

FREE SPEECH AND EXPRESSIVE ACTIVITIES POLICY

Harper College (the "College") is committed to maintaining an educational environment that promotes free and open inquiry in all matters. In accordance with the First Amendment, it is the policy of Harper College to protect the free speech rights of students, employees and members of the public, while maintaining the order necessary for the College to accomplish its educational purpose. The College reserves the right to regulate the time, place, and manner of public expressive activities in order to promote a safe and inclusive campus environment.

Free Speech and Expressive Activities Procedural Guidelines

I: Introduction and Governing Principles

As Harper College (the "College") is committed to free and open inquiry in all matters, the College guarantees all members of the College community the broadest possible latitude to speak, write, listen, challenge, and learn. Except insofar as limitations on that freedom are necessary to the functioning of the College, the College fully respects and supports the freedom of all members of the College community "to discuss," in the words of former University of Chicago President Robert M. Hutchins, "any problem that presents itself."

Of course, the ideas of different members of the College community will often and quite naturally conflict, but it is not the proper role of the College to attempt to shield individuals from ideas and opinions they find unwelcome, disagreeable, or even deeply offensive. The College greatly values civility and believes all members of the College community share in the responsibility for maintaining a climate of mutual respect.

Concerns about civility and mutual respect can never be used as a justification for closing off the discussion of ideas. At the same time, the freedom to debate and discuss the merits of competing ideas does not mean that individuals may say whatever they wish, wherever they wish. The College may regulate expression that violates the law, that defames a specific individual, that poses a threat to public safety, that constitutes harassment, that interferes with the lawful rights of others, or that substantially impedes the College's operations. In addition, the College may reasonably regulate the time, place, and manner of expression to ensure that it does not disrupt the ordinary activities of the College. These are narrow exceptions to the general principle of freedom of expression, and it is vitally important that these exceptions never be used in a manner that is inconsistent with the College's commitment to a completely free and open discussion of ideas.

The College's fundamental commitment is to the principle that debate or deliberation may not be suppressed because the ideas put forth are thought by some or even by most members of the College community to be offensive, unwise, immoral, or misguided. It is for the individual members of the College community, not for the College as an institution, to make those judgments for themselves, and to act on those judgments not by seeking to suppress speech, but by openly and respectfully communicating opposing ideas. Indeed, fostering the ability of members of the College community to engage in such debate and deliberation in an effective and responsible manner aligns with the College's Core Values.

As a result of the College's commitment to protect and promote free expression, members of the College community must also act in conformity with the principle of free expression. Although members of the College community are free to criticize and contest the views expressed on campus, they may not prohibit, obstruct or otherwise interfere with the freedom of others to express views they reject or even loathe. At the same time, individuals and members of the College community may refuse to engage with any expressive activity. To this end, the College has a solemn responsibility not only to promote a lively and fearless freedom of debate and deliberation, but also to protect that freedom when others attempt to restrict it.

In order to protect the rights of all involved from disruption, the following guidelines and content neutral regulations will apply to all public expressive activities including but not limited to demonstrations, rallies, distribution of literature, "tabling", outside speakers, and solicitation.

II: Definitions

For the purpose of these Procedural Guidelines, the following definitions will apply:

- **Demonstration** – A public display of group feelings toward a person or cause.
- **Rally** – An event where individuals come together to renew an effort or to join in a common cause.
- **Distribution of Literature** - An expressive activity involving the dissemination of written information by individuals, registered student organizations, College departments or members of the community, from reserved tables in designated areas listed within this document.
- **Outside Speakers** – Non-Harper faculty, staff or students. Outside speakers may be invited guests sponsored by registered Harper student clubs or organizations, faculty and/or staff. Outside speakers who are not sponsored by a particular College organization or department may also register to use facilities through Harper Conference & Events Services.
- **Public Expressive Activities** – Demonstrations, rallies, distributions of literature, "tabling," events with outside speakers, solicitation, and other expressive activities performed in public with significant potential to cause disruption.
- **Solicitation** - Any undertaking of an individual or group to promote the sale or use of a product or service; or a contribution to or request for support of an individual or organization.

