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<b>Policy Number:</b>	1.2.002
<b>Title:</b>	Expressive Activities

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### **Purpose**

Thaddeus Stevens College of Technology is a public institution of higher education. Its facilities, resources and property are reserved primarily for educational use, including, but not limited to, instruction, course-related activities, research, student activities and other activities directly related to the educational mission of the College or administrative functions. The public character of the College does not grant individuals an unlimited license to engage in activity that limits, interferes with, or otherwise disrupts the normal activities to which the College's resources and facilities are dedicated. Accordingly, the College has the sole authority to designate areas as limited public forums available for expressive activity, subject to the College's time, place and manner limitations, and restrictions set forth in this policy or as otherwise specified.

The purpose of this policy is to provide for expressive activity to be conducted on the grounds of the College in a manner that is civil and consistent with the College's mission and values. This policy establishes procedures and reasonable controls for the use of the College's limited public forums. These regulations and procedures are intended to balance the College's responsibility to fulfill its mission with the interests of students, faculty, staff and other college groups seeking to assemble for expressive activity.

The College encourages expression of multiple points of view, recognizing that there may be times when such expression is unwelcome, disagreeable, uncivil, or offensive to others. The College expects that all expressive activities will be conducted with respect for others as well as for College facilities and property. Consistent with the U.S. Constitution and specifically the First Amendment, the College shall not interfere with the rights of individuals and groups to the free expression of their views or to regulate speech in violation of the law. However, the College reserves the right to prevent the substantial disruption of normal College operations and to ensure the safety and security of all individuals. To that end, therefore, expressive activity shall neither be permitted to substantially disrupt normal College operations nor hinder the rights of others to express contrary views, and shall not threaten violence, engage in violent or destructive acts toward others or College property, or otherwise violate federal, state and local law.

### **Scope**

This policy is applicable to students, faculty, staff, and others who wish to engage in expressive activity on College property.

## Definitions

College facilities - All College buildings, structures, grounds, office spaces, classrooms, and parking lots.

College Group(s) - Individuals (or groups) currently enrolled as students and/or recognized as an official College organization or group, current employees of the College, or guests of the College who are sponsored by a recognized student or employee organization or the administration of the College.

Common Area - Outdoor areas of the campus designated by the College for assembly and public activity, subject to the College's reasonable time, place, and manner restrictions.

Expressive Activity - Activity protected by the First Amendment that includes, but is not necessarily limited to, activities such as informational picketing, petition circulation, distribution of informational leaflets or pamphlets, speech-making, demonstrations, rallies, appearance of speakers on behalf of a College group provided that such guest appearance is granted advanced permission, protests, display of posters or banners, vigils, and other noncommercial activities.

## Policy Detail

A college is inherently a marketplace of ideas, and Thaddeus Stevens College of Technology encourages and protects the rights of members of the College community to express divergent viewpoints and opinions on matters of concern. At the same time, the College expects that persons engaging in expressive activity will (i) demonstrate civility and concern for the safety of persons and property, (ii) respect College activities and those who may disagree with their message, and (iii) comply with federal, state, and local laws and ordinances as well as College policy.

### I. Location for Expressive Activity

The approved, designated Common Area for expressive activity is identified as the "campus green," which is generally the green space directly north and slightly east of the Mellor Building, abutting King Street, and an area not to exceed 300 square yards. Actual space approved for expressive activity shall be determined by Vice President for Student Services in response to the sponsoring individual or organization's registration and stated purpose.

- A. The College reserves the right to configure the space allotted to make the necessary requirements attendant to the requested use based on the College's determination of public safety and need. Further, the use of this area is subject to all applicable federal, state, local laws and ordinances, as well as all applicable College rules, regulations, and procedures.
- B. Indoor spaces and all other areas on the College campus property are reserved solely for their intended purposes and may not be used for expressive activity as defined in this policy.

