

Chapter 132V-135 WAC

TACOMA COMMUNITY COLLEGE

WAC

USE OF COLLEGE FACILITIES

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USE OF COLLEGE FACILITIES

WAC 132V-135-010 Campus policy. Tacoma Community College is an educational institution provided and maintained by the people of the state of Washington. College premises are reserved primarily for educational use including, but not limited to, instruction, research, public assembly of college groups, student activities, and other activities 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 premises are dedicated. Accordingly, the college is a designated limited public forum opened for the express purposes recited herein and further subject to the time, place, and manner limitations and restrictions set forth in this chapter.

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 premises 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 interested in using the campus for purposes of speech, assembly, or expression. The college recognizes that college groups should be accorded the opportunity to utilize college premises to the fullest reasonable extent possible. The college intends to open its facilities to noncollege groups to a lesser extent as set forth herein.

It is the policy of Tacoma Community College to support the educational goals of all students regardless of race, creed, color, religion, national origin, sex, age, marital status, sexual orientation, disability, or status as a disabled veteran. The college is committed to protecting the rights and dignity of each individual in the campus community and so will not tolerate discrimination of any kind, at any level.

[Statutory Authority: RCW 28B.50.140(13). WSR 13-21-137, § 132V-135-010, filed 10/22/13, effective 11/22/13.]

WAC 132V-135-020 Definitions. The definitions and phrases in this section apply throughout this chapter.

College employee includes any person employed by the college performing assigned administrative or professional responsibilities.

(10/22/13)

College groups means individuals who are currently enrolled students, current employees of Tacoma Community College or guests of the college who are sponsored by a recognized student organization, employee organization, or the administration of the college.

College premises includes all land, buildings, facilities, and other property in the possession of, owned, controlled, or leased/rented by the college, and agencies or institutions that have educational agreements with the college, including associated web sites and distance learning classroom environments.

Educational use includes, but is not limited to, instruction, research, public assembly of college groups, student activities, and other activities related to the educational mission of the college.

Expressive activities includes 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.

Limited public forum areas means those areas of the campus that the college has designated as places for expressive activities including those protected by the first amendment, subject to reasonable time, place, or manner restrictions.

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.

Student means any person who is admitted to or enrolled for classes through the college, including any person in affiliated distance learning courses.

Student activity means any event or activity sanctioned by the college.

[Statutory Authority: RCW 28B.50.140(13). WSR 13-21-137, § 132V-135-020, filed 10/22/13, effective 11/22/13.]

WAC 132V-135-030 Use of college premises. Subject to the regulations and requirements of this policy, noncollege groups may use college premises for expressive activities between the hours of 7:00 a.m. and 10:00 p.m. and no longer than eight hours from beginning to end. College groups may use college premises as approved by the vice president for student services or designee. Provisions of this section apply to both college and noncollege groups. However, unscheduled events by college groups may be permitted so long as the event does not interfere with any other function of the college.

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(1) College groups are required to request accommodation for an activity a minimum of twenty-four hours in advance of an event.

(2) Noncollege groups are required to request accommodation a minimum of three business days in advance of an event.

(3) College groups and noncollege groups are required to submit, but not limited to, the following information when requesting accommodation:

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

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

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

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

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

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

(4) All expressive activities will be held in a location the college has designated as a limited public forum area.

(5) All areas impacted by expressive activities will 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 or individual for the costs of extraordinary cleanup or for the repair of damaged property.

(6) There will be no overnight camping on college premises. Camping is defined to include sleeping, cooking, storing personal belongings, personal habitation, or the erection of tents or other shelters or structures used for the purposes of personal habitation.

(7) Posting and displaying signage, banners, posters, etc., will adhere to established college policy.

(8) Sound amplification shall not disrupt or disturb the normal use of classrooms, offices or laboratories or any previously scheduled college event or activity. The college will determine the time, place, and manner of sound amplification devices.

(9) All fire, safety, sanitation, or special regulations specified for the event will be obeyed in accordance with applicable regulations such as the Tacoma Community College security and fire safety report. The college will not allow utility connections, water hookups, or sanitation systems for purposes of expressive activities conducted pursuant to this policy.

(10) The activity will not be conducted in such a manner as to obstruct vehicular, bicycle, pedestrian, or other traffic to include interference with ingress or egress to college premises or to college activities or events. The activity will not create safety hazards or pose unreasonable safety risks to college students, employees, or invitees of the college.

(11) The activity will not interfere with educational activities inside or outside any college premises or otherwise prevent the college from fulfilling its mission and achieving its primary purpose of providing an education to its students. The event will not materially infringe on the rights and privileges of college students, employees, or invitees to the college.

(12) College premises will 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, college administration, or ASTCC constitutionally recognized student club.

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

[Statutory Authority: RCW 28B.50.140(13). WSR 13-21-137, § 132V-135-030, filed 10/22/13, effective 11/22/13.]

WAC 132V-135-040 Posting and distribution of materials. College groups may post information on bulletin boards, kiosks, and other display areas designated for that purpose, and may distribute materials throughout the open areas of campus. Noncollege groups may distribute materials only at the site(s) designated for noncollege groups. The sponsoring organization is encouraged, but not required, to include its name and address on the distributed information.

[Statutory Authority: RCW 28B.50.140(13). WSR 13-21-137, § 132V-135-040, filed 10/22/13, effective 11/22/13.]

WAC 132V-135-050 Posting of a bond and hold harmless statement. When using college premises, 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 established college policy. When the college grants permission to a college group or noncollege group to use its premises 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(13). WSR 13-21-137, § 132V-135-050, filed 10/22/13, effective 11/22/13.]

WAC 132V-135-060 Consequences for violation of provisions of this chapter. (1) Noncollege groups who violate provisions of this chapter will be advised of the specific nature of the violation and, if they persist in the violation, will be requested by the college president or designee to leave the college premises. Such a request will be deemed to withdraw the license or privilege to enter onto or remain upon any portion of the college premises of the person or group of persons requested to leave, and subject such individuals to arrest under the provisions of chapter 9A.52 RCW or municipal ordinance. Remaining on or reentering campus premises after one's license or privilege to be on college premises has been revoked will constitute trespass, and such individuals will be subject to arrest for criminal trespass.

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

[Statutory Authority: RCW 28B.50.140(13). WSR 13-21-137, § 132V-135-060, filed 10/22/13, effective 11/22/13.]