

UT - Martin Procedure: BT0010-M - Policy Affirming Principles of Free Speech for Students and Faculty	
Version: 1	Effective Date: 07/31/2024

SECTION 1. Procedure Statement

The University of Tennessee at Martin (“UTM”) supports the rights of students and other members of the campus community to express freely their views for or against actions and opinions with which they agree or disagree while, at the same time, maintains an atmosphere on the campus that is conducive to academic work, preserves the dignity and seriousness of university ceremonies and public exercise and respects the private rights of all individuals.

SECTION 2. Reason for the Procedure

UTM dedicates its property to the advancement of UTM's principal missions of teaching, research, and service. The purpose of this procedure is to provide a uniform basis on which UTM regulates free speech on the UTM campus through reasonable, viewpoint neutral regulations with and in furtherance of UTM's missions of teaching, research, and service.

This procedure shall be interpreted and applied in a manner that is consistent with BT0010 and that does not violate rights protected by the First Amendment. This procedure supplements, and shall be applied consistently with, the [Campus Free Speech Protection Act](#), [BT0010 – Policy Affirming Principles of Free Speech for Students and Faculty](#), and the University of Tennessee Rules governing the use of University property as set forth in [Chapter 1720-01-02 \(Use of University Property\)](#), [Chapter 1720-1-7 \(Solicitation on University Property\)](#), [Chapter 1720-01-08 \(Assembly Policy\)](#), and [Chapter 1720-01-12 \(Use of University Property by Non-Affiliated Persons for Free Speech Activities\)](#).

SECTION 3. Scope and Application

This procedure applies to posting of free expression activities on the UTM main campus and the campuses of UTM’s regional centers. This procedure does not apply to free expression activities of UTM Intercollegiate Athletics.

SECTION 4. Definitions

For purposes of this policy, the following defined terms shall apply:

- A. “Banner” means printed material of lightweight fabric or similar material that is typically mounted to a pole or stand or building.
- B. “Building Manager” means for each administrative and academic building, the person designated by the university to identify and maintain posting locations, to monitor posting of printed materials and to remove all postings of printed materials in accordance with the applicable maintenance schedule or that are posted in violation of this procedure.

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- C. "Chalking" means to mark, draw or write with chalk.
- D. "Non-affiliated person" means any person or entity who is not a UTM unit, student, student organization, employee, or volunteer.
- E. "Printed materials" means signs, posters, banners, handbills, leaflets, petitions, flyers, and all other types of written matter.
- F. "Student" means a person who is currently admitted, enrolled, or registered for study at UTM, either full-time or part-time, pursuing undergraduate, graduate, or professional studies, including persons taking only taking non-credit or non-degree awarding courses of study. This term also includes a person who has completed a preceding academic term at UTM and is eligible for re-enrollment without reapplying for admission and/or otherwise has a continuing relationship with UTM.
- G. "Student organization" means a student organization registered with UTM in accordance with UTM rules.
- H. "University property" or "UTM campus" means all land, grounds, structures, and any other physical property owned, controlled, or operated by the University of Tennessee at Martin, including its regional centers.
- I. "UTM" means the University of Tennessee at Martin, including its regional centers.
- J. "UTM-affiliated person" means a UTM unit, student, student organization, employee or volunteer.
- K. "UTM unit" or "university unit" means any academic, administrative, or auxiliary department or division of UTM or any other official entity of UTM, functioning through UTM employees acting within the scope of their UTM employment.

SECTION 5. Procedures

- I. **Posting of printed materials by UTM-affiliated persons**
 - A. Authorized posting locations. The posting of printed materials by UTM-affiliated persons within campus buildings and on the grounds of the UTM campus is generally permitted only in designated posting locations (e.g., bulletin boards, kiosks, etc.). Information regarding designated posting locations for a building may be obtained from the Building Manager for the building. A list of the Building Managers for campus buildings may be found on the Division of Finance and Administration and Division of Student Affairs websites.
 - B. Posting guidelines. Postings in authorized locations are subject to the following guidelines:

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1. Only one posting of a printed material in a designated posting location is permitted at a time (i.e., multiple copies of the same printed material should not be posted in the same posting location at one time).
 2. A posting should not cover any other printed materials already posted.
 3. UTM prohibits the posting of any printed material that is obscene; is defamatory; consists of fighting words; communicates an objectively serious expression of intent to commit an act of unlawful violence to a particular individual or group; or is directed to inciting or producing imminent lawless action and is likely to incite or produce such action.
 4. Permitting posting of printed material does not represent university endorsement of the information posted or the event advertised.
 5. Posting of printed materials by a university unit must identify the unit and a contact person for the unit. Materials posted by a university unit must promote the activity publicized as its primary message, rather than the commercial advancement of a non-affiliated entity or product. The name, logo, trademark or similar identifier of a non-affiliated person or entity may not appear as the dominant message.
 6. Printed materials advertising regular business enterprise sales are prohibited. Designated posting locations may be used to advertise occasional sales or rentals, such as personal autos and auto accessories, electronic devices, pets, homes, books, etc., that are not part of a business.
 7. Campaign posters and signs promoting candidacy for public office are prohibited. Campaign posters and signs promoting candidacy for student government office are permitted but must adhere to this procedure.
 8. Banners are not permitted inside or on buildings, except that student organizations and university units may post banners inside the Boling University Center for the purpose of advertising an event. Prior to posting a banner, student organizations and university units must contact the Office of Student Life at 731-881-7755 to reserve a space. Banners may only be posted during the duration of the event. Boling University Center staff will remove any banners not removed immediately upon conclusion of the event, and the student organization or university unit who reserved the space will be billed for the expense of the banner removal.
- C. The only printed materials that may be posted outside are non-paper “yard signs” constructed with firm backing and wire stands for easy set-up and removal that are posted by a university unit or student organization for the purpose of advertising or providing directions to an event sponsored by said university unit or student organization. Yard signs should be placed no more than one (1) week before the event and removed immediately following the event’s conclusion. The Office of the Physical Plant will remove all yard signs not removed within

