

# Freedom of Expression Policy

New Mexico State University recognizes and promotes an intellectually open campus. The free exchange of ideas through written, spoken, and other forms of expression reflects its public land-grant heritage, support of diverse points of view, and commitment to excellence in education and research.

## A. Campus Use for Free Expression

Any **outdoor area** that is generally accessible to the public may be used by any individual or group for petitioning, distributing written material, handing out newspapers, or conducting speech acts. Prior approval is not necessary as long as the primary action is not to advertise or sell a commercial product. Activities must follow all applicable fire codes, local, state, and federal laws. Activities shall not:

- Unreasonably obstruct vehicular or pedestrian traffic.
- Block the entrances or exits to buildings and facilities.
- Permanently occupy land areas or permanently locate signs and posters.
- Erect permanent structures, shelters or camps.
- Unreasonably interfere with classes, university work, and scheduled events.

In exercising the right of free expression, one must also accept the responsibility of following the laws related to the safety of people and property. If property damage or excessive littering occurs, or other unusual expenses are incurred by the university as a result of the event, event organizers may be held responsible for reasonable charges if deemed appropriate by the President or his/her designee.

### 1. Petitioning and the Distribution and Posting of Literature and Signs

- a. All literature distributed must contain identifying information either (1) the name of an NMSU sanctioned organization, or (2) the name and address (which may be an organization and e-mail address) of the unaffiliated entity or person or the telephone number of the unaffiliated entity or person for someone to contact in case of litter problems.
- b. Literature may be distributed hand-to-hand, through the use of tables, or by posting on designated bulletin boards and kiosks.
- c. Written materials may not be placed in non-approved locations. Written materials may not be placed on any part of a university building or structure without university permission. Posting on traffic signs, power poles, trees, and automobile windshields is not allowed.

d. Tables are allowed as long as they do not unreasonably interfere with pedestrian traffic. Materials may not be left on unattended tables. While scheduling of tables is not required in advance, those individuals who have previously scheduled a site through the Campus Activities Office or other appropriate university offices will take precedence.

## 2. Group Speech Activities

- a. Group speech activities, including rallies, parades and demonstrations, that are advertised through public media including newspapers, radio, television, flyers, or electronic lists may need to be coordinated through the NMSU Police Department (as described in 2b).
- b. Any individual, group, or organization sponsoring a group speech activity that is expected to draw more than 100 persons at one time and uses public media for advertising must notify the NMSU Police Department no less than 72 hours in advance of the activity, so that the NMSU Police Department can take appropriate actions to ensure the safety of the event and issue a permit as proof of prior notification. Activities expected to draw 500 or more participants, or require road closures or detours, must be scheduled two weeks in advance.
- c. Any individual, group, or organization planning a group speech activity is encouraged to contact the Campus Activities Office in advance so that activities may be coordinated with appropriate university offices. This will allow for locations to be reserved or other concerns to be addressed, such as the use of sound amplification equipment. Contacting the Campus Activities Office is voluntary and does not constitute an approval process.
  - a. All scheduling is done on a "first come, first serve" basis.
  - b. Activities that are scheduled receive priority in the use of space on campus.

## 3. Electronic Sound Amplification

- a. The use of electronic sound amplification equipment is authorized in the open lots to the East of the Pan American Center and Aggie Memorial Stadium, the Corbett Center Outdoor Stage, and the "Aggie Pond" area off Espina Street, from 7:00 a.m. to 7:00 p.m. Sunday through Thursday, and from 7:00 a.m. to midnight on Friday and Saturday.
- b. Sound amplification equipment may be allowed at other times and in other locations if coordinated in advance through the Campus Activities Office.

## 4. Use of Chalk

- a. Chalk may be used on campus as long as it is restricted to concrete walkways.
- b. All chalk used must be of a temporary or removable nature. Permanent chalk, such as surveyor's chalk, may not be used under any circumstances.

# B. Policy Enforcement

Any person violating this policy will be subject to:

1. Being asked to cease and desist or to relocate by appropriate university employees acting within the scope of their duties.
2. Being ordered to leave the premises or property owned or controlled by the university by the police or a person in charge of the property.

3. Institutional disciplinary proceedings under the Student Code of Conduct if violation by a student.  
Violations by faculty or staff will be
4. referred to the appropriate department or academic unit.
5. Arrest for violation of local, state, and federal law(s).
6. Restriction of future use of, or access to, the NMSU campus.

## C. Reference to Other Policies Impacting Freedom of Expression

In the event that the terms of this policy conflict with other existing policies impacting freedom of expression in areas generally accessible to the public, the terms of this policy shall prevail.

### Student Handbook

575-646-1722

[dos@nmsu.edu](mailto:dos@nmsu.edu)

Office of the Dean of Students, Room 207

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[Website Comments](#)