



THE UNIVERSITY of  
NEW ORLEANS

**ADMINISTERED BY: Office of the Provost and  
Senior Vice President for Academic Affairs**

**Policy No:** AP-AA-31.5  
**TITLE:** Freedom of Expression  
**EFFECTIVE DATE:** April 4, 2014\*  
(\*Policy Revised, see below)  
**CANCELLATION:**  
**REVIEW DATE:** Spring 2022

#### **PURPOSE**

The University of New Orleans deems the free and open inquiry into all matters fundamental to the mission of higher education and is committed to the preservation of the lawful, free expression of ideas, subject only to reasonable time, place, and manner restrictions.

#### **AUTHORITY**

*Act 666 of the 2018 Regular Session of the Louisiana Legislature, codified at R.S. 17:3399.31 through 3399.37 (“Louisiana Campus Free Expression Law”). University of Louisiana Uniform Policy on Campus Free Speech. This policy shall supersede and nullify any provision in the policies and regulations of the University of New Orleans that restricts speech on campus and that any such provision is therefore inconsistent with this policy on free expression.*

#### **DEFINITIONS**

For purposes for this policy, the definitions of key terms and other mandatory provisions shall remain consistent with those in Act 666 of 2018 codified at R.S. 17:3399:31 through 3399.37.

Expressive Activities include but are not limited to, any lawful verbal or written means by which individuals or groups communicate ideas to one another, as provided by the First Amendment of the Constitution of the United States of America and by the Constitution of Louisiana, including all forms of peaceful assembly, protest, speech, distribution of literature, carrying signs and circulating petitions. This expressly excludes commercial activities where individuals or groups are being compensated or attempting to advertise, market or accrue financial gain to any individual, corporation, business or organization.

Student: The term ‘student’ refers to an individual who is enrolled in, or registered with, an academic program of the University of New Orleans (including classes offered on-line or through UNO’s auxiliary programs).

Student Organization means an officially recognized group at the University of New Orleans or a group seeking official recognition comprised of admitted students.

Outdoor areas are outside areas generally accessible to the majority of students, administrators, faculty and staff such as grassy areas, walkways or other similar common areas and do not include areas where access has been deemed restricted by university officials. However, use of these outdoor areas for discussion or public expression may be limited when such use interferes with the orderly conduct of University business or authorized events. During open access hours, these spaces may be used without reservation, otherwise reservation is needed. The outdoor areas of the University of New Orleans shall be deemed public and open to expressive activities on the same terms to any speaker. Nothing in this policy shall be interpreted as limiting the rights of expression elsewhere on campus.

Open access hours are 6am to 12am. During the hours of 12am to 6am, access is generally restricted to students, faculty, staff, and invited guests.

Outdoor Amplified Sound is defined as any sound that is broadcast through electronically amplified equipment or sound that is electronically enhanced.

UNO Affiliates: Students, as defined above, and/or University of New Orleans employees, consisting of all full and part-time faculty and staff.

Unaffiliated Persons/Groups: Defined as those groups or persons who are not university students and/or University employees.

## **GENERAL POLICY**

The University has a special obligation to protect free inquiry and free expression. On University grounds generally open to the public, all persons may exercise the constitutionally protected rights of free expression, speech and assembly. Such activities shall not interfere with the right of the University to conduct its affairs in an orderly manner and to maintain its property, nor may they interfere with the University's obligation to protect the rights of all to teach, study, and freely exchange ideas. These regulations purport to assure the right of free expression and advocacy on the University of New Orleans campus, to minimize conflict between the form of exercise of that right and the rights of others in the effective use of University facilities, and to minimize possible interference with the University's responsibilities as an educational institution.

Public institutions such as the University of New Orleans, cannot punish speech, or exclude speakers, because it is hateful or offends. Nor can students be protected from such speech they may deem unwelcome, find deeply offensive or with which they disagree. Students and faculty have the freedom to discuss any topic that presents itself, as provided under the First Amendment of the Constitution of the U.S. and Article I, Section 7 of the Constitution of Louisiana and other applicable laws permit and within the limits on time, place and manner of expression. Any person who wishes to engage in noncommercial expressive activity on the University of New Orleans' campus shall be permitted to do so freely, as long as the person's conduct is not unlawful and does not materially and substantially disrupt the functioning of the institution.

## ***Association and Assembly***

Students have the right to organize and join organizations to promote their common interests. These organizations are obligated to register with Student Involvement and Leadership and are held to the policies and expectations outlined in the [Student Organizational Handbook](#). Only approved organizations may enjoy the rights and privileges accorded by the University including the right to invite speakers to campus to address the group or student body. The University administration may cancel a speaker's reservation when there is a clear and present danger that the appearance would threaten the orderly operation of the University.

