

**CAMPUS ACCESS AND PUBLIC COMMUNICATION**

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**CAMPUS ACCESS AND PUBLIC COMMUNICATION**

The Board is committed to providing educational opportunities to its students and others in the College community and believes that public expression can play an important role in accomplishing the College’s mission. Thus, the Board endorses free speech and association in those areas of College premises that are open to public expression. The College shall not deny or grant any request in violation of the requestor’s free speech rights. However, campus access and public expression shall be subject to reasonable time, place, and manner limits.

A grant of access to any particular individual or group does not mean that the Board or the College endorses the beliefs, practices, or views expressed by that individual or group. The Board prohibits any non-College individuals and groups from stating, implying, or suggesting in any manner that they are endorsed by or associated with the College. Such individuals or groups are prohibited from stating or implying that the content of any publication, announcement, or other form of expression made on the College’s premises has been approved by or is associated with the College.

Posting of publications, handouts, or flyers as well as public assembly, presentations, and solicitations must be conducted according to this Policy.

The President shall implement a system for granting access to College facilities to students, other members of the College community and the public consistent with Board policies, North Carolina Community College System regulations, and applicable laws. The President may deny access to those who have previously damaged or otherwise abused College facilities or property; or, have previously materially interfered with the work or educational activities of the College.

The Board authorizes the President to implement procedures for allowing campus access for the purpose of public communications (also called solicitation) activities consistent with this Policy. The procedures implemented by the President pursuant to this Policy shall contain provisions substantially similar to the following:

**1) DEFINITIONS**

- a. "Charitable Contribution" means a pledge or grant of anything of value to a charitable organization, where the value of the pledge or grant exceeds the value of anything received in return.
- b. "Charitable Organization" means an organization that has humane and philanthropic objectives, whose activities benefit humanity or a significant constituency rather than limited segment of the community, without expectation of pecuniary profit or reward and is exempt from taxation under either N.C.G.S. 105-130.11(a)(3), N.C.G.S. 105-130.11(a)(5), or Section 501(c)(3) of the Internal Revenue Code.
- c. "Commercial Solicitation" means any proposal to sell, seeking or asking of an offer to buy, dissemination of information for the purpose of facilitating the sale of goods or services, any activity which attempts to raise funds, whether through sale of goods and services or donations, for any entity that is not a charitable organization, or the dissemination or collection of surveys for a commercial purpose.
- d. "Distribution" means individuals handing materials to other individuals who may refrain from receiving them. Leaving materials unattended on a surface or vehicle to be picked up is considered littering, not distribution.
- e. "Non-Commercial Solicitation" means any hand distribution of leaflets, brochures or other written materials designed for informational and not commercial purposes. This definition does not include the dissemination of information for purposes of the administrative, academic, research, or extension activities of the College.
- f. "Non-College Groups" means a group of individuals, other than Student or College Groups, that are legally separate entities from the College, even though some of the members or participants may be College employees, alumni, or students.
- g. "Student" means any person from the time he or she accepts admission to College up through the date of graduation. This includes new students at orientation and any other person currently enrolled in a curriculum or continuing education course offered by College
- h. "Student Group" means a group of students who have satisfied the College's procedures and requirements for registration or recognition.
- i. "College Group" means an administrative or academic unit, department or center within the College.

## **2) GENERAL PROCEDURES**

- a. Groups and individuals can reserve campus space in advance for activities and events. The President of the College shall designate, via procedure, the office or

individual(s) responsible to process reservations. The number of groups and individuals that may be scheduled for use of the space shall be controlled by space availability as determined in the discretion of the President or his/her designee, giving due consideration to the provisions of this Policy.

- b. When reservations of space for solicitation are required, reservations will be confirmed if the space is available and not otherwise reserved or scheduled. In addition, the use of the space for solicitation may be subject to the reasonable time, place, or manner (including safety) limits listed in this section. The College does not impose restrictions on the content or viewpoint of the expression or the possible reaction to that expression unless the viewpoint or expression violates this Policy or applicable law. Therefore, the College does not assume any obligation or responsibility for the content of materials distributed by Students, Student Groups, or Non-College Groups or individuals.
- c. The following apply to all forms of solicitation activities:
  - (1) Groups and individuals may not block or otherwise interfere with the free flow of vehicular, bicycle or pedestrian traffic. The rights of way on streets and sidewalks must be maintained.
  - (2) Groups and individuals may not block or otherwise interfere with ingress and egress into and out of College buildings.
  - (3) Groups and individuals shall not obstruct, disrupt, interrupt or attempt to force the cancellation of any College-sponsored event or activity, or by users authorized to use College facilities.
  - (4) Groups and individuals shall not engage in harassing, physically abusive, threatening or intimidating conduct toward any person or engage in any other behavior that violates state or federal law.
  - (5) Classes, meetings, ceremonies, scheduled activities, educational activities, and other essential College processes shall not be disrupted.
  - (6) The use of public address systems or amplified sound will not be allowed without prior approval from the appropriate College employee.
  - (7) The safety of members of the campus community, collectively and individually, must be protected at all times.
  - (8) Solicitation activities shall not damage College property or its grounds, including artwork, lawns, shrubs, or trees.

