

# Chapter 132S-400 WAC

## FACILITY USE FOR FIRST AMENDMENT ACTIVITIES

### WAC

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**WAC 132S-400-100 Title.** This chapter shall be known as facility use for first amendment activities.

[Statutory Authority: RCW 28B.50.140. WSR 16-12-039, § 132S-400-100, filed 5/25/16, effective 6/25/16.]

**WAC 132S-400-105 Definitions.** (1) "College groups" shall mean individuals who are currently enrolled students or current employees of Columbia Basin College or who are affiliated with a recognized student organization or a recognized employee group of the college.

(2) "College facilities" includes all buildings, structures, grounds, office space and parking lots.

(3) "Limited public forum areas" means those areas of each campus that the college has chosen to open as places for expressive activities protected by the first amendment, subject to reasonable time, place or manner restrictions.

(4) "First amendment activities" includes, but are not necessarily 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 constitutionally protected assemblies to share information, perspective or viewpoints.

(5) "Noncollege groups" shall mean individuals, or combinations of individuals, who are not currently enrolled students or current employees of the college or who are not officially affiliated or associated with a recognized student organization or a recognized employee group of the college.

[Statutory Authority: RCW 28B.50.140. WSR 16-12-039, § 132S-400-105, filed 5/25/16, effective 6/25/16.]

**WAC 132S-400-110 Statement of purpose.** Columbia Basin College 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 for and to which the college's facilities and grounds are dedicated. Accordingly, the college is a designated public forum opened for the limited purposes recited herein and further subject to

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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 noncollege groups. 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 intends to open its facilities to noncollege groups to a lesser extent as set forth herein.

[Statutory Authority: RCW 28B.50.140. WSR 16-12-039, § 132S-400-110, filed 5/25/16, effective 6/25/16.]

**WAC 132S-400-115 Use of facilities.** (1) Subject to the regulations and requirements of this policy, noncollege groups may use the campus limited forums for first amendment activities between the hours of 7:00 a.m. and 10:00 p.m.

(2) Signs shall be no larger than three feet by five feet and no individual may carry more than one sign.

(3) 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.

(4) All sites used for first amendment activities 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 first amendment activities 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 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 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.

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(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 of 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) College buildings, rooms, and athletic fields may be rented by noncollege groups in accordance with the college's facilities use policy. Noncollege groups may otherwise use college facilities as identified in this policy.

(12) The college designates the following area(s) as the sole limited public forum area(s) for use by noncollege groups for first amendment activities on campus: Mural gathering area (concrete pad north of the A building).

(13) Noncollege groups that seek to use the campus limited forum to engage in First Amendment activities shall provide notice to the campus security office no later than twenty-four hours prior to the event along with the following information:

(a) The name, address and telephone number of the individual, group, entity or organization sponsoring the event (hereinafter "the sponsoring organization");

(b) The name, address and telephone number of a contact person for the sponsoring organization;

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

(d) The nature and purpose of the event;

(e) The type of sound amplification devices to be used in connection with the event, if any; and

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

(14) Noncollege group events shall not last longer than five hours from beginning to end.

[Statutory Authority: RCW 28B.50.140. WSR 16-12-039, § 132S-400-115, filed 5/25/16, effective 6/25/16.]

**WAC 132S-400-120 Distribution of materials.** 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.

[Statutory Authority: RCW 28B.50.140. WSR 16-12-039, § 132S-400-120, filed 5/25/16, effective 6/25/16.]

**WAC 132S-400-125 Criminal trespass.** Any person determined to be violating these regulations is subject to an order from the college security office to leave the college campus. Persons failing to comply with such an order to leave the college campus are subject to arrest for criminal trespass.

[Statutory Authority: RCW 28B.50.140. WSR 16-12-039, § 132S-400-125, filed 5/25/16, effective 6/25/16.]

**WAC 132S-400-130 Posting a bond and hold harmless statement.** When using college buildings or athletic

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fields, an individual or organization may be required to post a bond and/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 a noncollege group 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.

[Statutory Authority: RCW 28B.50.140. WSR 16-12-039, § 132S-400-130, filed 5/25/16, effective 6/25/16.]