

# Campus Expressive Activities

<p><b>Approved by:</b> Northeastern State University Executive Cabinet</p> <p><b>Responsible Official:</b> General Counsel</p> <p><b>History:</b> Revised – DECEMBER 6, 2011; JULY 30, 2019, AUGUST 20, 2024, JUNE 3, 2025</p>	<p><b>Additional References:</b></p> <p>TQ CITY ORDINANCE 11-103 PROHIBITS CAMPING TQ 10-302 TQ CITY ORDINANCE 10-414 PROHIBITS SLEEPING IN PUBLIC MUSK ORDINANCE 58-13 MUSK 54-217; 54-109 BA ORDINANCE 15C-11; 16-8, 16-9, 16-19 OK SENATE BILL 361 OSRHE Policy Provided Below</p> <p><b>Forms:</b></p> <p>Reporting Violations of this Policy</p> <ul style="list-style-type: none"><li>• <a href="#">NSU</a></li><li>• <a href="#">OSRHE</a></li></ul>
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## POLICY

### General Expressive Activity Information<sup>1</sup>

Northeastern State University (NSU) is committed to providing an educational and work environment that is conducive to the personal and professional development of each individual. NSU values civil discourse; the freedoms of expression, petition, and peaceful assembly; and the free exchange of ideas as set forth in the first amendment of the U.S. Constitution. At times individuals may deeply disagree or even find certain ideas offensive, but all members of the NSU community are expected to maintain a climate of mutual respect and civility. Those who choose to observe, listen, or otherwise participate in expressive activities, bear the responsibility of recognizing and honoring the rights of others.

Ideas or expressions put forth in expressive activities on campus may not necessarily reflect the views of Northeastern State University, its officers, administrators, or leaders, and NSU maintains its right to regulate reasonable time, place, and manner restrictions in regards to campus expressive activities.

NSU supports the freedom to debate and discuss competing ideas, however conduct that is illegal, materially and substantially disruptive to the normal operations of the university, or that deprive, or attempt to deprive, another

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<sup>1</sup> NSU Policies on Expressive Activities does not supersede or replace Faculty Handbook policies on Academic Freedom and freedom of expression in classrooms and other teaching venues.

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of their rights is not permitted. Individuals engaging in materially and substantially disruptive or illegal activity may be subject to disciplinary or legal action.

As a public institution of higher learning, Northeastern State University provides the following forums for the expression of ideas and opinions:

- A. Traditional public forums include the University's public streets, sidewalks, parks, and similar common areas. These areas are generally available for expressive activity, planned or spontaneous, for the individual or small groups (generally where a crowd of 25 or less will be present, and/or where an event is not promoted in advance, and/or when an event is not sponsored by a student organization) at any time without the need for reservation, or prior approval.
- B. Designated public forums include other parts of campus that may become temporarily available for expressive activity as designated by the university. These temporary locations, while in existence, will be treated similar to public streets, sidewalks, and parks in terms of access and availability for expressive activity.
- C. Limited public forums may also be made available, and NSU may adopt reasonable limitations regarding their use. NSU will not permit individuals to engage in conduct that intentionally, materially, and substantially, disrupts another person's expressive activity, if that activity is occurring in a limited public forum reserved for that activity.
- D. Non public forums are areas that are not traditional public forums, limited public forums, or designated public forums. These include areas that are not by tradition or designation forums for public communication. These forums will be restricted to use for their intended purpose and are not available for public expressive activity. Examples include, but are not limited to, classrooms, residence hall rooms, faculty and staff offices, academic buildings, administration buildings, medical treatment facilities, libraries, and research and computer laboratories.

Additionally, there are areas such as residences, utility buildings, research labs, etc. that have distance requirements, crowd placement restrictions, and security concerns that may vary depending on security needs, terror alerts, and other factors. These security needs, terror alerts, local and national events may affect the availability of spaces.

Overnight camping and/or sleeping in public spaces is generally prohibited by city ordinances and university policy.

## Reservable Areas

Reservable areas include, but are not limited to, the Gazebo, Second Century Square, Centennial Plaza, Beta Field, Broken Arrow Courtyard, Broken Arrow Entryway Fountain, Broken Arrow Gazebo, and the Muskogee Administration Building Front Lawn are reservable at the request of students and non-students for expressive activity. The act of confirming a reservation will ensure the availability of space, however, a reservation is not required. Each area available for reservation is described below.

*Gazebo* – space between Seminary Hall and the Library. No sound equipment is permitted in this area.

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*Second Century Square* – space between the University Center and Business & Technology Building. Sound equipment is allowed and is available for use in this area. The volume of any sound equipment must be kept at a level that would not interfere with any academic or other program taking place in nearby buildings.

