UWG PROCEDURE 3.8.1, First Amendment and Protected Activity on Campus
Authority: UWG POLICY 3.8 (Student Conduct and Discipline)

The Chief Legal Officer establishes the following procedures for compliance with the First Amendment and Protected Activity on Campus as authorized by UWG Policy 3.8 on Student Conduct and Discipline:

A. Statement of Purpose
The University of West Georgia ("UWG or the University") places great importance on First Amendment guarantees of freedom of speech, freedom of expression, and the right to assemble peaceably. The University remains firmly committed to affording groups and individuals the opportunity to engage in peaceful and orderly protests and demonstrations. In order to achieve this objective, while at the same time ensuring that the University fulfills its educational mission, the University may regulate the time, place, and manner of expression to assure equal opportunity for all persons, preserve order within the campus community, protect and preserve University property, and provide a secure environment to individuals exercising freedom of expression. The University will not use this Procedure to regulate content or viewpoints, as further explained in Paragraph F. below.

B. Definitions
For the purposes of this Procedure, the following definitions apply:
1. **Campus** – UWG-owned or leased buildings, grounds and property, including sidewalks and streets within campus boundaries.
2. **First Amendment Speech** – freedom of speech as guaranteed by the First Amendment to the Constitution of the United States; this DOES NOT include speech or expression that violates relevant speech provisions in the University’s policies or procedures on anti-bullying (see UWG Procedure 3.8.2), sales and solicitation (see UWG Procedures 5.5.1, 5.5.2, and 5.5.3), or civil rights (see UWG Procedure 6.2.5), or that violates any other applicable UWG or BOR conduct policy or procedure, or any applicable Federal or Georgia law. [NOTE: Employees should be aware that they are subject to more restrictions based upon BOR policy and employment laws. Please contact University General Counsel with any questions regarding permitted activity.]
3. **Free Expression Areas** – open outside areas, that are not used for administrative purposes related to the operation of the University or for educationally related activities, that are generally available to the University Community for First Amendment Speech. This includes areas approved by the President of UWG and published in Appendix A to this Procedure. At a minimum, this includes the areas between the UCC and the UCC fountain; the grassy area behind the UCC fountain; and the areas between the Campus Center and the Library.
4. **University Community** - (1) all persons enrolled at or employed by the University, including University students, faculty, staff, administrators, and employees, and (2) recognized University-affiliated entities including University departments, foundations, and registered University student organizations.

C. Procedures for University Affiliated Speakers
**Free Expression Areas** of campus may be used for First Amendment Speech by members of the University Community, subject to the restrictions in Paragraph E., and based on availability on a first-come, first-served basis, so long as other individuals or groups have not first reserved the space. In the
event that conflicts arise due to unscheduled First Amendment Speech, and those conflicts cannot be reasonably resolved by relocating the previously scheduled event, the following order of precedence shall govern:

1. Official recurring University sponsored events and activities (i.e. homecoming, etc.);
2. Recognized and recurring student organizations’ events and activities;
3. Student events and activities scheduled at least two weeks in advance;
4. Unscheduled First Amendment Speech by currently enrolled students; and
5. All other activity on Campus.

The University encourages all parties who are members of the University Community and are seeking to use Campus facilities for First Amendment Speech to contact the office of the Chief Auxiliary Officer to minimize conflicts and accommodate all interested users.

Groups of fifty (50) or more persons wishing to gather in the Free Expression Areas must contact one of the following as soon as possible: - (1) for calls made Monday through Friday from 8:00 to 5:00 p.m., contact Auxiliary Services at (678) 839-6525; (2) for calls made at all other hours, contact the University Police at (678) 839-6000. Prior notice is requested to ensure that there is sufficient space for the large group event, that the large group event does not conflict with any other scheduled use of the space, and that sufficient University resources are available for crowd control and security. If such advance notice is not feasible because of circumstances that could not be reasonably anticipated, such as very recent or still-unfolding news developments, the person or group should provide the University with as much advance notice as circumstances reasonably permit.

D. Procedures for Non-University Affiliated Speakers

Individuals or groups who are not members of the University Community or the sponsored guest(s) of a member of the University Community are restricted to the open area in front of the University Community Center for purposes related to First Amendment Speech. All speakers must submit a completed Facility Use Request form (see Appendix B) and must obtain prior approval in writing for use of the area from the Chief Auxiliary Officer or designee. Non-University Affiliated speakers may only utilize the area between the hours of 8:00 am and 5:00 pm Monday through Friday, and must comply with all requirements set forth in Paragraph E. below.

E. Restrictions and Authority to Deny Use

The University reserves the right to deny or change the location or time for the use of any area on Campus for First Amendment Speech if the activity:

1. Attracts a crowd larger than the requested location can safely contain;
2. Significantly disrupts University activities inside or outside of buildings (including classes);
3. Significantly disrupts previously-scheduled campus events;
4. Obstructs entrances or exits to buildings;
5. Obstructs vehicular or pedestrian traffic; or
6. Represents a significant threat to public safety or property, per the discretion of the President, Chief Health Officer, University Police Chief, or one of their designees.

F. Administration of Protected Speech or Expression on Campus

When assessing First Amendment Speech, University personnel must not consider, nor impose, restrictions on individuals or organizations based on the content or viewpoint of the expression or the possible reaction to that expression, except to the extent such factors are relevant to assessing
appropriate security measures. In the event that other persons react negatively to this expression, University personnel (including University Police) shall take all necessary steps to ensure public safety while allowing the First Amendment Speech to continue. University Police and the President maintain ultimate discretion to end any activity if it is deemed to be a significant threat to campus safety.

Questions about this policy may be directed to:
Chief Auxiliary Officer
University Community Center
University of West Georgia
Tel: (678) 839-6525; Fax: (678) 839-5073
auxent@westga.edu

Issued by the Chief Legal Officer, the 2 day of Nov., 2016.

Signature, Chief Legal Officer

Reviewed by President:

Previous versions:
Student Handbook - Freedom of Expression
Student Handbook - Speeches, Demonstrations, Distribution of Written Material Policy Governing Outdoor Speeches, Demonstrations, Distribution of Written Material and Marches
APPENDIX A

FIRST AMENDMENT AREAS ESTABLISHED AT UWG

- Open areas between the UCC and the UCC fountain
- The grassy area behind the UCC fountain
- Open areas between the Campus Center and the Library
- Love Valley
- In front of Z6

Approved by University of West Georgia President:

[Signature]

DATE 10/3/16