

Chapter 132G-142 WAC

USE OF COLLEGE FACILITIES FOR EXPRESSIVE ACTIVITIES

WAC

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WAC 132G-142-010 Definitions. (1) "College facilities" or "campus" includes all buildings, structures, grounds, office space, and parking lots owned, leased or controlled by Shoreline Community College.

(2) "College group" means a group of individuals who currently are enrolled students or current employees of Shoreline Community College, or individuals who are sponsored by a recognized student organization, employee organization, or the administration of the college.

(3) "Expressive activity" includes, but is not limited to, informational picketing, petition circulation, the distribution of information leaflets or pamphlets, speech-making, demonstrations, rallies, appearances of speakers in outdoor areas, protests, meetings to display group feelings or sentiments or other types of assemblies to share information, perspectives or viewpoints.

(4) "Noncollege group" means individuals or groups who currently are not enrolled students or current employees of Shoreline Community College and who are not officially affiliated or associated with, or invited guests of a recognized student organization or employee group, or with the administration of the college.

(5) "Public forum areas" means those areas of campus that the college has chosen to be open as places where noncollege groups may assemble for expressive activities protected by the first amendment, subject to reasonable time, place, or manner provisions.

(6) "Recognized organization" includes student clubs, college councils or committees, and other groups designated by policy or approved by college leadership.

(7) "Sponsor" means that when a college group invites a noncollege group onto campus, the college group will be responsible for the activity and will designate a college individual to be present at all times during the activity. The sponsor will ensure that those participating in the sponsored activity are aware of the college's rules and policies governing the activity. This definition does not apply to noncollege groups that rent college facilities.

[Statutory Authority: RCW 28B.50.140(13). WSR 18-22-044, § 132G-142-010, filed 10/30/18, effective 11/30/18.]

WAC 132G-142-020 Statement of purpose. Shoreline Community College is an educational institution provided and maintained by the people of the state of Washington. College facilities are reserved primarily for educational use

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including, but not limited to, instruction, research, public assembly of college groups, student activities, and other activities directly related to the educational mission of the college. The public character of the college does not grant to individuals the right to an unlimited range to engage in activities which limits, interferes with, or otherwise disrupts the normal activities to which the college's facilities and grounds are dedicated. Accordingly, the college designates the common grounds and outdoor areas of the college as a limited public forum subject to the time, place, and manner limitations and restrictions set forth in this policy.

The purpose of the time, place, and manner regulations set forth in this policy is to establish procedures and reasonable controls for the use of college facilities for both college and noncollege groups. It is intended to balance the college's responsibility to fulfill its mission as a state educational institution of Washington with the interests of college groups and noncollege groups who are seeking to use the campus for purposes of expressive activity. The college recognizes that college groups should be accorded the opportunity to utilize the facilities and grounds of the college to the fullest extent possible. The college campus is open to noncollege groups to the extent that the usage does not conflict with the rights of college groups or substantially disrupt the educational process. The college has designated certain facilities as public use areas to noncollege groups as set forth herein.

[Statutory Authority: RCW 28B.50.140(13). WSR 18-22-044, § 132G-142-020, filed 10/30/18, effective 11/30/18.]

WAC 132G-142-030 Use of facilities. (1) Subject to the regulations and requirements of this section, groups may use the campus limited forums for expressive activities between the hours of 7:00 a.m. and 10:00 p.m.

(2) The activity must not substantially or materially 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. The activity must not substantially infringe on the rights and privileges of college students, employees, or invitees to the college.

(3) Any sound amplification may only be at a volume which does not disrupt or disturb the normal use of classrooms, offices, laboratories, or any previously scheduled college activity.

(4) Groups are encouraged to notify the safety and security department no later than twenty-four hours in advance of an activity. However, unscheduled activities are permitted so long as the activity does not materially disrupt any other function occurring at the college.

(5) All sites used for expressive activities shall be cleaned up and left in their original condition by the participants or group, and will be subject to inspection by a repre-

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sentative of the college after the activity. Reasonable charges may be assessed against the sponsoring organization or individuals for the costs of extraordinary cleanup or for the repair of damaged property.

(6) All fire, safety, sanitation or special regulations specified for activities under this section are to be obeyed. The college cannot and will not provide utility connections or hook-ups for the purposes of expressive activity conducted pursuant to this section.

