



ACCREDITATION EVIDENCE

Title: Board Procedure 1330A: Acceptable Use of College Property:
Freedom of Expression Peaceful Assembly. Reference: Policy 1330A:
College Property

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ACCEPTABLE USE OF COLLEGE PROPERTY: FREEDOM OF EXPRESSION PEACEFUL ASSEMBLY

Reference: Policy 1330A: College Property

The College recognizes that freedom of expression and assembly are important aspects of the educational experience. The College provides opportunities for discourse, debate, sharing of ideas, and other expressive activities while operating and maintaining an effective, safe and efficient institution of higher education. The College has also determined as part of its facilities use planning to make certain College facilities are available for solicitation and vending.

This procedure sets out how to gain approval for use of publicly available indoor and outdoor spaces for expressive activity in a constitutionally protected manner consistent with the needs of the College to identify the appropriate time, place, and manner for these activities in order to coordinate multiple uses of limited space, provide adequate services to support the campus, maintain the safety and appearance of the campus and preserve financial accountability.

Definitions

Amplified sound: Sound that is increased or enhanced by any electric, electronic, or mechanical means, including handheld devices such as megaphones and sound trucks. Other sound, specifically individual shouting or group chanting/singing, is subject to general requirements concerning disruption of official College activities.

Campus Community: Employees, students, and recognized student groups.

Campus contact: The person through whom a member of the Campus Community arranges space for their official College activities and/or authorized activities in support of the College. At the College, this is the Physical Resources office.

College facilities: College-owned and controlled buildings, including residence halls, grounds, space, property and other facilities including but not limited to buildings and the space within and between buildings, parking lots, athletic facilities, sidewalks, lawns, fields, shelters, amphitheaters, and all other spaces where events may be held, activities may take place, or that may require services.

Expressive activity: The verbal or symbolic expression of an idea, thought, or opinion and may include speeches, assembly, vigils, picketing, distribution of literature, displaying hand-held signs and other similar activities intended to communicate an idea or opinion. It does not include commercial soliciting and vending. For those interested in commercial solicitation and vending, please refer to the Facilities Request Form, or contact the Physical Resources office.

Official College activities: Any College activity undertaken by or under the authority of a College official within the scope of their duty as part of the College's mission.

Literature: Any printed non-commercial material that is produced for distribution or publication to an audience, including but not limited to flyers, handbills, leaflets, placards, bulletins, newspapers, and magazines, but does not include the College bulletins or newsletters or official College material.

Recognized student group: A student group that has met the College's requirements for a registered student organization as defined by Student Life.

Procedure

College facilities are, first and foremost, for official College activities and authorized activities of recognized student groups and College-affiliated entities. Priority for space usage shall be given to any College educational function, official College activities and authorized campus community activities. Publicly available indoor or outdoor space identified in this procedure may be available for assembly and expressive activity in accordance with law, Board policy and College procedure.

Space reservations

Members of the Campus Community should arrange any use of publicly available space, whether for official/authorized College activities or for other expressive activities, through the Physical Resources office by filling out a Facilities Request Form.

Provisions

The following provisions apply to the use of publicly available space for expressive activity:

- **Indoor activity:** Those planning to engage in expressive activities as a group or individuals planning to engage in expressive activities must reserve appropriate indoor space for a proposed activity at least seven (7) business days in advance.
- **Outdoor activity:** Those planning to engage in expressive activities as a group or individuals planning to engage in expressive activities intended to attract the attention of passers-by must reserve appropriate outdoor space for a proposed activity at least seven (7) business days in advance.
- **Reservations,** including expected number of attendees and the proposed manner in which the activity will be conducted, assist in identifying an appropriate location and time, thus avoiding conflicts that could require rescheduling an activity and permit the College to evaluate necessary services and costs. Where an activity requires more than a nominal increase in services to accommodate the event, or results in damages, the additional costs of such services and/or damages may be assessed to the individual or group reserving the space.
- **Space** is available for reservation and activities only during the normal business hours of 8:00 am – 6:00 pm, Monday-Friday. However, the Vice President for Administrative Services may approve a reservation requiring use of space after 6:00 p.m. for events by

non-college entities. The Dean of Students may approve a reservation requiring use of space after 6:00 p.m. for events by student organizations. To allow for a diversity of information and perspectives no one may reserve more than five consecutive days and fifteen days total for the semester.

- Upon arrival on the day of the reservation or activity, the individual making the reservation must check in with the Physical Resources office.
- Persons must abide by all applicable laws, policies, procedures and protocols.
- Persons must not engage in activity that defames, is obscene, incites violence, or threatens physical harm.
- Persons must not obstruct, disrupt, interrupt, or attempt to force the cancellation of any event or activity.
- Persons shall comply with the directions of a College official or security officer acting in the performance of their duty.
- Amplification is not permitted unless prior arrangement has been made through the reservation process for the activity to take place at a time and place where the amplification will not interfere with official College activities or the space is being rented and the rental agreement provides for amplification. No individual or group will be permitted to use amplification that interferes with official College activities.
- Signs, images, and demonstrative items or artwork used in connection with the activity must be hand-held. They may not be affixed to College facilities. No structures may be used or erected without prior written approval from the appropriate College office/official.
- Persons on campus may be required to provide picture identification and provide information regarding their status as a student or employee upon request.
- Campaign fundraising is not allowed.
- Candidates for public office may not use student groups to directly or indirectly secure the use of College facilities for free or at a reduced rate for campaigning in violation of law. Candidates may rent available facilities for solicitation or vending space in accordance with these College's procedures.
- To avoid the appearance that the College supports or opposes a particular candidate, ballot issue or referred measure, College facilities may not be used for collecting signatures for ballot initiatives, referred measures, or candidate petitions, except when the collector rents space in accordance with this procedure. Streets and sidewalks abutting campus property that are under the local government's jurisdiction are available for signature collection in accordance with federal, state, and local law.
- When College facilities are reserved for an activity by a candidate or by a group or individual advocating for or against a candidate for an elected office, or a ballot issue or

referred measure, a disclaimer is required on printed material announcing the event and at the location that the College does not endorse the candidate, ballot issue, or referred measure. Any opposing candidate or advocacy group will be offered a similar opportunity to reserve College facilities.

