

Free Speech and Expression Policy

BOT Approved: February 20, 2024

PURPOSE:

Garrett College recognizes the constitutional right to freedom of speech and supports the right of individuals and groups to peacefully assemble, demonstrate, and express their views for or against actions and/or opinions.

POLICY:

Individuals and groups that wish to exercise their rights of free speech and peaceful assembly on College owned and/or operated premises shall do so in accordance with college guidelines in order to ensure that, (1) their ability to exercise these rights is recognized and preserved, and, (2) their exercise of such rights does not disrupt, obstruct, impede or otherwise interfere in any manner with college operations, and/or the safety and rights of all members of the college community.¹

For purposes of this policy, “Expressive Activity” is defined as acts of protected speech and assembly including, demonstrations, marches, picketing, leafleting and protesting.

Garrett College has the right to place reasonable time, location, and manner restrictions on expressive activities. Groups or individuals engaging in disruptive activities or failing to comply with College policies and applicable local, state, and federal laws may face immediate removal from the campus and/or other appropriate actions by College officials and local law enforcement authorities.

¹ See “Maryland Annotated Code, Education Article, Section 26-02 as outlined in the [Campus Access](#) Policy

PROCEDURES:

Guidelines for Expressive Activity

1. Students, student groups, faculty or staff planning Expressive Activity must contact the Events Management office prior to the planned event.
2. The purpose of the advance contact is to determine the availability of space and to provide details such as the date, time and duration of the proposed activity and the number of participants reasonably expected to attend.
3. Groups or individuals wishing to use sound amplification must notify the College prior to use.
4. Signs, banners, flags and similar items that are carried should be constructed entirely of soft material such as cardboard or cloth, and should not be attached to rigid sticks or poles.
5. Student organizations and College departments/offices may not reserve space on behalf of an external individual, group, business or organization. For purposes of this type of activity, outside entities cannot be co-sponsored.
6. Outside entities wishing to use a public space on campus for Expressive Activity must contact the Events Management office. Requests must be received at least five business days prior to the planned activity.
7. Requests for use may be denied for the following reasons:
 - a. The requested location is an indoor facility that the College has designated as not available for Expressive Activity;
 - b. The location is already reserved for another event;
 - c. The activity will attract a crowd larger that will exceed the location's occupancy limit;
 - d. The activity will substantially disrupt another event being held at a nearby location;
 - e. The activity will substantially disrupt College operations (including classes);
 - f. The activity is a clear and present threat to public safety, according to Campus Safety & Security;
 - g. The activity will occur during College exams; or
 - h. The activity is unlawful.

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.

8. If a request is denied, the applicant will be informed of the reason in writing no later than three business days following the request. If a request is denied because of a

failure to comply with this policy, the applicant may (where feasible) have the opportunity to propose measures to correct the failure to comply with the policy. If a request is denied because space is not available, reasonable accommodations may be offered.

Conditions of Use

1. Expressive Activity must comply with applicable federal, state, and local law, this policy, other applicable College policies, regulations established by the State Fire Marshal, traffic laws, and ordinances regarding sound amplification systems. In addition, such activities may not:
 - a. disrupt the College's academic, administrative or service activities, or obstruct or disrupt other authorized or approved activities on the College's campus;
 - b. block entrances to or otherwise interfere with the free flow of vehicular and/or pedestrian traffic into and out of College Facilities or parking lots or into or out of the campus itself;
 - c. include construction of any permanent or semi-permanent structures, without prior approval;
 - d. include camping or lodging, except in authorized facilities;
 - e. include any discriminatory, harassing or threatening conduct toward any person, obscene or lewd conduct, disturbance of the peace or unlawful assembly;
 - f. include theft, misuse, or destruction of College property or equipment;
 - g. include sound amplification greater than 95dBA (within five feet of amplification source) or sound amplification from handheld units greater than 90dBA;
 - h. include commercial solicitation (e.g., advertisements, solicitations or testimonials for goods or services offered for sale; distribution of commercial leaflets, fliers, handbills and/or circulars).
2. Speakers shall not be subject to harassment, nor shall others' right to hear the speaker be infringed. At the same time, members of the College community shall have the right to peacefully protest any such activity.
3. Activities that violate this policy may be stopped or moved to another location by College officials.
4. Individuals who damage or destroy College property will be held responsible for such damage or destruction (including but not limited to damage caused by posting on walls or windows or staking items in the ground).
5. The College reserves the right to provide security and/or law enforcement presence when appropriate to uphold the rights and/or to protect the safety of speakers and members of the College community.

6. Participants in such activities shall be allowed to distribute petitions, circulars, leaflets, newspapers, and other non-commercial printed matter only within the Public Areas. Any such materials which are discarded or dropped in or around the activity areas(s), other than in an appropriate receptacle, must be retrieved and removed or properly discarded by those persons distributing the material prior to their departure from the designated activity area(s). If College staff is required to clean the area after an event, the group will be charged for the cost of their services.

Reserving Campus Facilities

Reservation of space is governed by the Use of College Facilities Policy, available in the College's Policies and Procedures page, located at <https://www.garrettcollege.edu/policy.php>. Space may be reserved by contacting the Events Management office at reservations@garrettcollege.edu. The scheduling of space for credit and continuing education classes and regularly scheduled college events receive first priority. Assemblies or other activities, which in the judgment of the President will present a clear and present danger to members of the college community, campus visitors, college property, or may reasonably disrupt the orderly conduct of the affairs of the college, may not be scheduled. Requests for college facilities from outside organizations and businesses are considered on a first-come, first-served basis. The college reserves the right to choose facilities and relocate events as needed.

Violations

Employees and students who violate this policy are subject to disciplinary sanctions under any applicable policy or law, including but not limited to the HR Manual for employees, and the Student Code of Conduct for students.

Other members of the public who violate this policy may be removed from the facility and restricted or barred from college facilities, in accordance with the *Campus Access Policy*.

Violations that may constitute unlawful activity may be reported to local law enforcement by Campus Safety & Security or other college personnel.