

The University of South Dakota Non-Commercial Free Speech Policy and Registration Form

The University of South Dakota seeks to protect the freedoms of speech and assembly granted to our community on our public campus under the Constitution. In this vein, the University must ensure that these freedoms are respected in the context of the mission and values of the institution without interfering with the rights of others. A copy of this authorized Free Speech Policy and Form must be displayed at all times while on campus.

1. Constitutionally protected speech will be permitted by the University, within reasonable time, place and manner. All free speech protests/demonstrations on the campus of The University of South Dakota will be restricted to the appropriate Free Speech areas on campus and must be approved by the Muenster University Center Administration. Additional permission may be required from a building director or dean and/or the Dean of Students.
 - A. All Free Speech activities will be limited to Monday through Friday, during the hours of 9:00 a.m. – 4:30 p.m. No Free Speech activities will be allowed the first week of each new semester, the week prior to finals, and the week of finals.
 - B. Areas available for Free Speech
 - I. Muenster University Center
 - II. Muenster University Center Courtyard
 - III. I.D. Weeks Library Courtyard
2. Definitions
 - A. "Protest" is defined as a complaint, objection or unwillingness to an act or display of a course of action (Webster's New College Dictionary, 1977).
 - B. "Demonstration" is defined as a public display of group feelings towards a person or cause (Webster's New College Dictionary, 1977).
 - C. "Recognized student organizations" is defined as an organization that has gone through the approval process through USD's Student Government Association.
3. Anyone wishing to protest or demonstrate must complete a Non-Commercial Free Speech Request Form (located at the end of this policy) and make reservations at least five (5) days prior to the event. All activities comply with state and federal laws governing such actions, and with all relevant South Dakota Board of Regents policies.
4. Individuals or groups that would like to distribute information about their group must submit a copy of the material when turning in the Non-Commercial Free Speech Request Form.
 - A. Items distributed on university property are the responsibility of the protesting/demonstrating group, and do not imply any relationship with, or official sanction by, The University of South Dakota.
 - B. The distribution of any item that would infringe upon, or in any way violate, a legal trademark or copyright will be prohibited. Exceptions will be granted only with the expressed written consent of the trademark or copyright holder.
 - C. No one may be forced to take materials from a protestor or demonstrator.
 - D. The distribution of flyers placed on vehicles is strictly prohibited.
5. Patrons of the University may not be approached physically or verbally in a manner such that their normal progress is impeded or diverted.
6. All federal and state laws, city ordinances, University and SDBOR regulations must be followed.
7. Individuals or groups that disrupt campus activities or classrooms or interfere with the normal operations of the institution, including, but not limited to, interrupting speakers, interrupting teaching and learning in the classroom, forcing individuals to take materials or speak with protestors/demonstrators, and interfering with the rights of others to pass through campus, will be asked to leave campus immediately. Violence, in any form, will not be tolerated. The University of South Dakota and the Muenster University Center reserves the right to eject any objectionable person or persons from the premises upon the exercise of the authority through any agent or police personnel. The group/individual hereby waives any right to and claim for damages.
8. If an individual believes a registered individual/group is disrupting campus activities or interfering with the normal operations of the institution, they may call Public Safety at 677-5342 to report a violation of this policy.
9. Groups or individuals agree to hold harmless and indemnify the State of South Dakota, the South Dakota Board of Regents, the University of South Dakota, their officers, agents or employees from and against any and all actions, suits, damage, liability or other proceeding that may arise as a result of the negligence, misconduct, error or omission of the State of South Dakota, the South Dakota Board of Regents, the University of South Dakota, their officers, agents or employees.
10. Groups or individuals expressly assume full responsibility for any and all damages or injuries which may result to any person or property by reason of or in connection with the use of the grounds/facilities pursuant to this agreement, and agrees to pay the State for all damages caused to the facilities or grounds resulting from the group's/individual's activities hereunder.

11. The University of South Dakota and the Muenster University Center shall be excused from performing any obligation or undertaking provided in this agreement in the event, and for so long as, the performance of any such obligation is prevented or delayed, retarded or hindered by an act of God, fire or earthquake, flood, explosion, actions of the elements, war, insurrection, strikes, walk-outs, action of labor, unions, condemnation of laws, orders of government or civilian and military authorities, or any other cause not within the reasonable control of the university, which shall render the performance of this agreement impracticable. USD shall not be liable for any damage caused thereby, and this agreement, at the option of the university, shall be terminated and the unearned portion of any amount paid upon the execution of this lease agreement shall be returned to the group/vendor/organization.

Please Complete	
Your Name: _____	
E-Mail: _____ Phone Number: _____	
Name of the Group Being Represented: _____ Website: _____	
Are you Affiliated with USD? YES NO (If yes, please complete the next two questions)	
USD Affiliated Org./Dept.: _____ USD Contact: _____	
Date(s) Requested: _____	
Start Time: _____ End Time: _____	
Check Location(s) Requested:	
<input type="checkbox"/> Muenster University Center	
<input type="checkbox"/> Muenster University Center Courtyard	
<input type="checkbox"/> I.D. Weeks Library Courtyard	
<input type="checkbox"/> Commons Courtyard	
Purpose of Protest or Demonstration: _____	

Will you or your group be distributing any materials? YES NO	
(If yes, please attach a copy of the materials for institution records)	
Does your group anticipate the need for safety and/or security precautions? YES NO	
If yes, please elaborate on the group or individual concerns _____	

By signing, I agree that I have read and will abide by the USD Non-Commercial Free Speech Policy.	
_____ Signature	_____ Date

For Office Use Only	
_____ R25 Reference Number	_____ Approved Location(s)
_____ Authorizing Signature	_____ Date

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