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twenty-four (24) hours following the activity or event, and the organization or unit will be billed for the expense of the sign removal.

- D. Prohibited posting locations. UTM generally prohibits the posting of printed materials on any structure or natural feature of university property that is not a designated posting location, including, without limitation, doors, building exteriors, windows, walls, utility poles, lampposts, waste receptacles, trees, fences, street signs and windshields of cars. Printed materials posted in violation of this policy will be removed, and UTM will assess any costs for removal or repair of damage or cleanup of litter caused by the posting to the individual responsible for the posting.
- E. Maintenance of authorized posting locations. Building Managers are responsible for monitoring and maintaining the designated posting locations of the buildings they manage.
1. *Regularly scheduled removal of postings.* Building Managers will remove all posted printed materials from designated posting locations on a regularly scheduled basis as determined by the Building Manager, without regard to the viewpoint or content of the printed materials.
 2. *Removal of postings that violate University policy.* The Building Manager will immediately remove any posting of printed material that violates Section B above upon the notice of the posting. The Building Manager may consult with the appropriate vice chancellor, who may consult with the Office of General Counsel, in determining whether a posting violates this procedure.

II. Posting of printed materials by non-affiliated persons is prohibited

- A. [Chapter 1720-01-12 \(Use of University Property by Non-Affiliated Persons for Free Speech Activities\)](#) prohibits non-affiliated persons from placing or attaching any printed materials on or to any structure or natural feature of university property.
- B. UTM will immediately remove any printed material posted on university property by a non-affiliated person upon notice of the posting, without regard to the viewpoint or content of the printed material.

III. Amplified Sound – University units and student organizations may use amplified sound on the patio areas around the Boling University Center. Amplification devices are generally prohibited during class hours. University units and student organizations must reserve a date and time to use amplified sound by contacting the Office of Student Life at 731-881-7755.

IV. Electronic Monitors – Electronic monitors located inside the Boling University Center may be used by student organizations and university units for the purpose of advertising an event. Requests to advertise an event on these electronic monitors may be made to the Office of Student Life at 731-881-7755. Messages may be shown on the electronic monitors no more than one (1) week before the event and will be deleted immediately following the event's conclusion.

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- V. **Chalking** – Chalking is permitted on sidewalks in open areas (i.e., not under cover from the weather) and at least twenty-five (25) feet from any building entrance.
- VI. **Solicitation** – Solicitation is governed by the [Rules of the University of Tennessee Chapter 1720-1-7](#). UTM prohibits solicitation for the personal benefit or regular business enterprises of a faculty, staff, student or individual member of a student organization. Certain types of philanthropic solicitation or solicitation by student organizations consistent with the aim of the organization may be permitted in public areas of the university upon approval by the [Division of Student Affairs using the Student Organization Solicitation Request Form](#).
- VII. **Peaceable Assembly** – The right of peaceable assembly is regulated by the [Rules of the University of Tennessee Chapter 1720-1-8](#). For meetings that require advance approval according to the Rules, requests should be directed to the [Division of Student Affairs](#).

SECTION 6. Penalties/Disciplinary Action for Non-Compliance

Violations of this procedure by students or student organizations are a violation of the [Student Handbook](#) and will be subject to the University disciplinary process. Violations by other non-student UTM-affiliated persons will be addressed by the appropriate vice chancellor area consistent with University policy and procedure.

SECTION 7. Responsible Official & Additional Contacts

Responsible Official and Contacts may have responsibilities that include clarifying and interpreting the procedure, monitoring compliance with the procedure, and updating the policy. All inquiries should be directed to the appropriate divisions listed below.

Subject Matter	Office Name	Telephone Number (xxx) xxx-xxxx	Email/Web Address
Students and Student Organizations	Division of Student Affairs	(731) 881-7700	jlewter@utm.edu ; dadcock1@utm.edu
Faculty	Division of Academic Affairs	(731) 881-7010	pcavalie@utm.edu ; aland3@utm.edu

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Staff	Division of Finance and Administration	(731) 881-78-00	prencher@utm.edu ; swhaley3@utm.edu
Non-Affiliated Persons	Division of Finance and Administration	(731) 881-7800	prencher@utm.edu ; swhaley3@utm.edu