

Campus Expression Policy

The University of Central Oklahoma is committed to fostering a learning environment where free inquiry and expression are encouraged. The University is a diverse community based on free exchange of ideas and devoted to the use of reason and thought in the resolution of differences. In exercising its responsibility to provide and maintain an atmosphere of free inquiry and expression, the University may establish reasonable time, place, and manner restrictions for the purpose of avoiding disruption to or substantial interference with its regular and essential operations and activities. The University will not base decisions regarding time, place, and manner upon the content of the message, except as permitted by law.

Lawful and peaceful demonstration as an expression is permitted and protected. On the other hand, the University will not tolerate substantial disruption to its educational mission. Substantial disruption is defined to include any activity which, contrary to law:

- Denies the rights of other students, the faculty, or the staff of the University.
- Substantially disrupts or obstructs educational and other essential activities and operations of the University.
- Substantially interferes with the right of peaceful dissent of others.
- Obstructs or restricts free movement of persons on any part of the University campus, including the free entry or exit from University facilities.
- Denies or interferes with the use of offices or other facilities to the students, faculty, officers, staff or guests of the University.
- Threatens or endangers the safety of any person on the University campus.
- Results in damage to or destruction of property.
- Constitutes “hate violence, “meaning any act of physical intimidation or physical harassment, physical force or physical violence, or the threat of physical force or physical violence, that is directed against any person or group, or the property of any person or group because of the ethnicity, race, national origin, religion, sex, sexual orientation,

disability, or political or religious beliefs of that person or group. (Acts shall not be considered “hate violence” based on speech alone, except upon showing that the speech itself threatens violence against a specific person or group, that the speech is likely to provoke violence in response, that the person or group against whom the threat is directed reasonably fears that the violence will be committed because of the speech, and that the person threatening violence had the apparent ability to carry out the threat.)

- Makes sustained or repeated noise in a manner which substantially interferes with a speaker’s ability to communicate his/her message or the rights of others to listen.

The following are currently recognized by the United States Supreme Court as categories of speech or expression which are unprotected and can be barred or limited:

- a. Clear and Present Danger – Preparing a group for imminent lawless action, and steering it to such action, as opposed to the abstract teaching of the moral propriety or even moral necessity for a resort to force and violence; AND there must not only be advocacy to action but also reasonable apprehension of imminent danger to the essential functions and purposes of the University. Such imminent lawless action shall include the following:
 - i. The violent overthrow of the government of the United States, the State of Oklahoma, or any political subdivision thereof;
 - ii. The willful damage or destruction, or seizure and subversion, of the institution’s buildings or other property;
 - iii. The forceful disruption of, or interference with, the institution’s regularly scheduled classes or other educational functions;
 - iv. The physical harm, coercion, intimidation, or other invasion of lawful rights of the Board of Regents, institutional officials, faculty members, staff members, or students, or
 - v. Other campus disorder of violent nature.
- b. “Fighting Words” – Words which by their very utterance inflict injury or are likely to incite an immediate breach of the peace. Personally abusive words that, when spoken to ordinary persons, are inherently likely to incite immediate physical retaliation.

- c. Obscenity – Obscene content may include, but not be limited to, a description or depiction of sexual conduct that, taken as a whole, by the average person, is inconsistent with community standards. At UCO, the “community” shall be comprised of the faculty, staff, and students and community standards do not allow :
- i. Appeals to the prurient interest;
 - ii. Portrayal of sex in a clearly offensive way;
 - iii. Using a reasonable person standard rather than the contemporary community standard, does not have serious literary, artistic, political, or scientific value.

It should be understood that the application of this policy also takes situational factors and context into consideration. For example, conduct appropriate at a political rally might constitute a violation of this policy if it occurred within a classroom.

Any substantial disruption initiated by a visitor or member of the University community or occurring during any University-sanctioned activity or function may be met by the action of the University that is necessary to restore the order and communication required for the rational solution of problems and free debate. In addition, any substantial disruption by a visitor or a member of the University community may be subject to disciplinary action and/or legal action through local, state, or federal courts. Individuals who damage or destroy University property, including but not limited to campus lawns, shrubs, and trees, shall be held responsible for such damage or destruction.

Given the wide diversity of expression that occurs at higher education institutions, the use of any University controlled facility, area or medium for any expression shall not constitute or suggest endorsement of the content of that expression, or any proponent thereof, by the Regional University System of Oklahoma, the University, its administration, staff, faculty, student body, or an individual member of these constituencies. Enforcement and interpretation of the policy shall be the responsibility of the Vice President for Student Affairs, or designee, the Office of Legal Counsel, and the Campus Police. Requests for the use of University space for the purpose of free

inquiry and expression should be directed to the Vice President for Student Affairs, or designee, at 405-974-5370.