



Policy Title	Freedom of Expression Policy
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Last Reviewed Updated	August 15, 2024
Responsible Office	Division of Student Affairs
Contact Information	Division of Student Affairs Phone: 470-578-6367 Email: publicforum@kennesaw.edu

**1. Purpose and Overview of Policy**

Kennesaw State University (“KSU”) recognizes and is committed to upholding the First Amendment rights of all individuals, including the guarantees of freedom of speech and expression, and the right to assemble peaceably. KSU also recognizes its responsibility to provide a secure learning and campus environment, protect and preserve University property, and to safeguard the legal rights of the KSU campus community. To achieve these objectives, the University may regulate the time, place, and manner of expression as outlined in this policy. By placing reasonable limitations on time, place, and manner of speech, KSU does not take into consideration or take a position on the content or viewpoint of the expression, but allows for a diversity of viewpoints to be expressed. It is also imperative that those engaged in expressive activities do so in ways that do not disrupt the operation or activities of the University. For more information about KSU's Freedom of Expression Policy, and additional resources, including a Public Forum Reservation Request form, please visit [kennesaw.edu/student-affairs/public-forum.php](http://kennesaw.edu/student-affairs/public-forum.php).

**2. Scope (Who is Affected)**

Members of the public and the KSU campus community.

**3. Exclusions or Exceptions**

The policy does not apply to University-sponsored activities or indoor areas. Rather, the policy only sets forth reasonable time, place, and manner restrictions on campus expression; and it establishes, as designated public forums, certain outdoor areas of KSU’s campus and sets forth requirements for forum reservations in the following limited circumstances: (1) KSU students, faculty or staff who plan an event with 30 or more persons and (2) individuals or groups who are not members of the KSU community who wish to speak on KSU’s campus.

**4. Definitions**

When used throughout this policy, “**expressive activity**” and “**expression**” means non-commercial communicative conduct or activity protected by the First Amendment,

including speeches, performances, demonstrations, marches, protests, picketing, and the distribution of non-commercial literature. “Expressive activity” or “expression” is not intended to mean ordinary, day-to-day conversations among members of the KSU community. Commercial speech is regulated by KSU solicitation policies (e.g., Advertising Policy, Student Code of Conduct, and Posting and Advertising Policies for KSU Registered Student Organizations). Demonstrations and assembly can be valid expression for all opinions, including dissenting opinions, provided that the demonstration or assembly does not disrupt the academic or administrative functions of the University. KSU affirms its commitment to the First Amendment rights of those on its campuses even though the language or ideals of those seeking a venue for free expression may contradict University ideals or the personal views of KSU students and employees.

Individuals or groups of people who are not members of the campus community may only engage in expressive activity on KSU’s campus in accordance with Sections 7-9 of this policy.

The **KSU campus community** means students, faculty, staff, and their invited guests, provided such guests are in the company of the inviting party.

**Spontaneous expression** is defined as expressive activity that is not planned more than twenty-four (24) hours prior to such activity.

For members of the KSU campus community, the **unrestricted outdoor areas** of campus are deemed public forums and venues for expression. **Restricted outdoor areas** of campus include, but are not limited to: the KSU Sports and Recreation Park, Fifth Third Bank Stadium, Bailey Athletic Complex, Campus Entry Lawn, S. Walter Kelly Sr. Memorial Field, athletic fields, parking lots and decks, and active campus construction areas. The designation of public forum areas herein may not be used to prohibit the KSU campus community from engaging in expressive activities consistent with this policy elsewhere on campus.

## 5. Designation of Forums on KSU’s Campus

While all the unrestricted outdoor areas of campus are deemed public forums and venues for expression for members of the KSU campus community, KSU has also designated the following highly visible locations as public forums on KSU’s campus (“Designated Campus Areas”):

- Kennesaw Campus: Campus Green Zones 1 through 7, as depicted and described on the attached “Campus Green Map.”
- Marietta Campus: By the Globe between the Administration Building and the Joe Mack Wilson Student Center.

