

Policy Title	Original Adoption Date	Policy Number
Freedom of Speech, Expression, and Public Assembly Policy	5/26/2021	HR-825
Responsible College Division/Department	Responsible College Manager Title	
Human Resources	Executive Vice President of Administration	
Policy Statement		
<p>Lakeshore College is committed to recognizing the First Amendment rights of all individuals, including freedom of speech, freedom of expression, and public assembly. The College also recognizes its responsibility to provide a secure learning and employment environment that allows individuals enrolled at or employed by the College to carry on their enrollment or employment without disruption. Students, employees, and members of the public shall be free to exercise their rights of free expression, subject to the requirements of this policy.</p>		
<p>This requires the College to regulate the time, place and manner of assembly, speech, solicitation, and other expressive activities on College property. In keeping with this responsibility, individuals and groups are free to exercise the rights to assemble and to engage in expressive activity in a constitutionally protected manner, subject only to the content-neutral regulations put in place by the College to fulfill its mission and obligations, preserve the rights of all individuals, assure preservation of its facilities and property, and assure financial accountability for any damage caused by individuals or groups when exercising such rights.</p>		
<p>The care, control, and management of the campus of the Lakeshore College, at all locations, is vested within the College President. College buildings and premises of all types are intended for educational purposes. College buildings and all premises are not a forum open to the general public for public discourse or political activity. The College President has not designated, and no official of the College is authorized without prior Presidential approval, to designate any area of College premises, either in whole or in part, to be an open public forum or limited public forum for the purpose of public discourse or political activity.</p>		
<p>Public assembly is authorized on public walkways along roads contiguous to College premises. Public walkways may be recognized as traditional public forums. Assembly on public walkways, however, may not disrupt or interfere with the College operations, the orderly ingress or egress of persons from College buildings, the safe and efficient movement of persons on or off of College premises, or the orderly operation of classes, or functioning of the College. The College President is authorized to take necessary and reasonable action to restrict or limit the effect of assembly occurring off of College premises, which directly and adversely impacts College premises, so long as such restrictions are non-discriminatory and viewpoint neutral.</p>		
<p>All public assembly areas must be left clean and in good repair after use. Persons or organizations failing to comply may be held financially responsible for any resultant cleanup costs. Any individuals or groups who commit any such acts may subsequently be denied access to College property and may face criminal charges if applicable.</p>		
<p>The College may restrict any speech, expression or assembly not protected by the First Amendment, including, but not limited to:</p>		

- (a) Violations of state or federal law;
- (b) Discriminatory harassment;
- (c) Sexual harassment;
- (d) True Threats, Fighting Words or other unprotected speech directed toward inciting or producing imminent lawless action;
- (e) Unjustifiable invasions of privacy or confidentiality;
- (f) Violations of any reasonable time, place and manner restrictions enacted by the College or as otherwise permitted by law;
- (g) Interference with the free flow of vehicular or pedestrian traffic within Campus or the entrances or exits of any buildings on Campus is not permitted;
- (h) Interference with the orderly conduct of classes or other approved activities, including ceremonies or events, is not permitted;
- (i) Use of amplified sound within any public assembly area must be intended to be heard only in the immediate vicinity of the public assembly area in order to minimize any disruption to the central academic mission. Volume at lower levels may be restricted when necessary to prevent interference with any academic or other program taking place in Campus areas nearby the applicable public assembly area;
- (j) Speech or acts which are defamatory or obscene;
- (k) Speech or acts which violate the College policies or procedures;
- (l) Acts which cause damage or destruction of property owned or operated by the College or property belonging to students, employees or guests of the college is prohibited.

Any such acts may be reported to appropriate authorities and, in the case of College students or employees, may be subject to disciplinary action. Nothing in this policy shall prohibit the regulation of hate violence directed at students, employees, or visitors.

Reason for Policy

This policy is to promote the commitment in the free exchange of ideas and expectations of those who violate these freedoms.

Historical Data, Cross References and Legal Review

Review/Revised: 8/13/2024

Legal Counsel Review and Approval: 10/23/2020

Board Policy: III.A. General Executive Constraint, III.B. People Treatment

Cross Reference:

Definitions

“Assembly” – a gathering of person for the purpose of expressing, promoting, pursuing, or defending ideas.

“Campus” – all property and facilities owned or controlled by the College.

“Employees” – all individuals currently employed by the College.

“Expressive Activity” – demonstrations, picketing, vigils, rallies, or performances. For purposes of this policy, Expressive Activity does not include social, random, or other everyday communications.

“Fighting Words” – Communication which, when addressed to an ordinary person, is inherently likely to provoke violent reaction.

“Student” – all persons currently enrolled in courses at the College, either full or part-time.

“True Threats” – statements where the speaker communicates a serious expression of an intent to commit an act of unlawful violence to a particular individual or group of individuals, regardless of

whether the speaker has the ability to carry out the threat. True Threats do not include political hyperbole, jest, innocuous talk, expressions of political views, or other similar expression.