



**UNIVERSITY OF MARYLAND
EASTERN SHORE**
Expressive Activities Guidelines

July 2024

Purpose

Expressive activities include a wide range of actions, such as robust debate and dissent, speeches, peaceful protests and demonstrations (both verbal and silent), oral presentations, counter-protests (both verbal and silent), distribution of literature, speaking engagements, artistic performances and programs, outdoor and indoor events, marches, picketing, rallies, signage, postering, chalking, petition circulation, outdoor camping, and the display of symbols or other non-commercial expressive communications or activities.

This document builds upon the guidance provided by the UMES Office of Student Conduct and Community Standards, the Campus Protest Policy, and other resources. It aims to help students, faculty, staff, and sponsored guests understand their rights and responsibilities when participating in expressive activities on the UMES campus. Furthermore, it offers practical advice on how to apply this guidance to ensure that campus assemblies are peaceful and respectful of our Community Standards.

Manner of Gathering

The University acknowledges that the right of community members to gather—whether for public demonstrations, protests, or vigils—is fundamental to the academic freedom we uphold. UMES students, faculty, and staff are entitled to explore and discuss all matters of interest and to express their views and opinions both publicly and privately. This right, however, must be exercised without disrupting the same rights and freedoms of others, misusing university facilities, or interfering with the university's regular and essential operations. It must not hinder anyone's ability to participate in classes, events, programs, or activities. In their public expressions or demonstrations, student organizations, individual students, and faculty or staff members represent only themselves, not UMES as an institution.

Administration

These guidelines apply to all participants in expressive activities and will be enforced impartially, regardless of the message or viewpoint expressed. Students who violate the Campus Protest Policy or these guidelines will be referred to the appropriate office for disciplinary action. Non-university individuals and organizations that violate the Code of Student Conduct, the Protest Policy, these guidelines, or any university policy may face criminal and/or civil penalties.

Organizer's Responsibility

Organizers of expressive activities are responsible for the behavior of their invited guests on campus. Therefore, organizers must include these guidelines in all invitations and promotional materials, and ensure that all participants receive a copy. Organizers should also monitor for any disruptive or dangerous behavior during the event. If attendees become disruptive, organizers should first request that the behavior stops or ask the individuals to leave. If the situation remains unmanageable, Campus Safety should be contacted. Violations of the Code of Student Conduct, the Protest Policy, or any university policy by a guest will result in charges against the host student organization and/or university department.

Expressive Activities Guidelines

The University of Maryland Eastern Shore (UMES) recognizes the importance of freedom of speech and expression. To ensure that expressive activities are conducted in a manner that does not disrupt the educational environment or infringe on the rights of others, the following guidelines have been established:

General

Expressive activities must not interfere with the rights of other students, faculty, and staff to engage in educational, research, and administrative activities. Noise levels should be kept to a minimum to avoid disrupting nearby classes and offices.

Expressive activities that involve violence, threats, harassment, or other forms of disruptive behavior are strictly prohibited. Activities that damage property or violate university policies will result in disciplinary action.

Event participants are prohibited from using intimidating tactics or unwelcome physical contact between demonstrators, counter-demonstrators, the audience, the speaker or performers, or University officials.

Individuals or groups engaging in expressive activities are responsible for reasonably limiting the costs to the university of increased campus police protection, event safety staffing, medical resources, potential university liability, insurance coverage, and cleanup and repair after an event.

Scheduling and Participation

Only members of the UMES community may organize and lead expressive activities on campus.

To avoid scheduling conflicts and ensure appropriate support, individuals or groups planning expressive activities must notify the Office of Enrollment Management and Student Experience at least seven (7) business days prior to the planned activity. This notification should include the date, time, location requesting, and nature of the activity.

Expressive activities are allowed in specific locations on campus. These areas are designated to minimize disruption to the normal operations of the university and to ensure safety and security. Information about these locations can be obtained from the Office of Enrollment Management and Student Experience.

In accordance with Maryland Code Ann., Educ. Section 26-102, as amended, individuals on university property may be required to provide identification and evidence of qualification to a University official upon request. Evidence of qualification means that the individual is a bona fide, currently registered student, staff, or faculty member at the institution, or has lawful activity to pursue at the University.

Expressive activities must comply with all relevant federal, state, and local laws, including but not limited to this policy, other applicable University System of Maryland and University policies, regulations set by the State Fire Marshal, traffic laws, and ordinances regarding sound amplification systems. ***Persons engaging in expressive activities and speech on campus may not:***

1. Obstruct the free movement of persons and vehicles in any way.
2. Disrupt or prevent the peaceful and orderly conduct of classes, lectures, events and/or meetings, or interfere with any other person's ability to express their views, including invited speakers.
3. Enter and/or remain in any building or facility for any purpose other than its authorized uses, remain in any building or facility after it is normally closed, or refuse to leave any building or facility after being asked to do so by a UMES official or other authorized official.
4. Display items on residence halls or other campus buildings, windows and balconies such that they are visible to passers-by.
5. Engage in any behavior that may pose a risk to the mental or physical health and safety of any individual or group.
6. Use amplified sound devices such as bullhorns, PA systems or air horns without prior approval. When approved, the volume must be kept at a level that does not disrupt university activities.
7. Use open flames and /or torches.
8. Use weapons, including firearms (defined as any projectile-firing device including rifles or shotguns), ammunition, explosives, or other dangerous weapons, instruments, or substances.
9. Use sticks, poles, or other items that could be used as weapons.
10. Violate occupancy limits, fire codes, or otherwise endanger the safety of others or pose risk of property damage.
11. Engage in such activities between the hours of 10 p.m. and 8 a.m.

