

IMPORTANT INFORMATION

REGARDING

Procedures Related to Free Speech and Expression



Procedures Related to Free Speech and Expression for Students and the Public

These procedures shall be interpreted and applied in a manner that is consistent with the Administrative Policies of the Board of Trustees. These procedures apply to the College's campuses and sites, but can be adopted for use at other facilities operated by the College.

A. Scope of Procedures

These procedures address the expressive activity rights and responsibilities of students, student clubs and organizations, and visitors to the College. These procedures are not intended to discriminate against any expressive activity on the basis of content; rather, the procedures set forth the College's practices to regulate the time, place and manner under which ideas may be expressed without disrupting the College's educational mission or the rights of its students. Although the College does not discriminate against expressive activity on the basis of content, the following forms of expression are not protected by these procedures:

- Promoting actual violence or harm;
- "Fighting words;"
- True threats;
- Expression that constitutes criminal or severe harassment;
- Defamation;
- Obscenity;
- False advertising; or
- The use of public resources for partisan political activities.

The College reserves all rights to prohibit or take action against such unprotected forms of expression.

These procedures do not apply to activities sponsored by the College, including:

College educational and social activities, college and career fairs, invited speakers, college- sponsored academic or social programming, and activities sponsored by student organizations and clubs recognized by the College. The procedures related to activities sponsored by student organizations or clubs recognized by the College are available in the Student Life Office.

These procedures also do not apply to the rights and responsibilities of College employees, including administrators and members of the College faculty. The expressive activities of members of the faculty are addressed in other policies, procedures or guidelines adopted by the College.

These procedures do not apply to areas the College makes available for rent to individuals or organizations seeking to rent space from the College for meetings, conferences, or other types of business or social events. The use of those facilities is governed by the College's rental agreements and the terms of its facilities rental program.

B. Expressive Activity on Campus

Subject to these procedures, individuals may exercise their right of expression on the exterior areas of the campus, and in interior hallways and vestibules. Areas of the campus, such as libraries, classrooms, study areas, cafeterias, automated vending areas, the Performing Arts Center, administrative offices, CougarPlex, and other areas that are designated for educational, operational or administrative activities, and areas that are available through the College's rental program, are not available for this purpose. If an individual has any questions about whether a particular area of the campus is available for expressive activity, they may contact the Dean of Students or the Student Life Office for additional clarification.

The College does not endorse, approve, or assume any obligation or responsibility for the content of such expression.

C. Reservation of Designated Free Speech Areas

The College will allow individuals to reserve defined areas of the campus for expressive activity. These areas have been designated as Free Speech Areas that can be reserved in advance for priority use during the reserved period. The designation of a campus location as a Free Speech Area does not prevent individuals from exercising their rights at other locations on the campus or in a Free Speech Area that has not been reserved.

The current list of Free Speech Areas includes the following:

East Peoria Campus:

- Courtyard Classroom
- Performing Arts Center
- Tranquility Room
- Student Lounge

Peoria Campus:

- Student Center S220
- Arbor Hall 111
- Arbor Hall 112

Pekin:

- Lounge Area

A current list of Free Speech Areas will be maintained on the College's website and in the Dean of Students Office. The College also may approve or decline requests to reserve other areas of the college for expressive activity if, for example, Free Speech Areas are not available or are not suitable for a particular activity.

These procedures do not limit the authority of the College to reserve Free Speech Areas or other areas of the College for college activities and activities sponsored by student organizations and clubs approved by the College. The College also has the authority to approve or limit reservations of Free Speech Areas and other areas of the college during periods of the school year or large events, such as College Night, enrollment events, examination week, and other college-wide activities.

If individuals wish to reserve a Free Speech Area they must comply with procedures established by the College. Those procedures will honor the following principles:

1. Event applications should be submitted at least five (5) business days before the activity to the Student Life Office (EP campus 303A). This is an important requirement because reservations for available Free Speech Areas generally are approved in the order in which they are submitted and because the College needs advance notice of requests for tables and chairs. A delay in submitting a request might require the applicant to accept an alternative area or date. Once received the manager of Student Life will submit to the Dean of Students for further review.
2. If an applicant requests that the College provide tables or chairs for an activity, the applicant must allow sufficient time for the Facilities Department to accommodate the request.
3. Applications to reserve a Free Speech Area will not be rejected if they are submitted less than five (5) business days before the activity, provided that the requested space is available and the College can otherwise accommodate the request.
4. The Student Life Office will prepare an event application form to be used for reserving Free Speech Areas. The form may ask applicants to describe the purpose of the activity, the number of tables and chairs they will need, whether they will be using signs or posters and materials they may be distributing during the activity. Applicants are encouraged to provide this information so that the College can anticipate and address circumstances that might interfere with the applicant's expressive activity.
5. Applicants are required to provide an estimate of the number of individuals who will participate in the activity. This information will assist the College in determining whether the requested Free Speech Area is suitable for the proposed purpose.
6. For activities involving a large number of participants, as defined in the General Principles, the College may require the applicant to meet with the Dean of Students Office and Campus Police personnel so that relevant safety issues can be addressed.
7. Applicants also can request that the College reserve other areas of the campus that are not designated as Free Speech Areas. In such cases, applicants must provide a reasonable description of the area they are seeking to reserve. The College reserves the right to determine the location based on the best interest of the College.

The Dean of Students Office will determine, on a content neutral basis, the amount of time a Free Speech Area can be reserved. The purpose of defining the time in which a Free Speech Area is reserved is to ensure that Free Speech Areas are available to many individuals and organizations in the college community and to define the period in which the applicant has priority use of the Free Speech Area.

Individuals who have reserved Free Speech Areas or other areas of the campus approved by the College will have priority use of those areas, unless they do not use the reserved area at the reserved time. If a Free Speech Area has not been reserved, or the individuals who reserved an area do not use it at the reserved time, the area will be considered an unreserved part of the campus.

Individuals who are applying to reserve Free Speech Areas or other areas of campus are not required to provide copies of materials they intend to distribute at their activity. College administrators will not consider viewpoint when considering an application to reserve a Free Speech Area. If an applicant or administrator is concerned that the proposed use of a Free Speech Area might violate a law or College policy or procedure or pose a substantial risk of harm to the applicant or other members of the College community, they are encouraged to consult with the Vice President of Student Success in advance of the activity. In addressing such concerns, the goal will be to provide the Free Speech Area in a time, place and manner that reasonably balances the concerns expressed by the applicant or administrator and the applicants' right to engage in expressive activity.

Individuals must comply with these Procedures when using a Free Speech Area or other areas of the College.

D. Methods of Distribution of Materials on Campus

Non-commercial materials may be distributed by the following manner:

- hand-to-hand distribution;
- in reserved Free Speech Areas;
- on Free Speech Boards; and
- at designated tables or counters.

Commercial materials may be distributed hand to hand, or at designated tables or counters, but only during daytime hours, and only with prior written permission of the Dean of Students Office. Said permission shall be granted if the proposed activity aids achievement of the educational objectives of the College, does not unreasonably interfere with the operation of the College and is not prohibited by law. In accordance with the Credit Card Marketing Act of 2009, in no case shall credit card marketing activity be allowed that involves the offer of gifts, coupons, or other tangible personal property to students pursuing an undergraduate education where the ultimate goal is to induce a student to complete an application for a credit card. Individuals who have reserved a Free Speech Area may distribute informational, non-commercial materials to individuals in that area, subject to the General Principles outlined below. The term "informational, non-commercial materials" means materials that inform others about an issue or a not-for-profit organization or its activities. Materials that advertise for-profit entities or the sale of goods or services are not informational, non-commercial materials. Commercial activities are subject to Board Policy Section II, Article 10 titled "Use of College Facilities."

E. Posting Materials

The section of the Board policy Section II, Article 7 is clarified as follows.

The Board of Trustees regards the campus environment as a space free from solicitation, advertisement, or sample product dissemination. The Board reserves the right to regulate all solicitation, dissemination of information or sample product dissemination by all current or potential solicitors, vendors, or advertisers.

- Any solicitation, advertisement, or product/sample product dissemination must be sponsored by on or more recognized organizations or departments.

- The College shall maintain the right to regulate the time, place, and size of the area allowed for these activities in an effort to maintain safety and eliminate conflicts with normal College Activities.
- Regulations of campus activities under the provisions shall be the responsibility of the President of Illinois Central College.

The College currently has established Free Speech Boards at the following locations:

East Peoria Campus:

- Next to 303D
- By EP Bookstore

Peoria Campus:

- Student Center
- Arbor Hall

If the College establishes additional Free Speech Boards, the locations of those Boards will be published on the College's website and will be available in the Student Life Office.

