

Chapter 132M-139 WAC

USE OF COLLEGE FACILITIES—EXPRESSIVE ACTIVITIES

WAC

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WAC 132M-139-100 Title. This chapter shall be known as use of college facilities for expressive activities.

[Statutory Authority: RCW 28B.50.140. WSR 18-18-025, § 132M-139-100, filed 8/27/18, effective 9/27/18.]

WAC 132M-139-105 Definitions. (1) "College facilities" includes all buildings, structures, grounds, office space and parking lots.

(2) "College groups" means individuals or groups who are currently enrolled students or current employees of the college, or guests of the college 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 informational leaflets or pamphlets, speech-making, demonstrations, rallies, appearances of speakers in outdoor areas, protests, meetings to display group feelings or sentiments and/or other types of assemblies to share information, perspective or viewpoints.

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

(5) "Public use areas" means those areas of each campus that the college has chosen to open as places where noncollege groups may assemble for expressive activity protected by the First Amendment, subject to reasonable time, place, or manner restrictions.

[Statutory Authority: RCW 28B.50.140. WSR 18-18-025, § 132M-139-105, filed 8/27/18, effective 9/27/18.]

WAC 132M-139-110 Statement of purpose. Lower Columbia Community College District is an educational institution provided and maintained by the people of the state of Washington. College facilities are reserved primarily for educational use 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 an unlimited license to engage in activity which limits, interferes with, or otherwise disrupts the normal activities to which the college's facilities and grounds are dedicated. Accordingly, the college designates

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the common areas of the college as a limited public forum dedicated to the use of college groups, 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. 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 seeking to assemble in common areas of the campus for 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 has designated certain facilities as public use areas open to noncollege groups as set forth herein.

[Statutory Authority: RCW 28B.50.140. WSR 18-18-025, § 132M-139-110, filed 8/27/18, effective 9/27/18.]

WAC 132M-139-115 Use of facilities. (1) Subject to the regulations and requirements of this policy, groups may use the campus limited forums for expressive activities between the hours of 7:00 a.m. and 10:00 p.m.

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

(3) Groups are encouraged to notify the campus public safety department no later than twenty-four hours in advance of an event. However, unscheduled events are permitted so long as the event does not materially disrupt any other function occurring at the facility.

(4) All sites used for expressive activity should be cleaned up and left in their original condition and may be subject to inspection by a representative of the college after the event. Reasonable charges may be assessed against the sponsoring organization for the costs of extraordinary cleanup or for the repair of damaged property.

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

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

(7) The event must not substantially and 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

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education to its students. The event must not materially infringe on the rights and privileges of college students, employees, or invitees to the college.

(8) There shall be no overnight camping on college facilities or grounds. Camping is defined to include sleeping, carrying on cooking activities, or storing personal belongings for personal habitation, or the erection of tents or other shelters or structures used for purposes of personal habitation.

(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 or office or officially chartered student club.

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

(11) Individuals or organizations in college facilities, buildings and grounds when campus is closed may be asked to leave if not participating in an activity sanctioned by chapter 132M-139 WAC. The college does not discriminate based on race, color, or national origin in the removal of individuals or organizations from campus. College hours may be found at lowercolumbia.edu/contact.

[Statutory Authority: RCW 28B.50.140. WSR 18-18-025, § 132M-139-115, filed 8/27/18, effective 9/27/18.]

WAC 132M-139-120 Additional requirements for noncollege groups. (1) The college designates the following area as the sole limited public forum area for use by noncollege groups for expressive activity on campus: Quad area in front of admissions building. The public use area may be scheduled. Scheduled groups have priority of use over unscheduled groups.

(2) Noncollege groups that seek to engage in expressive activity on the designated public use area are encouraged to provide notice to the campus public safety office 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 event;

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

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

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

[Statutory Authority: RCW 28B.50.140. WSR 18-18-025, § 132M-139-120, filed 8/27/18, effective 9/27/18.]

WAC 132M-139-125 Distribution of materials. (1) Information may be distributed as long as it is not obscene or libelous or does not advocate or incite imminent unlawful conduct. The sponsoring organization is encouraged, but not required, to include its name and address on the distributed information. Noncollege groups may distribute materials only at the site designated for noncollege groups.

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(2) All college groups and noncollege groups wishing to post material on college bulletin boards shall contact the director of student programs.

(3) Any student who violates any provision of this section shall be subject to disciplinary action.

(4) Any distribution of materials regulated by established policies and authorized under this section by the director of student programs shall not be construed as support or approval of the content by the college or by the board of trustees of Washington Community College District No. 13.

[Statutory Authority: RCW 28B.50.140. WSR 18-18-025, § 132M-139-125, filed 8/27/18, effective 9/27/18.]

WAC 132M-139-130 Criminal 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 college 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 or agency for action in accord with established college policies.

(3) When the college revokes the license or privilege of any person 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 vice president of administration or designee within ten calendar 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 vice president of administration or designee will be the final decision of the college and should be issued within five business days.

[Statutory Authority: RCW 28B.50.140. WSR 18-18-025, § 132M-139-130, filed 8/27/18, effective 9/27/18.]