

Policy Title: **FREE SPEECH AND PEACEFUL ASSEMBLY**

Fox Valley Technical College (“the College”) acknowledges the constitutional right to engage in free speech, to assemble in groups for peaceful purposes, and to engage in personal political activities. Among other things, these freedoms foster a robust exchange of ideas and can facilitate academic and social growth.

The primary use of College buildings, facilities and property owned or leased by the College is to provide educational services and programs. The College may, consistent with applicable state and federal law, establish reasonable restrictions regarding the time, place, and manner in which persons may exercise their free speech and assembly rights on the College property (including at the Regional and Training Centers) and at College-sponsored events (whether on or off campus). The following restrictions apply to students, student organizations, volunteers and visitors.¹

UNPROTECTED SPEECH AND ACTIVITIES

Some forms of speech—including but not limited to threats of violence, incitement to imminent lawless action, raising false alarm of imminent personal danger, and certain severe and pervasive harassment—are not constitutionally protected and may result in disciplinary action.

Further, *all* members of the College community and those visiting the College buildings, facilities or property are prohibited from engaging in conduct leading to or resulting in any of the following:

- Endangerment to the health or safety of others;
- Interference or disruption of the normal functioning of the College;
- Damage to the College property;
- Denial of, or unreasonable interference with, the rights of others on the College premises;
- Unauthorized access to or occupation of nonpublic areas on the College premises, including but not limited to classrooms, laboratories, libraries, faculty and administrative offices, and recreational facilities; and
- Unauthorized access to or use of personal property, including files and records.

Individuals who engage in such activities may be subject to disciplinary action, including suspension or expulsion from the College and/or removal from the College property. In addition, such actions may result in criminal charges by law enforcement authorities.

REASONABLE TIME, PLACE AND MANNER RESTRICTIONS

¹ Restrictions applicable to College employees may be found in College policies and the Employee Handbook.
Policy Section: Students
Policy Title: Free Speech and Peaceful Assembly

The College may, consistent with applicable state and federal law, establish reasonable restrictions regarding the time, place, and manner in which persons and groups may exercise their free speech and assembly rights on the College's campuses.

The College generally permits public expression when its campus, regional and training centers are open. The operational hours of different College locations may be found at <https://www.fvtc.edu/About-Us/Contacts-Locations/Locations-Maps>. Further no person on the College property or at the College functions may:

- Block entrances to or otherwise interfere with the free flow of traffic into and out of campus buildings and facilities;
- Obstruct or disrupt teaching, research, administration, disciplinary procedures, or other College activities;
- Exhibit disorderly or lewd conduct;
- Participate in a disturbance of the peace or unlawful assembly;
- Fail to comply with the directions of a College administrative official or other public official acting in the performance of their duties while on College property or at official College functions, or resist or obstruct such College official or other public official in the performance of their duties;
- Camp or lodge on the College property other than in authorized facilities;
- Engage in unauthorized climbing up or repelling down any building, facility, structure or natural feature on the College property; or
- Engage in conduct that violates any other applicable College policy, including but not limited to the following policies: Sexual Misconduct; Workplace Threats or Violence; Drug and Alcohol-Free Campus and Workplace; Weapons; General and Academic Behavior Procedures.

In addition to these reasonable restrictions, students, student organizations, volunteers, and visitors to the College are responsible for complying with all applicable College policies and procedures, which can be found at <https://www.fvtc.edu/About-Us/Policies/All-College-Policies>.

COMMERCIAL SPEECH

Commercial speech is any form of speech, expression, or activity that is primarily intended to market, sell, or promote goods and services on behalf of any person or entity that is not a College department or affiliated organization. Soliciting for contributions or donations is included in the definition of commercial speech. Commercial speech may be regulated by the College to a greater extent than non-commercial speech.

The College is under no obligation to make any campus areas or facilities available for commercial speech. Persons or organizations wishing to engage in commercial speech activities on the College property—including those who wish to seek solicitations via the Community Events or Swap bulletin boards—must be granted express written permission to do so by a

manager of Student Life or site manager (or their designee), with final approval by an Executive Team Member (or their designee).

Commercial speech activities will be generally prohibited unless such activities promote the College's educational objectives. Commercial speech activities are not permitted in any classroom or special-use facility. In addition, all approved commercial speech activities must occur during standard operating hours and may be further limited to certain locations on the College campuses that will not interfere with or disrupt student privacy, education, or the College's normal educational and business functions.

Any action by the College that restricts commercial speech under this policy shall be applied without discrimination toward the content of the view(s) being expressed. The College may, however, consider the effect of commercial activities on the safety and orderly operations of its campuses when making determinations regarding approval or necessary restrictions.

NON-COMMERCIAL SPEECH BY EXTERNAL PERSONS

Persons who are not associated with the College community (e.g., those who are not students, employees, volunteers, or individuals otherwise invited to be present on the College property) and who wish to engage in non-commercial speech on the College property must seek express written permission from a manager of Student Life or site manager (or their designee), with final approval by an Executive Team Member (or their designee).

For additional details regarding the use of the College building and facilities by individuals or groups who are not associated with the College community, see Policy Community Use or Lease of District Facilities.

PEACEFUL ASSEMBLIES AND DEMONSTRATIONS

Peaceful assemblies and demonstrations are prohibited in any classroom, library (including the Student Success Center), special-use facility, and in any place or manner that interferes with educational or other normal functions and operations of the institution. The College's special-use facilities include, but are not limited to the following:

- Indoor and outdoor experiential learning sites (whether on or off campus);
- Computer laboratories;
- Testing and tutoring centers; and
- Other like specialized laboratories and training or testing facilities.

Assemblers or demonstrators refusing to vacate the College's property upon request may be subject to immediate temporary suspension and/or arrest under applicable state and federal laws.

SOUND AMPLIFICATION

The use of sound amplification equipment for functions or events must be approved in advance. Applications for the use of sound amplification equipment or space shall be approved by the Manager of Security Services (or their designee). The College may control the volume and direction of sound amplification so as not to interfere with other campus or community activities.

Acoustic or ambient sound, such as that generated through musical instruments, may be limited when such use interferes with the orderly conduct of the College business or authorized events.

GATHERING OF SIGNATURES

The gathering or solicitation of signatures for petitions, for the nomination of a candidate for elective office, or for similar purposes is permitted pursuant to the following guidelines.

Students and student organizations may generally solicit signatures when the College's campuses, regional and training centers are open. Individuals or groups not associated with the College's campus who wish to solicit signatures on campus must seek express written permission from a manager of Student Life or site manager (or their designee), with final approval by an Executive Team Member (or their designee).

Signature solicitation must not interfere with the orderly conduct of the College's affairs, the maintenance of the College's property, the entrance to or exit from any College facility, or the free flow of vehicular and pedestrian traffic.

No individual may solicit signatures in libraries during standard operating hours or in academic facilities or classrooms while class is in session unless granted express written permission to do so.

For additional details relating to the reasonable restrictions the College has placed on the distribution and posting of printed materials and the use of display tables on the College property, please see Policy Material Distribution, Posting and Display Tables.

Adopted: 08/24/2020

Reviewed: XXXX

Revised: XXXX