Individuals may request that the Student Life Office post materials for them on Free Speech Boards. Individuals who request this service must comply with procedures developed by the Student Life Office. Individuals also may post materials directly on Free Speech Boards without the assistance of the Student Life Office. Because space on these Free Speech Boards is limited, and because the primary purpose for the Free Speech Boards is to serve college students and share information regarding their expressed interests, non-students, vendors and organizations shall be allowed to post materials on Free Speech Boards if space remains only after all students desiring to post materials have been given an opportunity to do so.

Materials posted on Free Speech Boards should not be larger than 8½ x 11 inches and must not violate federal, state or local law, or advertise activities that involve the consumption of alcohol or illegal narcotics. The College will remove the materials from the Free Speech Boards every four weeks to insure the boards are available for use by other individuals. The College also may remove materials that do not comply with these procedures.

Individuals are encouraged to provide materials to the Student Life Office for posting on Free Speech Boards. Individuals also are encouraged to include the posting date and contact information on the materials they post if they do not wish to provide that information to the Student Life Office. If an individual provides contact information on the posted materials or to the Student Life Office, and there are issues related to whether those materials comply with these procedures, the Student Life Office will attempt to work with the individual to address those issues. Questions or concerns about the Free Speech Boards should be addressed to the Dean of Students Office. ICC's posting policy is available in Student Life. Items to be displayed may not be:

- Nailed, tacked, or stapled to any wooden surfaces
- Taped to or painted on glass surfaces inside or outside the building, painted walls or pillars.

- Placed on cars in the parking lot.

The Student Life Office also will designate counters or tables so that individuals can place flyers, brochures or other materials for others to access. The Student Life Office will maintain these counters or tables in the same manner that it maintains Free Speech Boards.

Other bulletin boards have been reserved for materials posted by the College and student organizations or clubs approved by the College. The use of those bulletin boards is managed by the Student Life Office. If students want to form a College club or organization, they are encouraged to contact the Student Life Office.

F. General Principles

The designation of Free Speech Areas that can be reserved according to the procedures addressed in this procedure does not limit the ability individuals to engage in expression at other locations on the campus, or in Free Speech Areas when those areas are not reserved.

This section of the procedures addresses general principles for the use of the campus for expressive activity, including Free Speech Areas. These principles have been drafted to balance the interests of individuals who wish to engage in expressive activity and the interests of individuals who wish to access college facilities for educational and other college activities.

1. **Interference or Obstruction.** Individuals may not interfere with or obstruct classes, research, spaces reserved for quiet study such as libraries, and other educational or administrative functions of the College. Individuals also may not interfere with or obstruct efforts by other individuals to exercise their rights to expressive activity.
2. **Physical Access.** Activities may not impede or obstruct physical access to classrooms, laboratories, libraries, offices or other College facilities. For this reason, individuals may not prevent others from using areas such as sidewalks, hallways, stairs or entryways.
3. **Personal Injury.** Individuals may not cause physical injury to any person, including members of the college community and individuals visiting the College.
4. **Roadways and Walkways.** Individuals may not obstruct campus roadways or parking areas and may not block or interfere with vehicular, bicycle or pedestrian traffic. College parking lots are considered roadways and for the safety of pedestrians and to minimize driver distraction individuals may not distribute literature in parking lots or roadways.
5. **Damage to Property.** Individuals may not damage College property or the property of individuals. This includes campus buildings, fixtures and landscaping, and the vehicles and personal property of members of the college community and individuals visiting the College.
6. **Violence or Force.** Acts of violence are not permitted. Likewise, the use of force or the threat of force to interfere with expressive activity or interfere with or force the cancellation of an activity is not permitted. Organizers of activities who believe

violence or use of force may occur are encouraged to notify the Dean of Students Office at least five (5) business days in advance of the activity so that the College can implement appropriate security procedures.

