

# Freedom of Expression Policy

Revisions Adopted by President's Cabinet 6/27/17

Revisions Adopted by President's Cabinet 3-24-15

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## Policy Overview and Scope

East Georgia State College (EGSC) affirms that no rights are more highly regarded than the first amendment guarantees of freedom of speech, freedom of expression, and the right to assemble peaceably. EGSC also recognizes its responsibility to provide a secure learning environment that allows individuals enrolled or employed by EGSC ("college community") to express their views in ways that do not disrupt the operation of the College. This policy in no way prohibits members of the EGSC community from engaging in conversations on campus and does not apply to College-sponsored activities or classroom instruction or participation. All public outdoor areas of campus are open for free expression purposes for all individuals, subject to certain limitations contained herein. This policy establishes as preferred public forums certain outdoor areas of EGSC's campus and sets forth the requirements for forum reservations in the following limited circumstances: 1) members of the college community who plan an event with 30 or more persons, and, 2) individuals or groups who are not members of the college community who wish to speak on EGSC's campus. By placing reasonable limitations on time, place and manner of speech, EGSC does not take a position on the content or viewpoint of the expression, but allows for diversity of expression to be expressed in an academic setting.

"College community" is defined as any person enrolled and/or employed at EGSC and recognized student clubs and organizations. "Non-college community" is defined as individuals or groups who are not employed or enrolled at the college.

### I. Designation of Preferred Locations on EGSC Campuses for Free Expression

While all public outdoor areas of campus are open for free expression purposes, to accommodate the need for immediate and spontaneous demonstration and to better facilitate the free exchange of ideas, EGSC has designated preferred public forum spaces on campus, referred to as "Preferred Locations." The Preferred Locations are centrally located high traffic areas of campus. The areas designated as a Preferred Location for free expression at the Swainsboro campus are the grassed area outside the Student Center (Richard L. Brown Hall entrance) and the grassed area in front of the Physical Education Building; for Statesboro, the Preferred Location is the grassy area between the sidewalks adjacent to the faculty entrance to the facility. The Preferred Locations areas are generally available for this purpose between 8:00 am and 9:00 pm, Monday through Friday, provided the Preferred Location areas have not previously been reserved. Reservations are required as set forth in Section IIA (for groups of 30 or more) and Section III below. EGSC recommends that all parties interested in utilizing the Preferred Location areas submit a **Grounds Reservation Form**. Students and employees on the EGSC Augusta campus may use the designated Speaker's Corners on the Summerville campus on the dates and times as set forth in Augusta University's Assembly and Speech Guidelines Policy: Teardrop and South Side of Jaguar Student Activity Center. (Add link to AU Policy – currently under review)

### II. Freedom of Expression by College Community

**A. Planned Large Group Expression:** All public outdoor areas of the campus are available for use by members of the college community for free expression. Public outdoor areas are generally available for this purpose between 8:00 am and 9:00 pm, Monday through Friday. For members of the college community totaling 30 or more, use of these areas for speaking, demonstrating and other forms of expression must be scheduled through the Events Planner (478-289-2367) to best accommodate all interested users. Users must complete and submit a **Grounds Reservation Form** to the Event Planner for each event at least 48 hours in advance of desired usage. See paragraph IV herein "Procedures for Grounds Reservation Requests."

**B. Spontaneous Campus Expression:** Spontaneous campus expression is subject to specific rules that ensure the expression area is highly visible and accommodates the users' free exchange of ideas. All public outdoor areas of campus and the Preferred Location areas may be used for this purpose, subject to the limitations herein. A reservation is not required for the use of this area by the college community for free expression purposes so long as the event consists of less than 30 individuals. If an individual or small group of individuals in the EGSC community while engaging in spontaneous expression in a public area of campus attracts a group of 30 or more persons, then a representative from the group should provide the College with as much notice as circumstances reasonably permit. EGSC reserves the right to direct the group to a Preferred Location area or another available area on campus in order

to ensure the safety of campus members, to provide for proper crowd control, and to limit disruption of the academic and other operations of the college. In making a decision to redirect a group as indicated above, the EGSC Police Department must not consider or impose restrictions based on the content or viewpoint of the expression.

### III. Freedom of Expression by Non-College Community

- A. Individuals or groups that are not enrolled or employed by East Georgia State College may engage in expressive activity in the Preferred Location areas or a public outdoor area of campus between the hours of 8AM and 9PM Monday – Friday subject to the following requirements:
1. Must submit a **Grounds Reservation Form** for each requested event, with event materials attached, to the Event Planner, at least two days prior to the scheduled event and obtain approval in writing as provided in Paragraph IV herein.
  2. Must follow the procedures and comply with the requirements in the Procedures for Grounds Reservation Requests in Paragraph IV of this policy.
  3. EGSC reserves the right to redirect non-college spontaneous expression groups of 30 or more from a public outdoor area or Preferred Location to an alternate location as provided in paragraph IIB.
  4. Under no conditions will a non-campus speaker be allowed to sell items or solicit funds on campus.

