.

Scope: This policy applies to all individuals lawfully present on property owned, leased, controlled, or operated by the University, including students, student associations, recognized student organizations, faculty, staff, administrators, University units, invited guests, visitors, and external users.

This policy applies to expressive activity occurring in outdoor areas of campus, University facilities, and other University-controlled spaces. Nothing in this policy limits rights or obligations that may apply under academic freedom principles, classroom management rules, employee speech rules, student conduct policies, civil rights laws, facility-use policies, residence life policies, information technology policies, or other applicable University policies, except that such policies shall be interpreted and applied consistently with this policy and applicable law.

Responsible Office: President's Office

Policy Statement: The University supports and encourages the free exchange of ideas and the lawful exercise of expressive activity. The University shall not restrict expressive activity based on the content of the expression, the viewpoint expressed, the identity of the speaker, or the anticipated reaction of listeners.

Nothing in this policy alters the University's authority to manage employee performance, assigned job duties, workplace conduct, or official institutional communications. When employees speak in their personal capacities, such speech is generally not considered speech of the University.

Expression occurring under this policy does not constitute endorsement by the University. The University neither approves nor disapproves of viewpoints expressed by individuals or organizations utilizing University property.

Supervisors and managers shall not take employment action against employees based solely on lawful protected expression except as permitted by law and applicable University policy.

Outdoor areas of campus are public forums for expressive activity by the campus community, including invited guests, subject only to reasonable time, place, and manner restrictions that are clear, published, content-neutral, viewpoint-neutral, narrowly tailored to serve a significant institutional interest, and that leave open ample alternative means of expression.

No reservation, permit, or advance notice is required for lawful, non-commercial expressive activity in outdoor areas of campus by individuals lawfully present in those areas, including spontaneous and contemporaneous assembly, speaking, holding signs, circulating petitions, or distributing literature, so long as the activity does not materially and substantially disrupt University operations or another person's lawful expressive activity.

A reservation or advance coordination may be required only when an activity involves exclusive use of space, amplified sound, structures, utilities, food service, sanitation needs, security needs, traffic control, significant crowd-management needs, ticketed or closed access, or other circumstances requiring advance planning under content-neutral and viewpoint-neutral criteria.

General Principles

The University shall administer this policy in a content-neutral and viewpoint-neutral manner. The University shall not create or enforce free speech zones or other designated areas outside of which expressive activity is prohibited.

The University may identify reservable outdoor event locations for convenience, scheduling, and logistical support. The designation of a reservable location does not limit the right of individuals to engage in lawful expressive activity in other outdoor areas of campus as permitted by this policy.

The University may enforce reasonable time, place, and manner restrictions only when such restrictions:

- serve a significant institutional interest;
- are narrowly tailored;
- are clear and published in advance;
- are content-neutral and viewpoint-neutral;
- leave open ample alternative means of expression; AND
- allow spontaneous and contemporaneous expressive activity.

The University may prohibit or restrict expression that is not protected by the First Amendment or applicable law, including true threats, incitement to imminent lawless

action, legally actionable harassment, obscenity, defamation, unlawful conduct, or other expression or conduct outside constitutional protection.

The University may prohibit, limit, relocate, or terminate activity that materially and substantially disrupts University operations, materially interferes with another person's lawful expressive activity, blocks ingress or egress, creates an imminent threat to safety, damages property, or violates applicable law or University policy.

University officials may issue lawful, content-neutral, and viewpoint-neutral directions to enforce this policy, protect safety, preserve access, prevent material and substantial disruption, protect property, or comply with law. Individuals are expected to comply with such lawful directions.

The University shall not deny, cancel, relocate, restrict, or burden expressive activity because the expression is controversial, unpopular, offensive, disagreeable, or likely to provoke criticism or protest.

The University shall not impose a "heckler's veto." Opposition to expressive activity, including anticipated protest or disagreement, shall not be used as a basis to deny, cancel, restrict, or burden the expressive activity. The University may take lawful, content-neutral steps to protect safety, access, and order.