### Demonstrations

Persons wishing to speak publicly or to distribute literature must comply with these rules and with University policy, including amplified sound and the prohibition on the sale or promotion of commercial goods or services. Individuals are prohibited from:

- Blocking pedestrian or vehicular traffic or otherwise interfering with the free flow of traffic into and out of campus buildings;
- Climbing up or rappelling down any tree, building or structure on University property;
- Camping or lodging on University property other than in authorized facilities;
- Impeding normal University operations; and/or,
- Otherwise violating University policy, state, federal or local laws.

### Event Procedures

The University of New Orleans deems the free and open inquiry into all matters fundamental to the mission of higher education and is committed to the preservation of the lawful, free expression of ideas, subject only to reasonable time, place and manner restrictions.

The University established this policy as a resource to ensure that the use of university facilities and property does not hinder student education, academic activities, campus work and student life environment, scheduled events or university functions.

### Access to University Functions

Not all University facilities are available for non-instructional purposes. A list of available facilities may be obtained from the [Campus Booking site, a division of the Office of Events and Protocol](#). Note that the Lakefront Arena has their own policies and procedures that may be different.

General Access to University facilities are subject to reasonable time, place and manner restrictions as outlined throughout this policy. Access to University facilities may be granted without regard to the content or viewpoint of speakers or their sponsors. Priority is given to registered UNO student groups/organizations and faculty and staff.

Indoor facilities require reservations. The following outdoor areas are also reservable for events:

- Amphitheater
- Earl K. Long Library Breezeway
- Earl K. Long Quad
- Intramural fields
- University Center Breezeway

#### Reservation Procedures

The first step in the reservation process is to complete the [space availability request form](#). Approvals route through the appropriate offices, as necessary.

The Office of Events and Protocol will work with the event sponsor to identify the location most suited for the event based on estimated attendance, A/V needs, security assessment, etc. The university reserves the right to move the event to another space on campus based on the safety assessment of UNO PD.

#### Safety and Security

For events with estimated attendance over 100 people, the sponsoring organization must work with UNO PD to determine safety plans. The university requires that unaffiliated groups have, at the group's expense, one UNO PD officer present for every 100 people estimated to attend.

For events in which alcohol will be served, both affiliated and unaffiliated groups are required to have, at the group's expense, one UNO PD officer present for every 100 people estimated to attend.

#### Outdoor Amplified Sound

Use of amplified sound in outdoor areas is subject to reasonable time, place, and manner restrictions and **requires** advance approval. Amplified sound is limited to no more than four (4) hours per day per outdoor area. A sound check of no more than 30 minutes may be approved in addition to the approved four-hour reservation.

Amplified sound will not be permitted where it disrupts student education, residential living, research, or the faculty/staff work environment. During academic sessions, amplified sound will be considered only for the following time periods:

Friday: 5:00 pm to 10:00 pm

Saturday and Sunday: 10:00 am to 10:00 pm

These limitations do not apply to official university events.

## **Duties towards Speakers**

No person may disrupt an invited or permitted speaker or hinder the ability of other attendees to see or hear a speaker.

### Masking

Pursuant to LA Rev. Stat 14:313 “No person shall use or wear in any public place of any character whatsoever, or in any open place in view thereof, a hood or mask, or anything in the nature of either, or any facial disguise of any kind or description, calculated to conceal or hide the identity of the person or to prevent his being readily recognized.”

Masking is prohibited on campus with the exception of Halloween (10/31) and Mardi Gras Day.

### **Outdoor Displays**

Outdoor displays, including signs, banners, and exhibits must be sponsored by a registered student organization, or a faculty or staff member.

### Posters, Notices, Flyers, Leaflets and Signs

#### Outdoor Signage on Campus

- All signs must have the university logo on them and abide by university branding standards.
- Only registered student groups and university departments may post outdoor signs.
- Student organizations must have their signage approved by the Office of Student Involvement and Leadership before posting.
- University departments must have their signs approved by University Marketing before posting.
- All signage should be placed outside of the path of travel; they should not be placed on sidewalks or in front of doorways, but they can be placed to the side of walkway entrances.

#### Signage Posting Time

- Signage may not be posted any earlier than 14 days before the date of the event.
- All signage must be removed within 24 hours of event completion. Ideally, signs will be removed immediately following the event, but in cases in which immediate removal is not possible due to the end time of the event, removal must complete by 8:30 a.m. the following day.

### Damaged Signage

Signs that are bent or damaged as a result of weather or other factors must be repaired or removed immediately.

### Off Campus Signage

A City of New Orleans ordinance prohibits the placement of temporary signs on the neutral ground except in the following highly controlled instances: garage sales, real estate open houses and political signs. No commercial signs are ever allowed. The terms of placement and fines are outlined in the [City of New Orleans Code of Ordinances](#), Part 2 Article 3, Section 134 sub-sections 121-130.