Speakers

External speakers and events involving non-university individuals or organizations must be sponsored by a recognized student organization or university department. These events must comply with all university policies and procedures.

Outdoor Events

Candles less than six (6) inches in length may be used at outdoor vigils without prior approval.

Chanting or sustained, repeated noise which substantially interferes with communication during a planned activity is not permitted.

Signage & Chalking

Signage, leaflets, and other materials intended for distribution or display will be reviewed and approved prior to any expressive activity. Signage should be made of soft materials, like cardboard or cloth, and should not be attached to rigid sticks or poles. Virtual expressive activities should include a disclaimer at the beginning to clarify the institution's stance on the opinions expressed by student organizations.

All posters, signs, flyers and banners must conform to the following requirements:

- They must be dated, must include the name of the sponsoring UMES organization, unit or individual, and must be removed within two weeks of placement.
- They may not obstruct exit signs, exit doors, or fire and life safety systems due to fire code concerns.
- Posters, signs and banners larger than 8" x 11" should be made from flame retardant materials.
- If indoors, they must be affixed to designated areas using thumbtacks that are easily removed and that do not damage surfaces.
- If outdoors, they may not be displayed on trees, buildings, bus stops, street signs, or other outside structures.

Posters, signs, or light projections that have been erected or displayed in non-designated spaces without approval or that are more than two weeks old may be removed by appropriate university personnel, regardless of content. Any cost associated with the removal will be billed to the sponsoring UMES organization, unit, or individual.

Use of water-soluble chalk is allowed on all campus sidewalks. No fixative may be used. Use of spray chalk, spray paint or other forms of paint, or other similar media that may damage university property is strictly prohibited. Chalking is not permitted on any vertical surface (i.e., sides of buildings).

Installations

Symbolic structures, art, and other installations erected on university property for protest or expressive purposes require prior registration and meet the following criteria:

- Must be temporary (less than two weeks);
- Must clearly identify the sponsoring individual or group;
- Must be flame retardant
- Must not obstruct exit signs, exits, or fire and life safety systems;
- Must not otherwise pose a danger to persons or property; and
- Must conform to any other conditions that may be stipulated in the approval.

Campus Aesthetics

Individuals or groups participating in expressive activities must uphold campus aesthetic standards and ensure the area remains clean and free of litter. They will be held accountable for any damage to university property. Those who cause such damage may face disciplinary actions, including the obligation to pay for the restoration of the property to its original condition.

Violations and Enforcement

Violating the policies governing expressive activities can result in serious consequences for both students and non-university individuals. These consequences include:

1. **Disciplinary Action for Students:** Students who violate the Campus Protest Policy, these guidelines, or any related guidelines will be referred to the appropriate university office for disciplinary action. This can include warnings, probation, suspension, or expulsion, depending on the severity of the violation.
2. **Penalties for Non-University Individuals:** Non-university individuals and organizations that violate the Code of Student Conduct, the Protest Policy, these guidelines, or any university policy may face criminal and/or civil penalties. These can include fines, arrests, and legal action.
3. **Accountability of Organizers:** Organizers of expressive activities are responsible for their guests' conduct. If a guest violates any policy, the host student organization and/or the university department may face charges, which could lead to sanctions or loss of privileges.
4. **Immediate Removal:** Individuals causing disruptions or posing a danger during an event may be asked to stop their behavior or leave the event. Failure to comply can result in immediate removal by Campus Safety.
5. **Loss of Event Privileges:** Repeated or severe violations may result in the loss of privileges to organize future events on campus.

Enforcement of these policies ensures a safe, respectful, and lawful environment for all members of the campus community.

The University reserves the right to impose reasonable restrictions on the time, place, message, and manner of expressive activities to prevent interference with university operations and to protect the rights and safety of the university community. These restrictions are content-neutral and are designed to ensure that activities do not disrupt classes, obstruct traffic, or endanger participants or bystanders. Consequently, designated university personnel may intervene as necessary to address any violations related to expressive activities.

Grievance & Appeals

Individuals or groups who feel their rights to free expression have been violated can file a grievance with the Office of Institutional Equity and Compliance. Additionally, appeals concerning decisions made under these guidelines can be directed to this office.

Institutional Statement Regarding Police Involvement in Gatherings and Demonstrations

The University upholds the right of our community members to peacefully protest on campus. Therefore, law enforcement will not be contacted during demonstrations and gatherings that remain peaceful. We acknowledge that non-UMES affiliated individuals may contact the Princess Anne Police Department, Somerset Sheriff, or Maryland State Police to report incidents occurring on our campus. Additionally, there may be occasions when a peaceful demonstration coincides with a legitimate campus emergency necessitating immediate assistance from these agencies. In such cases, law enforcement is obligated to respond promptly.

By adhering to these guidelines, UMES seeks to create a campus environment that respects and promotes the free exchange of ideas while maintaining order and safety.