These Designated Campus Areas are generally available to the KSU campus

community from 9:00 a.m. to 7:00 p.m., provided that they have not previously been reserved. They are available to individuals or groups not enrolled at or employed by KSU from 9:00 a.m. to 5:00 p.m., Monday through Friday, provided that they have not previously been reserved. The Designated Campus Areas are closed for the first full week of classes and final exam weeks of each semester. This policy does not apply to the reservation of indoor facilities, which is governed by procedures set forth at <https://events.kennesaw.edu>.

Reservations will only be processed on days that KSU's Administrative Offices are open for business ("university business days"). Though reservations to use the Designated Campus Areas are only required as described in Sections 6-9 of this Policy, KSU recommends that all parties interested in utilizing the Designated Campus Areas submit a completed Reservation Request Form to KSU's Office of the Dean of Students prior to use so that KSU may minimize scheduling conflicts, accommodate all interested users, and provide adequate security for the speaker and the audience.

## **6. Provisions for Members of the KSU Community**

### **I. Planned Large Group Expression**

KSU students, faculty or staff who plan to engage in expressive activity on campus in a group that is expected to consist of 30 or more persons, not including those who may gather to protest the expressive activity, must submit a completed Reservation Request Form to KSU's Office of the Dean of Students four university business days prior to the scheduled activity pursuant to the procedures set forth in Section 8 below and must receive approval in writing from a Student Affairs official prior to engaging in such activity. Prior notice is required to ensure that there is sufficient space for the large group event, that necessary University resources are available for crowd control and security, and that the academic and other operations of the University are not disrupted. To ensure the safety and security of campus, planned large group expression activities are limited to Designated Campus Areas.

The Student Affairs official may only deny a reservation for the limited reasons set forth in Section 8 below.

### **II. Spontaneous Large Group Expression**

If an individual or small group of individuals within the KSU community, while engaging in spontaneous expression, attracts a group of 30 or more persons (not including those who may gather to protest the expression), then a representative from the group should provide the University with as much notice as circumstances reasonably permit. KSU reserves the right to direct a group of 30 or more persons to one of the Designated Campus Areas or another available area of campus in order to ensure the safety of campus members, to provide for proper crowd control, and to limit disruption of the academic and other operations of the University. The KSU official must not consider or impose restrictions based on the content or viewpoint of the expression when relocating any groups engaged in expressive activity.

## 7. Provisions for Non-Campus Members

Individuals or groups of people who are not enrolled at or employed by KSU may only engage in expressive activity on KSU's campus in the Designated Campus Areas and only after submitting a completed Reservation Request Form to KSU's Office of the Dean of Students at least four (4) university business days prior to the scheduled speech and obtaining approval for such use in writing from a Student Affairs official pursuant to the procedures set forth in Section 8 below. Organizers are encouraged to submit their requests as early in the planning stages of the event as possible. This provision does not apply to KSU invited classroom visitors or to any University-sponsored events.

## 8. Procedures for Reservation Requests

Completed Reservation Request Forms (available at <https://publicforum.kennesaw.edu/>) should be submitted to KSU's Office of the Dean of Students in person or by email to [publicforum@kennesaw.edu](mailto:publicforum@kennesaw.edu) at least four university business days prior to the scheduled event. Reservation scheduling will be coordinated by a Student Affairs official, who will schedule forums for expression on a first-come, first-served basis. The Student Affairs official must respond to all requests in writing as soon as practicable, but in no event more than two university business days following receipt of the request, either authorizing the reservation and noting any special instructions, if applicable, or setting forth the reason for denial of the reservation. The Student Affairs official may only deny a reservation request for one of the following reasons:

- (1) The Reservation Request Form is not fully completed;
- (2) The Reservation Request Form contains a material falsehood or misrepresentation;
- (3) The Student Affairs official determines that the individual or organization making the request is doing so on behalf of an individual or third party otherwise not permitted to make such reservation request themselves (known as "fronting");
- (4) The Designated Campus Area(s) requested has/have been reserved by persons who previously submitted a completed Reservation Request Form, in which case the University must provide a reservation for the applicant at an alternate location, alternate date, or alternate time;
- (5) The use or activity intended by the applicant would conflict with or disturb previously planned programs organized and conducted by the University;
- (6) The Designated Campus Area(s) requested is/are not large enough to accommodate the expected or actual number of persons engaging in large group expression, in which case the University must provide a reservation for the applicant at an alternate location that can safely accommodate the applicant provided that the applicant is a member of the KSU community and

that such a location exists on KSU's campuses;