Outdoor Areas of Campus

Outdoor areas of campus are generally accessible outdoor areas where members of the campus community are commonly allowed, including grassy areas, sidewalks, plazas, walkways, and similar common areas. Outdoor areas of campus do not include areas where public access is restricted, including secured areas, construction zones, athletic competition areas during controlled access, areas reserved for exclusive use, loading docks, utility areas, private offices, residence hall living areas, or other areas restricted for safety, privacy, operational, or legal reasons.

Individuals lawfully present in outdoor areas of campus may engage in lawful, non-commercial expressive activity without reservation, permit, or advance notice, subject to this policy.

The following activities may require advance reservation, approval, or coordination under content-neutral and viewpoint-neutral criteria:

1. exclusive or reserved use of a specific space;
2. use of amplified sound;
3. construction, placement, or use of tents, stages, booths, tables, displays, structures, or similar items;
4. use of temporary utilities;
5. food service or distribution of items subject to health or safety requirements;

6. activities that may require sanitation, accessibility, security, traffic control, or crowd-management support;
7. events expected to materially affect vehicular or pedestrian traffic;
8. events involving minors, animals, hazardous materials, pyrotechnics, or other regulated activities;
9. ticketed, closed, or controlled-access events; OR
10. events for which the sponsor requests University services or support.

Reservations and Event Scheduling

Individuals or groups seeking exclusive use of University space or University support for an event must comply with the University's generally applicable scheduling and facilities-use procedures.

Reservation requests shall be reviewed using content-neutral and viewpoint-neutral criteria, including:

1. availability of the requested space;
2. prior reservations or scheduled University functions;
3. capacity of the location;
4. requested date, time, duration, and location;
5. anticipated attendance;
6. need for traffic control, crowd management, accessibility, sanitation, utilities, or security;
7. risk of property damage;
8. impact on ingress, egress, academic activities, residence life, University operations, or other scheduled events;
9. compliance with applicable law and University policy; AND
10. whether the requester seeks exclusive use of the space.

Reservation requests shall not be denied based on the content or viewpoint of the proposed expressive activity, the identity or affiliation of the speaker, or the anticipated reaction of others.

When a reservation request cannot be approved as submitted, the University should, when reasonably practicable, identify a reasonable alternative date, time, location, or manner for the activity.

A denial, cancellation, relocation, or material condition placed on a reservation shall be provided in writing upon request and shall identify the content-neutral and viewpoint-neutral basis for the decision.

Spontaneous Expressive Activity

Spontaneous and contemporaneous expressive activity is permitted in outdoor areas of campus without reservation, permit, or advance notice when the activity is lawful and does

not materially and substantially disrupt University operations or another person's lawful expressive activity.

Spontaneous expressive activity may include, but is not limited to:

1. peaceful assembly;
2. public speaking;
3. holding signs;
4. circulating petitions;
5. leafleting;
6. peaceful protest;
7. vigils;
8. picketing;
9. wearing expressive clothing, buttons, accessories, or stickers;
10. AND
11. private conversations and symbolic expression.

Individuals engaging in spontaneous expressive activity may not claim exclusive use of a location unless the space has been reserved in accordance with applicable scheduling procedures.

Internal Users

Internal Users may reserve University facilities or outdoor spaces in accordance with applicable scheduling procedures.

Internal Users are not required to submit a notification or reservation request for ordinary lawful, non-commercial expressive activity in outdoor areas of campus that does not involve exclusive use of space, amplified sound, structures, utilities, security needs, traffic control, or other logistical support.

For events requiring advance coordination, Internal Users should submit a request or notification to the Conference and Scheduling Office as early as reasonably practicable. The University may establish generally applicable advance-notice periods for coordinated events, provided that late requests are not denied solely because they are late if the University can reasonably accommodate the request without material disruption, safety risk, or conflict with a prior reservation or University function.

External Users

External Users may engage in lawful, non-commercial expressive activity in outdoor areas of campus where they are lawfully present, subject to this policy and other applicable law.

External Users seeking exclusive use of University space, use of University facilities, use of amplified sound, placement of structures, University services, or other logistical support must comply with applicable scheduling and facilities-use procedures.

External User reservation requests shall be considered on a first-come, first-served basis, subject to availability, University priorities, prior reservations, operational needs, and the content-neutral and viewpoint-neutral criteria in this policy.

