

## **Procedure 2.3.5.1 Administrative: Campus Free Speech, Distribution of Material, and Assembly**

**TRI-COUNTY  
COMMUNITY COLLEGE**

**ADMINISTRATIVE  
CAMPUS FREE SPEECH,  
DISTRIBUTION OF MATERIAL AND  
ASSEMBLY**

**PROCEDURE  
2.3.5.1**

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The College is a limited public forum that does not regulate speech or activities based on content or viewpoint. All individuals using College Space must comply with the following Procedures. These Procedures only apply to the use of College Space and not to the use of facilities on campus. For more information regarding facility use, see Policy 2.2.3 – Facilities Use.

### **I. Definitions**

- A. College Members – students who are currently enrolled at the College and/or individuals currently employed by the College.
- B. College Space – all outdoor areas on the College campus.
- C. College Use – use of a College Space by the College for official College business and/or functions.
- D. Designated Area(s) – The sidewalk area in front of the McSwain Building is the designated free speech area for the College. The President, or designee, is authorized to designate other areas on campus as Temporary Designated Areas when needed dependent on the location and size of a specific event or activity. Temporary Designated Areas are not permanent and will end after the specific event or activity.
- E. Non-College Members – any individuals who are not currently enrolled at the College and/or are not currently employed by the College.

### **II. Speech, Distribution of Material and Assembly for College Members**

- A. The College is committed to making the majority of its College Space available to College Members who wish to exercise their rights of speech, distribution of material and assembly. The College maintains the right to reserve any College Space at any time, with or without prior notice, for College Use and such use will take priority over any other use.
- B. All outdoor assemblies may not be conducted within thirty (30) feet of any building or otherwise interfere with free flow of vehicular, bicycle or pedestrian traffic.
- C. Although registration by College Members to use College Space is not required, it is recommended for planning purposes. Registration ensures that the desired space will be available on the desired date and time. For more information about registration, see Section III (B) herein.

### **III. Speech, Distribution of Material and Assembly for Non-College Members**

- A. Except as stated herein, Non-College Members shall be allowed to use the Designated Area between the hours of 8:00 a.m. and 9:00 p.m. on Mondays through Fridays when the College's general curriculum classes are in sessions. The Designated Area is not available on weekends or when the College is closed. The College maintains the right to use the Designated Area at any time, with or without prior notice, for College Use and such use will take priority over any other use.

If on the weekends the College is having an official College event or if a speaker or group is hosting an event that is open to the general public and/or is a matter of public concern, the Designated Area, or Temporary Designated Area, if so established, will be open to Non-College Members at times established by the President or designee; provided, however, that the Designated Area must be open at least one and one-half hours prior to and after the event.

- B. Any Non-College Members will be allowed to use the Designated Area within the time restriction. All Non-College Members must complete a Registration Form (the "Form") and submit it to the Office of Student Life and Development no earlier or later than three (3) business days prior to their activity on campus. The College does not restrict speech and/or activities based on content or viewpoint. The purpose of the Form is to make sure there is adequate space in the Designated Area for the requested date and time and for safety concerns. Upon request by College officials, Non-College Members will be required to provide proof of registration for use of the Designated Area. Forms will only cover one (1) day at a time. Requests for standing dates (i.e., every Tuesday) will not be honored.
- C. The College will assign use of a Designated Area on a first come, first serve basis; however, the College may regulate hours to fairly accommodate multiple groups.

### **IV. General Rules and Regulations for Both College and Non-College Members**

- A. While expressing speech, distributing material or assembling, both College and Non-College Members are prohibited from doing the following:
1. Engaging in non-protected speech such as obscenity, speech inciting criminal conduct, speech that constitutes a clear and present danger or speech that constitutes defamation;
  2. Touching, striking, approaching or impeding the progress of pedestrians in any way, except for incidental or accidental contact;
  3. Obstructing the free flow of pedestrian or vehicular traffic;
  4. Using sound amplification or creating noise levels that are reasonably likely to or do cause a material and substantial disruption to the College educational environment and/or operations;
  5. Damaging, destroying or stealing College or private property; and

6. Possessing or using firearms, explosives, dangerous weapons or substances not allowed on campus by law or by College policy (e.g., drugs, alcohol, tobacco, non-service animals, etc.).

Any acts that are disruptive to the College's normal operations will not be tolerated and may result in an immediate termination of the activity. Non-College Members are required to remain in the Designated Area while on campus.

- B. Individuals may distribute pamphlets, booklets, brochures and other forms of printed materials on the condition that such material is designed for informational (not commercial) purposes. Individuals distributing materials must provide a receptacle for the disposal of such materials. The College does not assume any obligation or liability for the content of such distributed material. Any signs used may not be larger than three (3) feet by four (4) feet in size. Signs must either be held by participants or be freestanding signs that do not stick into the ground. No signs may be mounted on buildings, trees or other College property.
- C. Individuals are responsible for the cleanliness and order of the area they use. Individuals shall leave the area in the same condition it was in before the activity. Individuals who damage or destroy College property shall be held responsible for such damage or destruction. This includes the campus buildings, sidewalks, lawns, shrubs and trees.
- D. Individuals are subject to sanctions for failing to comply with these procedures or other College policies. Such sanctions may include, but are not limited to: repairing, cleaning, painting, replacement costs, restitution (by order of a court) and being banned from future use. College Members may also be subject to College disciplinary action as outlined in College policies and procedures. Individuals who violate these procedures may be issued a trespass warning and denied future access to College premises. Violations that require police intervention will be reported to the College's security forces.

## **V. Polling Places on Campus**

If campus buildings are used as public polling places, all activity must be in accordance with statutory and state/local Board of Elections requirements.

## **VI. City Sidewalks**

City sidewalks that run along the borders of or within the College's campus are public forums and available to all members of the public. Use of city sidewalks must comply with federal and state laws as well as city ordinances.

Adopted: 5/24/18 BOT