III: General Guidelines

It is the intent of the College to ensure that all public expressive activities on campus occur with minimal threat to the safety and security of all persons and facilities through proper planning and scheduling. The following general guidelines apply to all types of public expressive activities and events, as defined in Section II ("Definitions"):

1. Individuals/organizations seeking to schedule a planned activity must submit a Reservation Request form to reespeech@harpercollege.edu. Reservation Request forms must be submitted at least one (1) week in advance of the planned activity (unless otherwise noted below), and the requesting individual/organization must adhere to all applicable reservation procedures. If circumstances result in a spontaneous form of public demonstration and/or expression, individuals and/or groups may be directed to a safe campus location.

2. Public expressive activities are allowed between the hours of 8 a.m. and 11 p.m. on days when campus is open. Unless otherwise noted on the Harper College Academic Calendar or in communications to the College community, campus is generally open Monday – Friday. ***If individuals wish to engage in public expressive activity outside of the hours or days listed, they must notify the Office of the Dean of Students (in addition to completing and submitting a Reservation Request form) prior to the activity so that the College can determine whether the request can reasonably be accommodated and that sufficient personnel can be available to support the activity.***
3. Public expressive activities may not block or otherwise interfere with ingress (entrance) or egress (exit) from buildings, offices or classrooms and may not cause disruption to classes or other College activities. Signs, placards, and similar paraphernalia used for public expressive activity may not obstruct an audience's view of a program or event sponsored by the College or its student organizations.
4. Use of public address systems and amplified sound will not be permitted without prior approval from reespeech@harpercollege.edu.
5. The following areas are designated for large public expressive activities involving groups of 10 or more people:
 - a. Building A Common Area(s)
 - b. Building D Rotunda
 - c. Quad – Paved area surrounding the bust of William Rainey Harper
 - d. Quad – Grassy area between Buildings D, H, L and F
Large (10+ people) public expressive activities may be held at locations other than the areas listed above only with prior approval. Any individual/group seeking to hold a large expressive activity in a location other than the areas listed above should submit a Reservation Request form at least four (4) weeks in advance of the planned activity.
6. Outdoor public expressive activities may not block or otherwise interfere with the free flow of pedestrian, bicycle or vehicular traffic. The right of way on roadways and sidewalks must be maintained.
7. Outdoor Distribution of Literature by hand is allowed in public spaces, so long as the distribution does not interfere with the free flow of traffic or cause disruption. Reservations for outdoor distribution of literature are encouraged, but not required.
8. Leafletting on cars is prohibited.

IV: Indoor Distribution of Literature (“*Tabling*”) Guidelines

Table Reservation Form (https://harpercollege.formstack.com/forms/table_reservation_request_form/)

1. Indoor Distribution of Literature is only allowed in designated areas in Buildings A, Z, J lobby, D and L through reserved tabling activities. Unregulated Indoor Distribution of Literature has the potential to disrupt College operations, produce litter, and result in unplanned clean-up costs.
 - a. Table Reservations are allocated on a first come first served basis. Priority will be given in the following order:
 - b. College Student Organizations
 - c. College Departments
 - d. Community members/organizations

Space permitting, each individual or group is limited to a maximum of four (4) table reservations per month.

2. To prevent crowding, tabling is limited to four (4) persons per table.
3. Persons tabling may not leave the table to approach anyone and they must clearly identify themselves to individuals who visit the table. With limited exceptions (see “Solicitation” section of this policy for additional information), the solicitation of funds is prohibited. ***Any sale of goods or services must be approved by reespeech@harpercollege.edu.***
4. Tabling may be temporarily prohibited in a particular building when that building is reserved for a College sponsored activity. Should the College require the use of any building which includes a previously reserved table location, then every effort will be made to relocate or reschedule that tabling reservation.

V: Guidelines for Outside Speakers

1. Reservation Request forms regarding events with outside speakers must be submitted to reespeech@harpercollege.edu by an authorized officer or representative of the department or organization sponsoring the speaker, in accordance with the following timeframes:
2. Where the event will be open only to members of the sponsoring organization, the Reservation Request form must be submitted at least one (1) week in advance of the event.
3. Where the event will be open to individuals other than members of the sponsoring organization, the Reservation Request form must be submitted at least four (4) weeks in advance of the event. This will allow sufficient time for reservation of the requested space or facility for the program, and to enable arrangements for special security measures if warranted.