The University may give scheduling priority to University academic and administrative units, University-sponsored activities, recognized student organizations, student associations, and other Internal Users, provided such priority is administered without regard to content or viewpoint.

Invited Guests

Members of the campus community may invite guests to engage in expressive activity on campus, subject to this policy and applicable scheduling procedures.

The University shall not deny access or benefits to a student association or recognized student organization based on the religious, political, or ideological views of the association, its members, its leaders, or its invited guests, as protected by applicable law.

Invited guests are subject to the same content-neutral and viewpoint-neutral time, place, and manner rules that apply to similarly situated speakers and participants.

Prohibited and Regulated Conduct

The following conduct is prohibited or subject to regulation under this policy:

1. materially and substantially disrupting University operations or another person's lawful expressive activity;
2. blocking pedestrian or vehicular traffic;
3. blocking ingress or egress into, out of, or within University buildings, facilities, sidewalks, streets, parking areas, or event spaces;
4. using fighting, violence, unlawful conduct, or threats of violence;
5. damaging, destroying, or defacing University property or private property;
6. entering or remaining in restricted areas without authorization;
7. unauthorized overnight use of University grounds or facilities;
8. unauthorized camping or use of tents, huts, temporary accommodations, or similar structures;
9. unauthorized construction, erection, or placement of temporary or permanent structures;
10. unauthorized use of amplified sound;
11. unauthorized commercial solicitation, sale, or promotion of goods or services;
12. conduct that violates applicable fire, life-safety, health, sanitation, accessibility, traffic, or building-code requirements;
13. conduct that violates a lawful reservation or materially interferes with the exclusive use of a reserved space;
14. conduct that constitutes true threats, incitement to imminent lawless action, legally actionable harassment, obscenity, defamation, unlawful invasion of privacy, unlawful recording, or other speech or conduct not protected by law; AND

15. unlawful conduct or activity.

The University prohibits retaliation against any individual for engaging in lawful expressive activity protected by the United States Constitution, the Kansas Constitution, the KIRK Act, or this policy. This provision does not prohibit the University from enforcing content-neutral and viewpoint-neutral rules or applicable conduct standards unrelated to protected expression.

Harassment

Nothing in this policy limits the University's obligations under Title VI, Title VII, Title IX, the Americans with Disabilities Act, Section 504 of the Rehabilitation Act, the Kansas Act Against Discrimination, or other applicable civil rights laws. University policies addressing discrimination, harassment, retaliation, and equal opportunity shall be interpreted and applied consistently with the First Amendment, the Kansas Constitution, the KIRK Act, and other applicable law.

Allegations of discrimination, harassment, or retaliation involving employees, students, or visitors may also be addressed under applicable University civil rights, employment, student conduct, or nondiscrimination policies, provided such policies are interpreted and applied consistently with this policy and applicable law.

Amplified Sound

Amplified sound may be regulated when, based on objective criteria, it would substantially interfere with classes, laboratories, offices, residence halls, libraries, ceremonies, athletic events, performances, or other University operations.

Use of amplified sound may require advance approval. Approval or denial shall be based on content-neutral and viewpoint-neutral criteria, including:

1. location;
2. date and time;
3. duration;
4. volume;
5. proximity to classrooms, offices, residence halls, libraries, health or counseling facilities, ceremonies, performances, or other scheduled activities;
6. impact on University operations; AND
7. availability of reasonable alternatives.

The volume of amplified sound may not materially disrupt or substantially interfere with University operations, classes, study, research, residential life, or scheduled events.

Structures, Displays, and Overnight Use

The University may regulate the placement or use of tents, tables, booths, stages, platforms, displays, signs, banners, temporary structures, or similar items based on content-neutral and viewpoint-neutral safety, access, facilities, grounds, and scheduling criteria.

Unauthorized overnight use of University grounds or facilities is prohibited.

Camping, tents, huts, temporary accommodations, or similar structures intended or used for overnight occupancy are prohibited unless specifically authorized under generally applicable University procedures and applicable law.

The University may remove unauthorized structures or items that create a safety hazard, interfere with access, damage property, materially disrupt University operations, or violate this policy.

Signs, Banners, and Similar Items

Signs, banners, posters, and similar items are permitted as part of expressive activity, subject to content-neutral and viewpoint-neutral restrictions necessary to protect safety, access, sightlines, property, and University operations.

