

ADMINISTRATIVE PROCEDURE MANUAL		
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6Hx7-2.6 Speech, Assembly and Distribution of Information		October 30, 2019

Purpose

The purpose of this procedure is to inform members of the College community and the public of the manner in which they may engage in constitutionally protected speech, expression or the distribution of information at the College in accordance with the Campus Free Expression Act of 2018 (F.S. 1004.097) while protecting the primary educational purpose of the College and its business operations.


Procedure

A. Public Assembly on Common Areas

1. Common areas (outdoor areas) on College grounds may be used for informal public assemblies and as forums that encourage open expression and exchange of ideas. Pursuant to section 1004.097, Florida Statutes; “Outdoor areas of campus means generally accessible areas of a campus of a public institution of higher education in which members of the campus community are commonly allowed, including grassy areas, walkways, or other similar common areas. The term does not include outdoor areas of campus to which access is restricted.” Such public assemblies may not use amplified sound.
2. Public assemblies may not obstruct vehicular, bicycle or pedestrian traffic, obstruct entrances to buildings or driveways, and interfere with instructional activities inside or outside buildings.
3. Public assemblies may not interfere with or harass passersby, interfere with scheduled College ceremonies or events, damage any property including lawns, shrubs or trees, prevent a scheduled or authorized speaker from being heard or otherwise disrupt College activities.
4. Any activity deemed to be a disruption to normal educational, instructional or business operations of the College may be immediately stopped by campus security.

B. Sponsored Assemblies and Organized Activities

1. A person or group who wishes to engage in an expressive activity in outdoor areas of campus may do so freely, spontaneously and contemporaneously as long as the person’s conduct is lawful and does not materially and substantially disrupt the functioning of the College or infringe upon the rights of other individuals or organizations to engage in expressive activities. Activities or events sponsored by recognized College organizations or clubs shall be approved by the appropriate Director of Campus Operations (DCO) at least three (3) working days in advance. In scheduling, College sponsored events or activities involving academic assignments, research, services or other educational functions will receive priority.
2. Student assemblies and other organized activities may not take place indoors without specific permission from the appropriate Campus DCO, or designee. Classrooms and administrative areas of the campus are considered limited public forums, and in some cases private forums and as such subject to limitations imposed on students through established classroom decorum and College protocol, which protect and advance the educational purpose and mission of the institution.

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3. Persons and groups from outside the College community who engage in organized free speech activities on campus may be subject to the College's rules and procedures regarding the use/rental of College facilities, which may require charges to use the facilities and/or an executed indemnity agreement. Such rules and procedures shall be enforced in a content neutral manner.

C. Commercial sales and solicitation

1. Businesses, agencies, charities or other entities seeking to engage in commercial activities and solicitation shall comply with the requirements in APM 05-0701, Vendor on Campus and request permission to come onto College property for such purposes through the appropriate Campus DCO, or designee. Other commercial activity on College property may be permitted through a contract entered into with such party, such as a sponsorship or advertising contract.
2. Unless approved in advance or otherwise permitted by contract, all commercial solicitation or sales is prohibited, including the distribution of commercial printed materials.

D. Distribution and Posting of Printed Materials and Literature (non-commercial):

1. Printed materials include notices, handbills, leaflets, pamphlets, newspapers, signs, posters, magazines and similar printed papers. Printed materials may only be distributed in outdoor common areas of the College.
2. No printed materials may be distributed within College buildings and facilities, including athletic fields and recreational areas. Printed materials may not be distributed in any manner that interferes with access to buildings or facilities. No material of any kind (commercial or non-commercial) may be placed on automobile windshields.
3. The College has established areas throughout campus where printed material may be posted without prior authorization. The posting of any items advocating illegal, pornographic or violent activity or otherwise interfering with the orderly functioning of the institution is prohibited.
4. Specific departmental or administrative bulletin boards are for the exclusive use of members of those academic or administrative areas where they are located, and such bulletin boards are provided exclusively for the posting of official business or information originating from the applicable College academic or administrative units. Irrelevant items that are posted without administrative approval will be removed.

E. Circulation of Petitions and Surveys

1. Informal petitions and surveys may be conducted in outdoor common areas of the College. Petitions and surveys may not occur within College buildings and facilities, including athletic fields and recreational areas. Petitions and surveys may not be conducted in any manner that interferes with access to buildings or facilities. Those that require a table or station to conduct a petition or survey must receive prior permission from the appropriate Campus DCO, or designee.
2. Petitions and surveys shall be conducted in a courteous manner without any coercion or force. In no case shall tactics of harassment or intimidation be used to solicit participation in signing a petition. Students and employees should not be approached; rather those petitioning and circulating surveys should await students and others to approach them.

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F. Silent and Personal Expressions of Free Speech

1. Silent expressions of free speech where confined to one's immediate person such as speech found on clothing or other personal belongings, or the displaying of buttons, pins and armbands are allowed. However, such expressions are subject to the College's rules and procedures relating to behavior that may constitute illegal harassment or be unreasonably disruptive.

G. Exhibits and Displays on College Premises

1. Pre-approval from the appropriate Campus DCO, or designee, of times and locations of display is required prior to formally addressing the College community while using tables, chairs or other accessories for exhibits and displays. Chartered student organizations, campus visitors and students are permitted to have exhibits and displays on College property in accordance with the same guidelines as set forth above for organized public assemblies. The College reserves the right to set limits per event or organization in order to allow equitable access.

H. Non-Compliance

1. All individuals and organizations disseminating any information on campus are subject to sanctions for failure to comply with this procedure. Such sanctions may include payment of reasonable charges resulting from non-compliance, including repairing, cleaning, painting and/or replacement costs. College students and employees may be subject to institutional disciplinary or administrative action as stated in the Student Conduct Code and/or applicable College rules and procedures. Outside entities may be issued a trespass warning and denied future access to College premises.

REFERENCES: F.S. 1001.64, 1001.65, 1004.097, United States Constitution Amendment I

Adopted Date: February 10, 2015
 Reviewed Date: March 14, 2016
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