

OLYMPIC COLLEGE POLICY

TITLE: First Amendment Activities at Olympic College

POLICY NUMBER: OCP 200 - 03

REFERENCE: US Constitution, Amendment I; RCW 42.52; WAC 123c-10-009; and OCP 200-09

I. Purpose

Olympic College recognizes and supports the rights of groups and individuals to engage in first amendment activities. This policy shall be interpreted and construed to support such activities while simultaneously balancing the needs and interests of the College to fulfill its mission as a state educational institution of Washington.

The purpose of this policy is to establish procedures and reasonable controls for the use of College facilities for both non-College and College groups. It establishes time, place and manner regulations intended to balance the College's responsibility to fulfill its mission as a state educational institution of Washington with the interests of non-College groups or College groups who are interested in using the campus for purposes of constitutionally protected speech, assembly or expression.

II. Definitions

- A. **Non-College Groups:** For the purposes of this policy *non-College groups* shall mean individuals, or combinations of individuals, who are not currently enrolled students or current employees of Olympic College or who are not officially affiliated or associated with a recognized student organization or a recognized employee group of the College.
- B. **College Groups:** For the purposes of this policy, *College groups* shall mean individuals, or combinations of individuals, who are currently enrolled students or current employees of Olympic College or who are affiliated with a recognized student organization or a recognized employee group of the College.
- C. **First Amendment Activities:** For the purposes of this policy *first amendment activities* (hereinafter "the event") would include, but

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not necessarily be limited to: informational picketing, petition circulation, distribution of information leaflets or pamphlets, speech-making, demonstrations, rallies, and/or other types of constitutionally-protected assemblies to share information, perspectives, or viewpoints.

- D. Limited Public Forum:** For purposes of this policy a *limited public forum* is identified by the College as a location where non-College groups or individuals may exercise their first amendment rights through expressive activity.

III. Policy

Olympic College is an educational institution provided and maintained for and by the people of the State of Washington. However, the public character of the College does not grant to individuals or groups an unlimited license to engage in activity which limits, interferes with, or otherwise disrupts the normal activities and business of the College.

The College's buildings, facilities, and grounds are not available for unrestricted use by either College groups or non-College groups. College groups will be given priority except when advance booking and payment by a non-College group is accepted by the College.

Materials which are commercial, obscene, or unlawful in character are prohibited.

IV. Commercial Events

Activities and events of a commercial nature by College groups are not covered by the First Amendment Policy. See RCW 42.52.

V. Criminal Trespass

Any person determined to be violating this policy is subject to an order from the College safety and security department to leave the College campus. Persons failing to comply with such an order are subject to arrest for criminal trespass.

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| <i>Recommended by</i> | <i>Dan Chacon, Interim Vice President of Student Services</i> |
| <i>Submitted to President's Cabinet for Review</i> | <i>April 13, 2010</i> |
| <i>Approved by President</i> | <i>April 13, 2010</i> |
| <i>Submitted to Board of Trustees</i> | <i>May 25, 2010</i> |
| <i>Approved by Board of Trustees</i> | <i>August 24, 2010</i> |
| <i>Published in Washington Administrative Code</i> | <i>December 20, 2010</i> |
| <i>Revised</i> | <i>July 5, 2011</i> |

OLYMPIC COLLEGE PROCEDURE

TITLE: Procedures Regarding Use of Olympic College Facilities by College Groups and Non-College Groups for First Amendment Activities

POLICY NUMBER: OCP 200-03-01

I. College Groups

- A.** College groups that intend to engage in first amendment activities at a College facility are encouraged to provide notice to the Office of the Vice President of Student Services no later than forty-eight (48) hours prior to the event by completing and signing the First Amendment Activity Contact Information Form (Addendum A).
- B.** For the purposes of first amendment activities, College groups are not restricted to limited public forums.

II. Non-College Groups

- A.** Non-College groups that intend to be on campus to engage in first amendment activities are encouraged to provide notice to the office of the Vice President of Student Services no later than forty-eight (48) hours prior to the event by completing and signing the First Amendment Activity Contact Information Form (Addendum A).
- B.** Subject to the regulations and requirements of this policy, non-College groups may use campus limited public forums for those activities protected by the First Amendment. Limited public forums do not include College buildings or facilities which are closed to the public except during scheduled public events. College buildings, rooms, and facilities may be rented in accordance with the College's facilities use policy (please see OCP 200-09). The limited public forum areas are designated as follows:
 - 1. On the Bremerton campus: from approximately the clock tower to the end near the facilities services building; the walkway south of the Haselwood Library and the College Service Center, including the area in front of the College

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Service Center; as well as the walkway from the Bremer Student Center to the west side of campus. Please reference the online campus map for complete information.