### IV. Procedures for Grounds Reservation Requests

- A. **General Procedures:** College community members with planned large group expression (see IIA) and non-college community members engaging in free expression must complete a **Grounds Reservation Form**. EGSC recommends that ALL parties interested in free expression on campus submit a completed Grounds Reservation Form prior to use so that EGSC may minimize conflicts, accommodate all interested users, and provide adequate security for the speaker and the audience. The form must be completed at least forty eight (48) hours in advance of the desired use. The Event Planner will respond to requests within one business day. In the event multiple requests conflict, college sponsored events will take first priority, followed by student organization events, and student events and activities, third priority. The Event Planner will forward requests to the Director of Student Life for review. The Director of Student Life will review requests and send her response to the Event Planner. The request may be denied for one or more reasons in Section D below. When assessing a reservation request, the Director of Student Life and Vice President for Student Affairs (on appeal) must not consider or impose restrictions based on the content or viewpoint of the expression. The Event Planner will communicate the confirmation or denial to the requester. Requesters may appeal the decision to the Vice President for Student Affairs as provided in Paragraph F herein.
- B. **Distribution of Written Material.** Non-commercial pamphlets, handbills, circulars, newspapers, magazines and other written materials may be distributed by the college community and non-college community on a person-to-person basis in common areas indoors or outdoors, so long as such distribution does not interfere with or operate to the detriment of the conduct of College affairs or the free flow of traffic. Users that are required to submit a **Grounds Reservation Form** and desiring to distribute written material must submit a copy of the written material at the time of the reservation. Written materials must bear identification as to the publishing agency and distributing organization or individual. No materials may be distributed by a speaker unless and until said speaker's request to appear in the **Grounds Reservation Form** has been approved by the Events Planner. A speaker provided stand, table or booth may be used for material distribution upon prior approval of the Events Planner. The College maintains a position of neutrality as to the content of any written material distributed on the campus under this policy.
- C. **Denial of Requests.** The Event Planner may deny a reservation request for one of the following reasons:
1. The Grounds Reservation Form is not fully completed;
  2. The Grounds Reservation Form contains a material falsehood or misrepresentation;
  3. The Preferred Location or open area has been reserved by persons who previously submitted a completed Grounds Reservation Form, in which case the College must provide a reservation for the applicant at an alternate location, alternate date or alternate time;
  4. The use or activity intended by the applicant would conflict with or disturb previously planned programs organized and conducted by the College;

5. The Preferred Location or open area is not large enough to accommodate the expected actual number of persons engaging in large group expression, in which case the College must provide a reservation for the applicant at an alternate location that can safely accommodate the applicant provided such location exists on the EGS campus;
6. The use or activity intended by the applicant would present a danger to the health or safety of the applicant, other members of EGSC community, or the public; or
7. The use or activity intended by the applicant is prohibited by law or EGSC policy.

**D. Time, Place and Manner Provisions.** In order that persons exercising freedom of expression not interfere with the orderly operation of the College or the rights of others, the following will apply without exception to any form of expression and will be used to evaluate any plans requiring approval. Reasonable limitations may be placed on the time, place and manner of speeches, demonstrations, distribution of written material, and marches in order to serve the interest of health and safety, prevent disruption of the educational process, and protect against the invasion of the rights of others. A typical length of time for a speaker will be 1.5 hours. Frequency shall be no more than once a month under normal circumstances (members of the same group or organization dealing with the same general topic will be considered one speaker for the purpose of scheduling stipulation). Members of the college community and non-college community speakers engaging in expressive activity on campus agree that the individuals participating in the expressive activities must not:

1. Obstruct vehicular, pedestrian or other traffic.
2. Attract a crowd larger than the requested location or spontaneous expression location could contain. In such instances, groups may be relocated as provided in paragraph IIB herein.
3. Use sound amplification on campus Monday – Friday 8AM -9PM or when any educational program is in session. Any amplification requests after these hours must be approved at least 48 hours in advance by the Events Planner.
4. Obstruct entrances or exits to buildings, impede passersby, or disrupt normal college activities.
5. Interference with educational activities inside or outside of buildings.
6. Interfere with scheduled College ceremonies, events or activities.
7. Represent a threat to public safety; such expression will be denied or halted, at the discretion of EGSC Police Department.
8. Maliciously damage or destroy property owned or operated by the College, or property belonging to students, faculty, staff or guests of the College. Persons or organizations causing such damage may be held financially responsible.
9. Include camping or erection of temporary structures (tents, etc.) on campus as part of the activities.
10. Fail to comply with all applicable state and federal laws and College policies, rules and regulations.
11. Light any material on fire; open flames devices or bonfires.
12. Leave any event items or materials behind after the event. Persons or organizations responsible for a demonstration or other expressive event must remove all resulting structures, signs and litter from the area at the end of the event. If this is not accomplished, persons or organizations responsible for the event may be held financially responsible.

Speakers and/or organizations failing to comply with the above policy may be asked to leave, a trespass warning may be issued, and/or College disciplinary action or judicial action may be pursued.

**E. Appeal Procedure.** An appeal of a reservation denial under this policy may be made to the Vice President for Student Affairs. The appeal must be made within ten business days of the decision. The appeal must be in writing and state the basis for appeal. The Vice President for Student Affairs will meet with the requester and review all materials relative to the request. The Vice President for Student Affairs will issue his/her decision in writing. No further appeal is available.

**Questions about this policy may be directed to:**

Angie Williams, Event Planner  
131 College Circle, Swainsboro, GA 30401.  
Phone: 478-289-2367