

Aims Community College Student Expressive Activity Process Guide

Purpose

Aims Community College values academic freedom, and supports and encourages the exchange of ideas within the College community, including ideas that may be unpopular or controversial. At the same time, the College encourages respectful discourse and has the obligation to address issues of safety and illegal acts.

The freedom to debate and discuss the merits of competing ideas does not mean that individuals or groups may say whatever they wish, whenever they wish, wherever they wish, and however they wish. In accordance with the United States and Colorado constitutions, public expression in the form of speech and advocacy may be exercised at such times and places and in such a manner as to assure orderly conduct, the least possible interference with College responsibilities as an educational institution, protection of the rights of individuals in the use of College facilities, and reasonable protection of persons against practices that would make them involuntary audiences. The College may restrict expression that 1) violates the law or College policies; 2) defames, or harasses a specific individual; 3) entices imminent criminal activity and consists of a specific threat targeted against a specific person or group; or 4) unjustifiably invades substantial privacy or confidentiality interests. These are narrow exceptions to the general principle of freedom of expression, and it is vitally important that these exceptions never be used in a manner inconsistent with the College's commitment to a free and open discussion of ideas.

The College will not consider the content or viewpoint of expressive activities when enforcing this procedure, with the exception of the limitations described in this procedure, and will avoid restricting students' expression based on concerns about other person(s)' negative reaction to the expression.

This procedure applies on all College campuses. Any non-currently enrolled individual or non-student organization including non-profits desiring to market, recruit, sell or proselytize ideas, merchandise or services on campus should refer to the Aims Solicitation and Vending Procedure 506-30.

Expressive activities carried out under this procedure will not be considered to be speech made by, on behalf of, or endorsed by the College.

Persons who are not members of the College community (i.e., persons who are not College students, faculty, administrators, or staff) do not share this ability to engage in expressive activity on campus. Their presence on campus is contingent on their compliance with the College's policies and procedures, and they must leave the campus if directed to do so at any time for any reason by any authorized official of the College. Failure to accept the directions of authorized College officials may render nonmembers of the College liable to action by local law enforcement.

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 sounds, specifically individual shouting or group chanting/singing is subject to general requirements concerning disruption of official College activities.
2. **College community** means employees, students, recognized student groups, and Aims-affiliated entities.
3. **College operations** means the effective operation of educational, business, and related activities of the College.
4. **Content** means the subject or ideas contained in something written, said, created, or represented.
5. **Expressive activity** means the verbal or symbolic expression of content, ideas, thoughts or opinions and may include speeches, assembly, vigils, picketing, campaigning, marches, parades, protests, distribution of literature, petitions, displaying hand-held signs, and other similar activities intended to communicate ideas or opinions via public demonstration on College grounds.
6. **Literature** means any printed 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 College bulletins, newsletters or official College material.
7. **Peaceful assembly** is the purposeful gathering on campus outside a campus building of two or more persons whose conduct is peaceful.
8. **Recognized student organization** means a student organization which has completed all Student Life Office requirements to be duly recognized as a student organization.

Expressive Activity by College Visitors

See Aims Solicitation and Vending Procedure 506-30.

Application of Procedure

This procedure sets out the College's protocols for use of publicly available indoor/outdoor spaces for expressive activity. Solicitation and vending uses are governed by the College's procedures for solicitation and vending.

Reasonable time, place and manner restrictions for expressive activity may include, but are not limited to, the following prohibitions. Expressive activity must not:

1. Violate any federal, state, local, or other applicable law.
2. Violate College policies.
3. Interfere unreasonably with the activities or rights of other persons.
4. Interfere with or disrupt the operations or functioning of the College.
5. Endanger the health or safety of persons.

6. Knowingly interfere with unimpeded movement in a College location. Examples include preventing access to a building or blocking any entrances or exits in a way that causes safety concerns.
7. Cause physical injury to persons or property or threaten to cause such injury.
8. Defame or harass any individual.
9. Use or threaten violence or force, or encourage others to use or threaten violence or force.
10. Violate reasonable amplified sound levels, such as but not limited to City/County noise ordinances, or utilize amplified sound in a manner that interferes with classes or other events in progress at the College.

Furthermore, individuals engaging in expressive activity on campus are prohibited from possessing or utilizing objects and/or apparel that could present a threat to the health or safety of the campus community including, but not limited to, weapons, pepper spray, mace, torches, helmets, or protective armor or gear or similar items that could cause injury or harm to others, whether intentionally or unintentionally.

