



The Peninsula's Community College

## **Free Speech FAQ**

### **What types of activities are considered free speech or expressive activity?**

The term “expressive activity” includes:

- 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;
- Distributions of literature, such as leafleting and pamphleting; and
- Any other expression protected by the First Amendment to the U.S. Constitution.

### **What is Thomas Nelson’s Policy Statement on expressive activity?**

Thomas Nelson property is primarily dedicated to academic, student life and administrative functions. As an institution of higher learning, Thomas Nelson also represents the “marketplace of ideas,” and especially for students, many areas of campus represent a public forum for speech and other expressive activities.

### **Are there any restrictions on expressive activity?**

Yes, Thomas Nelson places restrictions on expressive activities occurring indoors, but outdoor areas of campus remain venues for free expression, including speeches, demonstrations, and the distribution of literature.

Indoors or outdoors, Thomas Nelson 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. Nevertheless, the College 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.

### **How do I reserve campus facilities?**

If students, student organizations, or college employees desire to reserve campus facilities, they shall submit their requests to the Office of the Dean of Student Services or designee. Requests must be made with at least 24 hours’ notice. More notice may be required to allow for sufficient logistical support and to ensure the safety and security of the campus.

If individuals or organizations who are not members of the Thomas Nelson community (i.e., not student, student organizations, or college employees) desire to reserve campus facilities, they must be sponsored by a recognized student organization or Thomas Nelson to conduct expressive activities or events on campus. These individuals or organizations should contact the Office of the Dean of Student Services if interested in being sponsored by Thomas Nelson.

### **What areas are unavailable for expressive activity?**

Administrative offices, libraries, and (during instructional hours) classrooms are not available for expressive activity. Students may access a list of indoor spaces that may be reserved for expressive activity through the Office of Student Life and Leadership. Any indoor restrictions on expressive activity will be applied equally to all individuals and organizations and not depend on the content or viewpoint of the expression or the possible reaction to that expression.

### **Why can a request for expressive activity be denied?**

- The requested venue is an indoor facility that Thomas Nelson has designated as not available for expressive activity under section F the College's Expressive Activity Policy.
- The requested venue is an indoor facility and the request conflicts with restrictions enacted in the Expressive Activity Policy.
- The venue is already reserved for another event. In 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;
- The activity will attract a crowd larger than the venue can safely contain;
- 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, without more, constitute a substantial disruption;
- The activity will substantially disrupt college operations (including classes);
- The activity is a clear and present threat to public safety, according to Thomas Nelson's Campus Law Enforcement;
- The activity will occur during college examination periods; or
- The activity is unlawful.

### **Who is responsible for the facility reserved for an expressive activity?**

During an event, the student, student organization, or college employee requesting the reservation is responsible for preserving and maintaining the facility reserved. If the event causes any damage to those facilities, the person(s) or organization (and its officers, if applicable) shall assume responsibility.

### **How are requests for expressive activity decided?**

When assessing a request to reserve campus facilities, Thomas Nelson and its administrator must not consider the content or viewpoint of the expression or the possible reaction to that expression. Thomas Nelson and its administrators may 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, Thomas Nelson officials (including Thomas Nelson's Campus Law Enforcement) shall take all necessary steps to ensure public safety while allowing the expressive activity to continue.

### **Is spontaneous expressive activity permitted on campus?**

Thomas Nelson does not permit spontaneous expressive activity in any indoor area. 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:

- block access to campus buildings;
- obstruct vehicular or pedestrian traffic;
- substantially disrupt previously scheduled campus events (the expression of competing viewpoints or multiple speakers in proximity to each other does not, without more, constitute a substantial disruption);
- substantially disrupt college operations;
- constitute unlawful activity; or
- create a clear and present threat to public safety, according to the Thomas Nelson's Campus Law Enforcement.