

FRCC IS 12. PROTOCOL FOR USE OF PUBLICLY AVAILABLE OUTDOOR SPACE FOR EXPRESSIVE ACTIVITY

Category: College Property

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Legal or Other Authority: Student Life; Cabinet

GUIDELINE

Purpose: 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.

Overview: This protocol sets out how to make arrangements for use of publicly available 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 such 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.

Scope All Front Range Community College sites. This applies to all FRCC employees and students, as well as community members who seek use of the College facilities. This protocol sets out the College's protocols for use of publicly available outdoor spaces for expressive activity. This protocol does not apply to indoor space as those spaces are dedicated to official College activities, authorized uses by recognized student groups and other entities, and rentals under the College's Protocol for Facilities Use. Solicitation and vending uses are governed by the College's Protocol for Vending and Solicitation.

Form: Outdoor Expressive Activity Form (found on www.frontrange.edu under Public Meeting Rooms)

Definitions:

1. **Amplified sound** means 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.
2. **Campus Community**

4. CCC affiliated entity means any foundation, partner, governmental agency or nonprofit service provider acting in support of the CCCS mission in accordance with prior approval by the System or College president or designees.
5. College facilities means CCCS owned and controlled buildings, 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.
6. Expressive activity means the verbal or symbolic expression of an idea, thought, or opinion and may include speeches, assembly, vigils, picketing, distribution of literature, displaying 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 FRCC Protocol for Vending and Solicitation.
7. Official College activities means any College or System activity undertaken by or under the authority of a College or System official within the scope of their duty as part of the CCCS' mission.
8. Literature means any printed noncommercial 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. Distribution of commercial literature is governed by the FRCC Protocol for Vending and Solicitation.
9. Recognized student groups means a student group that has met the FRCC requirements for a registered student organization as defined by Student Life.

1. Introduction

- 1.1. College facilities are, first and foremost, for official College activities and authorized activities of recognized student groups and CCCS affiliated entities.
- 1.2. Internal campus controlled streets and walkways are for public ingress and egress for activities open to the public, for public use in conjunction with reservations in accordance with this procedure and this protocol for official College activities and authorized Campus Community activities.
- 1.3. Publicly available outdoor space identified in this protocol is also available for assembly and expressive activity in accordance with law, System policy and procedure and this protocol.

2. Space reservations

- 2.1. Members of the Campus Community should arrange any use of publicly available outdoor space, whether for official/authorized College activities or for other expressive activities, through the Student Life Office.
- 2.2. Members of the general public wishing to use publicly available outside space shall make arrangements through the Student Life Office.

3. Provisions

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

- 3.1. Those planning to engage in expressive activities as a group and individuals planning to engage in expressive activities intended to attract the attention of passersby must reserve

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

3.15. Distribution of Literature

- 3.15.1. Distribution of non-commercial literature is considered an expressive activity and may take place by reservation in publicly available outdoor space identified for expressive activity in accordance with this protocol or in conjunction with a reservation of ending and solicitation space or a facilities rental. College property, as parking lots and internal campus walkways and other outdoor space 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 noncommercial 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, and local law.
- 3.15.2. Those distributing literature may not continue to approach anyone who has indicated lack of interest, follow or stop anyone, shout or interfere with any person's progress.
- 3.15.3. Those distributing literature should be considerate about collecting any litter that may be generated as a consequence of their distributions and expected to collect literature that is left over or that is on the ground in the area in which it is distributed.
- 3.15.4. Literature distributed on campus that contains the College's name or any other 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.

4. Publicly Available Outdoor Space

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

- 4.1. The Student Life Office will designate space that are available to members of the general public and the Campus Community.
- 4.2. 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.
- 4.3. 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 less 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 protocol.

5. Refusal of a Reservation

- 5.1. The Student Life Office monitors and responds to requests to reserve space. When deemed appropriate by the Student Life Office, a requester may be asked to meet with the Student Life Office 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 protect the safety of the requester, the Campus Community and any visitors. The Student Life Office may refuse a reservation request for the following reasons:

- 5.1.1. Conflict with an earlier request to reserve the same space and time.
 - 5.1.2. Failure to conform to the requirements of law, CCCS policy, procedure or this protocol.
 - 5.1.3. The requested space is being used for an official College activity or previously reserved use.
 - 5.1.4. 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
 - 5.1.5. The request form is incomplete.
 - 5.1.6. The request alone or cumulatively with other requests exceeds more than fifteen days in a semester or is for more than five consecutive days.
 - 5.1.7. Lack of resources necessary to support an activity in a manner that preserves College facilities and protects the safety of the campus.
- 5.2. Refusal of a reservation may not be based on the following points: 4.8(1)(fac)-1.9a)13a5-3(g)x5.