

Chapter 132X-30 WAC

USE OF COLLEGE FACILITIES

WAC

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WAC 132X-30-010 General rule. The college allows but is not required to rent college facilities when they are not previously scheduled for college use to noncollege organizations or any individuals upon approval by the president or designee, and in accordance with administrative guidelines and procedures.

[Statutory Authority: Chapter 28B.50 RCW and RCW 42.56.040. WSR 12-10-007, § 132X-30-010, filed 4/19/12, effective 5/20/12. Statutory Authority: RCW 28B.50.140. WSR 88-21-071 (Order 88-1), § 132X-30-010, filed 10/18/88.]

WAC 132X-30-020 Definitions. (1) "College groups" shall mean individuals who are currently enrolled students or current employees of South Puget Sound Community College or who are affiliated with a recognized student organization or a recognized employee group of the college.

(2) "College facilities" include all buildings, structures, grounds, office spaces 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" include, 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 South Puget Sound Community College or who are not officially sponsored by a recognized student organization or a recognized employee group of the college.

[Statutory Authority: Chapter 28B.50 RCW and RCW 42.56.040. WSR 12-10-007, § 132X-30-020, filed 4/19/12, effective 5/20/12. Statutory Authority: RCW 28B.50.140. WSR 88-21-071 (Order 88-1), § 132X-30-020, filed 10/18/88.]

WAC 132X-30-030 Statement of purpose. South Puget Sound Community College district is an educational institution provided and maintained by the people of the state of Washington. College facilities are reserved primarily for

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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 the time, place, and manner limitations and restrictions set forth in this rule.

The purpose of the time, place and manner regulations set forth in this rule 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 interested in using the campus for purposes of constitutionally protected speech, assembly or expression. 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: Chapter 28B.50 RCW and RCW 42.56.040. WSR 12-10-007, § 132X-30-030, filed 4/19/12, effective 5/20/12. Statutory Authority: RCW 28B.50.140. WSR 88-21-071 (Order 88-1), § 132X-30-030, filed 10/18/88.]

WAC 132X-30-040 Use of facilities for first amendment activities. (1) Subject to the regulations and requirements of this rule, both college and noncollege groups may use the campus limited forum areas 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) College groups are encouraged to notify the campus security department no later than forty-eight hours in advance of an event. However, unscheduled events are permitted so long as the event does not interfere with any other function occurring at the facility.

(5) College group events shall not last longer than eight hours from beginning to end.

(6) 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.

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(7) 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 rule.

(8) 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.

(9) 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.

(10) 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.

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

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

(b) Such activities are under the sponsorship of a college department or office or officially recognized student organization.

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

[Statutory Authority: Chapter 28B.50 RCW and RCW 42.56.040. WSR 12-10-007, § 132X-30-040, filed 4/19/12, effective 5/20/12. Statutory Authority: RCW 28B.50.140(13). WSR 00-05-023, § 132X-30-040, filed 2/8/00, effective 3/10/00. Statutory Authority: RCW 28B.50.140. WSR 88-21-071 (Order 88-1), § 132X-30-040, filed 10/18/88.]

WAC 132X-30-050 Additional requirements for non-college groups. (1) College buildings, rooms, and athletic fields may be rented by noncollege groups in accordance with the college's facilities administrative guidelines and procedures. Noncollege groups may otherwise use college facilities as identified in this rule.

(2) 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:

(a) The outside area between buildings 31, 32, and 33;

(b) The outside area between buildings 27, 28, and 22, excluding the covered walkway.

(3) Noncollege groups that seek to use the campus limited forums to engage in first amendment activities shall provide notice to campus security no later than forty-eight 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"); 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 event; and

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

(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.

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

[Statutory Authority: Chapter 28B.50 RCW and RCW 42.56.040. WSR 12-10-007, § 132X-30-050, filed 4/19/12, effective 5/20/12. Statutory Authority: RCW 28B.50.140. WSR 88-21-071 (Order 88-1), § 132X-30-050, filed 10/18/88.]

WAC 132X-30-060 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. 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 designated for noncollege groups.

[Statutory Authority: Chapter 28B.50 RCW and RCW 42.56.040. WSR 12-10-007, § 132X-30-060, filed 4/19/12, effective 5/20/12. Statutory Authority: RCW 28B.50.140. WSR 88-21-071 (Order 88-1), § 132X-30-060, filed 10/18/88.]

WAC 132X-30-070 Criminal trespass. Persons who violate a district policy or rule may have their license or privilege to be on district property revoked and be ordered to withdraw from and refrain from entering upon any district property. Remaining on or reentering district property after one's license or privilege to be on district property has been revoked shall constitute trespass and such persons shall be subject to arrest for criminal trespass under the provisions of chapter 9A.52 RCW or municipal ordinance.

[Statutory Authority: Chapter 28B.50 RCW and RCW 42.56.040. WSR 12-10-007, § 132X-30-070, filed 4/19/12, effective 5/20/12. Statutory Authority: RCW 28B.50.140. WSR 88-21-071 (Order 88-1), § 132X-30-070, filed 10/18/88.]

WAC 132X-30-080 Posting of a bond and hold harmless statement. When using college facilities or athletic 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 rule.

When the college grants permission to a college group or 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: Chapter 28B.50 RCW and RCW 42.56.040. WSR 12-10-007, § 132X-30-080, filed 4/19/12, effective 5/20/12.]

WAC 132X-30-090 Violations. (1) Noncollege groups and individuals who violate these regulations 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

nee to leave the college property, consistent with the college's trespass rule.

(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 accordance with established college policies, collective bargaining agreements and code of student rights and responsibilities. Nothing herein shall prevent campus security to order any violator to cease and desist from any violation, which may include an order to leave the immediate premises pending operation of the applicable disciplinary code.

[Statutory Authority: Chapter 28B.50 RCW and RCW 42.56.040. WSR 12-10-007, § 132X-30-090, filed 4/19/12, effective 5/20/12.]