



Policy Name:	Freedom of Speech and Assembly					
Section Number:	Use as link	Section Title:	Office of the President			
Policy Owner:	Office of the President		Last updated:	August 2020	Reviewed:	March 2020
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Policy Statement

Because Jones County Junior College operating as Jones College (Jones or College) is committed to free and open inquiry in all matters, it guarantees all members of the Jones community the broadest possible latitude to speak, write, listen, challenge, and learn. Except insofar as limitations on that freedom are necessary to the functioning of the College, the College fully respects and supports the freedom of all members of the Jones community “to discuss any problem that presents itself.”

As a corollary to the College’s commitment to protect and promote free expression, members of the Jones community must also act in conformity with the principle of free expression. Although members of the Jones community are free to criticize and contest the views expressed on campus, and to criticize and contest speakers who are invited to express their views on campus, they may not obstruct or otherwise interfere with the freedom of others to express views they reject or even loathe. To this end, the College has a solemn responsibility not only to promote a lively and fearless freedom of debate and deliberation, but also to protect that freedom when others attempt to restrict it.

This policy pertains to all Jones College students, employees, organizations, and sponsored guests. This policy does not apply to official academic and administrative activities and functions of the College.

Definitions

The following definitions apply for purposes of this policy only:

Amplified Sound: Any sound that is increased or enhanced by any electric, electronic, or mechanical means, including handheld devices such as megaphones and sound trucks. Any sound, specifically individual shouting or group chanting or singing, is subject to general regulations concerning the disruption of official College functions.

Campus Grounds: All outdoor areas owned, leased, or controlled by the College that are common and accessible to all students and employees, such as sidewalks and park-like areas.

Disruptive Activity: Any activity that is materially and substantially disruptive to normal operations of the College, including but not limited to instruction or College business, or actions that interfere with the rights of others. Furthermore, any activity that is directed to inciting or producing imminent lawless

action and is likely to incite or produce such action or is directed to incite an individual to an immediate violent response, will be considered disruptive.

Employee: A person currently employed by the College on a full-time, part-time, temporary, or hourly basis.

Expressive Activity: The verbal or symbolic expression of an idea, thought, or opinion. Expressive activity may include speeches, assembly, marches, parades, rallies, picketing, distribution of literature, graphic or visual displays, and other activities intended to communicate an idea or opinion. Expressive Activity does not include true threats, expression that is intended and likely to incite imminent lawless action, or expression that is defamatory, obscene, or commercial.

Literature: Any printed material produced in multiple copies for distribution or publication to an audience, including but not limited to flyers, handbills, leaflets, placards, bulletins, newspapers, and magazines. Literature does not include official College material or publications.

Official College Function: All activities, events, and programs sponsored by an academic or administrative unit of the College.

Speaker's Corner: Outdoor areas of property owned, leased, or controlled by the College that may be reserved by students and employees for expressive activity and used by sponsored guests for this purpose. Like other public forum areas of campus, these areas do not have to be reserved and may be used on a first-come, first-serve basis. However, reserving a Speaker's Corner gives the reservation-holder priority.

Designated Speaker's Corners include:

- a) The Plaza area in front of the Visual Arts Center;
- b) The Arbor located on the east side of the Tisdale Library.

Sponsored Activity: Any expressive activity that is presented by a sponsored guest under this policy.

Sponsored Guest: Any person or organization invited to engage in expressive activity on campus grounds by a sponsoring student or student organization under this policy.

Student: Any person who is currently enrolled and attending Jones College.

Sponsoring Organization: Any group of students who share a common interest and are registered with the Office of Student Affairs.

Procedures

The College's facilities are intended for the instructional and administrative activities of the College, and for programs sponsored and conducted by College academic and administrative departments or organizations affiliated with those departments, including registered student organizations and student groups.

Jones County Junior College provides public forums for the expression of ideas and opinions for members of the College community and their invited guests, such as the following:

1. Traditional public forums include the College's public sidewalks, plazas, parks, and similar common areas. These areas are generally available for expressive activity, planned or spontaneous, for the individual or group at any time without the need for reservation or prior approval, unless use of the space is already reserved.

2. Designated public forums include other parts of the campus that may become temporarily available for expressive activity as designated by the College, including parking lots and athletic fields.
3. Non-public forums are restricted to use for their intended purpose and are typically not available for expressive activity. Examples include, but are not limited to, classrooms, residence halls, faculty and staff offices, academic buildings, administration buildings, medical treatment facilities, libraries, research and computer labs, and private residential housing on campus.

Guidelines

1. Flyers may be placed on open bulletin boards inside College buildings. Students, organizations, and College departments may also hang signs, handbills, flyers, posters, and banners at other designated locations on campus. For information regarding these designated locations, contact the Office of Student Affairs located in the Administration Building.
2. Literature may be distributed in public forums. The party or parties distributing the literature are responsible for cleaning up any litter they create, but will not be held responsible for the litter of others. Literature may not be distributed in non-public forums. Literature that contains any reference to the name of the College (such as "Jones College," "Jones County Junior College," or "JCJC") or that contains any reference to being affiliated with the College must include the following statement: "This document does not represent the views or official position of Jones College."
3. No amplification equipment may be used, except as part of an event or activity registered with the Office of the Vice President of Student Affairs.
4. Use of campus land is on a temporary basis.
5. No activity will be permitted that blocks access to college buildings, streets, sidewalks, or facilities, defaces property, injures individuals, unreasonably interferes with regular or authorized university activities or functions, or disrupts the free flow of pedestrian or vehicular traffic.
6. Outdoor exhibits and structures such as tables, signs, flags, banners, or canopies may be placed in traditional public forums by students, organizations, and sponsored guests. Exhibits and structures must be temporary in nature and in place only for the duration of the expressive activity.
 - a. Outdoor exhibits and structures are subject to the following limitations:
 1. may not exceed ten feet in length or width or ten feet in height;
 2. may not interfere with pedestrian or vehicular traffic or otherwise present an unreasonable threat to public safety;
 3. the interior of three-dimensional structures or exhibits must be fully visible from at least one side of the exhibit or structure, and no exhibit or structure may provide an opportunity for individuals to be completely secluded from view;
 4. no outdoor structure may damage college property. If damage occurs, the user is responsible for restoring the campus to its previous condition.
 - b. Exception to the dimension regulations shall be granted by the Office of Student Affairs upon a showing by the individual or organization seeking the exception that the exhibit

