


AUSTIN PEAY STATE UNIVERSITY
POLICIES AND PROCEDURES MANUAL

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| Policy Number: 3:015 | Supersedes Policy Number: |
| Date: August 1, 1986 | Dated: |
| Subject: Off-Campus Speakers | |
| Initiating Authority: Dean of Students | SBR Policy/Guideline Reference: 3:01:10:00 |
| Approved:  President | |

1. Austin Peay State University, governed by the State Board of Regents, recognizes the right of officially recognized student and faculty organizations and groups to hear off-campus, or outside speakers on campus. However, there is no absolute right to assemble or to make a speech at any time or place regardless of the circumstances, content of speech, purpose of assembly, or probable consequences of such meeting or speech, and the issuance of invitations to off-campus or outside speakers for any meetings, activities or events on campus shall be limited in the following particulars:
 - a. A request to invite an outside speaker will be considered only when made by an officially registered student organization, faculty organization, or other campus organization.
 - b. No invitation by such an organized group shall be issued to an outside speaker without the prior written approval of the President of the institution, or such person as may be designated by the president; provided that the president may authorize organizations to invite guest speakers for meetings of the organization without prior approval where attendance at the meeting will be limited to members of the organization and where no fee or compensation from state funds will be paid to the speaker.
 - c. Any student, faculty or campus organization meeting for which an outside speaker will be invited will be limited to members of the organization, provided that a request to invite an outside speaker may include a request to

permit students or faculty members who are not members of the organization initiating the request, and/or other designated guests, to attend the meeting.

- d. A request to invite an outside speaker to whom any payment would have to be made from University funds is subject to the availability of funds specifically programmed for that purpose, and no payment of any funds shall be made except pursuant to the Board of Regents' Guidelines for Personal Service, Professional Service, and Consultant Service Contracts. In the event any University funds are approved for payment, the meeting for which the outside speaker will be invited should be open to all students or all faculty members, or both, unless otherwise designated on the approval of the request.
- e. Any speaker request shall be made in writing by an officer of the student, faculty or other organization desiring to sponsor the proposed speaker not later than ten (10) days (excluding holidays and weekends) prior to the date of the proposed speaking engagement; provided that the president or the authorized designee may approve exceptions to the minimum notice requirement in appropriate cases; and further provided that in the event the proposed outside speaker will be paid a total fee and expenses in excess of \$2,500.00, the request must be submitted no later than thirty (30) days prior to the date of the proposed speaking engagement. The request shall contain the name of the sponsoring organization, the proposed date, time and location of the meeting, the expected size of the audience, the name and address of the proposed speaker, and the topic of the speech. Any request not acted upon by the president or the authorized designee, within five (5) days (excluding holidays and weekends) prior to the event shall be deemed denied.
- f. Any speaker request is subject to the availability of the requested meeting place for the meeting time and date requested. In the event the space requested is not available for the requested time and date of the meeting, or is otherwise inappropriate for the proposed meeting or the requested speaking engagement would cause substantial interference with the normal activities of the University if conducted at the time and place requested, alternative meeting space which is available may be offered by the University, or the sponsoring organization is free to request a more suitable date. Any space which is approved for a meeting is subject to limitations on the number of persons who may attend in accordance with appropriate building and fire codes and safety standards.

- g. A request for an outside speaker by a registered organization may be denied if the President or the authorized designee, determines that the proposed speech will constitute a clear and present danger to the institution's orderly operation by the speaker's advocacy of such actions as:
- (1) The violent overthrow of the government of the United States, the State of Tennessee, or any political subdivision thereof; or
 - (2) The willful damage or destruction, or seizure and subversion, of the University's buildings or other property; or
 - (3) The forcible disruption or impairment of,, or interference with, the University's regularly scheduled classes or other educational functions; or
 - (4) The physical harm, coercion, intimidation, or otherwise invasion of lawful rights of the University officials, faculty members or students; or
 - (5) Other campus disorder of a violent nature, provided such advocacy would prepare the group addressed for imminent action and steel it to such action, and further provided there is reasonable apprehension of such imminent lawless action. In determining the existence of a clear and present danger, the president or the authorized designee may consider all relevant factors, including whether such speaker has, within the past five (5) years, incited violence resulting in the destruction of property at any assembly, or has caused the forcible disruption of regularly scheduled classes or other functions at any institution or school.
- h. In the event that a request for an outside speaker is denied by the University, any sponsoring organization thereby aggrieved shall have the opportunity to appeal from the denial. A written appeal to the President or the authorized designee must be submitted within twenty-four (24) hours from the initial denial to approve the request, and the organization will be provided a hearing within two (2) days (excluding holidays and weekends) following the filing of its appeal before an impartial committee designated by the president or the authorized designee. The committee shall be authorized to make appropriate findings of fact related to the request, and shall make and transmit such findings to the President within said two (2) day

period. The President shall review the findings of the committee, and solely on the basis thereof, shall grant or deny the request within twenty-four (24) hours (excluding holidays and weekends) from receipt of the findings of the committee.

- i. In the event of a proposed meeting which will be attended by strong emotional feelings, or where there is a reasonable possibility that a speaker, members of an organization, or others may violate federal, state or local laws or campus regulations in the course of the meeting, the President or the authorized representative shall prescribe reasonable conditions for the orderly and scholarly conduct of the meeting. Such conditions may include, but are not limited to, limiting the audience to the inviting organization's membership, appointing one or more officials of the University to preside over the meeting, authorizing a search of all persons entering the area of the meeting, and such other conditions as the institution deems appropriate.
 - j. The representative of the organization inviting the speaker shall at the time of the invitation provide the speaker or his or her agent, with a copy of this speaker policy and campus regulations. By acceptance of the invitation to speak, the speaker shall assume full responsibility for any violation of law or campus regulation committed by him or her while on campus.
 - k. Any meeting, assembly, or other activity to which an outside speaker may be invited is subject to all requirements, conditions and approvals set forth in any policy of the Board or Regents and/or the University concerning use of campus property and facilities.
2. The provisions of Section 1 shall not apply to invitations by academic units to guest lecturers for any classes, but such invitations shall be subject to any policies of the University, the division and/or the department involved.