

Freedom of Speech, Expression and Assembly Statement of Policy

St. Petersburg College strongly supports the tenets of free speech, as well as the freedom of assembly and association as guaranteed under the United States Constitution. College events and activities that promote the free and open exchange of diverse ideas are supported and encouraged, and perform a key educational function on a college campus. Further, the College recognizes the rights of all students to seek knowledge, participate in open debate, form opinions, and freely express their views, beliefs, and opinions.

However, these guarantees do not prohibit St. Petersburg College from adopting reasonable regulations governing the exercise of these rights on college property. Such assemblies and public expressions may not be disruptive, result in damage or destruction, or represent a threat to any individual or group. College policies and procedures govern the use of college facilities and technologies, require the identification of sponsoring groups or persons, and provide protection against activities that would be unsafe, threatening, or make any person an unwilling audience for another's exercise of free speech. Further, St. Petersburg College shall initiate any necessary action to restrain or prohibit a behavior or action that threatens the purpose or property of the College or infringes on the rights, freedoms, privileges or safety of students, staff and the general public.

A. Free speech and assembly

St. Petersburg College recognizes and respects all peaceful and lawful expressions of speech and acknowledges that students have the right to assemble in an orderly manner. While the First Amendment provides a broad protection for many forms of expression, the Supreme Court has recognized different types of forums when analyzing any limitations that may be placed on the expression of free speech. College campuses have traditionally been seen as limited or designated public forums allowing for free speech however permitting restrictions and regulations related to the time, place and manner of speech. Regulations may be placed on the class of speaker and manner of speech, as well as the time and location of an identified activity. However, where such free speech is permitted any and all restrictions imposed by the College shall be content and viewpoint neutral.

Limited Forums for Free Speech

Designated areas of the campus may be open as a limited forum for free speech events and activities. First Amendment activities may not take place indoors without specific permission. Classrooms, as well as administrative areas of the campus, are considered 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. Public areas of the College that are operated in conjunction with county or state entities, such as the joint use libraries, may have differing or additional regulations governing the use of these facilities by students and the general public.

Events and Activities; Registration

Organized or prearranged student assemblies, speeches, or demonstrations shall be registered and coordinated through the appropriate campus to provide for adequate facilities and appropriate security measures respecting the rights of all members of the college community. Such activities shall be registered at least three working days in advance of the event through the Student Life and Leadership Office (student and student groups) or the Office of the Provost/Executive Director (non-students) on each campus or college site. Where a campus reasonably determines additional time is needed to sufficiently set-up and facilitate an event, more than 72 hours prior notice may be required. In scheduling, College sponsored events or activities involving academic assignments, research, services or other educational functions will receive priority.

Public Speakers

Recognized student organizations and clubs may invite or sponsor a public speaker from inside or outside the college, and shall be responsible to register the speaker and reserve a time and place for the event. If the event is advertised or promoted as open to the campus community and/or the community in general then the speaker shall be considered a public speaker.

Student organizations and clubs shall designate a contact person. The organization or club acting through its contact person shall be responsible for injury or damage caused by that group or its members, and assumes the risks relating to injury to club members and their property. A sponsoring organization or club may be required to provide satisfactory evidence of liability insurance where requested.

In the event that a person or persons wishing to speak publically does not have a campus sponsorship, that individual or group may request permission to speak in areas to be designated by each campus or college site and shall submit a registration and request form to the Office of the Provost/Executive Director on the respective campus or site.

Prohibited Actions and Behavior

Expressions of speech and assembly that are deemed to unreasonably hinder the operation of the College or limit the rights of students and others to freely participate in classes, programs and obtain college services may be limited or prohibited. Speech that may be further limited or prohibited include expressions that would constitute defamation, illegal harassment, or any speech likely to actually and imminently incite a serious violation of law.

During any public speech or assembly the blocking or obstructing of entrances or exits, or the creating of other physical hazards that may be deemed unsafe, is specifically prohibited. Likewise, the blocking of vehicular, pedestrian, or other traffic is prohibited, and access and egress to any campus parking lot or driveway may not be compromised or limited. Further,

damage to college facilities, buildings, property, lawns, or landscaping will not be tolerated and may result in criminal charges.

