

USE OF UNIVERSITY FACILITIES**I. Statement of Principles**

The University of Arkansas has an obligation to its students and to the larger society of which it is a part to provide the fullest opportunity for a free exchange and critical evaluation of diverse viewpoints. This means freedom to teach, freedom to learn, freedom to discuss, and freedom to expose ideas to the critical analysis appropriate to the University setting. In order to accomplish this mission, the administration, faculty, and students have a continuing responsibility for preserving the properly directed use of the institution's freedom to teach, to discuss, and to explore.

The University's dedication to the spirit of free inquiry requires the examination and evaluation of controversial viewpoints, but obviously does not require the endorsement of such viewpoints. Divergent points of view must be recognized, but at the same time kept within a framework of orderly conduct in accordance with human dignity, respect for the individual, and the responsibilities of the University. The University is not available for exploitation, and special interests out of harmony with its educational objectives are not to be served.

Policy Statement of the Board of Trustees (aka Board Policy 705.1)

University facilities, grounds, and other resources (collectively "facilities") exist for the purpose of fulfilling the University's broad educational objectives, including its primary educational mission of teaching, research, and public service; promoting a robust exchange and critical evaluation of diverse viewpoints; and fostering economic development and community involvement. When not required for its organized educational programming or official functions, University facilities may be made available for extracurricular use to colleges, departments, and other organizational units of the University; to organizations composed exclusively of faculty and staff; to organizations that exist solely for the benefit of the University; and to recognized student organizations with the approval of the faculty advisor.

When a facility is not in use for a regularly scheduled educational activity or for an extracurricular activity by one of the University organizations listed above, pursuant to policies or procedures tailored to the educational objectives of the University adopted by each campus or unit, such facilities may be made available for use by individual or informal groups of students as part of their overall educational experience, or by other persons or entities if such use serves institutional objectives. For example, it is an objective of the University to provide opportunities for University and broader communities to see and hear leaders from throughout the state, nation, and world. Speeches and debates by or on behalf of candidates for office may be scheduled in University facilities

under arrangements that allow reasonable opportunities for opposing candidates or points of view, although campaign fundraising is not permitted and University imagery shall not be used for campaign advertising. It must be made clear that the University does not support or oppose the views or candidacies of such individuals. Any such use is secondary to and shall not interfere with the primary purposes and functions to which University facilities are dedicated.

II. Procedures

A. Faculty and Staff; Affiliated Organizations

A member of the faculty may invite outside speakers to participate in a class, conference, or institute that is a part of the University educational program, subject to any campus policies governing such activities.

Any college, department or other organization of the faculty or administration, any organization composed exclusively of University faculty and staff members, any scholarly organization whose membership includes University faculty, and any affiliated organization that exists solely for the benefit of the University may use University facilities to hold meetings, subject to applicable campus policies.

Any use of University facilities for fundraising involving faculty or staff must benefit the University and is restricted to official University units and recognized supporting organizations.

B. Student Organizations; Informal Student Use

Any recognized student organization may use University facilities for meetings, performances, and other organized activities subject to campus policies governing such activities. A recognized student organization (“RSO”) may not be denied use of a University facility for meeting or speaking purposes based solely upon the organization’s expression. In addition, RSO use of a facility for meeting or speaking purposes may not be denied based solely on an RSO’s requirements that members affirm and adhere to particular sincerely held beliefs or principles, that members comply with the RSO’s standards of conduct, or that members further the organization’s defined mission or purpose. Any restrictions must be reasonable time, place and manner restrictions and must otherwise comply with Arkansas Code section 6-60-1005. Restrictions must advance a significant interest of the institution and must not restrict expressive activity more than is reasonably required to meet the institution’s interest.

If an off-campus speaker or performer is to be invited to campus by a recognized student organization, the faculty advisor must give his or her approval prior to the time an invitation is extended and publicity is released. Approval or disapproval will not be based solely upon the content of the speaker or performer’s protected speech. In the event the group does not currently have an official advisor, the approval of a faculty member or administrator is required. Whether to invite a particular speaker or performer is generally up to the student organization, but event details such as date, time, location, and security arrangements are subject to review and approval by campus officials.

