

FSU-3.003 Freedom of Expression Rights and Responsibilities, ~~Open Platform Areas~~

(1) Policy Statement Concerning Freedom of Speech. The right of all students and individuals to seek knowledge, debate ideas, form opinions and freely express their views is recognized, both as an individual right and an important part of the University culture. This right must be exercised in a manner which will not interfere with the same rights and freedoms of others in their enjoyment of the benefits of the programs offered by this University, or their lawful use of University facilities, including ingress and egress. Such rights may be exercised subject to applicable laws, rules, regulations, policies and procedures, including lawful imposition of time, place, and manner restrictions that are consistent with the University's mission and the intent of this regulation.

(2) Policy Statement Concerning Freedom of Assembly. The right or freedom of peaceful assembly is recognized and shall be protected. Meetings, assemblies, picketing activities, protests, and gatherings that do not disrupt the orderly functioning of the University and related activities qualify as peaceful and are therefore protected.

~~(3) Designation of Open Platform Areas. The University recognizes the entire campus as open for debate and discussion. The University also recognizes that some debates, discussions, or gatherings may take place in a spontaneous manner and therefore has identified the following areas as highly visible, highly trafficked areas traditionally used and well suited for unplanned gatherings. In Tallahassee, Florida, the green area on the east side of Moore Auditorium, pavilion on the south side of Moore Auditorium and north of the Legacy Walk sidewalk, and the grassy area between Gate K of the football stadium and the Heritage Fountain are designated "open platforms" for this purpose. In Panama City, Florida, the Community Campfire Circle on the east side of the Holley Academic Center and the Four Crossed Logs patio on the North Bay side of the Holley Academic Center are designated as "open platforms" for this purpose. Any student or other individual who desires to be heard publicly on any issue of concern may use these areas subject to the provisions of this regulation at any time when previous scheduling does not preclude such use but only from 8:00 a.m. to 10:00 p.m. local time. Amplification equipment is not allowed except as otherwise specifically permitted and may be subject to the same restrictions as in Section 6 herein. Temporary changes to location boundaries and any other necessary adjustments due to current construction or other~~

~~unavoidable circumstances or conditions may be made by the University on an as needed basis. In addition, the University may temporarily designate any space on campus as an open platform space to ensure that students have the ability to be meaningfully heard. Speech is not limited to open platform areas; students may reserve space pursuant to this and other University regulations and policies.~~ Planned Outdoor Assemblies. Certain outdoor areas of campus may be reserved by individuals or groups or otherwise may be restricted for official University use. Open platform areas can be reserveable space Groups planning outdoor assemblies should provide advance notice per applicable event permitting processes to ensure space availability and the adequate provision of security; however, lawful, spontaneous assemblies may occur provided that they are in compliance with applicable time, place, and manner restrictions, do not materially and substantially disrupt university operations or the expressive activities of other individuals or groups, and do not present a threat to the health, safety, or welfare of the university community. Individuals and groups holding reservations may receive priority over spontaneous activities. Planned use of campus areas and facilities by groups and individuals is generally governed by FSU Regulation FSU-2.007, Use of Campus Facilities.

~~(4) Planned Outdoor Assemblies. Organized or prearranged outdoor assemblies shall be registered at least twenty-four hours in advance in the Oglesby Union Guest Services Office in Tallahassee or through the Office of Finance in Administration in Panama City, depending on the location of the assembly. Exceptions to the twenty-four hour notice requirement and amplification permission consistent with Section 6 herein may be granted by the Union Director (Tallahassee) or the Director of Finance and Administration (Panama City), or their designees. These offices may refer requests out to other University offices for approval, as appropriate.~~

~~(5) Meetings (Indoor, Reserveable Space). The Student Government Association (Tallahassee), Student Government Council (Panama City), recognized student organizations, or other student groups may hold meetings inside University buildings, provided prior approval is granted by the Guest Services Office (Tallahassee) or the Office of Finance and Administration (Panama City) and subject to University policy and space availability. See <https://union.fsu.edu/guestservices/> for details. These offices may refer requests out to other University offices for approval, as appropriate.~~

a) ~~Space Requests, Members of the Public. Absent exigent circumstances, members of the public may only rent University facilities during scheduled academic breaks (e.g., spring, holiday, and summer breaks).~~

~~(6)~~(4) Amplification. Public address systems and other electrical amplification equipment may be utilized for events, subject to the provisions of Regulation FSU-2.007. ~~permitted events by the Student Government Association (Tallahassee), Student Government Council (Panama City), recognized student organizations, and other student groups subject to venue availability and scheduling approval by the Guest Services Office (Tallahassee) or the Office of Finance and Administration (Panama City), and subject to approval by the Oglesby Union's Event Permitting Office (Tallahassee) or the Dean (Panama City).~~ All such use of public address systems or other amplification equipment shall maintain a reasonable sound level which meets the communication needs of the event without excessive noise penetration to adjacent areas.

