

Central Virginia Community College Policies
II - General Administrative Policies
Expressive Activity



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| Policy #: | CVCC0019 |
| Effective: | __/__/__ |
| Last Reviewed/Revised: | 01/10/2023 |
| Responsible Dept.: | Public Safety and Campus Police |
| Other Policy References: | NA |

Expressive Activity

- This policy applies to all buildings, grounds, and other spaces owned or controlled by a college. The term “expressive activity” includes:
 - Meetings and other group activities of students and students’ 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.
- This policy does not apply to instances when the speakers, performers, groups, etc. are approved and invited by the college or to external groups that arrange to use college space through a *Facilities Use Agreement*.
- 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. It is our desire to foster an environment that engages the community and promotes educational enlightenment. However, our first commitment remains with promoting an environment that is conducive to teaching and learning for our faculty, staff, and students.
- CVCC will 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, CVCC may establish reasonable time, place, and manner restrictions on expressive activity.
- 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.

Responsibilities

CVCC's Director of Public Safety and Chief of Police coordinate the college's efforts regarding this and all concerns, comments and/or questions should be directed to his office.

Procedures for Reserving Campus Facilities

- a. If students, student organizations, **outside organizations** or college employees desire to reserve campus facilities, they shall submit their requests to Student Activities Coordinator. Requests must be made with at least 24 hours' notice. Additional notice may be required to allow for sufficient logistical support and to ensure the safety and security of the campus.
- b. **Individuals or organizations who are not members of the college community should be referred to Facilities Management for information on the facilities use agreement form and to fill out the form prior to their requested activity.**
- c. CVCC will assess appropriate fees for equipment and facility use to individuals or groups who are not members of the campus community. Security fees may be assessed to defray the actual costs of providing security when the size of the audience may pose a risk to safety.

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- d. Facilities available for use for speaking, peaceful demonstrations and other forms of expressive activities are restricted to the hours **between 9:00 A.M. and 9:00 P.M., Monday – Thursday and 9:00 A.M. and 5:00 P.M., on Friday when the college is in session**, except during the three (3) days prior to and during exam periods.
- e. Students, student organizations, and college employees may request to reserve campus facilities on a first-come, first-served basis. These requests may be denied for the following reasons only:
 - i. The requested venue is an indoor facility that the college has designated as not available for expressive activity under section F of this policy.
 - ii. The requested venue is an indoor facility and the request conflicts with restrictions enacted pursuant to section D of this policy;
 - iii. The venue is already reserved for another event¹.
 - iv. The activity will attract a crowd larger than the venue can safely contain.
 - v. The activity will substantially disrupt another event being held at a neighboring venue².
 - vi. The activity will substantially disrupt college operations (including classes);
 - vii. The activity is a clear and present threat to public safety, according to the college's police or security department assessment.
 - viii. The activity will occur during college examination periods; or
 - ix. The activity is unlawful.
- f. During an event, the student, student organization, or college employee requesting the reservation is responsible for preserving and maintaining the facility or property. The person(s) or organization (and its officers, if applicable) shall assume responsibility for damage to the facilities or property.
- g. CVCC will not consider the content or viewpoint of the expression or the possible reaction to that expression. The college 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 organizations, or college employee's expression, CVCC officials (including CVCC police) shall take all necessary steps to ensure public safety while allowing the expressive activity to continue.

Spontaneous Expressive Activity

- h. CVCC outdoor 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, (d) substantially disrupt college operations, (e) constitute unlawful activity; or (f) create a clear and present threat to public safety, according to the CVCC's police department.
- i. **The Quad in the grassy area (Located next to the main campus road), not obstructing passage of students, staff or faculty can be used for outside organizations. No loudspeakers or bullhorns, or anything that will disrupt normal college operation be used without approval.**
- j. The Student Center located in Amherst Hall is exclusively the indoor location available for spontaneous expressive activity **if it does not disrupt college operations or cause others to feel unsafe/create a threat to public safety. This will be determined by the Chief of Police or College Administration.**

The following areas are Not Available for Expressive Activity.

The following indoor areas/facilities are not available for expressive activity:

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- Library
- Administrative/business offices
- Classrooms (during instructional hours)
- **Hallways during normal college operations**
- Dining areas during operating hours

Banners and Distribution of Unapproved Expressive Activity

- k. 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.
- l. Distribution of **unapproved** advertising or the placement of **unapproved** material is prohibited in the following areas:
 - Administrative offices
 - Classrooms, computer rooms, laboratories, and other places where instruction takes place
 - Libraries
 - Parking Lots to include placement of materials on vehicles

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.