Signs and similar items may not:

1. block ingress or egress;
2. obstruct pedestrian or vehicular traffic;
3. materially interfere with the ability of others to see, hear, or participate in an event;
4. be attached to University property without authorization;
5. create a safety hazard;
6. be constructed or used in a manner that could reasonably cause injury; OR
7. violate applicable venue rules for indoor or controlled-access events

The University may impose reasonable size, material, and placement requirements for signs in indoor spaces, reserved spaces, athletic venues, performance venues, or other locations where necessary for safety, accessibility, sightlines, or operational needs. Such requirements shall be administered without regard to content or viewpoint.

Leafleting and Distribution of Literature

Individuals may distribute non-commercial literature in outdoor areas of campus where they are lawfully present, subject to this policy.

Individuals receiving literature may accept or decline it. No person may physically force literature upon another person, obstruct another person's movement, or materially interfere with University operations.

Leafleting may be restricted in areas devoted primarily to instruction or study, inside reserved event spaces, or at the immediate sites and times of enclosed public events when necessary to avoid material interference with the event, ingress, egress, safety, or University operations.

Leafleting materials may not be placed on vehicles, affixed to University property without authorization, or left unattended in a manner that creates litter, damage, or safety concerns.

Chalking

Non-commercial chalking is permitted in outdoor areas of campus subject to content-neutral and viewpoint-neutral restrictions. Chalking may be limited to exposed horizontal concrete or asphalt surfaces where rain can naturally wash away the chalk.

The University may prohibit chalking on buildings, walls, steps, monuments, memorials, benches, signs, artwork, fountains, vertical surfaces, indoor surfaces, or other surfaces where chalking may cause damage, create safety concerns, or interfere with University operations.

Commercial Activity

This policy protects expressive activity. It does not create a general right to sell goods or services, conduct commercial solicitation, promote commercial products, or engage in commercial transactions on University property.

Commercial activity may be regulated or prohibited under applicable University policies, contracts, vendor rules, facilities-use procedures, and state law.

Fundraising, sales, or promotion of goods or services may require prior approval.

Political Activity and Use of University Resources

University facilities and grounds shall not be made available for fundraising events for any candidate, party committee, or political committee, or for filming or otherwise producing partisan political advertisements, except as required by law.

The conditions in this section apply to University facility reservations for political meetings or public forums and shall not be construed to restrict lawful non-commercial political expression, spontaneous expressive activity, invited speakers, demonstrations, leafleting, or other expressive activity protected by this policy.

Except as prohibited above, University facilities may be made available for political meetings or public forums, provided:

1. there is no interference with regularly scheduled University functions;
2. the person requesting the space can clearly demonstrate that there is not otherwise available a reasonably suitable facility in the community;
3. students are permitted to hear the speakers without charge; AND
4. payment of the regular fees for use of the facilities is made in advance of such use.

Other than the Governor, elected officials and candidates for elected office shall not be introduced or recognized by the University in an official University capacity unless they are in attendance at a campus event in an official capacity and at the request of the University.

This provision does not prohibit private expression, student organization speech, invited speakers, classroom discussion, or events held under this policy where the University does not endorse or sponsor the candidate, campaign, or viewpoint.

Nothing in this section prohibits students, employees, student associations, recognized student organizations, or other individuals from engaging in lawful political expression in their personal capacities, provided they do not use University resources in a manner prohibited by law or University policy and do not represent that the University endorses a candidate, party, political committee, campaign, or ballot position unless expressly authorized.

Security, Fees, and Costs

The University may assess generally applicable facility-use fees, service charges, clean-up charges, repair charges, or security fees when permitted by law and University policy.

Any security fee charged for expressive activity requiring a permit or reservation shall be based only on content-neutral and viewpoint-neutral criteria, including:

1. location of the activity;
2. anticipated size of the audience;
3. date, time, and duration of the activity;
4. whether alcohol will be served;
5. whether the activity requires traffic control;
6. whether the activity requires crowd-management support;
7. whether the activity requires fire, emergency medical, sanitation, accessibility, or facility support;
8. whether structures, equipment, or temporary utilities are requested; AND
9. other objective logistical or safety needs unrelated to content or viewpoint

Security fees shall not be based on the content of the expressive activity, the viewpoint expressed, the identity or affiliation of the speaker, the anticipated reaction to the expression, or the possibility that others may protest or oppose the expressive activity.

