

# SAN JUAN COLLEGE FREEDOM OF SPEECH POLICY

## **Introduction**

San Juan College's mission is to inspire and support life-long learning to achieve personal and community goals by providing quality education, services, and cultural enrichment. San Juan College, as an institution of higher education, supports free speech.

Diverse points of view, expressed through civil discourse and debate, form a cornerstone for active learning on a college campus and in our society. San Juan College is a learning community and uses the exchange of ideas and information to further individual knowledge and understanding.

Freedom of speech is a basic tenet for citizens in the United States. It is protected under the First Amendment to Constitution which states: "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or of bridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances." The State of New Mexico has codified parameters for speech and assembly relating to state educational institutions in State Statute 30-20-13.(D) which states: "No person shall willfully interfere with the education process of any public or private school by committing, threatening to commit or inciting others to commit any act which would disrupt, impair, interfere with or obstruct the lawful mission, processes, procedures or function of a public or private school."

## **Access to Campus**

The College must also maintain its primary mission relative to educating its students. In that regard, the College maintains the right to assure that the educational process will not be impeded. Any requirements imposed under this policy will be content and viewpoint neutral.

No endorsement is implied by the college for individuals/groups using their rights of speech on the campus.

The college's campuses and facilities shall be open to students, faculty, staff, guests and visitors except on such occasions when all or part of the campuses, buildings, and other facilities are closed to the general public.

## **Freedom of Assembly and Demonstration**

Any outdoor area that is generally accessible to the public may be used by any individual or group for petitioning, distributing written material, handing out newspapers, or conducting speech acts. Prior approval is not necessary as long as the primary action is not to advertise or sell a commercial product. Activities must follow all applicable fire codes, local, state, and federal laws. Activities shall not:

- Unreasonably obstruct vehicular or pedestrian traffic or create safety issues for themselves or others in parking, traffic or pedestrian areas.
- Block the entrances or exits to buildings and facilities.

- Permanently occupy land areas or permanently locate signs and posters.
- Erect permanent structures, shelters or camps.
- Unreasonably interfere with classes, college work, and scheduled events.

In exercising the right of free expression, one must also accept the responsibility of following the laws related to the safety of people and property. If property damage or littering contrary to City of Farmington municipal code occurs, or other unusual expenses are incurred by the college as a result of the event, event organizers may be held responsible for reasonable charges if deemed appropriate by the Vice President of Student Services or his/her designee.

### **Group Speech Activities**

Group speech activities, including rallies, parades and demonstrations that are advertised through public media including newspapers, radio, television, flyers, or electronic lists may need to be coordinated through the San Juan College Public Safety Office.

Any individual, group, or organization sponsoring a group speech activity that is expected to draw more than 50 persons at one time and uses public media for advertising must notify the San Juan College Public Safety Office no less than 72 hours in advance of the activity, so that the San Juan College Public Safety Office can take appropriate actions to ensure the safety of the event and issue a permit as proof of prior notification. Activities expected to draw 100 or more participants, or require road closures or detours, must be scheduled two weeks in advance.

Any individual, group, or organization planning a group speech activity should contact the Student Activities Office two business days in advance so that activities may be coordinated with appropriate college offices. This will allow for locations to be reserved or other safety and scheduling concerns to be addressed. Contacting the Student Activities Office is voluntary and does not constitute an approval process for the proposed speech.

1. All scheduling is done on a “first come, first serve” basis.
2. Activities that are scheduled receive priority in the use of space on campus.

### **Freedom of Expression and Speech**

Single individual free speech activities taking place in traditional public forums are allowed under the protections listed in the United States Constitution.

Single individual rights are protected as long as this “Free Speech” activity does not disrupt the rights of others and their ability to use walkways, roadways, and/or access to facilities or pose safety risks to others.

### **Use of Chalk**

Chalk may be used on campus as long as it is restricted to concrete walkways.

All chalk used must be of a temporary or removable nature. Permanent chalk, such as surveyor's chalk, may not be used under any circumstances.

### **Petitioning and Literature Distribution**

All literature distributed must contain identifying information either (1) the name of a San Juan College sanctioned organization, or (2) the name and address (which may be an organization and e-mail address) of the unaffiliated entity or person or the telephone number of the unaffiliated entity or person for someone to contact in case of litter problems.

Literature may be distributed hand-to-hand, through the use of tables, or by posting on designated bulletin boards.

Written materials may not be placed in non-approved locations. Written materials may not be placed on any part of a college building or structure without college permission. Posting on traffic signs, power poles, trees, and automobile windshields is not allowed. Written materials may be handed to automobile occupants who are willing to receive them.

Tables are allowed as long as they do not unreasonably interfere with pedestrian traffic. Materials may not be left on unattended tables. While scheduling of tables is not required in advance, those individuals who have previously scheduled a site through the Student Activities Office or other appropriate college offices will have priority in terms of location use.

### **Posting Policy**

The following posting guidelines apply to all posted material at San Juan College. All signs, notices, flyers, posters and table tents must be date stamped by the Office of Student Activities before any materials can be posted. The exception to this process is for class room schedule changes, cancellations or closure which will be posted outside the classroom by the appropriate department.

- Posters/Flyers can be posted on all "San Juan Events and Community Board" bulletin boards. A list of these boards, including their locations is available in the Student Activities Office.
- A copy of flyer must be given to the Student Activities office for informational use only.
- Any material without a stamp and past its expiration date will be removed.
- Advertisements posted on college property by registered campus organizations or an off-campus company or group may not imply sponsorship or endorsement by the college.
- All advertising must be factual, and should not mislead or misrepresent the real nature of the event, activity, service, or commodity advertised.
- Due to space issues no posters/flyers larger than 11" x 17" will be allowed on any official boards unless prior approval from the Director of Student Activities is obtained.
- Due to space issues, campus organizations and departments are permitted 2 different notices/posters per bulletin board, and off-campus organizations are permitted to post 1 notice per bulletin board.
- All posters/flyers must contain the name of the sponsoring college department, organization or outside sponsor and contact information such as phone number or email.
- Push pins are the only approved method of posting on bulletin boards. The use of Duct Tape, double sticky tape, glue, etc. is prohibited.
- Any material posted in violation of these policies will be removed.

- No posting of any information on vehicles in the San Juan College parking lots is allowed.
- Only building hours, schedule changes, or closures will be posted on front entry doors by appropriate departments. Only class schedule changes will be posted outside classroom doors by the appropriate department. Any other materials may not be placed on glass, painted or varnished surfaces of any kind.
- All materials must be consistent with SJC's Student Non-Discrimination Policy and Sexual Harassment Statement, Student Conduct Rules and Visitor and Guest Rules.

### **Policy Enforcement**

Any person violating this policy will be subject to one or more of the following: Student Conduct Rules (refer to [Student Handbook](#), pages 21-23), Visitor and Guest Rules (refer to [Student Handbook](#), pages 27-29), and faculty and employee handbook reference., pages TBD.