*Centennial Plaza* – space south of Seminary Hall around Sequoyah statue. No sound equipment is permitted in this area.

*Beta Field* – space south west of Seminary Hall. Sound equipment is allowed and is available for use in this area. The volume of any sound equipment must be kept at a level that would not interfere with any academic or other program taking place in nearby buildings.

*Broken Arrow Courtyard* – space in the center of academic buildings, Library, and Administration building. No sound equipment is permitted in this area.

*Broken Arrow Entryway Fountain* – space between the entry circle drive and Administration building. Sound equipment is allowed and is available for use in this area. The volume of any sound equipment must be kept at a level that would not interfere with any academic or other program taking place in nearby buildings.

*Broken Arrow Gazebo* – space and structure northwest of the academic buildings. The volume of any sound equipment must be kept at a level that would not interfere with any academic or other program taking place in nearby buildings.

*Muskogee Administration Building Front Lawn* – open lawn space in front of the Muskogee Administration building. The volume of any sound equipment must be kept at a level that would not interfere with any academic or other program taking place in nearby buildings.

## Advance Reservations

Advance reservations are recommended for events or activities that are promoted in advance and/or expected to draw a crowd of more than 25 people. Student organizations should follow the event guidelines published in the student organization handbook.

## Reservation Procedures

To reserve space, please visit the NSU Homepage and click "[Book event](#)" (located on the footer at the bottom of the page).

Usually, use of the space will be assigned to the person or organization that requests the area first. The person or organization requesting space must be legally able to execute an agreement. University sponsored events have first priority on the use of campus facilities. University Police may determine the level of security needed to ensure the safety and well-being of participants. The university reserves the right to relocate any assembly so as to ensure that the activity does not interfere with the normal operation of the university or interfere with the rights of others. NSU may

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maintain and enforce reasonable time, place, and manner restrictions narrowly tailored in service of a significant institutional interest.

## Guidelines for Expression

- A. Scope of Authority – This policy applies to both physical and virtual spaces owned, controlled, or operated by Northeastern State University.
- B. Unprotected Speech – Speech that is not protected by the First Amendment includes: Fighting words, threats, incitement to lawless action/calls to violence.
- C. Disruptive Activity – Obstruction, material and substantial interference with classes, research, administrative functions or other university activities is not permitted. Likewise, infringement on the rights of others is prohibited. (RUSO Policy Manual 4.4. 3.f) Obstructing or impeding normal business and/or the flow of vehicular or pedestrian traffic is prohibited.
- D. Reasonable Access – It is important to provide reasonable access to, and exit from, any office, classroom, laboratory or building. Likewise, vehicular and pedestrian traffic should not be obstructed.
- E. Picketing – Picketing in an orderly manner outside of university buildings may be permitted. Such activities should not become materially and substantially disruptive nor should they impede access. Picketing is not permitted inside campus buildings.
- F. Literature – Flyers, brochures, and other printed literature may be distributed in traditional and designated public forums. (Distribution of commercial literature requires separate approval through Student Affairs.) Such activities should not become materially and substantially disruptive nor should these items impede access or normal business operations.
- G. Symbolic Protest – Displaying a sign, gesturing, wearing symbolic clothing or otherwise protesting silently is permissible unless it is a materially and substantially disruptive activity, prohibited by law, or impedes access/normal university business. In addition, such acts should not block the audience's view or prevent the audience from being able to participate.
- H. Noise – Making sustained or repeated noise in a manner that substantially interferes with a speaker's ability to communicate his/her message is not permitted. Noise levels should not interfere with classes, meetings or activities in progress or the privacy of residence hall students.
- I. Force or Violence – Any attempt to prevent a university activity or other lawful assembly by the threat or use of force or violence is not permissible.
- J. Identification – Students must present their student ID or valid government issued ID if requested by a university official or law enforcement officer.
- K. Damage to Property – Any damage to university or personal property in the course of, or as a result of, an expressive activity is prohibited. Care should be taken to ensure that university and personal property is not damaged or destroyed. This includes the campus lawns, shrubs and trees. (RUSO Policy Manual 4.3.3 f). Any damages found will be reported immediately to University Risk Management office or University Police Department. Costs arising from the repair of damages will be reported to the user and/or their insurance carrier for collection purposes.
- L. Other University Rules – All applicable University policies should be followed whenever engaging in activities on campus. Consult the University Student Conduct Code for further information.

All individuals participating in expressive activity are expected to comply with state and federal law, municipal ordinances, Northeastern State University student rules and the above guidelines. Failure

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to do so may result in immediate removal from the campus and any other appropriate action by university officials and/or University Police.

