



# THE UNIVERSITY OF AKRON

## Guidelines for Use of Outdoor Area of Campus

The University has created these Guidelines for the Use of Outdoor Areas of Campus to provide information to Campus Community members and members of the general public for the use of Outdoor Areas of Campus. These Guidelines comply with the updated statutory modifications in Senate Bill 40, 133<sup>rd</sup> General Assembly, and Ohio Revised Code 3345.0215 regarding free speech on college campuses and if there is any conflict the statutory requirements control.

As detailed in the guidelines below, the University maintains and enforces reasonable time, place, and manner restrictions, which are specifically developed in service of significant institutional interests. These restrictions employ clear, published, viewpoint- and content-neutral criteria, and provide for ample alternative means for expressive activities. The restrictions still allow for members of the Campus Community to spontaneously and contemporaneously assemble and distribute literature. The University reserves the right to restrict expressive activities that the First Amendment to the United States Constitution or Article I, Sections 3 and 11 of the Ohio Constitution does not protect.

The following definitions apply to these Guidelines:

1. "Benefits" has the same meaning as in section 3345.023 of the Revised Code.
2. "Campus community" means students, student groups, faculty, staff, and employees of the University and their invited guests.
3. "Constitutional time, place, and manner restrictions" means restrictions on the time, place, and manner of free speech that do not violate the First Amendment to the United States Constitution or Article I, Sections 3 and 11 of the Ohio Constitution that are reasonable, content- and viewpoint neutral, narrowly tailored to satisfy a significant institutional interest, and leave open ample alternative channels for the communication of the information or message to its intended audience.
4. "Expressive activities" means any lawful verbal, written, audiovisual, or electronic means by which individuals may communicate ideas, including all forms of peaceful assembly, protests, speeches, distribution of literature, carrying and displaying signs, and circulating petitions.
5. "Faculty" or "faculty member" means any person, whether or not the person is compensated by a state institution of higher education, and regardless of political affiliation, who is tasked with providing scholarship, academic research, or teaching. For purposes of this part, the term "faculty" includes tenured and nontenured professors, adjunct professors, visiting professors, lecturers, graduate student instructors, and those in comparable positions, however titled. For purposes of this section, the term "faculty" does not include persons whose primary responsibilities are administrative or managerial.
6. "Free speech" means speech, expression, or assemblies protected by the First Amendment to the United States Constitution or Article I, Sections 3 and 11 of the Ohio Constitution, verbal or written, including, but not limited to, all forms of peaceful assembly, protests, demonstrations, rallies, vigils, marches, public speaking, distribution

of printed materials, carrying signs, displays, or circulating petitions. "Free speech" does not include the promotion, sale, or distribution of any product or service.

7. "Harassment" means unwelcome conduct that is so severe, pervasive, and objectively offensive that it effectively denies an individual equal access to the individual's education program or activity, pursuant to Ohio Revised Code 3345.0211 and the University's policies.
8. "Materially and substantially disrupts" means when a person, with the intent to, or with knowledge of doing so, significantly hinders another person's or group's expressive activity, prevents communication of their message, or prevents the transaction of the business of a lawful meeting, gathering, or procession by either:
  - (a) Engaging in violent or otherwise unlawful behavior; or
  - (b) Physically blocking or using threats of violence to prevent any person from attending, listening to, viewing, or otherwise participating in an expressive activity. This shall not include conduct that is protected under the First Amendment to the United States Constitution or Section 3 of Article I of the Ohio Constitution.
9. "Outdoor areas of campus" means the generally accessible outside areas of campus where members of the campus community are commonly allowed, such as grassy areas, walkways, and other similar common areas. This does not include outdoor areas where access is restricted to a majority of the campus community.
10. "Student" means any person who is enrolled on a full-time or part-time basis in the University.
11. "Student group" means an officially recognized group at the University, or a group seeking official recognition, comprised of admitted students that receive, or are seeking to receive, benefits through the institution of higher education.
12. "University" means the University of Akron and as defined by section 3345.011 of the Revised Code.

#### Guidelines:

1. Campus community members do not need to preregister the use of the Outdoor areas of campus, unless there is a significant concern for campus safety or a need for significant crowd control, noise amplification, or other characteristics that have a strong likelihood of disrupting the educational activities of the University. However, first priority for space will be given to groups or individuals that preregister.
2. Campus community members may request use of the Outdoor areas of campus via the Space Request Form found in RooConnect **no later than three (3) working days before the scheduled event.** Requests can also be sent to: [sueventplanning@uakron.edu](mailto:sueventplanning@uakron.edu).
3. Requests from the general public (e.g., Soap Box Derby, Ohio Ballet, etc.) should be submitted via [sueventplanning@uakron.edu](mailto:sueventplanning@uakron.edu) **no later than three (3) working days before the scheduled event.**
4. No vehicles are permitted on the Outdoor areas of campus except for emergency or required maintenance vehicles or unless special permission has been obtained from

the Senior Vice President/CFO, or their designee.

5. Activities scheduled must not impede emergency vehicle traffic flow, disrupt services of the University, create any noise problems or complaints, litter the Outdoor areas of campus, or damage the brick and/or light poles.
6. Camping is prohibited on university property. No tents or other temporary structures may be set up without prior approval. Tents may not cover grass for more than 24 hours. Any approved tents may not be placed on sidewalks, walkways or streets. Events consistent with the University's teaching, research, and service missions spanning overnight hours must be confined to a single 24-hour period, with similarly structured events not occupying the same space on consecutive days. Outside habitation must not be the primary focus of the event. Overnight events are subject to prior review by University Police, Environmental Safety, General Counsel and the Office of Student Union/Conference and Events.
7. The distribution and/or selling of all food on the Outdoor areas of campus must be arranged and approved through the University Dining Services (330/972-7668).
8. Student groups may be permitted to set up booths/tables on the Outdoor areas of campus for the sale of miscellaneous merchandise for fundraising purposes. All such fundraising activities must first be cleared through the Department of Student Life.
9. Sponsoring student groups are responsible for any clean-up of the Outdoor areas of campus necessitated as a result of their activities (during and/or after).
10. Amplified sound is permitted only when prior approval is received from [sueventplanning@uakron.edu](mailto:sueventplanning@uakron.edu). However, any excessive sound that interferes with academic pursuits is prohibited.
11. Physical setup of tables, chairs, risers, electrical needs, etc. on the Outdoor areas of campus must be approved, arranged through the Department of Physical Facilities Operations Center (PFOC) (330/972-7415) and paid by the group. Activities must be completed (including set-up and tear down of tables, etc.) within the timeframe approved on the request form.
12. Sponsoring student groups expecting large (75+) crowds for their events may be required to meet with University Police (330/972-7123) and/or the Department of Environmental & Occupational Health and Safety (330/972-6866).
13. The Senior Vice President/CFO, or their designee, reserves the right to limit the number of special events hosted on the **Outdoor area of campus**.
14. The University does not prohibit any individual from engaging in noncommercial expressive activity on campus, so long as the individual's conduct is lawful and does not materially and substantially disrupt the functioning of the institution.

15. The University does not charge security fees to a student or a student group based on the content of their expression, the content of the expression of their invited guest, or the anticipated reaction to an invited guest's expression, however other fees may apply.
16. These Guideline do not enable individuals to engage in conduct that intentionally, materially, and substantially disrupts another individual's expressive activity if it occurs in a campus space reserved for exclusive use or control of a particular individual or group.