

VIRGINIA WESTERN COMMUNITY COLLEGE

I – ACADEMIC & STUDENT AFFAIRS POLICIES

I-48 – Expressive Activity

Policy Number: I-48

Last Reviewed: March 12, 2015

Responsible Dept.: DEAN OF STUDENT SERVICES/COORDINATOR OF STUDENT ACTIVITIES/CHIEF OF CAMPUS POLICE

This policy applies to all buildings, grounds, and other spaces owned or controlled by Virginia Western Community College. The term “expressive activity” includes:

- Meetings and other group activities of students and student organizations;
- Speeches, performances, demonstrations, rallies, vigils, and other events by students, student organizations, and outside groups invited by student organizations;
- Distributions of literature, such as leafleting and pamphleting; and
- Any other expression protected by the First Amendment to the U.S. Constitution

College property is primarily dedicated to academic, student life and administrative functions. But it also represents the “marketplace of ideas,” and especially for students, many areas of campus represent a public forum for speech and other expressive activities. Virginia Western Community College may place restrictions on expressive activities occurring indoors, but especially for students and student organizations, the outdoor areas of campus remain venues for free expression, including speeches, demonstrations, and the distribution of literature. Indoors or outdoors, Virginia Western shall not interfere with the rights of individuals and groups to the free expression of their views or impermissibly regulate their speech based on its content or viewpoint. Nevertheless, Virginia Western may establish reasonable time, place, and manner restrictions on expressive activity. Such restrictions must be content-neutral, narrowly tailored to serve a significant governmental interest, and allow ample alternative channels for communication of the information. No event or expressive activity shall be permitted to violate or hinder the rights of others within the campus community or substantially disrupt normal college operations.

I-48.1 Procedures:

A. Reserving Campus Facilities:

1. If students, student organizations, or college employees desire to reserve campus facilities, they shall submit their requests to the Marketing and Communications Office at least 24 hours in advance. The Marketing and Communications Office shall make available which campus facilities require more than 24 hours’ notice.
2. If individuals or organizations who are not members of the college community (i.e., not students, student organizations, or college employees) desire to reserve campus facilities, they must be sponsored by a recognized student organization or the college to conduct

expressive activities or events on campus. Individuals or outside organizations may rent college facilities. (Please see Campus Rental Policy for more information.)

3. Virginia Western designates the third floor of the Student Life Center and Whitman Auditorium as the indoor facilities for expressive activity. No other indoor facilities are available due to interference with classrooms and administrative offices.
4. Students, student organizations, and college employees may request to reserve the 3rd floor of the Student Life Center and Whitman Auditorium on a first-come, first-served basis. These requests may be denied for the following reasons only:
 - a. The requested venue is an indoor facility that the college has designated as not available for expressive activity under section I-48.1 a. of this policy;
 - b. The requested venue is an indoor facility and the request conflicts with restrictions enacted pursuant to section I-48.1.(a)(3) of this policy;
 - c. The venue is already reserved for another event¹;
 - d. The activity will attract a crowd larger than the venue can safely contain;
 - e. The activity will substantially disrupt another event being held at a neighboring venue²;
 - f. The activity will substantially disrupt college operations (including classes);
 - g. The activity is a clear and present threat to public safety, according to the college's police;
 - h. The activity will occur during college examination periods; or,
 - i. The activity is unlawful.
5. During an event, the student, student organization, or college employee requesting the reservation is responsible for preserving and maintaining the facility it reserved. If it causes any damage to those facilities, the person(s) or organization (and its officers, if applicable) shall assume responsibility.
6. When assessing a request to reserve campus facilities, Virginia Western Community College will not consider the content or viewpoint of the expression or the possible reaction to that expression. Virginia Western will not impose restrictions on students, student organizations, or college employees due to the content or viewpoint of their expression or the possible reaction to that expression. In the event that other persons react negatively to a student's; student organization's, or college employee's expression, college officials (including college police) shall take all necessary steps to ensure public safety while allowing the expressive activity to continue.

B. Spontaneous Expressive Activity:

1. No indoor areas or facilities at Virginia Western Community College are available for spontaneous expressive activities.
2. For outdoor campus facilities and areas, students, student organizations, and their sponsored guests may freely engage in spontaneous expressive activities as long as they do not (a) block access to campus buildings, (b) obstruct vehicular or pedestrian traffic, (c) substantially disrupt previously scheduled campus events,² (d) substantially disrupt college operations, (e) constitute unlawful activity; or (f) create a clear and present threat to public safety, according to the college's police department.

3. No college personnel may impose restrictions on students, student organizations, or their sponsored guests who are engaging in spontaneous expressive activities due to the content or viewpoint of their expression or the possible reaction to that expression. In the event that other persons react negatively to these activities, college officials (including college police or security) shall take all necessary steps to ensure public safety while allowing the expressive activity to continue.
4. Any subsequent expressive activities policy that would become more restrictive than the initial policy approved shall be resubmitted for endorsement by the Office of Legal Services

I-48.2 Commercial Entities

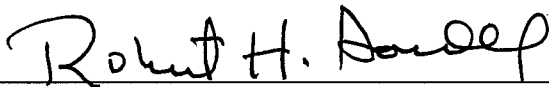
1. Banners used in expressing speech should comply with the provisions of this policy and cannot be used to block, obstruct or otherwise deny access to any pedestrian or to block or obstruct vehicular traffic.
2. Distribution of commercial advertising or the placement of commercial material is prohibited in the following areas:
 - Administrative offices
 - Classrooms, computer rooms, laboratories, and other places where instruction takes place
 - Library

¹In the event that multiple individuals or organizations submit conflicting reservation requests, the following order of precedence shall govern: (1) official college sponsored activities and events; (2) recognized student organization activities and events; (3) student activities and events; and (4) all other activities and events.

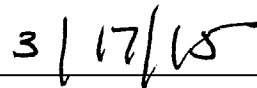
²The expression of competing viewpoints or multiple speakers in proximity to each other does not, without more, constitute a substantial disruption.

Review/Revised: May 2014; March 2015

Approved by



Robert H. Sandel, Ed.D.
President



Date