Provisions

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

1. Those planning to engage in expressive activities as a group, or individuals planning to engage in expressive activities intended to attract the attention of passers-by, must reserve appropriate indoor/outdoor space for a proposed activity by completing a Request for Expressive Activity Form at least two full business days in advance through the Student Life Office.
2. Space is available for reservation and activities only during the business hours of 8am–7pm, Monday–Friday. To allow for a diversity of information and perspectives, no one may reserve more than five (5) consecutive business days and fifteen (15) business days total for the semester. Space will not be available during final exams.
3. Upon arrival on the day of the reservation or activity, the individual making the reservation must check in at the Student Life Office at the Greeley campus or the front desk at Fort Lupton, Loveland, and Windsor campuses.
4. During work and class hours, or if the area is currently in use for an official College event, amplification will be restricted if it interferes with College operations or violates City/County noise ordinances.
5. Duty to Speakers: Attendees/spectators may not disrupt an invited or permitted speaker or hinder the ability of other attendees to see or hear a speaker.
6. Equipment, signs, banners, structures, or literature placed on College grounds shall:
 - a. Be free standing and not affixed to any building, tree, monument, fixture or other College structure.
 - b. Not be left unattended.
 - c. Be entirely removed at the conclusion of the expressive activity, or no later than 10pm on any day of any expressive activity.
 - d. Comply with College policies and procedures.

7. The sponsoring party of any equipment, signs, banners, structures, or literature placed on pre-approved College grounds is responsible for any installation and removal costs, as well as any damage to College property resulting from such materials. The College is not responsible for any damage to any such materials.
8. Expressive activity may not impede the free flow of pedestrian or vehicular traffic, block thoroughfares, or obstruct campus building/office/room entry or exit points.
9. Defacing or damaging any College property is prohibited. Where an activity results in damages, the additional costs of such services and/or damages may be assessed to the individual or group reserving the space.
10. No sign located within 50 feet of a roadway, entrance or exit shall be larger than 3' x 3', and no sign shall block the sight lines of drivers entering or exiting the College grounds or traveling on a public roadway around the College.
11. Vehicles are only allowed in areas designated for vehicular parking use.
12. Camping or sleeping overnight on the College grounds is not allowed.
13. Candles that are lit and hazardous materials are not allowed inside College facilities.
14. All persons must comply with all College policies including the Student Code of Conduct as well as local, state, and federal ordinances and statutes.
15. Distribution/solicitation by placing any material on vehicles in the parking lots is prohibited. Leaving trash, litter, materials or pollutants in any area is prohibited.
16. An invitation to a speaker shall not imply endorsement of the speaker's view by either the student group or the College.

Refusal of a Reservation

The Student Life Office monitors and responds to requests to reserve space. When deemed appropriate by the Student Life Office, a requestor may be asked to meet with the Dean of Students to clarify the request before a reservation is made in order to assist the requestor to conform the request to the requirements of law, policy, and procedure and to discuss time, place, and manner considerations for effective communication that protects the safety of the requester, the College community, and any visitors. The Student Life Office may refuse a reservation request for the following reasons:

- a. Conflicts with an earlier request by another group to reserve the same space and time.
- b. Failure to conform to the requirement of law or Aims policy/procedure.
- c. The requested space is being used for an official College activity or previously reserved use.
- d. 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.
- e. The request form is incomplete.

- f. The request alone or cumulatively with other requests exceeds more than fifteen (15) days in a semester or is for more than five (5) consecutive days.
- g. Lack of resources necessary to support an activity in a manner that preserves College facilities and protects the safety of the campus.

Refusal of a reservation cannot be based on the viewpoint of the proposed activity.

Request for Review of Refusal of Reservation

If a request for a reservation is refused by the Student Life Office, the requestor may request review of the refusal by the Dean of Students. The decision of the Dean of Students is final.

Cancellation of an Activity

Expressive activities that commence without a reservation will be stopped and informed of this procedure (with the exception of Spontaneous Expressive Activity as defined below). If an activity attracts more attendees than can be effectively managed by available staff and/or resources, or is otherwise occurring in a manner that fails to observe this procedure, a College official acting in the performance of their duty shall determine appropriate action up to and including directing individuals in violation of this procedure to leave campus or cancelling the activity and directing participants to disperse. Any participant who fails to leave campus or disperse after having been requested to do so by a College official or law enforcement officer acting in the performance of their duty may be subject to arrest and/or issued a no trespass order.

Appeal

If a student or student club is aggrieved by a decision of the Student Life Office, an appeal may be submitted to the Dean of Students. The appeal shall be in writing, stating the basis thereof, and the relief sought. The Dean of Students shall promptly communicate their decision.

Spontaneous Expressive Activity

1. For outdoor campus areas, students may freely engage in spontaneous expressive activities as long as the activities do not violate the restrictions listed in this procedure under the section titled "Application of Procedure."
2. Outdoor areas are available on a first-come, first-served basis for rallies, assemblies, demonstrations, vigils, and other outdoor expressive activities without prior approval or scheduling, unless previously reserved pursuant to this procedure.
3. Students are not permitted to engage in spontaneous expressive activity in the indoor campus facilities and areas, as these have not been designated by the College as a forum for such expressive activities.

Enforcement

The College reserves the right to stop any activity that substantially interferes with or disrupts College operations, interferes with the educational process, or violates any of the conditions covering expressive activity under this procedure. Any person who violates this procedure may be subject to an order to leave College property. Students in violation of this procedure may be subject to discipline under the applicable Student Code of Conduct.