7. Noise. Noise levels may not interfere with classes, meetings, quiet areas reserved for study such as libraries, or other college activities. Noise levels also may not interfere with attempts by others to exercise their right to expressive activity.
8. Amplified Sound. Individuals requesting the use of amplified sound must include this request in authorization from the manager of Student Life at least five (5) business days before the activity so that the College can assess the impact of the anticipated noise level and attempt to resolve potential issues before the activity occurs.
9. Signs and Posters. Signs and posters are allowed during an activity but may not be attached to any College property and may not be used in a manner that impedes expressive activity by other individuals, impedes attempts by individuals who are attempting to listen to or observe an activity or creates a risk of physical injury. At least one individual involved in the activity must remain with the poster or sign during the period of the activity. This provision does not apply to materials posted on Free Speech Boards.
10. Large Groups. Prior to an outdoor activity that reasonably is anticipated to involve an assembly of more than 100 people or an indoor activity that reasonably is anticipated to involve an assembly of more than 25 people, the organizers are encouraged to notify the Dean of Students Office at least five (5) business days before the activity so that the College can work with the organizers and College personnel to address issues related to the safety of the participants and other members of the college community.
11. Spontaneous Demonstrations and Marches. Spontaneous demonstrations or marches are permitted outside of College buildings subject to the General Principles. Individuals seeking to organize demonstrations or marches are encouraged to discuss their plans with the Dean of Students Office in advance so that the College can address issues related to the safety of the participants and other members of the College community.
12. Time. Individuals generally may engage in expressive activity between the hours of 8 a.m. and 8 p.m. during periods of the year when the College is in session. If individuals wish to engage in expressive activity at other times of the year, or other times of the day, they must notify the Dean of Students Office at least five (5) days prior to the activity so that the College can determine whether the College will have sufficient personnel available to support the activity. Hand-to-hand distribution is permitted any time the college is open.
13. Commercial Expressive Activities. Non-commercial expressive activities shall take precedence over commercial expressive activities. Commercial speech will be allowed, resources permitting, in accordance with these procedures.
14. Petitions. Individuals may solicit signatures for petitions in the same manner as hand-to-hand distribution of literature is permitted.

15. Compliance with Law. Individuals must comply with applicable federal, state and local laws, including laws that prohibit injury to others or damage to property.

G. Expressive Activity by Unaffiliated Individuals and Organizations

An unaffiliated individual or organization is an individual, entity or group that is not affiliated with or sponsored by the College. Students enrolled in the College are not unaffiliated individuals.

Unaffiliated individuals and organizations may reserve Free Speech Areas and post materials pursuant to these procedures, subject to the understanding that priority will be given to College sponsored activities and activities sponsored by student organizations and clubs recognized by the College. Unaffiliated individuals and organizations are subject to all of the General Principles and may not engage in any activities that violate federal, state or local law or the policies or procedures of the College while on college property.

H. Individuals and Organizations Not Affiliated with the College

The College values its role as a public college and its relationship with the communities in District 514. Consistent with these values, the College will make parts of its campus available for expression by individuals and organizations that are not affiliated with the College.

Any individual or organization that is not affiliated with the College must submit a request to the Student Life Office at least five (5) business days prior to an activity and must complete an application from approved by the Student Life Office.

Individuals or organizations that are not affiliated with the College may reserve Free Speech areas subject to procedures established by the Student Life Office. Individuals or organizations that are not affiliated with the College also may request that the Student Life Office post materials for them on Free Speech Boards, subject to procedures established by the Student Life Office.

Individuals or organizations that are not affiliated with the College must comply with the general principles state in these procedures and other College policies and procedures that apply to individuals while they are on College property.

I. Balancing of Interests

Whether an activity impairs the rights of other individuals will depend on the time and place of the activity and the manner in which the expression occurs relative to other activities occurring at the same time or location. For example, whether the noise level created by an activity is excessive may depend on the location of the activity, including whether it is occurring in a building or on an exterior area of the campus. It also may depend on whether other activities are occurring at the same time, including classes, study, college-sponsored activities, activities sponsored by student organizations approved by the College, academic examinations, or expression or assembly by other individuals.

The College will attempt to strike a reasonable balance between the rights of the speaker and the rights of others when assessing whether an activity is unreasonably disruptive in a particular setting and will work with the individuals involved to resolve the issue, including

relocating or rescheduling activities or reducing noise levels. In balancing such interests, the College will not consider the viewpoints of the individuals involved.

Nothing in these procedures limits the College's authority to reserve campus resources for college activities, and activities sponsored by recognized student organizations and clubs, including areas designated as Free Speech Areas.

If anyone, including students, employees of the College, and individuals or organizations that are not affiliated with the College has any questions about these procedures or how the procedures apply to a particular situation, they are encouraged to contact the Dean of Students Office.

Contact Us

Illinois Central College
Dean of Students, CC211
1 College Drive
East Peoria, IL 61635

(309) 694-8971

studentservices@icc.edu

Visit us on the web: icc.edu/students/student-services

