

**TITLE: EXPRESSIVE ACTIVITY**

**POLICY NO: 1-38**

**EFFECTIVE DATE: 01/10/07**

**VCCS POLICY NO: [6.5.1](#), [6.5.2](#)**

**REVISED DATE: 08/25/15**

I. Purpose:

To establish the policy and procedures that will govern all expressive activities on campus.

II. Definitions:

Expressive activities:

- 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;
- distribution of literature, such as leaflets and pamphlets; and
- any other expression protected by the First Amendment to the U.S. Constitution.

External groups: community or cultural groups, not-for-profit organizations, state and local government agencies, corporate and commercial organizations, and professional organizations.

Student: any person currently enrolled in any credit, non-credit, or developmental courses offered by J. Sargeant Reynolds Community College (Reynolds).

Student organization: any student organization officially recognized by the Office of Student Life.

III. Policy:

- A. Reynolds property is primarily dedicated to academic, student life, and administrative functions. 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. Reynolds shall 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 meetings, speeches, demonstrations, and the distribution of literature.
- B. Indoors or outdoors, Reynolds 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. Even though Reynolds has established reasonable time, place, and manner restrictions on expressive activity in order to prevent substantial disruption of normal college operations, such restrictions are content-neutral, narrowly tailored to serve

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a significant college operational interest, and allow ample alternative channels for communication of the information.

- C. 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. Hindering the rights of others, however, shall not be defined as promoting ideas that others find disagreeable, offensive, or even repulsive. Promoting unpopular ideas is fully protected. Examples of hindering the rights of others include, but are not limited to: preventing others from expressing their views; threatening violence against another person or engaging in violent acts; acting aggressively to try to force others to take leaflets or brochures after the person has declined; blocking others' paths anywhere on campus; and other similar acts to deprive others of their rights.

IV. Procedures:

A. Reserving campus facilities

- 1. Students or student organizations desiring to reserve campus facilities for expressive activities will submit their requests to the vice president of student affairs by utilizing [JSRCC Form No. 75-0006](#), Facilities Reservation for Expressive Activities (Student Related Request Only). Requests must be made with at least twenty-four (24) hours' notice. More notice may be required to allow for sufficient logistical support and to ensure the safety and security of the campus. No facility request will be denied due to the nature of the topic to be discussed. Requests may only be denied for the reasons listed under section IV.A.6 of this policy.
- 2. College employees desiring to reserve campus facilities for expressive activities will submit their request in accordance with [Reynolds Policy No. 4-11](#), Event Planning and Facilities Rental Management. Requests must be made with at least twenty-four (24) hours' notice. More notice may be required to allow for sufficient logistical support and to ensure the safety and security of the campus. No facility request will be denied due to the nature of the topic to be discussed. Requests may only be denied for the reasons listed under section IV.A.6 of this policy.
- 3. External individuals or groups who desire to reserve campus facilities to conduct expressive activities on campus must be sponsored and/or approved by a recognized student organization or the college. Requests must be made with at least twenty-four (24) hours' notice. More notice may be required to allow for sufficient logistical support and to ensure the safety and security of the campus. Requests may only be denied for the reasons listed under section IV.A.6 of this policy.
  - a. Those sponsored and/or approved by a recognized student organization will submit their request to the vice president of student affairs by utilizing

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[JSRCC Form No. 75-0006](#), Facilities Reservation for Expressive Activities (Student Related Request Only).

- b. Those sponsored by the college will submit a request in accordance with [Reynolds Policy No. 4-11](#), Event Planning and Facilities Rental Management.
4. Reasonable security fees will be assessed to defray the actual costs of providing security when the size of the audience may pose a risk to safety. Security fees will not be assessed based on the anticipated reaction to the expressive activity.
5. Facilities available for use are available only during normal operating hours. Any and all expressive activities must not create noise levels that interfere with students' ability to study and learn in the classroom, library, and other rooms or that interfere with the ability of the college to conduct normal operations on behalf of students.
6. 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:
  - a. The requested venue is an indoor facility that the college has designated as not available for expressive activity under section IV.C of this policy.
  - b. The requested venue is an indoor facility and the request conflicts with restrictions enacted pursuant to section IV.C of this policy.
  - c. The venue is already reserved for another event.
  - 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 venue. (The expression of competing viewpoints or multiple speakers in proximity to each other does not constitute a substantial disruption.)
  - 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 Department of Police.
  - h. The activity will occur during college examination periods.
  - i. The activity is unlawful.

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7. During an event, the student or student organization requesting the reservation is responsible for preserving and maintaining the facility it reserves. The person(s) or organization (and its officers, if applicable) will assume full responsibility for damages to the facilities. Responsibility of external groups will be in accordance with [Reynolds Policy No. 4-11](#), Event Planning and Facilities Rental Management.
8. When assessing a request to reserve campus facilities for expressive activity, the college will not under any circumstances consider the content or viewpoint of the expression or the possible reaction to that expression. The college will not impose restrictions on external groups, 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, student organizations, college employees, or external groups expression, college officials (including the college's Department of Police) will take all necessary steps to ensure public safety while allowing the expressive activity to continue.

**B. Spontaneous expressive activity**

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;
- 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 Department of Police.

**C. Unavailable areas for expressive activity**

Areas not available for expressive activity include:

- a. administrative/business offices
- b. bookstore
- c. cafeteria
- d. classrooms and labs (during instructional hours)
- e. entrances to buildings within 25 feet of doors
- f. hallways
- g. library
- h. restrooms

**D. Banners and distribution of literature**

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1. Banners used in expressing speech should be stand-alone, should comply with the provisions of this policy, and cannot be used to block, obstruct, or otherwise deny access to any pedestrian, block or obstruct vehicular traffic, deface any college or private property, create safety hazards, or require employees to assist with their deployment.
2. Distribution of literature such as leafleting and pamphleting is prohibited in the following areas:
  - a. administrative/business offices
  - b. bookstore
  - c. cafeteria
  - d. classrooms and labs (during instructional hours)
  - e. entrances to buildings within 25 feet of doors
  - f. hallways
  - g. library
  - h. restrooms
3. External individuals or groups that seek to use college facilities to distribute expressive activities literature, such as leaflets and pamphlets, must be approved by the college and should refer to [Reynolds Policy No. 4-12](#), Solicitation on Campus.
4. External groups that seek to use college facilities for non-expressive activities, i.e., soliciting, providing information, distributing promotional material, performing community service, or otherwise making person-to-person contact with members of the college community, will refer to [Reynolds Policy No. 4-12](#), Solicitation on Campus.

V. Other Information:

[Reynolds Policy No. 4-11](#), Event Planning and Facilities Rental Management

[Reynolds Policy No. 4-12](#), Solicitation on Campus

[JSRCC Form No. 75-0006](#), Facilities Reservation for Expressive Activities (Student Related Request Only)