

COMMUNITY COLLEGE SYSTEM OF NEW HAMPSHIRE

Section: 500 – Facilities	Subject: Facilities Use
Policy: Expressive Activity	Date Approved: May 9, 2018
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562.01 Expressive Activity

1. Policy Statement

The Community College System of New Hampshire (CCSNH) is committed to supporting open expression and free speech by students and the public while establishing and maintaining a safe and secure environment for its students, faculty, staff, and visitors conducive to providing quality education. In light of these objectives and in developing and implementing this policy, CCSNH recognizes the freedoms established by the United States and New Hampshire Constitutions, including the rights of free speech and assembly. CCSNH also recognizes the need to preserve and protect its property, to provide a safe and secure environment for its students, faculty, staff and visitors, and to ensure the effective operation of its educational programs, business and related activities.

2. Policy Purpose

The purpose of this policy is to promote the free exchange of ideas and the safe and efficient operation of CCSNH and its colleges by:

- Encouraging free speech, assembly, and other expressive activities at designated publicly accessible outdoor areas of its college campuses, regardless of the viewpoint expressed;
- Maintaining an appropriate educational and work environment for all persons present on its college campuses; and
- Protecting and maintaining the security of CCSNH and college property, students, faculty, staff and visitors.

In implementing this policy, CCSNH seeks to avoid regulating the content of expressive activities and instead intends to subject expressive activities on any CCSNH college campus only to reasonable regulation with regard to time, place and manner of the activities.

3. Scope of Policy

This policy applies to any person seeking to engage in expressive activity on any CCSNH college campus in outdoor public areas designated for expressive activities. Expressive activities carried out under this policy shall not be considered to be speech made or endorsed by or on behalf of CCSNH or any of its colleges.

This policy does not apply to the use of CCSNH college facilities or grounds for events sponsored by CCSNH or its colleges.

This policy does not apply to the use of CCSNH college facilities or to the use of outdoor areas which have not been designated as areas for expressive activities.

This policy does not apply to any person or organization desiring to advertise or sell merchandise or services for commercial purposes on any CCSNH college campus.

4. Definitions

Expressive Activity includes speech, non-verbal expression, literature distribution, carrying and display of signs or placards, petition circulation and campaigning, marches, rallies, parades, demonstrations, protests, assemblies, and/or any other form of public display, expression or demonstration.

Outdoor Areas Designated for Expressive Activities shall be established by each college president and may include sidewalks, walkways and grounds more than 25 feet from any building.

Blackout Days are certain days set by each college on its calendar, which may include but are not limited to examination periods, periods reserved for college events including graduation and related events, and semester break periods when classes are not in session, wherein the use of the college campus, including outdoor areas designated for expressive activities, are reserved exclusively for college related activities that are the very core of its primary educational mission. During these blackout days, no third party shall be allowed to use the outdoor areas designated for expressive activities.

5. Expressive Activity for Registered Students and Student Organizations

- A. Generally: Registered students and student organizations may use any available publicly accessible outdoor area designated for expressive activities, without prior notification or approval, provided that the use does not block the free passage of others and does not impede the regular operation of the college.

There is no limitation to the number of times a month a person or group may access these areas, provided that access is limited to hours when the college is

open to the public. During work and class hours, or if the area is currently in use for a college sponsored event, amplification will be restricted if it interferes, in any manner, with college operations.

Federal, state and local laws will be enforced.

- B. Large Groups: Registered students and student organizations whose use of an outdoor area designated for expressive activities is expected or reasonably likely to have more than 20 persons in attendance shall obtain a permit from the Vice President of Student Affairs or designee at least three business days before the day of the activity. Permit forms may be obtained from the Vice President of Student Affairs or designee and must be filled out by a person who will be personally present. Permit forms will require that the applicant provide information as to the specific location requested to be used, the estimated number of persons expected to be present, and the name and contact information of at least one person who can be contacted regarding logistics of the event and will be personally present.

Prior approval is to help ensure that there is sufficient space for the large group event, that the large group event does not conflict with any other college event or other use of the area, and that sufficient college resources are available for crowd control and security.

Expedited permit processing may be available where circumstances such as very recent or still-unfolding news developments that could not be reasonably anticipated exist and the permit may be issued with adequate planning.

The college may direct groups that exceed 20 persons to areas that do not interfere with college operations, public safety, the educational process, and unobstructed access to the college for its students, faculty, staff and visitors.