Interference with educational activities and classes in session, conducted both inside and outside college buildings, will not be permitted. Demonstrating is not permitted in a classroom or anywhere indoors, and all signs, banners, posters or other related materials must be left outside of campus buildings in designated areas. Handheld or electrical amplification equipment may be utilized where approved, and only where the sound level remains reasonable and does not adversely affect adjacent areas. Disrupting any college meeting or event with prolonged chants or other noise in a manner that unreasonably interferes with a speaker's ability to communicate will not be tolerated.

Where the College has determined that a demonstration, protest or public speech is disrupting the normal operation of the College, school officials shall identify themselves and inform a demonstrator or any other disruptive person or persons that they are in violation of college policy and/or federal, state or municipal law, and specify the nature of such violation. In the event that a specific activity is determined to be disruptive, unlawful or in violation, the event or activity may be terminated and the participants dispersed under the authority of the campus provost, site executive or the college President. Campus security may be used to disperse any crowd or persons where it is deemed necessary to restore a peaceful assembly.

Students who violate the College's student code of conduct, regulations regarding student governance, or any policies regarding the distribution of materials may be subject to disciplinary action pursuant to the Board of Trustees' Rule 6Hx23-4.33. Willful violations of College regulations may further result in all applicable sanctions and may subject a person, organization or club to denial of future requests to use college property for activities requiring registration and/or permission.

Silent and Personal Expressions of Free Speech

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 subject to the College's Board of Trustees' Rule and Procedures as they may relate to behavior that is harassing or disruptive or in violation of the student code of conduct.

B. Canvassing, displays and dissemination of literature

Procedures related to requesting approval of student canvassing, petitioning, public displays and the distribution of literature and materials are available through the Office of Student Life and Leadership or the Office of the Provost/Executive Director on each respective campus or college site.

Dissemination of Literature and Other Materials

Printed materials include, but are not limited to, newspapers, magazine, handbills, leaflets, pamphlets, posters, or other materials of like nature. These policies also cover the presentation of audio and visual recordings in various formats and forms of technology as may be made part of a public display or dissemination of information.

Students, recognized student organizations, or other individuals desiring to distribute literature on the campus must obtain permission through the Office of Student Life and Leadership (students) and the Office of the Provost/Executive Director on their campus or site in advance of a planned activity.

Registration and the request to use college facilities or designated areas must be made in writing at least three working days in advance of the anticipated activity, and such permission shall designate the hours and areas reserved for identified activities. Permission will normally not be granted for activities requested to occur outside the normal operating hours of a particular campus, or on a weekend, or college holiday. In cases where the College deems it necessary to require more time for event preparation or set-up, the event shall be scheduled within a reasonable time.

Tables and chairs may be made available for displays or to facilitate the distribution of literature and other printed materials, and will be restricted to designated areas and made available during the operational hours of the college as determined by each campus.

Circulation of Petitions

The passing out of literature and circulation of petitions shall be conducted in a courteous manner without any coercion or force. Such petitions and surveys may be circulated with permission, however in no case shall tactics of harassment or intimidation be used to solicit participation in signing a petition. Students and others outside the area approved for petitioning should not be approached.

Displays and use of Bulletin Boards

Displays or bulletin boards utilized to post college related or community information such as may be found in the student commons, student activities areas, or libraries may be used by students, student groups, or other individuals with permission and as space permits. Requests to post information on campus bulletin boards or leave flyers or other materials on student displays shall be submitted to the campus Office of Student Life and Leadership. Materials intended to be used in solicitation, advertising, or of a commercial nature are strictly prohibited except as may be permitted under the College's Board of Trustees' Rules and Procedures, or pursuant to any contractual obligations of the College.

Flyers or other printed materials may not be posted on walls, vehicles, buildings, trees or other structures except as may be authorized. Any materials or posters remaining after a planned

event must be removed, posted on an approved bulletin board, or left with permission of the campus Office of Student Life and Leadership.

Any printed material or literature not a college publication which identifies the originator or author as a college employee or the college, and implies to the reader that the publication is college sponsored, must contain a statement including the following language, “This publication is solely the expression of the author and is not an official publication of St. Petersburg College, nor is it intending to express the policies or opinions of the College or its administration.”