Publicity and communications concerning any meetings shall clearly identify the sponsoring organization and shall carefully avoid any stated or implied University sponsorship. In all open meetings at which an off-campus speaker will speak, a faculty member or administrator shall be present, and there will be an opportunity for questions.

An invitation to a speaker does not necessarily imply approval or disapproval of the speaker or his or her views by either the University or the student organization.

In case a request for the use of a University facility by a recognized student organization cannot be granted, it is the responsibility of the University officer to whom the request was made to notify promptly in writing the organization making the request and state the reasons for the denial.

Speakers may be invited to the campus to discuss political issues, but they may not engage in political fundraising.

Recognized student organizations may solicit membership and dues at meetings, and philanthropic events may be conducted by registered student organizations on their own behalf in compliance with campus policies. This policy shall be interpreted consistent with the University's educational mission of encouraging students to engage in expressive activity as part of their preparation for lifelong responsible citizenship.

C. Non-University Entities

The facilities of the University exist for the primary purpose of supporting and furthering a program of higher learning. The use of facilities of the University should be extended to non-University entities only when that use will serve an educational objective of the University and mission of the campus, division or unit, and such use will not interfere with the educational activities of the University.

A request for the use of University facilities by a non-University entity should be directed to an individual designated by the Chancellor or chief executive officer, unless otherwise provided for by the campus, division or unit under its policies. The evaluation of the appropriateness of a particular use of facilities by a non-University group or organization may include the following criteria:

- (1) Relevance and contribution to the needs of the educational program of the University and mission of the campus, division or unit, distinct from the entity's viewpoint.
- (2) Availability of suitable space not needed for the educational activities of the University.
- (3) Potential for disruption to the University's educational program, considering the proposed time, location and attendance at the event.
- (4) Security considerations and responsibility for any costs or damage associated with the proposed use.
- (5) Wear and tear, cleaning costs, and similar facilities maintenance considerations.

- (6) Compliance with campus, division or unit procedures for requesting access to facilities and other applicable campus policies and governing law.

University facilities shall not be used by non-University groups or organizations to raise money for campaigns or for projects that do not further the University's educational objectives or the mission of the campus, division or unit, as determined by the institution.

III. Outdoor Campus Areas

Outdoor campus areas are generally open for use by students, administrators, faculty, staff and their invited guests for the purpose of engaging in protected expressive activities. Campuses may impose reasonable restrictions on the time, place and manner of outdoor expressive activity. Any such restrictions must be reasonable time, place and manner restrictions and must otherwise comply with Arkansas Code section 6-60-1005. Restrictions must advance a significant interest of the institution and must not restrict expressive activity more than is reasonably required to meet the institution's interest. Any such restrictions must be reflected in a campus, unit or division policy that is publicized through student handbooks, websites, student orientation and other forms of media deemed appropriate by the campus, unit or division.

IV. Business Activities and Solicitation

University facilities exist to carry out the University's educational objectives. Subject to official economic development initiatives of the University and services officially authorized by the University to enhance the educational setting for students, faculty and staff, University facilities may not be used for the conduct of private business activity.

Any uninvited private business solicitation, including any private fundraising activity, in University facilities or on University grounds is prohibited. To the extent that a campus, division or unit allows any business solicitation, that campus, division or unit shall establish appropriate policies or procedures, which shall include the designation of the campus official authorized to handle any requests. Further, such policies or procedures must first be reviewed by the Office of General Counsel.

Campuses are authorized to establish policies governing student entrepreneurial activity connected to the University's educational program.

V. Campus Policies and Procedures

Each campus may establish more specific policies and procedures for use of its facilities. Such policies and procedures must be consistent with Board Policies, applicable University of Arkansas Systemwide Policies and Procedures and applicable laws. Further, such campus policies and procedures must first be reviewed by the Office of General Counsel.

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