- C. Reserved Space: In addition to the rights and limitations set forth above, any registered student or student organization may seek to reserve the use of specific outdoor areas designated for expressive activity. Such a request will be granted unless it would conflict or interfere with a previously scheduled event or activity or violate CCSNH or college policy. A registered student or student organization that has reserved a specific area under this policy will have priority over any others seeking to use the area during the scheduled period of time.

6. Expressive Activity for College Visitors

Members of the public who are not registered students and student organizations shall, before engaging in expressive activity on any CCSNH college campus, obtain a permit

from the Vice President of Student Affairs or his/her designee at least three business days before the day of the activity. Permit forms may be obtained from the Vice President of Student Affairs or designee and must be filled out by a person who will be personally present. Permit forms will require that the applicant provide information as to the specific location requested to be used, the estimated number of persons expected to be present, and the name and contact information of at least one person who can be contacted regarding logistics of the event and will be personally present.

Prior approval is required to assure the reasonable conduct of the educational process, unobstructed access to the college for its students, faculty, staff and visitors and to maintain public safety and protect college property.

Generally, there is no limitation to the number of times a month a person or group may request access these areas. Access shall not be provided on blackout days and is otherwise limited to hours when the college is open to the public. During work and class hours, or if the area is currently in use for a college sponsored event, amplification will be restricted if it interferes, in any manner, with college operations.

Federal, state and local laws will be enforced.

Expedited permit processing may be available where circumstances such as very recent or still-unfolding news developments that could not be reasonably anticipated exist and the permit may be issued with adequate planning.

The college may direct groups that exceed 20 persons to areas that do not interfere with college operations, public safety, the educational process, and unobstructed access to the college for its students, faculty, staff and visitors.

7. Appeal

If a person or organization is aggrieved by a decision of the Vice President or designee, an appeal may be taken to the President within three college business days of that decision. The appeal shall be in writing, stating the basis therefore, and the relief sought. The President shall promptly issue a written decision.

8. Generally Applicable Rules for Expressive Activities

In order to maintain a safe and secure environment for its students, faculty, staff and visitors conducive to providing quality education, the following rules apply to expressive activity on college grounds:

- A. Expressive activity may occur only between the hours of 8:00 a.m. and 8:00 p.m. within the outdoor areas designated for expressive activity and shall at no time block an entrance or exit to any building, or impeded free access to the buildings,

sidewalks, walkways and parking lots or otherwise interfere with CCSNH or college business, the educational process, or public access to college grounds.

- B. Signs, banners, placards, equipment and any other structures of any kind that are placed on college grounds shall be free standing and shall not be affixed to or supported by any tree, post, building, fixture, or any other college structure. Due to the potential presence of underground utility, electrical and drainage lines, no signs, banners, placards, equipment or structures of any kind may be driven into the ground. All signs, banners, placards, equipment and any other structures shall be removed at the conclusion of the expressive activity and, in any event, no later than 8:00 p.m. on the day of the expressive activity.
- C. Any activity that may result in defacing or damaging college buildings and grounds, including, but not limited to, buildings, entrances, trees, shrubbery, flowers, lawns, sidewalks, walkways, parking lots, fences, lighting fixtures, fire hydrants, benches, monuments, plaques, or any other feature, is strictly prohibited.
- D. Climbing, stepping, sitting, standing or leaning upon monuments, fences, lighting fixtures, trees, buildings, entrances or any other structure not intended for that purpose is strictly prohibited.
- E. Vehicles are not allowed on college grounds except in areas designated for vehicular use.
- F. Individuals distributing literature or any other item shall remove all items discarded in or around the area of their activity at the conclusion of their activity. Distribution by placing any material on vehicles in the parking lots is prohibited.
- G. All persons must comply with all CCSNH and college policies, campus rules and regulations, and local, state, and federal laws and regulations.

9. Enforcement

CCSNH and its colleges reserve the right to stop any activity that substantially interferes with or disrupts normal business activities, interferes with the educational process, or violates this or any other CCSNH or college policy. Any person who violates this or any other CCSNH or college policy may be subject to an order to leave college property and may result in appropriate administrative and/or disciplinary action consistent with the rules and regulations governing students and/or employees of CCSNH and its Colleges, which may include dismissal or expulsion for students or discharge for employees.