(7) There shall be no camping on college facilities or grounds between the hours of 10:00 p.m. and 5:00 a.m. without express permission of the president or designee. Camping is defined to include sleeping, carrying on cooking activities, storing personal belongings for personal habitation, or the erection of tents or other shelters or structures used for purposes of personal habitation.

(8) The activity must not be conducted in such a manner as to obstruct vehicular, bicycle, pedestrian, or other traffic, or otherwise interfere with ingress or egress to the college, college buildings or facilities, or college activities. The activity must not create safety hazards or pose unreasonable safety risks to college students, employees, or invitees to the college.

(9) College facilities may not be used for commercial sales, solicitations, advertising or promotional activities, unless:

(a) Such activities serve educational purposes of the college; and

(b) Such activities are under the sponsorship of a college department, office, or officially chartered student club.

(10) The activity must be conducted in accordance with any other applicable college policies and rules, regulations, local ordinances, and state or federal laws.

[Statutory Authority: RCW 28B.50.140(13). WSR 18-22-044, § 132G-142-030, filed 10/30/18, effective 11/30/18.]

WAC 132G-142-040 Additional requirements for noncollege groups. (1) College facilities may be rented by noncollege groups in accordance with the college's facilities use policy. When renting college facilities, an individual or organization may be required to post a bond or obtain insurance to protect the college against cost or other liability in accordance with the college's facility use policy. When the college grants permission to use its facilities it is with the express understanding and condition that the individual or organization assumes full responsibility for any loss or damage. Noncollege groups may otherwise use college facilities for expressive activity as identified in this section.

(2) The college designates its common grounds and outdoor spaces as the sole limited public forum area(s) for use by noncollege groups for expressive activities on campus. The public use areas may be scheduled. Scheduled groups have priority of use over unscheduled groups. Nothing in these rules prohibits noncollege groups from engaging in expressive activities at open public meetings, subject to the requirements of RCW 42.30.050.

(3) Noncollege groups that seek to engage in expressive activity in the designated public forum areas are encouraged to provide notice to the safety and security department no later than twenty-four hours prior to the event, along with the following information solely to ensure:

(a) The area is not otherwise scheduled; and

(b) To give the college an opportunity to assess any security needs:

(i) The name, address and telephone number of a contact person for the individual, group, entity, or organization sponsoring the activity;

(ii) The date, time, and requested location of the activity;

(iii) The nature and purpose of the activity; and

(iv) The estimated number of people expected to participate in the activity.

(4) Noncollege groups may use the public forum areas for first amendment activities between the hours of 7:00 a.m. and 10:00 p.m. Shoreline Community College is not open to the general public except during these times.

[Statutory Authority: RCW 28B.50.140(13). WSR 18-22-044, § 132G-142-040, filed 10/30/18, effective 11/30/18.]

WAC 132G-142-050 Distribution of materials. Information may be distributed as long as it is not obscene or does not promote the imminent prospect of actual violence or harm. The distributor is encouraged, but not required, to include its name and address on the distributed information. College groups may post information on bulletin boards, kiosks, and other display areas designated for that purpose, following the relevant college procedure, and may distribute materials throughout the open areas of campus. Noncollege groups may distribute materials only on the grounds and outside spaces of the campus.

[Statutory Authority: RCW 28B.50.140(13). WSR 18-22-044, § 132G-142-050, filed 10/30/18, effective 11/30/18.]

WAC 132G-142-060 Trespass. (1) Noncollege groups who violate these rules, any provision of the conduct code, or whose conduct jeopardizes the health or safety of others, will be advised of the specific nature of the violation, and if they persist in the violation, will be requested by the campus president or designee to leave the property. Such a request will be deemed to withdraw the license or privilege to enter onto or remain upon any portion of the college facilities of the person or group of persons requested to leave, and subject such individuals to arrest under the criminal trespass provisions of chapter 9A.52 RCW or municipal ordinance.

(2) Members of the college community (students, faculty, and staff) who do not comply with these regulations will be reported to the appropriate college office for action in accordance with established college policies.

(3) When the college revokes the license or privilege of any person or group to be on college property, temporarily or for a stated period of time, that person may file a request for review of the decision with the president or their designee within ten days of receipt of the trespass notice. The request must contain the reasons why the individual disagrees with the trespass notice. The trespass notice will remain in effect during the pendency of any review period. The decision of the president or designee will be the final decision of the college and will be issued within five business days.

[Statutory Authority: RCW 28B.50.140(13). WSR 18-22-044, § 132G-142-060, filed 10/30/18, effective 11/30/18.]