

**Austin Peay State
University**

**Access to and Use of Campus Property and Facilities by
Affiliated Individuals/Entities and Freedom of Expression**

POLICIES

Issued:

Responsible Official: Vice President for Student Affairs

Responsible Office: University Events & ID Services

Policy Statement

It is the policy of Austin Peay State University (Austin Peay or University) to regulate the use of its campus property and facilities in a content and viewpoint neutral manner, consistent with the University's mission and educational purpose.

Purpose

This policy shall be implemented and construed to ensure that there is no undue disruption of Austin Peay's mission; to promote an educational atmosphere on campus; to prevent commercial exploitation of students; to preserve residential tranquility; and to ensure that use of campus property and facilities complies with federal, state (including but not limited to T.C.A. §8-50-1001) and local law and, regulations.

Austin Peay recognizes that it is important to the educational process and environment that persons affiliated with the University, including officially recognized student organizations and other groups, have reasonable access to and use of the educational facilities on campus to hear various views. The University's campus, facilities, and buildings, however, are not open public forums. Rather, they are intended solely for use consistent with the advancement and orderly administration of its educational mission for the benefit of its students, staff, and affiliated entities/individuals. Austin Peay, therefore, does not ordinarily make its buildings or other facilities available to outside individuals or outside groups. Exceptions may be made only if the proposed use is consistent with institutional rules and policies and the University's mission.

The use of Austin Peay State University facilities by non-affiliated entities/individuals is permitted only as prescribed in APSU's Use of University Property Rule. This policy compliments the APSU Use of University Property Rule and

prescribes the permitted use of APSU facilities by affiliated individuals/entities.

Procedures

Use of Affiliated Individual/Entities

1. Faculty and/or affiliated individuals may invite uncompensated, unaffiliated guest speakers for regular class sessions and/or meetings without prior application or approval where attendance at the class session or meeting will be limited to members of the class or affiliated entity and where no fee or compensation from state funds will be paid to the speaker.
2. Access to or use of campus facilities or property by affiliated entities and affiliated individuals for an event other than a regular meeting of its membership that will include a compensated guest speaker and/or be open to persons outside group membership be made through the application process established in APSU's Use of Campus Rule and this policy. The sponsoring entity will be responsible for the conduct of both the speaker and non-affiliated guests at the event as well as for compliance with all laws, APSU rules or policies while present on campus or using campus facilities or property. An application for such access or use of campus facilities or property must clearly set forth the identities of both the affiliated individual/entity filing/sponsoring the application as well as the non-affiliated entity being sponsored.
3. Specialty spaces such as auditoriums and gym spaces may have additional requirements regarding their use. Applicants can check the <https://www.apsu.edu/university-facilities/policies-and-guidelines/> website for operating use manuals for various campus buildings.
4. The University will not charge students security fees based on the content of their speech, the content of the speech of guest speakers invited by students, or the anticipated reaction or opposition of listeners to speech.
5. The University must allow all students and all faculty to invite guest speakers to campus to engage in free speech regardless of the views of guest speakers.
6. The University or agent of the institution will not disinvite or prohibit inviting a speaker invited by a student, student organization, staff, or faculty member or require the same to disinvite a speaker in response to threatened protests or

opposition from students or faculty because the speaker's anticipated speech may be considered offensive, unwise, immoral, indecent, disagreeable, conservative, liberal, traditional, radical, or wrong-headed by students, faculty, administrators, government officials, or members of the public.

7. The University may cancel an event if there is a credible threat of violence.

Freedom of Expression Principles

The University adopts the Report of the Committee on Freedom of Expression issued by the Committee on Freedom of Expression at the University of Chicago in 2015, which states, in part:

The ideas of different members of the University community will often and quite naturally conflict. But it is not the proper role of the University to attempt to shield individuals from ideas and opinions they find unwelcome, disagreeable, or even deeply offensive. Although the University greatly values civility, and although all members of the University community share in the responsibility for maintaining a climate of mutual respect, concerns about civility and mutual respect can never be used as a justification for closing off discussion of ideas, however offensive or disagreeable those ideas may be to some members of our community.