- (9) Groups and individuals must comply with all applicable College policies, procedures, and rules, and with applicable laws, including those concerning safety, libel, slander, defamation, and obscenity.
- (10) Groups and individuals shall comply with the directions of College officials when enforcing these provisions.
- (11) Groups and individuals are expected to refrain from littering and may be held responsible for costs incurred as a result of littering. In addition, the group or individual must collect and remove any loose, dropped, or littered materials or trash in the vicinity of the distribution area. Failure to do so may result in a charge to the group or individual for the cleanup of these materials.
- (12) Groups and individuals participating in solicitation activities, whether sponsored or not, are accountable for compliance with the provisions of this Policy. Violations of this Policy may be grounds for disciplinary action. College Groups, Student Groups, and Students who sponsor non-College participants may be held accountable for such participant's compliance with this Policy. In addition, because non-College individuals or groups are not subject to the College's disciplinary procedures, their failure to comply with these provisions may result in ejection from campus and prosecution under applicable law.

3) **PRIORITY FOR USE.** The use of space for solicitation shall be reserved according to the following priorities:

- a. Consistent with the College's mission, academic classes, research, and faculty activities will have the highest priority for the use of space.
- b. College Group uses for activities other than academic classes, research and extension activities, will have next highest priority in the use of space.
- c. Student Groups, students, and sponsored Non-College Groups and individuals will have the next highest priority.
- d. Unsponsored Non-College Groups and individuals will have the lowest priority.
- e. A reserved use shall have priority over any unscheduled use.

4) **NON-COMMERCIAL SOLICITATION.**

- a. College Groups, Student Groups, Students, and their sponsored Non-College Groups and individuals may conduct non-commercial solicitation without reserving space in outdoor areas of campus and common areas that have been designated for this use, as identified by the President via College Procedure, provided the use of

which is not otherwise restricted, reserved, or scheduled. However, a member of the College or Student Group or the student sponsoring the Non-College groups or individuals must be present at all times with these participants while conducting such activity.

- b. Although not required, to further the effectiveness of the use, these groups and individuals are encouraged to reserve space for the solicitation. Advance reservation enables the College to help ensure that the solicitation does not conflict with a reserved or scheduled use, takes place in a constructive and effective manner, and to assist the groups and individuals in seeing that the activity does not disrupt the College's educational activities and essential processes.
- c. Un-sponsored Non-College Groups and Individuals
  - (1) Non-College groups or individuals desiring to conduct non-commercial solicitation must reserve space at least 48 hours in advance of the activity. Space available for such activities is limited to those areas identified by the President via College Procedure.
  - (2) Reservations will be approved on a space-available basis.

## **5) COMMERCIAL SOLICITATION**

- a. College Groups, Student Groups, and Students may conduct commercial solicitation on College premises subject to the conditions below. Non-College Groups and individuals, are prohibited from engaging in commercial solicitation unless sponsored by a College Group or Student Group.
- b. All commercial solicitation must be conducted under the following conditions:
  - (1) Students and members of the College or Student Groups must conduct all commercial solicitation on behalf of the sponsored Non-College Groups and individuals. However, this provision shall not prohibit a College Group from contracting with Non-College Groups to conduct commercial solicitation on College premises, so long as the contract is signed by a College employee with proper signatory authority.
  - (2) Groups and individuals must reserve space to conduct commercial solicitation. The President of the College shall designate, via procedure, the office or individual(s) responsible to process reservations. Groups and individuals must request the use of such space at least two business days (at least 48 hours) in advance of the activity.

- c. If the solicitation is to be conducted in a College facility, the group may be required to sign the College's facility use agreement.
- d. Food offered for sale or given away in connection with the solicitation must comply with all applicable health code standards.

**6) EXCLUSIONS**

- a. Nothing in this Policy shall be deemed to affect the activities of College Groups whose official activities include selling or promoting the sale of goods or services, taking surveys, or administering the State Employees Combined Campaign.
- b. Nothing in this Policy shall prohibit the College from barring solicitation on College property that are non-public forums. These areas not traditionally open to the public for speech, such as libraries, office space, laboratories, and classrooms, which are hereby limited to official College uses.

[Return to Table of Contents](#)