- (7) The use or activity intended by the applicant would present a danger to the health or safety of the applicant, other members of the KSU community, or the public;
- (8) The use or activity intended by the applicant is prohibited by law, Board of Regents' Policy, or KSU Policy;
- (9) The request seeks to reserve the Designated Campus Areas during the first full week of classes and final exam weeks of each semester;
- (10) The applicant seeks to reserve a location on campus other than the Designated Campus Areas; or
- (11) The use or activity intended by the applicant would violate the General Provisions in Section 9 below.

To allow for a diversity of viewpoints to be expressed, if an individual or group has three (3) or more reservations confirmed within a calendar month, the individual or group may not submit an additional reservation request for that calendar month until four (4) University business days prior to the requested reservation date. If, at that time, the additional reservation request conflicts with that of another individual or group (i.e., seeks to reserve the same location at the same time) that does not already have three (3) or more reservations confirmed within that calendar month, the reservation request of the other individual or group shall have priority.

When assessing a reservation request, the Student Affairs official must not consider or impose restrictions based on the content or viewpoint of the expression, including the possible reaction to the content or viewpoints anticipated to be expressed during the event. The Designated Campus Area(s) is not reserved until the requestor receives an email confirmation from the Student Affairs official, which shall contain the name of the event; the date, time, and location of the event; and the name of the individual making the reservation request.

Any denial of a reservation request in whole or in part may be appealed to KSU's Vice President for Student Affairs in writing setting forth the reasons why the appeal should be granted. KSU's Vice President for Student Affairs or designee must respond to the appeal in writing within two university business days. The decision of KSU's Vice President of Student Affairs or designee is final.

## **9. General Provisions**

In addition to the requirements set forth above, all individuals expressing themselves on KSU's campus must comply with the below provisions. KSU may exclude from its property and facilities any individual who fails to comply with these provisions, and members of the KSU community who fail to comply with these provisions may be subject to disciplinary action:

- No interference with the free flow of vehicular, bicycle, or pedestrian traffic within or under the control of the KSU campus or the ingress and egress to buildings on campus is permitted.
- Amplified sound, including the use of microphones or bullhorns, is governed by KSU's Outdoor Amplified Sound Policy.
- Expressive activities may not interrupt normal educational functions or other University activities, including University ceremonies and events.
- Motor vehicles may not be used indoors or in any outdoor area of campus except roads and parking lots.
- The representative who makes the reservation shall be responsible for seeing that the area is left clean and in good repair. If not accomplished, persons or organizations responsible for the event may be held financially responsible for cleanup costs for removal of signs, placards, litter, and other materials left by the representative's speaker or group.
- Expressive activities may not take place in a location that has already been reserved for another event.
- Non-commercial pamphlets, handbills, circulars, newspapers, magazines, and other written materials may only be distributed on a person-to-person basis in outdoor, publicly accessible areas of campus. Distributors of materials such as brochures and leaflets must allow people to decline to receive the materials and may not prevent people from receiving other material or engaging with another person, and are responsible for recycling or otherwise removing from University property any discarded or undistributed materials.
- Expressive activities must not create a clear threat to public health or safety. Physical violence, threats of physical violence, and destruction of property, are strictly prohibited, and the University may exclude from its property and facilities any individual who violates this prohibition.
- Temporary or permanent damage, defacement, alteration, or destruction of property owned or operated by the University or property belonging to students, faculty, staff, or guests of the University is prohibited. Persons or organizations causing such damage may be held financially and/or criminally responsible.
- Expressive activities may not include the temporary or permanent installation of structures (including, but not limited to, signage, tents, walls, barriers, sculptures, artwork, etc.) unless such installation has been approved in advance by KSU's Event and Venue Management Department, and/or the Department of Student Activities, or, as necessary, the Environmental Health and Safety Department, or designee. Any installation or activity in violation of this policy is subject to immediate removal.
- The overnight use of University property for expressive activity is prohibited.
- Expressive activities may not involve the use of open flame devices, bonfires, or the

lighting of any material on fire; provided, however, that small handheld candles may be permitted if in compliance with KSU Fire and Life Safety policies and procedures, and with special permission from the Office of the Dean of Students, or its designee.