Distribution of Literature

Distribution of non-commercial literature is considered an expressive activity and may take place by reservation in publicly available space identified for expressive activity in accordance with this procedure or in conjunction with a reservation of space or a facilities rental. College property, such as parking lots and internal campus walkways and other outdoor spaces are for supporting official College activities and for authorized activities of the Campus Community and are not available to the general public for distribution of commercial or non-commercial literature. Streets and sidewalks abutting College property that are under a local government's jurisdiction are available for distribution of literature in accordance with federal, state, local law and this procedure. The following requirements must be adhered to:

- Those distributing literature may not continue to approach anyone who has indicated a lack of interest, follow or stop anyone, shout, or interfere with any person's progress.
- Those distributing literature should be considerate about collecting any litter that may be generated as a consequence of their distributions and are expected to collect literature that is left over or that is on the ground in the area in which it is distributed.
- Literature distributed on campus that contains the College's name or acronym in the organization's name or that contains any reference to being affiliated with the College, or references an activity as taking place at the College, must include the statement that the literature is not an official College publication and does not represent the views or official position of the College.

Publicly Available Space

Publicly available space(s) are currently identified as available for reservation for expressive activity as follows:

- The Physical Resources office will designate space(s) that are available to members of the general public and the Campus Community.
- In addition to designated space(s) available for reservation by members of the general public and the Campus Community for expressive activity, students may assemble in groups of 25 or fewer for spontaneous expressive activity without a reservation, on College walkways, and outdoor common areas, so long as they remain at least 50 feet from building entrances and otherwise conduct their expressive activities in a manner consistent with this procedure.
- The Physical Resources office maintains a listing of available facility space and rental fees, as applicable.

- If the designated space(s) is unsuitable for the proposed activity because of logistical, support services or safety concerns, the College will work with the requester to identify and reserve other suitable space on campus on a case-by-case basis.

Provisions

No reservations will be granted for the following activities:

- Any activity that competes with official College activities or businesses that the College has entered into an exclusive contract with, e.g., food service, beverage/snack vending, etc.
- Any activity prohibited by local, state and/or federal laws (e.g., sale of alcohol, campaign distributions, sale or promotion of tobacco and/or tobacco-related products, etc.)

A rental fee may be assessed, depending on the facilities usage and equipment request. The rental fee information is available in the Physical Resources office and the requestor will be notified of the charge at the time the Facilities Request Form is submitted.

Distribution of written materials will not include canvassing on buildings or vehicles. Violation of the expectations identified in this procedure may result in being asked to vacate the premises immediately without a refund of any assessed fee. The College reserves the right to refuse to grant future applications to individuals or groups in violation of this procedure.

Refusal of a Reservation

The Physical Resources office monitors and responds to requests to reserve space. When necessary, that office refers requests for student-oriented space to the Student Life office. When deemed appropriate by the Physical Resources office, a requester may need to clarify the request before a reservation is made so as to assist the requester to conform the request to the requirements of law, policy, procedure and this protocol, and discuss time, place, and manner considerations for effective communication that protects the safety of the requester, the Campus Community, and any visitors. The College may refuse a reservation request for the following reasons:

- Conflict with an earlier request to reserve the same space and time.
- Failure to conform to the requirements of law, College policy or procedure.
- The requested space is being used for an official College activity or previously reserved use.
- An adjacent space is being used for an official College activity or a previously reserved use that renders the requested space unsuitable for the proposed activity.
- The request form is incomplete.
- The request alone or cumulatively with other requests exceeds more than fifteen days in a semester or is for more than five consecutive days.
- Lack of resources necessary to support an activity in a manner that preserves College facilities and protects the safety of the campus.

- Refusal of a reservation may not be based on the viewpoint of the proposed activity.

Request for Review of Refusal of a Reservation

If a request for a reservation is refused, the requester may request review of the refusal by the Vice President for Administrative Services or their designee. The Vice President for Administrative Services' decision is final.

Cancellation of an Activity

Activities that commence without a reservation may need to be moved or cancelled if the size and nature of the event cannot be accommodated without jeopardizing the safe and orderly operations of the campus or a previously scheduled use. If an activity attracts more attendees than can be effectively managed by available staff and/or resources or is otherwise occurring in a manner that fails to observe this procedure, a College official acting in the performance of their duty shall determine appropriate action up to and including directing individuals in violation of this procedure to leave campus or cancelling the activity and directing participants to disperse. Any participant who fails to leave campus or disperse after having been requested to do so by a College official or security officer acting in the performance of their duty may be subject to arrest and/or issued a no trespass order. Students and employees may also be subject to discipline up to and including suspension or expulsion for students and dismissal or termination for employees.

This procedure provides operational directives as required by Board Policy 1330A: College Property. It does not create, nor shall be construed to create, an express or implied contract or a guarantee or promise of any specific process, procedures, practice, or benefit.

Adopted September 9, 2021