<http://apps.olympic.edu/campusmap/>

2. Shelton Campus: The walkway northwest of the Johnson Library. Please reference the online campus map for complete information.

<http://apps.olympic.edu/campusmap/>

3. Poulsbo campus: The paved plaza and walkway north of the student parking lot. Please reference the online campus map for complete information.

<http://apps.olympic.edu/campusmap/>

- C. Limited public forums may not be used on the same date as any previously scheduled College event or activity at the site.
- D. Non-College events shall last no longer than five hours from beginning to end.
- E. Distribution of materials is prohibited outside the assigned limited public forum.
- F. Non-College groups may not use or enter onto College campuses or property having in their possession firearms, explosives, or any other weapon even if licensed to do so, with the exception of commissioned officers of the law.
- G. When using College buildings or facilities, an individual or organization may be required to post a bond and/or obtain insurance to protect the College against cost or other liability in accordance with the College's facility use policy.

III. Both College and Non-College Groups

- A. The means of distribution of materials may not include unsolicited invitation, accosting individuals, or engaging in unreasonably disruptive behavior. Reference the Student Code of Conduct, Policy 300-01.

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- B. The volume level of sound amplification devices may not disrupt or disturb the normal use of classrooms, offices, laboratories, or any previously scheduled College event or activity.
- C. The event must not violate the rights and privileges of College students, employees or guests of the College.
- D. The event must not interfere with educational activities inside or outside any College building or otherwise prevent the College from fulfilling its mission and achieving its primary purpose of providing an education to its students.
- E. No event may create safety hazards or pose unreasonable safety risks to College students, employees, or guests of the College.
- F. All fire, safety, sanitation, or special regulations specified for the event are to be obeyed.
- G. The event must not obstruct vehicular, bicycle, pedestrian, or other traffic or otherwise interfere with ingress or egress of the College, or College buildings or facilities, or College activities or events.
- H. The event must also be in accordance with any other regulations and policies of Olympic College, local ordinances, and/or State and federal laws.
- I. The College will not provide utility connections or hook-ups for purposes of first amendment activities conducted pursuant to this policy.
- J. The area used by any group shall be cleaned up and left in its original condition and is subject to inspection by a representative of the College after the event. Reasonable charges may be assessed against the sponsoring group for the costs of clean-up or for the repair of damaged property (See Posting of a Bond, section II-G above.)
- K. When the College grants permission to a College group or non-College group to use its facilities, it is with the express

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understanding and condition that the individual or organization assumes full responsibility for any loss or damage.

The individual or group agrees to indemnify the College and hold it harmless from and against any liability for injury or death of person(s) or damage to property because of any act or failure to act on the part of the College group or non-College group, howsoever caused and whether or not due to the negligence of the College, its employees or agents, and including strict liability in tort that may be imposed upon the College.

Revised July 5, 2011

ADDENDUM A

OLYMPIC COLLEGE PROCEDURE



VICE PRESIDENT OF STUDENT SERVICES
1600 Chester Avenue, Bremerton, WA 98337-1699
Tel 360-475-7474 ~ Fax 360-475-7477 ~ www.oc.ctc.edu

First Amendment Activity on Campus

Contact Information Form

Event Details

Date of event: _____ Time of event: _____

Requested Location: _____

Sponsoring Organization

Name: _____

Telephone number: _____

E-mail address: _____

Physical Address: _____

Contact Person

Name: _____

Telephone number: _____

E-mail address: _____

Physical Address: _____

Please indicate the nature and purpose of this event:

If you are using sound amplification, please indicate what type (i.e. bullhorn, boom box, etc.) _____

How many people are you expecting to participate in this event? _____

Please deliver this form to the VP of Student Services, address and fax above to arrive a minimum of 48 hours prior to activity. Please review the First Amendment Activities Policy for more information on campus events at: <http://www.olympic.edu/NR/rdonlyres/AE92B327-B84C-489C-A34F-3987BCA586CC/0/20003FirstAmendmentPolicy.pdf>. Questions? Please call 360-475-7474.