

October 11, 2022

Cece O'Leary  
Director of 1A Project  
Southeastern Legal Foundation  
560 Crossville Road., Suite 104  
Roswell, GA 30075

Re: Southeastern Legal Foundation's October 3 Letter to Iowa State University

Dear Ms. O'Leary:

Iowa State University is in receipt of the Southeastern Legal Foundation's (SLF) October 3, 2022 letter regarding the ISU Memorial Union's student organization tabling reservation system. We appreciate SLF's interest in this subject and have reviewed the analysis provided carefully.

As stated publicly before, Iowa State embraces its role as a First Amendment campus and the university is firmly committed to the constitutional protections of free expression. The protections afforded by the First Amendment are core values of Iowa State and fundamental to the university's mission to create, share, and apply knowledge to make Iowa and the world a better place.

We understand that the primary concern SLF has identified concerning the tabling reservation system is the number of table reservations a particular student organization may request in advance per semester. To be clear, there is no question that ISU's procedures are content and viewpoint-neutral in complete compliance with the First Amendment. With respect to the number of advanced reservations a student organization may request, current procedures identify that student organizations may make eight (8) advanced reservations per semester. Each reservation allows a student organization to occupy a table for up to four (4) consecutive days. Accordingly, a student organization may reserve and occupy a Memorial Union table for up to thirty-two (32) days a semester. What is more, the reservation system is used only for advanced reservations. Tabling space that remains unreserved two-weeks in advance of the date, is reopened and made available to all student organizations.

Not surprisingly, given these generous reservation guidelines, no student organization has utilized all of its possible allotted time this semester, and no group utilized all 32 days the previous year. While SLF raises concerns about the marketplace of ideas being impacted by the advanced reservation system, the reality is that the advanced reservation system was established in order to enhance all student organizations' First Amendment rights and safeguard the marketplace of ideas on our campus. Iowa State University has over 800 student organizations. Without any advanced reservation cap, a single or just a few student organizations could reserve all the tabling space for an entire semester – essentially shutting down the marketplace of expression. The advanced reservation system in place helps ensure that **all** student organizations have an opportunity to reserve tabling space, while at the same time providing student organizations with ample opportunity to promote their organization and organization events.

Importantly, the Memorial Union tabling space is just one of many available channels of expression available to ISU student organizations. Consistent with State of Iowa Board of Regent policy, **all** of the outdoor areas of ISU's expansive campus, as that term is defined in the policy, are public forums, open on the same terms to any member of the campus community subject to reasonable time, place, and manner restrictions that are consistent with established principles of the First Amendment. In addition, student organizations may utilize ample space in the university's bustling Student Innovation Center as well as other buildings throughout campus, including but not limited to the Alumni Center, Howe Hall, Hoover Hall, the Iowa State Center, Recreation Services areas, Department of Residence areas, and classroom and auditorium areas. Student organizations are also afforded the privilege of using the university's mass email communication system to send messages to the entire student body concerning their student organization and student organization events and programs.

We appreciate SLF's initial thoughts concerning the Memorial Union's tabling reservation system, but firmly believe the analysis provided is incomplete and not based on all the facts. The reality is that Iowa State serves as a leading First Amendment campus. As detailed above, the advanced table reservation system in fact promotes and safeguards student organization expression and the marketplace of ideas by providing **all** student organizations with ample time and space to promote their organization and organization events. The university's many other spaces and venues for free expression further demonstrate the university's commitment to free expression.

Iowa State University consistently monitors and reviews existing policy and procedures for opportunities for clarification and improvement. The university will review and monitor the table reservation system and review the guidelines and procedure to determine whether additional information and points of clarification may improve the campus community's understanding and implementation of the process.

Very truly yours,

A handwritten signature in cursive script that reads "Michael E. Norton".

Michael E. Norton  
General Counsel and Chief Risk Officer

cc: Wendy Wintersteen  
Steve Winfrey  
Kevin Merrill  
Peter Englin