- Except as allowed under the KSU Posting and Chalking Policy, affixing items to any permanent structure (e.g., buildings, fences, trees, etc.), including through projection, is prohibited
- Expressive activities may not disrupt or preclude a scheduled speaker from being heard.
- Individuals and groups of individuals expressing themselves on KSU's campus must comply with all applicable federal, state, and local laws; Board of Regents' policies; and KSU policies, rules, and regulations.
- Security fees may be assessed consistent with KSU's Security Policy. See [https://police.kennesaw.edu/special\\_events.php](https://police.kennesaw.edu/special_events.php).

Authorization of a speech, event, or demonstration is contingent upon compliance with the criteria listed above. The authorized representative of the speaker or group is required to sign a form acknowledging compliance with these administrative procedures and guidelines and acknowledging that the University will not be held responsible for the actions of participants in the expression. Additionally, the authorized representative must sign a form acknowledging agreement to make restitution for any litter or property damage that is caused by the representative's speaker or group. Non-compliance with this Policy, other University policies, and/or applicable law could result in sanctioning through the Student Conduct and Academic Integrity process (for students) or employee disciplinary action, both of which could result in consequences, including, but not limited to, the revocation of privileges under this Policy, including the cancellation of future existing reservations and/or restrictions on the ability to reserve access in the Designated Forums. Additionally, noncompliance may result in arrest, a trespass warning, or any other disciplinary or judicial action allowed under applicable law or policy.

KSU Public Safety and other appropriate administrators will be notified upon receipt of the reservation request. The reservation request is a public record and submitted requests will be released to interested parties in accordance with the terms of the Georgia Open Records Act.

The University reserves the right to refuse to permit individuals or groups to assemble, demonstrate, protest, or otherwise express themselves in the Designated Campus Areas if the individual or group refuses to abide by this Policy, administrative procedures, and/or guidelines. The University further reserves the right to modify or end any expressive activity permitted under this Policy if the University reasonably determines that continuing such expressive activity creates an imminent threat to public health or safety, and that the modification or cessation of such expressive activity has a substantial likelihood of mitigating such threat. Such action by the University shall be made in a content-neutral and viewpoint-neutral manner with respect to the nature of the expressive activity, and in consultation with appropriate authorities (e.g., law enforcement, public health authorities,

and governmental agencies).

KSU cannot be held responsible for the safety of children or other individuals participating in an event. Persons under the age of 12 years old must be accompanied by an adult.

### 10. Associated Policies/Regulations

- [KSU Advertising Policy](#)
- [KSU Student Code of Conduct](#)
- [KSU Outdoor Amplified Sound Policy](#)
- [KSU Posting and Chalking Policy](#)
- [Posting and Advertising Policies for KSU Registered Student Organizations](#)
- [Board of Regents Policy 6.5 \(Freedom of Expression and Academic Freedom\)](#)
- [Board of Regents Policy 6.8 \(Disruptive Behavior\)](#)

### 11. Forms Associated with this Policy

[Public Forum Reservation Request Form](#)

[Tent Review Request Form](#)

### Freedom of Expression Policy Questions

Questions about this policy may be addressed to the KSU’s Office of the Dean of Students at 470- 578-6367 or [publicforum@kennesaw.edu](mailto:publicforum@kennesaw.edu).

*Effective Date: October 5, 2018*

*Revised: August 8, 2022, August 22, 2023*

*Last Reviewed: August 2024*

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The signatures below indicate this institutional policy has been reviewed and approved by the President and Provost.

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 August 16, 2024  
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 August 16, 2024  
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Dr. Kathy S. Schwaig,  
President  
Kennesaw State University

Dr. Ivan Pulinkala  
Provost and Executive Vice President for  
Academic Affairs  
Kennesaw State University



# Campus Green Map (Kennesaw Campus)

