

	Campus Free Speech Policy	Responsible Administrative Unit: Vice President of Student Life
	Issued: September 15, 2017	Policy Contact: Associate Vice President of Student Life Email: rflintof@mines.edu

1.0 BACKGROUND AND PURPOSE

This policy is promulgated by the Board of Trustees of the Colorado School of Mines (“Mines”) pursuant to C.R.S. §23-41-104(1). This policy and any associated administrative procedures describe the process for Mines students, faculty, staff, and other members of the Mines community, and members of the public to access Mines property and facilities for Public Speech Activity, as defined below.

2.0 POLICY

Mines acknowledges and respects the rights of individuals to engage in freedom of expression, freedom of speech, and peaceful assembly. The primary use of Mines’ property and facilities is for activities that are directly related to Mines’ educational mission and purpose, including teaching, research, preparation of scholarly material, student activities, as well as campus support operations. For purposes of engaging in Public Speech Activity, Mines will provide its students, faculty, staff and other members of the Mines Community and the public access to all public, open, outdoor areas on Mines’ campus on a non-discriminatory basis, with the understanding that Public Speech Activity held or sponsored by Mines and its students, faculty and staff shall have priority over the Public Speech Activity of other users. In addition, Mines will provide its enrolled students access to non-academic and publicly accessible indoor spaces that have traditionally been made available to enrolled students for purposes of free expression, as set forth below.

Consistent with the Constitution and applicable law, Mines may impose reasonable and content-neutral time, place and manner restrictions on the use of its property and facilities, and restrict or limit use that disrupts or interferes with any educational activities or university business operations. Previously scheduled events will take priority over nonscheduled events.

2.1 Public Speech Activity Definition.

The term “Public Speech Activity” is defined as all non-commercial, verbal or written means by which individuals communicate or express ideas, including artistic performances, demonstrations, public displays, picketing, distribution of leaflets or other publications, sit-ins, marches, mass gatherings, gathering of petition signatures, voter registration activities, and all other similar activities that are not part of the teaching, research, or other official functions of Mines, or not otherwise sponsored by Mines or any of its academic or administrative departments, divisions or units. Public Speech Activity conducted by students or student organizations is governed by this policy.

2.2 **Indoor Spaces.**

Certain indoor spaces, including designated portions of the Ben H. Parker Student Center, will be made available to enrolled students for table reservation and static displays. Any other use of campus indoor spaces for Public Speech Activity will be governed by Mines' Facility Use Procedures.

2.3 **Registration and Coordination of Activity.**

For planning purposes, and to avoid scheduling conflicts, Public Speech Activity must be registered with the Associate Vice President of Student Life, or their designee, three (3) business days prior to the Public Speech Activity in the following circumstances:

- Any Public Speech Activity taking place on Kafadar Commons, Stratton Commons, or pedestrian plazas adjacent to the Ben H. Parker Student Center, Student Recreation Center, and Mines Market;
- Any Public Speech Activity taking place in any of the publicly accessible, non-academic indoor spaces described above;
- Any Public Speech Activity expected to attract a crowd of more than 50 people and/or who plan to use any amplification devices; and
- Any Public Speech Activity taking place on weekends or outside of normal business hours.

2.4 **Disruptive Activities Prohibited.**

Any Public Speech Activity on the Mines campus may not involve disruptive activities such as the following:

- Communicating in a manner that is defamatory, incites violence or unlawful action, or consists of fighting words or threats of physical harm;
- Impeding the flow of pedestrian or vehicular traffic on campus, or impeding access to any campus facility;
- Disrupting or interfering with educational functions, scheduled activities, or other campus support operations;
- Engaging in Public Speech Activity in areas immediately adjacent to campus residential areas, including Mines' residence halls, campus apartment complexes, Greek houses, and other student housing facilities;
- Creating health or safety hazards;
- Damaging any Mines property or facilities or property owned by a member of the Mines Community or a third party; or
- Violating federal or state law, local ordinances, or Mines policies or procedures.

2.5 **Other Policies.**

This Policy shall be read and applied in conjunction with all campus-wide policies and procedures addressing facilities use including alcohol, smoking, weapons and animal policies.

2.6 **Other Uses.**

All other uses of Mines property and facilities are governed by Mines' Facilities Use Procedures.

3.0 IMPLEMENTATION

The Board of Trustees of the Colorado School of Mines directs the President or the President's delegates to develop, administer, and maintain the appropriate administrative policies, procedures, and guidelines to implement this policy.

4.0 HISTORY AND REVIEW CYCLE

This policy and any associated procedures shall be reviewed as needed for compliance, or at least every two (2) years by the Legal Counsel, Executive Vice President of Administration and Operations and Vice President of Student Life or their delegates.

Promulgated as Facilities Use Policy by the Mines Board of Trustees on March 31, 2006.

Amended by the Mines Board of Trustees on April 28, 2006.

Removed from Faculty Handbook, Section 10.17 on March 29, 2012

Amended, updated, and divided in policy and procedures on September 15, 2017.

5.0 RESOURCES

Facilities Use Procedures

KEY WORDS

Expression, Speech, Free, Peaceful, Assembly, Facilities Use, Marches, Sit-Ins