**Assembly Activities Involving Amplified UPPS No. 07.04.05**

**Sound, Exhibits, and Erecting Symbolic Issue No. 7**

**Structures Revised Date: 11/23/2020**

 **Effective Date: 06/29/2018**

**Next Review Date: 02/01/2022 (E4Y)**

**Sr. Reviewer: Associate Vice President for Student Success and Dean of Students**

1. **POLICY STATEMENTS**

01.01 This policy establishes Texas State University procedures relating to activities involving amplified sound, exhibits, and erecting symbolic structures in outdoor areas of the San Marcos and Round Rock campuses in a manner that adheres to the university’s policies and procedures.

\*01.02 Freedom of inquiry and discussion is basic and essential to intellectual development. However, these freedoms must be exercised in a manner that does not illegally derogate the rights of others or interfere with the academic programs and administrative processes of the university. The grounds of the university are traditional public forums, subject to such reasonable time, place, and manner restrictions as provided in the [Texas State University System (TSUS) Rules and Regulations, Chapter VII, section 3.1](http://gato-docs.its.txstate.edu/jcr%3Ab1e58395-c687-43a6-af51-9ed82ba1ea75/TSUS%20Rules%20and%20Regs%20-%20Updated%20through%2002-16-18.pdf).

1. **DEFINITIONS**

02.01 Special Designated Areas – areas where amplified sound, exhibits, and symbolic structures may be used or displayed within the time, place, and manner specified by university policies. Special designated areas on the San Marcos and Round Rock campuses include:

a. Bobcat Trail located between the Academic Services Building and Evans Liberal Arts Building on the San Marcos campus;

b. the Mall (paved area) between the Alkek Library and the LBJ Student Center on the San Marcos campus, excluding the Alkek Library breezeway;

c. the Mall (grassy area) located on the south side of the Avery Building on the Round Rock campus; and

d. the Quad, being the pedestrian area from the Fighting Stallions statue in front of Derrick Hall to the LBJ statue in front of the Comal Building on the San Marcos campus.

02.02 Dean – the dean of Students, or designee.

02.03 Assembly Activities Involving Amplified Sound, Exhibits, and Symbolic Structures – assembly activities that do not include commercial messages.

02.04 Significant University Interests – These include:

a. maintaining security, health, and safety for persons and property on both campuses;

b. preserving an academic atmosphere (classes meeting in their settings should not be disrupted; quiet is necessary in areas assigned for study; social, recreational, and developmental programs and other university activities should not be disrupted);

c. protecting the privacy of students, faculty, and staff;

d. controlling pedestrian and vehicular traffic so that free movement is permitted and so that free entry and exit from university facilities are unimpeded;

e. protecting persons on campus from crime and preventing unlawful activities on campus;

f. preserving the beauty of the university’s grounds, buildings, and facilities;

g. maintaining the campus, buildings, and facilities to sustain a clean, orderly, and appealing appearance and avoiding unnecessary and harmful wear and tear on buildings, grounds, and facilities;

h. preserving the architectural character of important and historic university buildings;

i. protecting persons on campus from deception, fraud, and commercial exploitation; and

j. eliminating unnecessary costs and waste of university resources.

02.05 Student, Faculty, and Staff Employees – registered student, currently employed faculty, and currently employed staff organizations.

02.06 Symbolic Structure – a physical object that is intended to convey a particular message. Symbolic structures may be props and displays, such as coffins, crates, crosses, cages, and statues; furniture and furnishings, such as desks, tables, bookcases, and cabinets; shelters, such as tents, boxes, shanties, and other enclosures; and other objects. Persons may not inhabit, sleep in, camp in, or use a symbolic structure as a shelter, unless prior approval is given by the dean.

02.07 Exhibit – a display that is intended to convey a particular message, which may include posters and signs, or furniture and furnishings, such as desks, tables, boxes, and other objects.