The University shall publish the criteria used to assess security fees.

The University may assess reasonable charges for extraordinary clean-up, repair of damage, or restoration of University property when such charges are based on actual costs and are imposed without regard to content or viewpoint.

Reserved Events and Counter-Expression

Individuals may engage in peaceful protest, counter-speech, leafleting, sign-holding, or other expressive activity near a reserved event, subject to this policy.

Individuals may not materially and substantially disrupt a reserved event or prevent others from attending, hearing, viewing, or participating in the event.

Where an invited speaker or event is the object of protest, individuals may engage in lawful expressive activity outside the building or reserved event space, subject to reasonable rules preserving safety, access, ingress, egress, and University operations.

Individuals who enter the reserved event space must comply with lawful, content-neutral, and viewpoint-neutral event rules. They may not materially and substantially disrupt the event or prevent the speaker or audience from communicating, hearing, viewing, or participating.

Indoor Spaces

Indoor University facilities are not open public forums unless the University has expressly designated them for public use. Use of indoor spaces is subject to generally applicable reservation, scheduling, facility-use, safety, access, and operational rules.

Rules governing indoor spaces shall be administered in a content-neutral and viewpoint-neutral manner.

The University may impose reasonable restrictions on occupancy, noise, signs, banners, food, drink, amplified sound, equipment, recording, access, security, and other logistical matters in indoor spaces when necessary to protect safety, property, accessibility, University operations, or the rights of others.

Student Associations and Recognized Student Organizations

Student associations and recognized student organizations may engage in expressive activity and invite speakers to campus in accordance with this policy and applicable scheduling procedures.

The University shall not deny recognition, registration, use of facilities, access to communication channels, funding opportunities, or other benefits otherwise available to student associations based on the religious, political, or ideological beliefs, values, mission, standards of conduct, or purposes of the student association, its members, its leaders, or its invited guests, as protected by applicable law.

Student associations and recognized student organizations that reserve space or sponsor events are responsible for complying with content-neutral and viewpoint-neutral event requirements, but individual participants remain responsible for their own conduct.

Violation of this policy may result in administrative action or discipline against individuals, student associations, recognized student organizations, or responsible officers only as permitted by applicable law and University policy.

Enforcement

The University may enforce this policy through content-neutral and viewpoint-neutral measures, including education, warning, relocation, modification of event logistics, removal

from a specific area, cancellation or termination of an event, discipline, assessment of costs, or referral to law enforcement, as appropriate.

Any person who refuses to comply with a lawful directive issued under this policy may be directed to leave the specific area or campus property. A person who refuses to comply with a lawful order to leave may be subject to removal, trespass enforcement, arrest, discipline, or other action as permitted by law.

University employees and students may be subject to discipline under applicable employee or student conduct policies for conduct that violates this policy.

Event Cancellation, Relocation, or Termination

The University may cancel, relocate, restrict, or terminate an event or expressive activity only when, based on specific and articulable facts, the University determines that one or more of the following conditions exists and no reasonable less restrictive alternative is available to address the concern:

1. the activity presents an imminent threat to public safety;
2. the activity is materially and substantially disrupting University operations or another person's lawful expressive activity;
3. the activity materially interferes with ingress, egress, traffic, emergency access, or accessibility;
4. the activity involves unlawful conduct;
5. the activity is causing or is likely to cause property damage; OR
6. the activity violates a lawful reservation or exclusive-use arrangement

Such action shall not be based on content, viewpoint, controversy, offensiveness, disagreement, or anticipated listener reaction.

Appeals or Review of Decisions

A person or group whose reservation request is denied, whose expressive activity is materially restricted, or whose event is canceled, relocated, or terminated may request prompt administrative review.

The University shall acknowledge requests for review within two (2) business days and issue a written decision whenever practicable within five (5) business days through the President's designee, in consultation with the Office of General Counsel as appropriate. The review shall be based on the content-neutral and viewpoint-neutral criteria in this policy.

