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College of Education
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Nancy Cantor, Chancellor
University of Illinois, Urbana-Champaign

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Dear Chancellor Cantor,

The CCG recommends changes to the wording of Rule 103 (CG.01.06). We were asked to address this issue by Bob Rich and Senate Council last year. We have discussed these proposed changes with the Office of Project Planning and Facility Management, and tried to accommodate their concerns wherever possible.

The changes are intended to reconcile differences between the Code and current administrative procedures addressing the distribution of handout materials in campus buildings.

CCG believes that the basic spirit of this campus should be to allow the widest possible distribution of information and perspectives on important social and political concerns. This principle is expressly stated in the Statement on Individual Rights, 3A. Furthermore, the current wording of Rule 103.D clearly states the intention that the basic preference is *toward* unrestricted distribution of such materials anywhere on campus, except where specifically prohibited by the official responsible for that building (and, presumably, for specifiable reasons):

103.D.1 Any individual may distribute leaflets, handbills, samples, and other types of materials without prior approval with the following exceptions...

Yet current administrative practice, at least on the part of the Office of Project Planning and Facility Management, has been to issue a blanket ban on all distribution of such handouts within campus buildings, while allowing it outside them (as long as this activity does not impede traffic flow or affect public safety).

CCG believes that the current section 103.D.1b is ambiguous, allowing one side to interpret it in a "minimalist" fashion while the other reads it as authorizing a blanket restriction:

103.D.1b Distribution may be regulated, or prohibited when circumstances warrant, inside University-owned or -leased buildings by the official or body responsible for the facility in question.

This problem is complicated further by the different layouts of various campus buildings, some of which have large vestibules or common spaces within them, others of which do not. Moreover, the layouts of different buildings differ as to whether a table, say, three feet inside a door is any more likely to disrupt activities or impede traffic than a table three feet outside the door. Finally, it seems an undue hardship in cases of inclement weather to require people to stand outside a door when they could just as safely stand a few feet inside it. Indeed, in practice, some buildings, like the Union, *do* allow such handouts in approved areas. Therefore, we do not think that a single blanket ban is consistent with the basic spirit of Rule 103.D. At the same time, CCG recognizes the basic need of campus facilities officers to protect the integrity, safety, and smooth operation of activities inside university buildings.

As a result, CCG favors a clarification of this section of the rule, drawing as its precedent rules governing such distribution in campus dormitories (Rule 22):

CG 01.06 (to replace current wording):

103.D.1b Distribution of handout materials is permitted inside University-owned or -leased buildings with prior permission from the office or body responsible for space requests (see 103.B.1). With prior approval, space will be granted in a public area that allows distribution of materials without disrupting the activities occurring there. Approval may be denied for safety reasons or because there is no suitable public area. Appeals of such decisions may be made to the Committee on the Use of Facilities. Distribution outside the entrances to University buildings without prior permission is permitted so long as it does not impede traffic flow.

This change would require OPPFM and other offices with responsibility for campus buildings to survey buildings under their jurisdiction and determine whether a suitable public area might exist within them. In our discussions with representatives of OPPFM, it was clarified that when a campus building has been rented by a non-university entity for a specific event, that entity would have jurisdiction over whom they allowed access.

Less substantively, we also recommend that the phrase "Office of Facility Planning and Management" be replaced by "Office of Project Planning and Facility Management" (or whatever its new title might become) elsewhere in Rule 103 and anywhere else in the Code it might appear.

Nicholas C. Burbules
Chair, Conference on Conduct Governance