

USE OF COLLEGE OUTDOOR SPACE POLICY

PURPOSE/SCOPE

The purpose of the Use of College Outdoor Space Policy is to recognize freedoms guaranteed by the United States and Ohio Constitutions and promote the free exchange of ideas, and the safe and efficient operation of Rhodes State College (the “College”) by:

- Fostering free speech, assembly and other expressive activities on College property by all persons, whether or not they are affiliated with the College;
- Maintaining an appropriate educational and work environment for all persons present on College property, including but not limited to students, faculty, employees, customers and visitors;
- Maintaining the personal security of all persons present on College property and protecting the property of the College and of persons present on College property.

DEFINITIONS

Free Speech – As defined in the United States and Ohio Constitutions

Outdoor Space – All public areas of the College’s property not inside a building

POLICY STATEMENT

The College recognizes the freedoms guaranteed by the United States and Ohio Constitutions as well as the need to preserve and protect its property, students, guests and employees and to ensure the effective operation of educational, business and related activities of the College. Expressive activities on the College’s campus may be subject to reasonable regulation with regard to the time, place and manner of the activities. College employees will not consider the content of expressive activities when enforcing this Policy.

This Policy does not apply to use of College outdoor space for official events sponsored by the College. Expressive activities carried out under this Policy shall not be considered to be speech made by, on behalf of or endorsed by the College. This policy applies to all outdoor space controlled by the College. Use of College outdoor space is subject to procedures implementing this policy, see College Procedure # (Use of College Outdoor Space Procedure). The ultimate responsibility for the event, and for all liability for any personal injury or property damage resulting from the event, rests with the user.

This Policy supersedes any provisions in any other earlier-adopted College policies that address similar or overlapping issues, such as use of outdoor space. Federal, state and local laws will be enforced as applicable. College policies used in conjunction with this policy include, but are not limited to: Drug Free Campus, 5.9; Tobacco Free Policy, 6.10.1; and Code of Student Conduct, Policy 10.1.

RESPONSIBLE AREA

Finance/Business and Development

FREQUENCY

Review every three years

REVISION HISTORY

New 11/13/2018

USE OF COLLEGE OUTDOOR SPACE PROCEDURE

GOVERNING POLICY

The Use of College Outdoor Space Procedure is authorized pursuant to College Policy # (Use of College Outdoor Space).

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PROCEDURE

1. OUTDOOR SPACE OF CAMPUS GENERALLY AVAILABLE FOR USE

1.1 General Access – Any person or group may use, without prior notification, any publicly accessible outdoor space of the College’s campus except parking lots, garages and driveways. Federal, state and local laws will be enforced as applicable. The use of walkways or other common areas may not block the free passage of others or impede the regular operation of the College. Use of the outdoor space may include speaking, non-verbal expression, distributing literature, displaying signage and circulating petitions. There is no limit to the number of times a month a person or group may access the outdoor space. During work and class hours or if the outdoor space is currently in use for an official College event, amplification may be restricted if it unreasonably interferes with College operations. College security personnel and/or additional security have ultimate authority at their discretion to shut down any unauthorized event, and/or any event that has not fulfilled necessary requirements, or any event where safety and/or security are threatened. College security personnel will not consider the content of expressive activities when shutting down any event.

1.2 Large Groups – Except in circumstances described below, any person or group whose use of an outdoor space is expected or reasonably likely to have more than 50 people should notify the College’s Director of Safety and Security, who will then notify the Vice President of Finance and Business (VPFB), at least two (2) business days before the day of the expressive activity. Information as to the specific location to be used for the event; the estimated expected number of persons; the name and contact information of at least one person who can be contacted regarding logistics of the event and who will be personally present at the event, should be included.

Prior notice is necessary to ensure that there is sufficient space for the large group event, that the large group event does not conflict with any other scheduled use of the outdoor space, and that sufficient College resources are available for crowd control and security. If such advance notice is not feasible because of circumstances that could not be reasonably anticipated, the person or group shall provide the College with as much advance notice as circumstances reasonably permit.

2. STUDENTS

2.1 In addition to the general right of access to outdoor space of campus described above, any student or student organization may seek to reserve the use of specific outdoor space by contacting the Vice President of Student Affairs (VPSA). Any request by a student or student organization to reserve such outdoor space shall be made at least one (1) business day prior to the event. A request will be granted unless it would conflict or interfere with a previously scheduled event or activity or violate the Use of College Outdoor Space Policy.

A student or student organization that has reserved a specific outdoor space under the Use of College Outdoor Space Policy will have priority over any other persons seeking to use the same outdoor space during the scheduled time. Any decision denying a request shall be promptly communicated in writing to the requester and shall set forth the basis for the denial. The content of the anticipated speech or other expressive activity shall not form the basis for a denial.

3. PROHIBITED ACTIVITIES

3.1 Any event or activity that disrupts the ability of the College to effectively and peacefully teach students, provide client services, or conduct any of its other business and support operations is prohibited. Examples include but are not limited to excessive noise, impeding vehicle or pedestrian traffic, and conduct otherwise unlawful.

3.2 No activity may damage College property. Prohibited actions include but are not limited to driving stakes or poles into the ground without written authorization from the VPFB, hammering nails into buildings, and attaching anything to sidewalks, paved areas, or any part of any building, structure or fixture.

3.3 Distribution/solicitation by placing any material on vehicles in parking areas is prohibited. Leaving trash, litter, materials or pollutants in any area is prohibited.

3.4 Persons and objects are prohibited from entering all defined water features, e.g. pond, without authorization.

3.5 Glass bottles and materials are prohibited.

3.6 No activity or event may use College water or energy sources without authorization.

4. ENFORCEMENT

4.1 The College and local law enforcement shall enforce the provisions of this Procedure. Any person who violates Section 3 of the Procedure may be subject to an order to leave College property. Employees in violation of this Procedure may be subject to discipline, up to and including termination.

5. CONCEALED WEAPONS LAW

5.1 The State of Ohio allows qualified citizens to carry concealed weapons, but only if strict conditions are met: The Concealed Carry Law does NOT allow concealed weapons to be carried anywhere on the premises of the College campus unless the weapon is locked in a vehicle or in the process of being locked in the vehicle.

6. ALCOHOL ON CAMPUS

6.1 Alcoholic beverages are considered an amenity for a social or business occasion and never the purpose or focus of the occasion to maintain an on-campus environment that is conducive to intellectual, emotional, and social growth for all members of the community. **The User, shall indemnify, hold harmless and defend the**

College against any and all claims, liabilities and damages arising from or related to the service of alcohol in College facilities. The User is solely responsible for understanding and abiding by all state and local laws and regulations related to the use and distribution of alcohol, irrespective of any information provided herein. The College reserves the right not to allow alcohol to be served for any event.

7. DISPUTE RESOLUTION

7.1 Any person or recognized student organization who believes unlawful, unreasonable, or arbitrary limitations have been imposed on any of their speech or other expressive activities under the Use of College Outdoor Space Policy or Procedure may file a complaint with the College's VPSA.

RESPONSIBLE AREA

Finance/Business and Development

FREQUENCY

Review every three years

REVISION HISTORY

New 11/13/2018

Revised 12/18/2018