The freedom to debate and discuss the merits of competing ideas does not, of course, mean that individuals may say whatever they wish, wherever they wish. The University may restrict expression that violates the law, that falsely defames a specific individual, that constitutes a genuine threat or harassment, that unjustifiably invades substantial privacy or confidentiality interests, or that is otherwise directly incompatible with the functioning of the University. In addition, the University may reasonably regulate the time, place, and manner of expression to ensure that it does not disrupt the ordinary activities of the University. But these are narrow exceptions to the general principle of freedom of expression, and it is vitally important that these exceptions never be used in a manner that is inconsistent with the University's commitment to a completely free and open discussion of ideas.

In a word, the University's fundamental commitment is to the principle that debate or deliberation may not be suppressed because the ideas put forth are thought by some or even by most members of the University community to be offensive, unwise, immoral, or wrong-headed. It is for the individual members of the University community, not for the University as an

institution, to make those judgments for themselves, and to act on those judgments not by seeking to suppress speech, but by openly and vigorously contesting the ideas that they oppose. Indeed, fostering the ability of members of the University community to engage in such debate and deliberation in an effective and responsible manner is an essential part of the University's educational mission.

As a corollary to the University's commitment to protect and promote free expression, members of the University community must also act in conformity with the principle of free expression. Although members of the University community are free to criticize and contest the views expressed on campus, and to criticize and contest speakers who are invited to express their views on campus, they may not obstruct or otherwise interfere with the freedom of others to express views they reject or even loathe. To this end, the University has a solemn responsibility not only to promote a lively and fearless freedom of debate and deliberation, but also to protect that freedom when others attempt to restrict it.

Institutional Neutrality

The University adopts the Report on the University's Role in Political and Social Action issued by the University of Chicago in 1967, which states, in part:

The instrument of dissent and criticism is the individual faculty member or the individual student. The university is the home and sponsor of critics; it is not itself the critic. It is, to go back once again to the classic phrase, a community of scholars. To perform its mission in the society, a university must sustain an extraordinary environment of freedom of inquiry and maintain an independence from political fashions, passions, and pressures. A university, if it is to be true to its faith in intellectual inquiry, must embrace, be hospitable to, and encourage the widest diversity of views within its own community. It is a community but only for the limited, albeit great, purposes of teaching and research. It is not a club, it is not a trade association, it is not a lobby.

Since the university is a community only for these limited and distinctive purposes, it is a community which cannot take collective action on the issues of the day without endangering the conditions for its existence and effectiveness. There is no mechanism by which it can reach a collective position without inhibiting that full freedom of dissent on which it thrives. It cannot insist that all of its members favor a given view of social policy; if it takes collective action, therefore, it does so at the price of censoring any minority who do not agree with the view

adopted. In brief, it is a community which cannot resort to majority vote to reach positions on public issues.

Publication of Free Speech Policy

The University shall make the policies related to the free speech act available to students and faculty annually through one or more of the following methods:

1. Published annually in APSU's student handbook and faculty handbook, whether paper or electronic;
2. Make the policy available to students and faculty by way of a prominent notice on APSU's website other than through the electronic publication of the policy in the student handbook and faculty handbook;
3. Send the policy annually to students and employees to their institutionally-provided email address; or
4. Address the policy in orientation programs for new students and new faculty.

Links

Summer Camps	http://www.apsu.edu/university-facilities/index.php
Police Staffing Matrix	https://www.apsu.edu/university-facilities/policies-and-guidelines/police-matrix.php
APSU Policy 3:001	https://apsu.navexone.com/content/dotNet/documents/?docid=367&public=true
APSU Policy 2:052	https://apsu.navexone.com/content/dotNet/documents/?docid=114&public=true
APSU Policy 6:001	https://apsu.navexone.com/content/dotNet/documents/?docid=291&app=pt&source=unspecified&public=true

Revision Dates

APSU Policy 4:003 – Rev.:
APSU Policy 4:003 – Rev.: December 3, 2021
APSU Policy 4:003 (previously 1:019) – Rev.:
APSU Policy 4:003 – Rev.: September 15, 2017
APSU Policy 4:003 (previously 3:001) – Rev.: March 30, 2017
APSU Policy 4:003 – Rev.: April 29, 2014
APSU Policy 4:003 – Issued: April 26, 2006

Subject Areas:

Academic	Finance	General	Human Resources	Information Technology	Student Affairs
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Approved

President: signature on file