### Placement of Signage

Yard Signs	Large Signs	A-Board Signs
<p>Yard Signs may only be posted in the following areas, not to exceed the quantity listed in parenthesis, and must not be closer than 100 feet from any other yard sign:</p> <ul style="list-style-type: none"><li>✓ The Quad (4)</li><li>✓ The Cove (1)</li><li>✓ Outside the UC (4)</li><li>✓ Near Engineering Building (1)</li><li>✓ Near Kirschman Hall (1)</li></ul>	<p>Large coroplast signs may be installed by Sodexo for groups in a limited number of areas. These areas may include:</p> <ul style="list-style-type: none"><li>✓ The Cove</li><li>✓ The University Center</li><li>✓ Pontchartrain Hall</li><li>✓ The Quad</li><li>✓ Near the four roadway entrances to campus</li></ul>	<p>A-Board signage should be limited and, when used, should be distributed in such a way as to reduce clutter in entryways.</p> <ul style="list-style-type: none"><li>✓ The Quad (4)</li><li>✓ The Cove (1)</li><li>✓ Outside the UC (2)</li><li>✓ Near Engineering Building (1)</li><li>✓ Near Kirschman Hall (1)</li></ul>

### Posters, Notices, Flyers, Leaflets and Signs

Groups not affiliated with the University of New Orleans are required to obtain permission to post non-commercial posters, notices, flyers, leaflets and signs on University-owned property. Only university affiliates may use chalk on sidewalks. Student organizations must register chalking with Student Involvement and Leadership in advance.

Areas where these approved postings can be displayed include Student Government Kiosks and approved bulletin boards located within University Buildings. Appropriate approval from Student Government Association personnel and/or building coordinators is required prior to posting.

Unless otherwise permitted, no posters, notices, flyers, leaflets or signs may be affixed to windows, buildings, sidewalks, posts, fountains, waste receptacles, trees or stakes and may not be affixed to sticks.

Literature distribution must not in any way impede vehicular or pedestrian traffic. Normal instructional, research, and administrative activities must not be disrupted. All individuals distributing

printed materials on campus shall clean the area around which the materials were distributed to discourage littering.

All posted materials should clearly indicate the name of the individual and/or organization and should be posted in such a manner as not to damage the area to which it is attached. Masking tape or painter's tape is acceptable; liquid paste and/or liquid cement is not acceptable.

Posters, notices, flyers, leaflets and signs will be removed at regular intervals.

### ***Freedom of Expression***

The purpose of the University of New Orleans Freedom of Expression Policy is to provide for expressive activity to be conducted on designated grounds of the university in a manner consistent with First Amendment principles. Freedom of expression may be subject to reasonable time, place and manner regulations that are content-neutral, serve a significant university interest and leave open ample alternative channels for communication of the information.

Expressive activities permitted under this policy do not imply official endorsement by the university. Groups or individuals engaged in expressive activities are responsible for the content of the expression. Expressive activities that are directed to provoke and likely to produce imminent lawless actions or are harassing and/or threats are not protected.

Groups or individuals engaging in the type of non-protected activities described above or failing to comply with other university policies or applicable local, state, and federal laws may face immediate removal from the campus and other appropriate actions by university officials and University Police. It is the intention of the University of New Orleans that any portion of this policy deemed to be violation of the First Amendment be declared severable and that the remaining policy provisions be continued in effect.

The Freedom of Expression Policy is applicable to the University of New Orleans students, faculty, staff, and others in the community who wish to engage in extracurricular public speaking, the distribution of literature, poster displays, sign displays, and any other type of graphic exhibitions, expressive performances, petitioning, or similar activities at designated locations on university property. This policy does not apply to official university activities.

### **Report an incident of disruption to constitutionally protected speech**

To report an incident of disruption of public speaking, distribution of literature, or other constitutionally protected speech:

For non-emergency incidents that do not require police, fire, or medical staff to respond:

Make a report through this [link](#).

For incidents that require police, fire, or medical staff to respond:

Report to UNO Police Department by calling 504-280-6666 or call 9-1-1 in the case of emergency.

## Exclusions

This policy does not apply to the:

- 1.) use of University facilities and property for activities and official events sponsored by the University;
- 2.) use of University facilities and property for activities and events sponsored by University-related foundations;
- 3.) use of University facilities by UNO employees while in the scope of their employment duties;
- 4.) use of University facilities by vendors or those unaffiliated with the University that have entered into a contractual relationship with the university in accordance with the performance of said contract.



John W. Nicklow  
President  
University of New Orleans

*\*Policy Updates:*

*Revisions: 9/18/2017*

*9/18/2018*

*6/7/2019*