## Student Newspaper Policy

- A. The Northeastern is the university-sponsored student newspaper designated as a forum for student expression and should publish news of interest and importance to the Northeastern State University campus and community. (RUSO Policy Manual 4.2 a)
- B. Student writers should determine the content of The Northeastern. Therefore, editorial authority for the student newspapers and a process of review of challenges to editorial decisions shall be defined by the Manual of Policies and Procedures of The Northeastern. The Manual of Policies and Procedures of The Northeastern shall define the eligibility, methods of selection as well as dismissal, duties, responsibilities and authority of all persons who exercise editorial authority. The standards for advertising shall also be defined and in alignment with University Advertising Policy. (RUSO Policy Manual 4.2 b)
- C. The Northeastern newspaper shall not include any material that is legally libelous, obscene or that will cause a material and substantial disruption of university activities. (RUSO Policy Manual 4.2 c)
- D. The Northeastern newspaper shall display in a prominent position on its editorial page a disclaimer statement that the opinions and comments therein do not necessarily reflect the policies, views or beliefs of Northeastern State University, its officers, administrators, leaders, the Regional University System of Oklahoma, unless otherwise noted. (RUSO Policy Manual 4.2 d)
- E. The Northeastern newspaper is not an official medium or expression of the State of Oklahoma, RUSO Board or Northeastern State University. (RUSO Policy Manual 4.2 d)
- F. This policy does not apply to official RUSO Board or university publications or other mediums of expression. (RUSO Policy Manual 4.2 e)

## Political Campaigning

Political campaigning for local, state, and federal government should follow all previous sections of the NSU Expressive Activities policy.

Display of political campaign signs and posters on campus will be limited to the University Center (Tahlequah), Administration Buildings (Broken Arrow and Muskogee), and residence halls.

- a. Display of political campaign signs must follow University Posting Policy procedures overseen by Student Affairs.
- b. Display of student body election campaign signs and posters on campus are defined by Northeastern Student Government Association Election Guidelines and University Posting Policy.

An employee of Northeastern State University who participates in political activities must do so in a manner that adheres to NSU, RUSO, and OSRHE policies.

- 1. does not imply, directly or indirectly, that this Board or any of its universities endorse such activities;
- 2. in no way interferes with the rights and privileges of other employees of this Board or university;

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3. in no way interferes with the rights and privileges of students attending the university;
4. in no way interrupts the normal routine operation of the university;
5. in no way interferes with the assigned duties of the employee.
6. does not utilize university equipment, supplies, paid staff time, or their university resources to influence elections. (See Ethics Rule 257:10-1-3)

## Reporting Concerns or Violations

The links below have been provided to allow individuals to report concerns or violations of this policy or Oklahoma State Law to NSU and/or to the Oklahoma Free Speech Committee of the State Regents.

NSU: [Report a Concern](#)

Oklahoma Free Speech Committee: [Free Speech Violation Complaint Form](#)

## Additional Information from the Oklahoma State Regents

### THE OKLAHOMA FREE SPEECH COMMITTEE TO THE OKLAHOMA STATE REGENTS FOR HIGHER EDUCATION

#### A. Statutory Authority of Committee

There is hereby created the Oklahoma Free Speech Committee to the Oklahoma State Regents for Higher Education (the "Committee"). 70 O.S. § 3205.11. The Committee shall be advisory in nature and shall, among other duties and responsibilities, provide recommendations regarding free speech policies, training, and complaints. 70 O.S. § 3205.12.

#### B. Committee Preamble

The Oklahoma State System of Higher Education is committed to free and open inquiry in all matters. Oklahoma's public colleges and universities support the right of members of an institution's community to have the broadest possible latitude to speak, to write, to listen, to challenge, and to learn. Except insofar as limitations on that freedom are necessary to the functioning of an institution of higher education, the Oklahoma State System of Higher Education fully respects and supports the freedom of all members of a college or university community to discuss any topic that presents itself. Without a vibrant commitment to free and open inquiry, an institution of higher education ceases to fulfil its mission. This is especially true of a public institution of higher education. For over 200 years, the First Amendment to the Constitution of the United States has protected against abridgements of the right of freedom of speech. Moreover, since statehood, Article 2, Section 22, of the Oklahoma Constitution has provided that: "Every person may freely speak, write, or publish his sentiments on all subjects, being responsible for the abuse of that right; and no law shall be passed to restrain or abridge the liberty of speech or of the press." Commitment to the principle of freedom of expression lies at the very core of the Oklahoma State System of Higher Education. Of course, the ideas of different members of a college or university community will often and quite naturally conflict. But it is not the proper role of a college or university to attempt to shield individuals from ideas and opinions they find unwelcome, disagreeable, or even deeply offensive. Oklahoma's colleges and universities greatly value civility. All members of a college or university community share in the responsibility to maintain a climate of mutual respect. Concerns about civility and mutual respect, however, can never be used as a justification for closing off discussion of ideas, however offensive or disagreeable those ideas