VI: Solicitation Guidelines

Except as otherwise provided below, soliciting in Harper College facilities or on campus is prohibited by for-profit corporations, non-profit organizations, faculty, staff, students, and all other individuals. This prohibition includes personal solicitations made through campus e-mail listservs.

Individuals or organizations renting facilities through Conference & Events Services must follow the terms of rental agreements, which may supersede this document.

The following solicitation activities have been approved as exceptions to the general prohibition on solicitation activities:

- A. Solicitations Sponsored or Authorized by the College
Harper College participates in approved charitable events, including the Annual Giving Campaign to help support student scholarships, during the year. Participation by employees is on a voluntary basis. Campus-wide solicitations for charitable organizations may not be conducted without prior approval of the Executive Vice President for Finance and Administrative Services, which shall be coordinated by Student Engagement.
- B. Solicitations Sponsored by Registered Student Organizations of the College
 1. Student clubs and organizations are permitted to solicit funds in support of and to help subsidize their activities and may also solicit funds on behalf of charitable organizations for purposes such as disaster relief or social awareness causes.
 2. Student clubs and organizations must contact Student Engagement to request advance authorization for a sales/solicitation event and must submit and receive approval of a

completed Reservation Request form pertaining to the requested sales/solicitation event before initiating the sales/solicitation event.

3. Student clubs are required to adhere to all Student Engagement procedures and guidelines regarding sales and fundraising. Funds raised must be deposited to and accounted for through the student organization's College account.

discipline pursuant to any applicable collective bargaining agreements or policies of the College. Violations of the Free Speech and Activities Policy and/or Procedural Guidelines by visitors or other individuals who are not students or employees of the College will be handled by the Harper College Police Department.

Hawks Respect Free Speech

C. Signature Collection

1. Signatures for petitions or similar documents may be solicited on outdoor campus spaces, such as the Quad. To avoid impeding access to College facilities, signatures may not be solicited directly in front of the entry way of any campus buildings.
2. Indoor solicitation of signatures is prohibited, except in the following circumstances:
 - a. Signatures may be collected at information tables reserved by individuals or organizations as described in the Distribution of Literature Guidelines (Section IV).
 - b. The solicitation of student signatures on nominating petitions of candidates for Student Trustee and Student Government is permitted in common areas of campus buildings during designated pre-election periods.

In this regard, class lists and any other data about students to which employees may have access are to be used solely for College instructional, administrative, advising/counseling and business purposes. Use of this information for personal or business solicitation is strictly prohibited.

VII: Prohibited Conduct

All persons engaging in public expressive activity on College property are expected to comply with all applicable laws, College Policies and Procedures. Additionally, all persons are expected to comply with directives of College officials acting in the performance of their official duties, which may include providing identification upon request.

In participating in public expressive activities, individuals must refrain from engaging in conduct that interferes with the lawful rights of others and/or that substantially impedes the College's operations. Prohibited conduct includes, but is not limited to, conduct that:

- Infringes upon the lawful rights of students, employees or visitors of the College.
- Substantially interferes with instruction, research, administration or other College activities or functions.
- Restricts or obstructs the free movement of individuals on campus, in campus buildings, or in off-campus locations where College activities take place.
- Restricts access to or use of offices, classrooms or other facilities or grounds to students, employees or guests of the College community.
- Endangers or threatens the safety of any person in the College community.
- Destroys, defaces or causes the loss of College property.
- Violates the College's time, place and manner restrictions, other College Policies or Procedures, or the law.

VIII: Violations

Students or student clubs/organizations that violate the College's Free Speech and Expressive Activities Policy and/or Procedural Guidelines may be subject to disciplinary consequences pursuant to the Student Code of Conduct. Employees who violate the Free Speech and Expressive Activities Policy and/or Procedural Guidelines may be subject to