will not present a safety hazard and will not interfere with pedestrian or vehicular traffic. Proof that the individual or organization has insurance to cover injury or damage to persons or property is not grounds for an exception to the dimension regulations.

- c. Request for an exception to the outdoor exhibit regulation must be made at least eight business days in advance of the desired exhibit date to the Office of Student Affairs.
7. Private business or commercial solicitation on campus is prohibited.
 8. Disruptive Activity is prohibited. In addition to any potential criminal penalties, students engaging in disruptive activities will be referred to the Office of Student Affairs, and employees will be referred to Human Resources.
 9. Individuals and organizations engaged in expressive activity on campus may be required to relocate to other areas deemed appropriate by the Office of the Student Affairs or, when immediate action is necessary, the College police department, under the following circumstances:
 - a. the noise generated by the activity disrupts classroom instruction, an official College function, or substantially interferes with resident housing life and activities (e.g., the activity is too close to an academic, administrative or residential building);
 - b. the location does not safely accommodate the number of participants;
 - c. the number of individuals participating in or attending the activity creates unsafe conditions for vehicular or pedestrian traffic, parking, or blocks the ingress or egress to buildings or official College activities;
 - d. the activity space has been reserved for an official College function, has been reserved in accordance with this policy, or a reserved location is needed for an official College function; or
 - e. the activity creates a health or welfare hazard, such as interfering with fire, police, or emergency services.

Parades, Marches, and Demonstrations

Students, employees, and sponsoring organizations that wish to organize parades, marches, or demonstrations must register with the Office of the Vice President of Student Affairs at least five business days in advance when the parade, march, or demonstration is reasonably likely to:

- (1) Draw more than 50 attendees;
- (2) Impede pedestrian or vehicular traffic;
- (3) Occur directly adjacent to college property where classroom instruction, exams, study sessions, laboratory work, research, or a college-sponsored event may be in progress; or
- (4) Event security will be required.

Whether event security is required will be assessed on a content- and viewpoint-neutral basis. In determining whether event security is required, the College shall objectively consider, in consultation with the event organizer:

- (A) The number of anticipated participants;
- (B) Whether the event is open to the entire college community or restricted to guests of the event organizer or sponsor;
- (C) The facility or outdoor space to be used for the event;
- (D) The time of day during which the event will occur; and
- (E) Whether the proposed event involves activity that poses an inherent risk of personal injury or property damage.

Costs associated with or incurred as a result of anticipated or actual reactions to the event by non-participants shall not be imposed on the event organizer or sponsor.

A representative of the Office of the Vice President of Student Affairs will either meet the request or find a mutually acceptable alternative time and location that balances the rights of the requesting student or student organization with the rights of others and the College's educational mission.

Denial of a Reservation/Permit

Registration of a route or location for a parade, march, or demonstration may not be denied based on the content or viewpoints of the proposed expressive activity. Requests may be denied for the following reasons:

- (1) an earlier request to reserve the same location and time has been made;
- (2) the designated area or an adjacent area has been reserved for an official College function, or the designated area is no longer suitable for use due to a conflict with a nearby official College function;
- (3) the reservation or registration form is incomplete;
- (4) the request is for more than twenty-five (25) total or five (5) consecutive days, as activities are meant to be temporary and not permanently established;
- (5) the proposed route of a march, parade or rally will cross space that has been reserved for an official College function or space that otherwise has been reserved in accordance with this policy, or the proposed route will substantially interrupt the safe and orderly movement of traffic or create a safety hazard; or
- (6) the request was submitted by an individual or organization that is not permitted to reserve space on campus under this policy.

Responsibilities of Individuals, Sponsoring Organizations and Sponsored Guests

The purpose of this policy is to promote and facilitate student expression while allowing the College to make any necessary arrangements (such as arranging parade routes or providing security) to assure such activities do not interfere with the College's educational mission and operations or with the rights of others. If an outside group (a group that is not comprised of enrolled Jones College students) wishes to conduct an organized demonstration or outdoor event, the group must seek the sponsorship of a Jones College student, registered student organization, or College department.

Sponsoring students or organizations are responsible for ensuring that sponsored guests read and understand all obligations set out in this and all other applicable College policies. Sponsored guests who do not comply with this or other applicable College policies automatically forfeit their reservations and must immediately vacate College property. Repeat violations of this policy by a sponsored guest may result in loss of privilege for the sponsored guests, as determined by the Office of Student Affairs.

Appeal of Decisions Related to Expressive Activity

Students, employees, and organizations whose requests for the use of campus grounds for expressive activity are denied may appeal the decision to the President no later than five business days after the decision that is being challenged was made.

The appeal must be made in writing and state the specific reason(s) the individual or organization disagrees with the decision. The appeal should include all information the individual or organization believes will assist the President in deciding the matter.

The President will issue a decision on the appeal within three business days of its receipt. The decision is final.