

3356-4-21 Public use of university grounds for expressive activity.

Responsible Division/Office: Office of the President
Responsible Officer: President
Revision History: September 2014; December 2020
Board Committee: University Affairs
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Next Review: 2025

- (A) Policy statement. Youngstown state university values the freedoms of speech, thought, expression and assembly both as constitutionally guaranteed rights and as part of the university’s core educational, research, and public service mission. The university also recognizes that the exercise of these freedoms must be balanced with the rights of others to learn, work, and conduct business. Any speech or other expressive activities by persons under this policy should not be considered to be speech made by or on behalf of the university or to be endorsed by the university.
- (B) Purpose. To provide guidelines for the free and orderly exchange of ideas and to ensure that these activities do not imperil public safety, obstruct or damage university facilities, or interfere with the university’s mission and functions.
- (C) Definitions. “Expressive activity” means all forms of non-commercial expression that are protected by the First Amendment to the U.S. Constitution, which may include peaceful assemblies, speeches, protests, picketing, leafleting, circulating petitions, distributing literature, and similar expressive communications and activities.
- (D) Parameters.
 - (1) Generally accessible outdoor areas.
 - (a) Any person or group may use any publicly accessible outdoor area of the university’s campus except parking lots and decks, garages, public streets, and driveways. Federal, state and local laws will be enforced as applicable. The use of walkways or other common areas may not block the free

passage of others or impede the regular operation of the university.

- (b) Use may include speaking, nonverbal expression, and distribution of literature, circulating petitions, and the display of signage. Amplification may be restricted during work or class hours or if the area is in use for an official university event, or a university-sponsored event.
 - (c) Prior approval is not necessary as long as the primary action is not to advertise or sell a commercial product.
 - (d) Those seeking access to the university for commercial solicitation or advertising purposes should consult university policy 3356-7-19, "Access to campus for purposes of commercial solicitation or advertising." Employees should consult university policy 3356-7-25 regarding political activities of employees.
 - (e) Facilities which are leased by the university and which do not have general access outdoor areas controlled by the university are not available for use under this policy.
- (2) Large groups.
- (a) Any person or group whose use of an outdoor area is expected or reasonably likely to draw more than one hundred people must notify the university's police department at (330) 941-3527 at least three business days before the date of the expressive activity and provide information as to the specific location to be used for the event, the estimated number of persons, and the name and contact information of at least one person who can be contacted regarding logistics of the event, and shall include at least one person who will be personally present. If three business days' notice is not provided, the person or group must contact the university's police department as soon as reasonably possible prior to the event.
 - (b) Prior notice is necessary in order to ensure that there is sufficient space for the large group event, the large group

event does not conflict with any other scheduled use of the outdoor area, and that sufficient university resources are available for crowd control and security.

- (3) Student use.
 - (a) In addition to the right of access to generally accessible outdoor areas described above, any student, group of students, or registered student organization may seek to reserve the use of specific outdoor areas by contacting the office of student affairs at (330) 941-3532.
 - (b) A student or student organization request to reserve such area or space shall be made at least two business days prior to the use. A request will be granted unless it would conflict or interfere with a previously scheduled event or activity or violate this policy.
 - (c) A student or student organization that has reserved a specific area or space under this policy will have priority over any other persons seeking to use the area or space during the scheduled time period. Any decision denying a request shall be promptly communicated in writing to the requester and shall set forth the basis for the denial.
 - (4) Public bulletin boards. The university provides designated public bulletin boards for the purpose of posting materials. Refer to university policy 3356-4-17 regarding the display of posters and other printed materials.
 - (5) Neutrality. All decisions and actions of university employees and agents made under this policy shall be content neutral.
- (E) Prohibited activities.
- (1) Any event or activity that disrupts the ability of the university to effectively and peacefully teach students, provide client services, or conduct any of its other business and support operations is prohibited. Examples include, but are not limited to, excessive noise, impeding vehicle or pedestrian traffic, and conduct otherwise unlawful.

- (2) Damage to university property including, but not limited to, damage to grounds and landscaping, driving stakes or poles into the ground, hammering nails into buildings, fastening or attaching anything to sidewalks, paved areas, or any part of any building, structure, or fixture.
 - (3) Distribution or solicitation by placing any material on vehicles in the parking lots, decks or garages.
 - (4) Leaving trash, litter, materials, or pollutants in any area.
- (F) Enforcement.
- (1) The Youngstown state university police department shall enforce the provisions of this policy.
 - (2) Any person who violates this policy may be subject to any order to leave university property and may be subject to arrest if that order is not promptly obeyed. Employees who violate this policy may be subject to discipline up to and including termination.
- (G) Dispute resolution. Any person or organization that believes unlawful, unreasonable, or arbitrary limitations have been imposed on their expressive activities under this policy may file a complaint with the office of general counsel at (330) 941-2340.