

CHEYNEY UNIVERSITY OF PENNSYLVANIA DESIGNATED PUBLIC FORUM POLICY

The primary function of Cheyney University of Pennsylvania (the “University”) is for the education and development of students. To fulfill its educational mission, the University must respect and uphold the full panoply of, sometimes conflicting, rights of students, staff, and faculty granted by First Amendment of the United States Constitution (the “First Amendment”) and Article I, Section 7 of the Pennsylvania Constitution.

In light of the foregoing, the University supports the rights of students, staff, and faculty to individually and collectively engage in Expressive Activity. Such rights are equally extended to other University Community Members including individuals, Registered Student Organizations, university departments, and the Guests of student groups or university departments.

This policy establishes guidelines to assure that expressive activities do not unreasonably interfere with University Operations, undermine the protected speech of others, present a risk of harm to others or University Property. Importantly, through this policy, the University regulates the time, place, and manner of speech in a content-neutral manner as a legitimate way to fulfil its educational mission.

Policy

- I. The University has identified a section of the grassy area next to the Marcus Foster Student Union Building as a “Designated Public Forum” on campus. This means that this section of campus has been specifically dedicated to the Expressive Activities of the General Public.
 - A. No expressive activity will be prohibited on the basis of content. Any University decisions concerning the prioritization of competing requests for space will be made based on availability of a space at the time.
 - B. This policy does not create any rights beyond those provided by the First Amendment and Article I of the Pennsylvania Constitution.
- II. Guidelines
 - A. The Designated Public Forum is available to the General Public for Expressive Activity on a first-come basis. Please notify the Office of Campus and Public Safety (publicforum@cheyney.edu) a minimum of 48 business hours prior to the planned date of the event.
 - B. Speakers who wish to use sound amplification must contact the Office of Campus and Public Safety prior to use. In all cases, sound amplification may not exceed 80 decibels. At the University’s discretion, a sound monitor may be assigned to the event.

C. Signs

- Items that are carried, such as signs, banners, or flags must be made of soft material, such as cloth or cardboard, and may not be attached to rigid materials, such as sticks or poles. The University reserves the right to limit the use of items made of potentially dangerous or weaponized materials.

D. All Expressive Activities must comply with applicable federal, state, and local laws, including all laws, regulations, and ordinances—e.g. traffic, fire prevention and safety, sound, etc. Additionally, all Speakers engaging in Expressive Activities must abide by all applicable policies of the University and the Pennsylvania State System of Higher Education.

E. Specific Prohibitions. The following are prohibited:

1. Disrupting University Operations;
2. Obstructing entrances or exits of University building or parking lots or otherwise interfering with the free flow of vehicular and/or pedestrian traffic within the University's campus or into or out of campus;
3. Construction of permanent or temporary structures without prior approval;
4. Camping, lodging, or sleeping as an Expressive Activity;
5. Conduct that constitutes threats, harassment, obscene or lewd conduct, disturbance of the peace, or unlawful assembly;
6. Theft, damage, misuse, or destruction of University Property;
7. Misuse of Property as defined in this policy;
8. Sound amplification exceeding 80 decibels; or
9. Commercial solicitation.

F. Dissenters, Counter-Speakers, and Protesters

- Dissenters, counter-speakers, and protesters have the same speech rights as those who are conducting or attending a planned meeting or Expressive Activity. If University Community Members, Invited Guests, or members of the General Public materially and substantially disrupt the Expressive Activities of others, then they are subject to the sanctions established in this policy.

G. Security

- The University reserves the right to provide security in an effort to protect both Speakers and University Community Members.

H. Distribution of Literature

- Speakers may distribute petitions, leaflets, newsletters, and other non-commercial printed materials.

I. Restoration of Property

- Speakers, or the inviting University Community Members in the case of Expressive Activities by a Guest, are responsible for any non-routine clean-up following an event, including litter from printed materials, excessive signage, approved structures, etc.