



Campus Administrative Policy

Policy Title: Expressive Activities

Policy Number: 3018

Functional Area: **General Administration**

Effective: August 1, 2017
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Supersedes: Expressive Activities, July 1, 2012

Approved by: Chancellor Donald J. Elliman, Jr., CU Anschutz Medical Campus
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Responsible Officer: Executive Vice Chancellor for Administration and Finance

Applies to: All Campuses

A. INTRODUCTION

The University of Colorado Denver | Anschutz Medical Campus (University) is committed to providing an environment where issues can be openly discussed and explored. The freedom to exchange views is essential to the mission of the University. The purpose of this policy is to incorporate the protections for student expression provided by Colorado law, provide a community environment in which open discussion can occur without disrupting the academic mission or daily University functions, and to describe how the University will lawfully implement constitutional time, place, and manner limitations to promote speech and avoid interfering on the rights of others. This policy is applicable to CU Denver, and the University of Colorado Anschutz Medical Campus (CU Anschutz). This policy does not extend to affiliate sites, including, but not limited to, University of Colorado Hospital, Children’s Hospital Colorado, or the Auraria Higher Education Campus (AHEC).

B. POLICY STATEMENT

The University, in its role as an academic institution, is committed to an environment in which a variety of ideas can be reasonably proposed and critically examined The

University respects the freedoms of speech and assembly as recognized by the United States Constitution, the Colorado Constitution, the laws enacted by Colorado's General Assembly, and the Laws of the Regents. As such, the University protects the free expression of ideas.

The University recognizes that expression takes many forms, including peaceful assembly, protests, speaking verbally, holding signs, circulating petitions, and distributing written materials. This policy is intended to promote lawful, non-commercial expression across the University. The University does not designate any area on campus as a free speech zone and does not restrict student expressive activities to particular areas of campus.

Consistent with Colorado law, the University recognizes that the generally accessible, open, outdoors areas of campus are Student Forums. Nonacademic and publicly open portion of facilities that the campus has traditionally made available to students for expressive purposes are also Student Forums. The University may enact lawful, content neutral time, place, and manner restrictions to ensure that Student Forums are used appropriately and without disrupting the academic mission, business operations, patient care activities, or regular functions of the University. The University prohibits unlawful activity that endangers the safety of the campus community or injures University property or facilities.

Due to the University's need to ensure and maintain its academic mission, Expressive Activities are not appropriate within academic or other University buildings. In addition, to avoid disruption the academic mission, business operations, patient care activities, or regular functions of the University, the University has identified the following locations as most appropriate for Expressive Activities:

CU Anschutz

- The Parade Grounds located on the Anschutz Medical Campus at East 17th Place and Racine Street
- The amphitheater located on the Anschutz Medical Campus between the Research 1 and Research 2 Buildings.
- Education Quad located between Education Building 1 and Education Building 2 North.

CU Denver

The preferred locations for Expressive Activities on CU Denver is the flagpole area located on the Auraria Campus. Expressive activities occurring on the sidewalks adjacent to the Lawrence Street Center, the Business School and the CU (Dravo) Building on the CU Denver campus are under the jurisdiction of the City of Denver. Expressive Activities occurring on the Auraria Higher Education Campus (AHEC) are subject to AHEC policies.

Expressive Activities are not restricted to the above listed locations. However, the University encourages Expressive Activities to take place at these locations in order to minimize disruption to the campus community, business operations and patient care activities, and to ensure appropriate arrangements for the Expressive Activity can be put into place.

Priority to use these locations will be as follows:

1. CU Denver Student(s) with a reservation
2. Other individuals or groups with a reservation
3. CU Denver Students without a reservation on a first come, first serve basis
4. Other individuals or groups without a reservation on a first come, first serve basis

Reservations for the above listed or other campus locations may be obtained by contacting Educational Support Services at 303-724-1558. The request should include the following information:

- Date, time, duration and proposed location of the activity
- Name and contact information of activity coordinator
- Description of proposed activity
- Number of individuals expected to attend the activity

C. TIME, PLACE, AND MANNER PARAMETERS

This policy will be construed and applied on a content neutral basis. The following is a list of parameters for the time, place, and manner of activities that apply to all Expressive Activities on campus:

- The activity may not violate local ordinances or state or federal laws.
- The activity may not unreasonably disrupt traffic, either vehicular or pedestrian, or interfere with the ingress or egress to or from any building.
- The activity may not create unreasonable safety risks.
- The activity may not deface or destroy University property.
- Noise levels may not interfere with academic activities, University operations, or other activities on campus.
- No event may exceed 8 hours in length in a 24-hour period.
- Expression that is obscene, defamatory, or consists of fighting words, threats of physical

harm, incites imminent lawless action or is otherwise not entitled to protection as expression is not permitted.

D. OBJECTIONS TO EXPRESSIVE ACTIVITIES

The University recognizes that individual or groups may be opposed to certain Expressive Activities or speakers. Disagreement with different opinions is acceptable. Nothing within this policy, however grants any person the right to materially disrupt previously scheduled or reserved activities. Nor does this policy grant any person the right to engage in expressive activity or conduct that is not protected under the First Amendment of the United States Constitution or Article II, Section 10 of the Colorado Constitution.

E. RESPONSE TO VIOLATIONS AND DISRUPTIVE ACTIVITIES

Violations of this policy may result in removal from campus, police arrest and criminal charges. In addition, members of the university community are subject to discipline or consequences based under the applicable student or employment disciplinary policies. No disciplinary action may be taken against a student for expressive activities that are otherwise permitted by this policy based upon the content or viewpoint of the student's expression or the reaction or opposition by listeners or observers to such expression.

F. CANVASSING

Individuals may engage in Canvassing in accordance with the time, place, and manner parameters set forth in this Policy. Distribution of written materials will be limited to the exterior of buildings unless approved as an Event pursuant to the University of Colorado Denver | Anschutz Medical Campus Administrative Policy, Facilities Use by External Entities ("FUEE Policy"). Canvassing shall not obstruct or disrupt entrance or egress to any University facility or outdoor space or obstruct or disrupt the flow of pedestrian or vehicular traffic.

Any person who wishes to engage in Commercial Solicitation must schedule their intended activity as an Event pursuant to the FUEE Policy.

Canvassing and Commercial Solicitation may not include permanent structures, or frameworks without prior approval as part of an approved Event.

No person engaged in Canvassing or Commercial Solicitation may leave literature, fliers, samples, promotional items, coupons or any other tangible items behind or unattended anywhere on the campus..

G. DEFINITIONS

Student – "Student" means a person who is enrolled for educational purposes at an institution of higher education.

Expressive Activity – "Expressive Activity" means any lawful verbal or written activity

by which individuals may communicate ideas to one another, including all forms of peaceful assembly, protests, speaking verbally, holding signs, circulating petitions, and distributing written materials. Expressive Activities include voter registration activities, but do not include activities that are primarily for Commercial Solicitation.

Student Forum – Student Forum means any generally accessible, open, outdoor area on the University of Denver campus, including nonacademic and publicly open portions of University facilities that the University has traditionally made available to students for Expressive Activities.

Canvassing - Canvassing” means communicating a non-commercial message, including but not limited to communication through the following means: carrying a sign; soliciting a signature for a petition; and distributing non-commercial Literature.

Commercial Solicitation - Commercial Solicitation” means approaching another person to communicate a commercial message, including but not limited to communication through the following means: offering information about services or sales; soliciting an email address, phone number or other contact information for commercial purposes; and distributing any sales flier, coupon book, sample, promotional item, coupon, or similar item.

Notes

1. Dates of official enactment and amendments:
Adopted/Approved by June 12, 2006
January 14, 2008
July 1, 2011: Revised. Eliminated reference to 9th and Colorado Site. Policy Name Change.
July 1, 2012
July 1, 2016
August 1, 2017
October 2, 2018: Legal Review—no change
2. History:

October 2, 2018: Legal review conducted to ensure compliance with newly updated Regents Article 1.E./Policy 1.D, Freedom of Expression.
3. Initial Policy Effective Date: June 12, 2006
4. Cross References/Appendix:

[Regents Article 1.E/Policy 1.D, Freedom of Expression.](#)