**03. PROCEDURES FOR USING SPECIAL DESIGNATED AREAS**

03.01 Persons must have the use of amplified sound during assembly activities approved through the office of Student Involvement @ LBJSC, as its use is restricted to special designated areas on the San Marcos and Round Rock campuses (see [Outdoor Events with Amplified Sound Request](https://sa.txstate.edu/pps/upps070405AmpSoundRequest.pdf)).

03.02 The university will not interfere with an assembly activity unless it infringes upon a significant university interest.

03.03 Persons who desire to display symbolic structures or exhibits must adhere to the following time, place, and manner restrictions when erecting and maintaining symbolic structures or exhibits:

1. Persons desiring to erect a symbolic structure or exhibit must provide a written proposal at least 10 university business days before erecting the symbolic structure or exhibit to the office of Student Involvement @ LBJSC.
2. The staff member in the office of Student Involvement @ LBJSC responsible for approval may deny a request if the structure or exhibit will pose a threat to the health or safety of the persons or property on campus, would conflict with another scheduled activity in the area, or would infringe upon a significant university interest.
3. Persons may erect and maintain the symbolic structure or exhibit for up to two weeks.

1) Should the persons erecting and maintaining the structure or exhibit desire to seek an extension of time for the structure or exhibit to be on campus, a written request for extension must be submitted at least three business days before the end of the two-week period to the office of Student Involvement @ LBJSC.

2) The staff member in the office of Student Involvement @ LBJSC responsible for approval may grant an additional five days beyond the two-week period, if space is available.

1. Persons who erect a symbolic structure or display an exhibit are responsible for maintaining the structure or exhibit in a safe manner and in a manner that does not infringe on a significant university interest.
2. Persons who erect a symbolic structure or display an exhibit assume full responsibility for the structure or exhibit, including all injuries or hazards that may arise from the structure or exhibit. The university shall not be liable for any damage that may occur to the structure or exhibit, and any person or organization sponsoring the structure or exhibit shall indemnify the university for any claims arising from the structure’s or exhibit’s presence on campus.

f. Persons who erect a symbolic structure or exhibit must remove the structure or exhibit each day by no later than 10 p.m. and may re-erect or display them each day no earlier than 7 a.m.

g. The dean may impose other reasonable time, place, and manner restrictions on the requested use as deemed appropriate. These restrictions include, for example, requiring that the structure or exhibit be moved for a period of time, changing the structure’s or exhibit’s location, and requiring the person requesting the structure or exhibit to purchase liability insurance that names the university as an additional insured.

**04. PROCEDURES FOR EXCEPTIONS, APPEALS, AND VIOLATIONS OF THIS POLICY**

04.01 StudentInvolvement @LBJSC or the assistant vice president for Academic Affairs, Round Rock Campus, or designee, has the authority to grant exceptions or variances to the provision of this policy to meet the exigencies of unusual circumstances. No person or organization may conduct any of the activities governed by this policy in variance to the policies stated herein without express permission from Student Involvement @ LBJSC or the assistant vice president for Academic Affairs, Round Rock Campus, or designee.

 04.02 A student representative of the organization or representative of a university department may appeal a decision under this policy to the dean of Students. The appeal must be delivered to the Dean of Students Office in writing no less than 72 hours before activity.

 04.03 Any registered student organization or university department failing to comply with the provisions of this policy may be prohibited from these types of activities.

**05. REVIEWERS OF THIS UPPS**

05.01 Reviewers of this UPPS include:

Position Date

Associate Vice President for Student February 1 E4Y

Success and Dean of Students

Director, LBJ Student Center February 1 E4Y

Associate Director, Student February 1 E4Y

Involvement @ LBJSC

**06. CERTIFICATION STATEMENT**

This UPPS has been approved by the following individuals in their official capacities and represents Texas State policy and procedure from the date of this document until superseded.

 Associate Vice President for Student Success and Dean of Students; senior reviewer of this UPPS

Vice President for Student Success

 President