~~(7)~~(5) Circulation of Literature (Non-Commercial). Students' right to write and distribute literature and to express thoughts and beliefs is acknowledged. Individual students, recognized student organizations, and other student groups may circulate non-commercial literature, provided it is identified by authorship and sponsorship, subject to applicable provisions of FSU Regulation FSU-2.0131 Posting, Chalking Advertising and Active Distribution of Materials on FSU Campuses.

~~(8)~~(6) Circulation of Literature (Commercial). Commercial solicitations are governed by FSU Regulation FSU-2.013.

(7) Speaker Invitations; Speaker Contracts; Security.

~~The Student Government Association (Tallahassee), the Student Government Council (Panama City), recognized student organizations, other student groups, academic departments, alumni groups, and other University-affiliated groups~~(a) University and University related persons, groups, and organizations, as defined in Regulation FSU-2.007, may invite persons from outside the University to speak to their memberships and the public. If University facilities are to be used for holding the meeting, prior scheduling and space reservations approval shall be obtained ~~from the Guest Services Office (Tallahassee), the Office of Finance and Administration (Panama City) or other University departments, as appropriate~~pursuant to Regulation FSU-2.007. Speakers wishing to express all varieties of opinions and viewpoints are welcome at the University.

~~Speaker Invitations by Non University Groups. Absent exigent circumstances, members of the public may only rent University facilities for speaker events during scheduled academic breaks (e.g., spring, holiday, and summer breaks).~~

~~(b)Speaker Contracts, Security. It is the responsibility of the group extending the invitation to negotiate speaker fees, riders, and any other requests or demands from the speaker. It is also the responsibility of the group extending the invitation to arrange for, and cover costs of, any security costs that exceed what the University would normally provide, and to coordinate security plans with University law enforcement prior to the event. Reasonable notice of the event shall be given to the University in order to plan and coordinate for security and safety concerns. The university may impose reasonable costs for security required for any sponsored event held on campus, based on constitutionally permissible criteria.~~

~~(9)(8)Political Activity. The Student Government Association (Tallahassee), Student Government Council (Panama City), recognized student organizations, and other student groups may sponsor speeches, rallies, or other events by or for political candidates for federal, state or local office, subject to availability of suitable location based on size of crowd and time of speech, and subject to Regulation FSU-2.007 and applicable FSU policies on political activity.~~

~~(10)(9)Recordings. Recordings of speeches, gatherings, rallies, or other activities in open platform and reserved space at the University may be restricted by copyright protection. Additionally, despite the open nature of some gatherings, participants may still enjoy the expectation of privacy in certain conversations. Any person who records an event or conversation is expected to understand and accept the civil and criminal risks associated with the recording, and/or to take steps to reduce those risks prior to making the recording.~~

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~~(12) —(10)Authority of the President, Time, Place, and Manner Restrictions, Campus Safety. The President or his or her designee retains the authority to determine whether or not activities materially and substantially disrupt the functioning of the university or infringe upon the rights of other individuals or organizations to engage in expressive activities, as provided in section 1004.097, F.S., and more specifically as follows:~~

~~(a) If the President has reasonable grounds to believe that a planned speech, demonstration, or other event is likely to:~~

~~(13) — draw a large number of persons who are not Florida State University students, faculty,~~

or staff;

(14) —_obstruct ingress or egress to or from University classrooms or other facilities or travel across campus; or

(15) —_interfere with the ability of students or faculty to study and enjoy a secure and peaceful academic atmosphere,

(10) ___ the President is authorized to designate an area on University property, or secure an area off University property, that would mitigate such effects and is reasonably accessible to University students and faculty, and to limit the event to such location. Nothing in this section is intended to, nor shall be read to, imply an obligation on the part of the President or the University to secure or rent property for any speech, demonstration, or event, nor is it intended to indicate that any and all speeches, demonstrations, or events can be accommodated.

(b) If the President has reasonable grounds to believe that any event presents an imminent threat to the health, safety, and welfare of campus, the President may cancel the event provided that the threat cannot be mitigated using reasonable alternative means.

(c) No person, while participating in any demonstration, rally, picket line, or other public assembly shall carry or possess any of the following:

1. Signs exceeding the size restriction of 24” by 36”. Only signs constructed of foam, cardboard, or paper shall be permitted to be carried. Signs may be mounted on sticks or posts provided that the sticks or posts are constructed of wood, foam, or plastic and their dimensions do not exceed one-half inch in diameter (if round in shape) or one-fourth inch thick by two inches wide (if rectangular in shape).

2. Mace or pepper spray.

3. Bats or other club-like objects.

4. Face shields or gas masks.

5. Other masks or disguises that are worn with the intent of threatening the safety of others or of evading or escaping discovery, recognition, or identification in the commission of violations of University regulations or policies, or other applicable laws or ordinances.

6. Flammable liquids.

7. Torches or other open flames, except as authorized by University officials.

8. Wagons, carts, or ladders, except as authorized by University officials, or other items that could be used to barricade or to push or manipulate crowds.

9. Any other items reasonably determined by the President to be a public safety hazard.

Specific Authority BOG Regulations 1.001(3) (j), (7) (g). History–New 9-30-75, Formerly 6C2R-3.03, Amended 7-28-86, 6-17-2009, 3-8-2013, 2-22-2017, 1-18-2018