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may be to some members of a college or university community. The freedom to debate and to discuss the merits of competing ideas does not mean that individuals may say whatever they wish, wherever or whenever they wish. A college or university may restrict expression that violates the law, that falsely defames an individual, that constitutes a genuine threat or harassment, that unjustifiably invades substantial privacy or confidentiality interests, or that is otherwise incompatible with the functioning of the institution. In addition, a college or university may reasonably regulate the time, place, and manner of expression, to ensure that it does not disrupt the ordinary activities of the institution. 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 commitment of the Oklahoma State System of Higher Education to a completely free and open discussion of ideas. A fundamental commitment of the Oklahoma State System of Higher Education is to the principle that debate or deliberation may not be suppressed because the ideas put forth are thought by some or even most members of a college or university community to be offensive, unwise, immoral, or wrong-headed. It is for the individual members of a college or university community, not for the 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 ideas they oppose. Indeed, fostering the ability of members of a college or university community to engage in debate and deliberation in an effective and responsible manner is an essential part of an institution's educational mission. As a corollary to the commitment to protect and to promote free expression, members of a college or university community must also act in conformity with the principle of free expression. Although members of the community are free to criticize and to contest the views expressed on campus, and to criticize and to 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, each college or 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. The colleges and universities of the Oklahoma State System of Higher Education shall adopt such policies and procedures as they deem necessary and appropriate to implement this standard. C. D.

- C. Committee Membership 1. Nominations may be solicited by or submitted to the Chair of the Oklahoma State Regents for Higher Education (OSRHE), who initially selects eight public members for 3-year terms, and thereafter fills any positions that become vacant in order to cover the remainder of any incomplete term or to begin a new 3-year term. 2. 3. 4. In addition to the eight public members, there shall be one standing Regent appointed by the Chair of the OSRHE on an annual basis. The Chair of the OSRHE will also annually appoint a Chair of the Committee. The Chair of the Committee, as well as its members, all serve at the pleasure of the Chair of the OSRHE.
- D. Duties and Responsibilities of the Committee 1. To "[r]eview the free speech policies of Oklahoma public universities." 70 O.S. § 3205.12(1). The Committee will review the free speech policies of the institutions comprising the Oklahoma State System of Higher Education and make any recommendations directly to the institutions for improvements. 70 O.S. § 3205.12(4). 2. To "develop a process of collecting complaints of free speech violations on public university campuses and advise complainants of their rights. Universities shall publish contact information on how to report free speech concerns to the Oklahoma Free Speech Committee on its website." 70 O.S. § 3205.13. 3. 4. To "[r]eview any free speech complaints filed with the Committee." 70 O.S. § 3205.12(2). The Committee will review complaints filed

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with the Committee and make any recommendations directly to the institution. While not required, potential complainants are encouraged to first take advantage of the internal grievance process of their respective institution before filing any complaint with the Committee. To “[r]eview university training on free speech for improvements.” 70 O.S. § 3205.12(3). The Committee will review the free speech training provided by the institutions comprising the Oklahoma State System of Higher Education and make any recommendations directly to the institutions for improvements. 70 O.S. § 3205.12(4). 5. E. To “develop a First Amendment training or approve of an outside First Amendment training that shall be required for all college deans, heads of departments, and individuals responsible for establishing university free speech policies or handling free speech complaints. The Committee shall either revise or reapprove the training every two (2) years. The training will be required every two (2) years, or upon hire or promotion to one of the positions described by this section.” 70 O.S. § 3205.14.

### E. Meetings of the Committee

1. The presence of five (5) members of the Committee shall constitute a quorum.
2. Though not required, given the public nature of its business the Committee should adhere to the Open Meetings Act (25 O.S. § 301 et seq.) to the extent practical.

### F. Travel Reimbursement of Committee Members

Members of the Committee shall not receive compensation for serving on the Committee, but may receive travel reimbursement as follows: 1. Legislative members for the Committee may be reimbursed for their necessary travel expenses incurred in the performance of their duties in accordance with 74 O.S. § 456 from the legislative body in which they serve; 2. State agency employees who are members of the Committee shall be reimbursed for travel expenses incurred in the performance of their duties by their respective agencies in accordance with the State Travel Reimbursement Act (74 O.S. § 500.1 et seq.); and 3. G. All other Committee members may be reimbursed for travel expenses incurred in the performance of their duties by the OSRHE in accordance with the State Travel Reimbursement Act.

### G. Administrative Support OSRHE staff will provide administrative support to the Committee as needed and as available.