A request for review does not prevent the University from taking immediate action when necessary to address an imminent safety threat, unlawful conduct, material and substantial disruption, or other urgent operational concern.

Training and Education

The University shall develop and maintain materials, programs, and procedures to ensure that individuals responsible for student discipline, student education, event management, residence life, campus safety, facilities management, or administration understand the University's duties regarding free expression.

Training should be provided to appropriate administrators, University Police and Safety officers, residence life officials, student conduct officials, faculty, staff responsible for event approval or facility use, and other employees whose duties involve implementation of this policy.

The University shall publish its policies, regulations, and expectations regarding free expression on the University website and include such information in student handbooks and orientation programs as required by law.

Annual Reporting

The President's Office, in consultation with the Office of General Counsel and other appropriate offices, shall coordinate the University's annual report required by the KIRK Act.

The annual report shall be submitted to the Governor and the Legislature on or before the first day of the regular legislative session and shall include:

1. the course of action implemented by the University to comply with the KIRK Act, including any changes or updates;
2. a description of any barriers to or incidents of disruption of expressive activity on campus, including attempts to block or prohibit speakers and investigations into speech by students or student associations;
3. the nature of each barrier or incident;
4. any disciplinary action taken against members of the campus community determined to be responsible for such barrier or incident;
5. any other information the University deems valuable for public evaluation of whether free expression rights have been equally protected and enforced; AND
6. any other information required by law

The report shall keep confidential any personally identifiable student information protected by law.

The report shall be accessible from the University's website home page by not more than three links, searchable by keywords and phrases, and accessible to the public without registration, username, password, or other identification requirement.

If the University is sued for an alleged violation of First Amendment rights, the President's Office, in consultation with the Office of General Counsel, shall submit any supplementary report required by law within thirty (30) days after the University receives notice that the complaint has been filed.

Relationship to Other Policies

This policy shall be interpreted consistently with the First Amendment to the United States Constitution, the Constitution of the State of Kansas, the KIRK Act, Kansas Board of Regents policy, and other applicable law.

To the extent another University policy or procedure addresses facility scheduling, student conduct, employee conduct, discrimination, harassment, political activity, campus safety, residence life, posting, chalking, information technology, or other related matters, that policy or procedure shall be applied consistently with this policy.

Where a conflict exists between this policy and a procedure, guideline, or practice, this policy controls unless otherwise required by law.

Definitions: All words and phrases shall be interpreted utilizing their plain meanings unless otherwise defined in another University or Board of Regents policy or by statute or regulation.

Benefit – Recognition, registration, use of University facilities for meetings or speaking purposes, use of University channels of communication, and access to funding sources otherwise available to student associations or recognized student organizations.

Campus Community – Students, administrators, faculty, and staff of the University, and includes invited guests of such students, administrators, faculty, and staff.

Candidate – An individual who has taken action to seek nomination or election to public office under applicable law, including appointing a treasurer or candidate committee, publicly announcing an intent to seek office, accepting contributions or making expenditures for nomination or election, or filing a declaration or petition to become a candidate.

Commercial Activity – Sale, promotion, advertising, solicitation, or distribution of goods or services primarily for commercial or private financial gain. Commercial activity does not include non-commercial expressive activity merely because the expression involves political, religious, ideological, charitable, or organizational advocacy.

Disruption – For purposes of this policy, “materially and substantially disrupt” means conduct by an individual who acts intentionally or knowingly to significantly hinder another individual’s or group’s expressive activity, or to prevent the communication of a message or the transaction of business of a lawful meeting, gathering, or procession, by:

1. engaging in fighting, violence, or other unlawful behavior; OR
2. physically blocking or using threats of violence to prevent any individual from attending, hearing, viewing, or otherwise participating in expressive activity

Material and substantial disruption does not include isolated, minor, brief, or fleeting nonviolent disruptions of events or conduct protected by the First Amendment to the United

States Constitution, the Constitution of the State of Kansas, or applicable law, including lawful protests in outdoor areas of campus that are generally accessible unless the space has been reserved in advance for exclusive use.

Expressive Activity – Lawful verbal, written, audio-visual, electronic, or symbolic means by which individuals communicate ideas to one another, including peaceful assembly, protests, speeches, guest speaker presentations, distribution of literature, holding signs, circulating petitions, picketing, vigils, marches, rallies, wearing expressive clothing or accessories, and other protected expression.

