

GEORGIA SOUTHERN UNIVERSITY  
Intracampus Memo  
**OFFICE OF LEGAL AFFAIRS**

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AA/EEO Institution

TO: President Bruce Grube  
FROM: Lee Davis *ed*  
DATE: March 19, 2009  
SUBJECT: Response to Faculty Senate Request for Information  
File No. 090677

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I have reviewed the Request for Information propounded by Dr. Richard Flynn. While the nomenclature "free speech zone" does not appear in the university's policies, the question he poses relates to the university's policies on campus speakers. That policy is online at [http://students.georgiasouthern.edu/union/?page=policy\\_txt\\_speakers](http://students.georgiasouthern.edu/union/?page=policy_txt_speakers). A printed copy of that policy is attached.

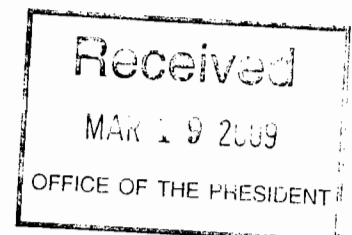
At the outset, it may be helpful to note that with regard to expressive activity in all of its forms, the campus is not a single, homogeneous place. A classroom is a place for expression of ideas pertinent to the subject matter of the class, all under the control of the professor; it is not a place for expression of unrelated ideas. Shouting and whistling is appropriate at a football game but would be disruptive at a music recital. The university's administration is responsible to manage the campus in a manner that is consistent with its mission and complex set of activities, while accommodating the rights of the university community and the public at large to engage in expressive conduct. For that reason, it is well-established in the law that the administration of a university may establish reasonable content-neutral regulations governing the time, place, and manner of expression.

Apparently at issue in the Request for Information is the campus speakers policy's designation of a particular area for speakers who are not students and have not been invited to speak on campus by a recognized student organization or a department or division of the university itself. The policy provides that a particular area will be designated for use by such speakers, but does not designate the area. Nevertheless, the principle that such an area will be so designated is embodied in the policy. The area currently used for outside speakers, just to the left of the rotunda at the Russell Union, has been in use for this purpose for many years.

The policy on campus speakers has been reviewed on several occasions by the Office of Legal Affairs, and is consistent with the law.

Please let me know if I may provide further information regarding this matter.

Attachment





Mostly Cloudy :52°

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 of Student Activities Office of Student Leadership and Civic Engagement Student Organizations



Contacting Russell Union  
 Phone: (912) 478 - 0399  
 Fax: (912) 478 - 0419

Summer Building Hours  
 Mon - Fri:  
 8:00am - 9:00pm  
 Saturday:  
 10:00am - 6:00pm  
 Sunday:  
 8:00am - 10:00pm

### Speakers

[Facility Use] [Sales] [Speakers] [Alcohol Policy] [Equipment Rental]

#### Campus Speakers

Georgia Southern University subscribes to the philosophy that an important aspect of the education of the university students is the opportunity to listen to speakers representing a wide variety of opinions and beliefs on important public issues. The following policies govern the campus appearances of speakers who are not members of the university community. These policies are designed to support the educational function of the University and guarantee protection of first amendment rights to freedom of speech. A speakers appearance on campus does not involve an endorsement of his/her views by the University or its students, faculty, or staff.

#### Sponsored Speakers

Any recognized student organization may invite speakers to campus.

A student organization planning to invite a guest to speak at a regularly scheduled meeting, must register with the Russell Union Office, Room 2070.

#### Non-Sponsored Speakers

It is the policy of Georgia Southern to permit the use of facilities by the general community in a manner which does not compete with the ongoing programs of the University. Speakers who are not sponsored by a campus organization may request permission to initiate a gathering on campus. Request forms are available in the Russell Union Office, Room 2070.

If a non-campus speaker is approved, the University reserves the right to assign space and designate time frequency and length of the proposed activity. A typical length of time for a speaker is one and a half hours. Frequency should be no



more than once a month under normal circumstances. Under no conditions will a non-campus speaker be permitted to sell items or solicit funds on campus. (Members of the same group or organization dealing with the same general topic will be considered one speaker for the purpose of scheduling stipulation.)

#### General Policies

A hearing may be called if it is determined that a speaker or speech will constitute or create a substantial likelihood of material interference with the normal orderly decisions and processes of the University or with the requirements of appropriate discipline. A hearing committee composed of two faculty members appointed by the President, two students appointed by Student Government, and the Vice President of Student Affairs will convene to review the speaker's application. If a request is denied, the organization or the speaker may appeal to the President of the University, whose decision will be final.

A hearing will be called if a speaker or speech advocates a call to action for any of the following:

- The overthrow of any government;
- The willful damage or destruction of property;
- The disruption of the University's regularly scheduled functions;
- The physical harm, coercion, or intimidation of the University's faculty, staff or students;
- Other campus disorder of a violent nature.

A speaker will be stopped and escorted off campus by the University Police, if evidence of a call to action to accomplish any of the above becomes manifest during a speech.

Failure to comply with any of these specified procedures will result in immediate removal from campus.

#### Distribution of Materials

Free expression is encouraged on the Georgia Southern University campus. Handbills, leaflets, and similar material available free of charge may be distributed by regularly enrolled students, by members of recognized student organizations and by university personnel in campus areas designated by the Russell Union Office so long as such distribution does not interfere with or operate to the detriment of the conduct of university affairs or the free flow of traffic. Such materials must bear identification as to publishing agency and distributing organization or individual. To maintain orderly scheduling of facilities, off-campus organizations and non-students are subject to the limitations noted above, and are required to register with the Russell Union Office before distributing handbills, leaflets, or similar materials distributed by individuals.

The use of a residence hall as a distribution center for any materials is prohibited since the purpose of the residence hall is educational and since the residents of a particular hall constitute, in effect, a captive audience.

#### Amplifying Devices

Amplification devices may not be used in areas where the use of such devices would interrupt and/or interfere with the normal operation of the university and its programs. The Russell Union Office must approve all times and areas in which such devices can be used.