External User – A group or individual that is not a University academic or administrative unit, recognized student organization, student association, University employee acting within the scope of employment, registered University student, or invited guest of a member of the campus community.

Harassment – Expression that is unwelcome and so severe, pervasive, and subjectively and objectively offensive that a student is effectively denied equal access to educational opportunities or benefits provided by the University. Allegations of discrimination, harassment, or retaliation involving employees, students, or visitors may also be addressed under applicable University civil rights, employment, student conduct, or nondiscrimination policies, provided such policies are interpreted and applied consistently with this policy and applicable law.

Host – An Internal User or External User who plans and/or delivers a Program to which others are invited.

Internal User – A University academic or administrative unit, recognized student organization, student association, University employee acting within the scope of employment, registered University student, or group of registered University students.

Lawfully Present – Present in an area of campus open to the person at that time and in compliance with generally applicable access, safety, and operational rules. A person shall not be deemed unlawfully present based on the content or viewpoint of the person's expression.

Leafleting – The distribution of non-commercial announcements, statements, handbills, leaflets, pamphlets, magazines, or other materials to individuals, who may accept or decline to accept the materials.

Outdoor Areas of Campus – The generally accessible outside areas of campus where members of the campus community are commonly allowed, including grassy areas, walkways, sidewalks, plazas, and similar common areas. Outdoor Areas of Campus do not include outdoor areas where public access is restricted.

Party Committee – A party committee as defined by K.S.A. 25-4143, and amendments thereto.

Political Committee – A party committee as defined by K.S.A. 25-4143, and amendments thereto.

Program – An activity or event that is intended to take place in a University facility or outdoor space, which may include “Expressive Activity”.

Public Speaking – Orally and audibly expressing a message, idea, opinion, concept, principle, or belief directed to a general audience and in a manner other than through a private conversation.

Student Association – An officially recognized group at the University, or a group seeking official recognition, that is composed of admitted students and receives or seeks to receive benefits through the University

University Property – Property owned, leased, operated, or controlled by the University.

Procedures: Procedures adopted to implement this policy shall be content-neutral and viewpoint-neutral and shall have the full force and effect of policy only if properly approved by the appropriate University administrator.

Procedures may address scheduling, reservations, facility use, amplified sound, structures, security fees, clean-up costs, chalking, posting, leafleting, appeals, event safety, reporting, training, and related matters, provided such procedures are consistent with this policy and applicable law.

[[Hyperlink to General University procedures](#)]

[[Hyperlink to Procedure for Signs, Banners, Posting, and Chalking on Campus](#)]

Related Policy Information: 1.06 – Interference With the Conduct of the Institution; 7.09 – Scheduling Facilities; [[Hyperlink to K.S.A. 25-4143](#)] [[Hyperlink to](#)

History: Adopted: Unknown [Approved and included in UPM as Policy 3D.07]
Revised: 05/24/2006 [Policy 3D.07 revised by Facilities Council; approved by President]
Revised: 02/XX/2009 [Policy 3D.07 updated]
Revised: 06/XX/2010 [Policy 3D.07 updated]
Revised: 03/19/2012 [Policy 3D.07 revised by Facilities Council; approved by President]
Revised: 09/30/2014 [Policy 3D.07 approved by President]
Revised: 08/06/2018 [Policy 3D.07 approved by President]
Revised: 08/18/2021 [Policy 3D.0701 and 3D.0702 approved by President]

Revised: 06/07/2022 [Policy 3D.07 approved by President]

Revised: 08/15/2024 [UPM Policies 3D.07, 3D.0701, and 3D.0702 combined as part of UPM Revision]

Revised: 05/01/2025 [Policy 1.07 – Use of University Property for Free Expression Activity modified and approved by President]

Revised: XX/XX/2026 [Policy 1.07 – Use of University Property for Free Expression Activity revised to address the Kansas Intellectual Rights and Knowledge Act, First Amendment requirements, Kansas constitutional requirements, and Kansas Board of Regents policy, to consolidate with Policy 7.16 - Signs, Banners, and Chalking on Campus, and to create congruence with Policy 1.24 – Political Activity]