## II. Registration and Reservation Process

- A. Recognized student organizations, or groups of 10 or more College students, faculty or staff, who wish to engage in expressive activity on College property must submit a registration form for review and approval by the Vice President for Student Services. Registrations requesting reservation of the Common Area for expressive activity shall be subject to the following restrictions:
  1. Expressive activity is allowed only between the hours of 8:00 AM and 5:00 PM and only when the College is in session.
  2. Approval will not be granted for expressive activity during the week before finals and during final exam days.
  3. The same group may not reserve the location for more than one day in each academic calendar week.
  4. Reservations must be requested at least 48 hours in advance of the proposed activity or by the Friday preceding a Sunday or Monday.
  5. Reservations will be accepted in order of request.
- B. Upon approval of a proper registration form and reservation request, the sponsoring group will have exclusive use of the Common Area and may not transfer the reservation to or allow use of the location by any other group.

## III. Requirements of Use

In addition to other College policies and rules that generally apply to students, faculty, staff, and visitors, the following requirements or restrictions specifically apply to approved expressive activities at the Common Area. This list is not exhaustive and may include additional requirements or restrictions to ensure the College's expectations for legal, safe, civil, respectful expression.

- A. The use of sound amplification equipment is prohibited.
- B. Pedestrian or vehicular traffic must not be impeded in any fashion, and access to the campus must remain open and available during any expressive activity.
- C. Conduct that substantially disrupts previously scheduled campus events, that constitutes unlawful activity or creates a clear and present threat to public safety is strictly prohibited.
- D. Disturbance or interference with classrooms, offices, study facilities, libraries, or other College facilities and activities is prohibited.
- E. Damage or destruction of property is prohibited. Reasonable charges for the repair or replacement of any destruction or damage to the property or space may be assessed against the sponsoring organization or individuals.
- F. The Common Area must be cleaned up and left in its original condition and may be subject to inspection by a representative of the College after the activity. Reasonable charges may be assessed against the sponsoring organization or individuals for the cost of cleanup.
- G. Flashing or rotating lights and illuminated signs may not be used.
- H. Handheld signs are permitted. Signs, flags, banners, posters, placards or the like may not be placed on or affixed to the ground or on poles, posts, fences, trees or other structures.
- I. Papers, pamphlets, and similar materials may be distributed in person.
- J. Placing or erecting structures of any size or material is prohibited.

- K. Tables may be used only in the approved Common Area and must be staffed by the sponsoring organization. The use of tables must be stipulated in the Registration Form at the time of the reservation.
- L. Discriminatory, harassing, or threatening conduct toward any person, obscene or lewd conduct, disturbance of the peace, or unlawful assembly is prohibited.
- M. Compliance with all applicable fire, safety and sanitation regulations, e.g., no fires, open flame candles, encampments, erection of tents, shelters, or other structures such as port-a-potties.
- N. Commercial sales, solicitations, advertising, or promotional activities are prohibited unless otherwise approved as serving an educational purpose of the College and under the sponsorship of a College department, office or recognized student organization.

### Spontaneous Expressive Activity

Occasionally, events occur that lead to immediate public reaction. This policy is not designed to limit College community members' rights to protest such events. Spontaneous demonstrations or protests may be held in Common Area without advance notice provided these activities do not otherwise violate this policy and the space has not been reserved previously. It is a violation of this policy to claim that a planned event is spontaneous.

In deciding whether a demonstration is spontaneous or planned, the College may consider any relevant evidence, including (a) whether signs or placards used at the demonstration were commercially produced, (b) whether participants used amplification equipment, (c) whether security was alerted, or media contacted, substantially in advance of the demonstration, or (d) whether other circumstances demonstrate advance planning by one or more individuals or organizations.

### Enforcement

Pursuant to this Policy, the College may enforce additional reasonable time, place, and manner restrictions on expressive activity, provided that (i) such restrictions are narrowly tailored in service of a significant College interest, (ii) the restrictions are clear and unambiguously content and viewpoint neutral, and (iii) the restrictions provide ample alternative means of expression.

Conduct that is reasonably believed to be in violation of this Policy or applicable law may result in immediate action by the College, up to and including suspension of activity, contact with local police officials, loss of privileges, and/or disciplinary action based on the severity of the violation.

### References

Expressive Activities Request Form

*Policy Expressive Activities (Branch Campus) 200-20-025 – This policy will be discontinued, and expressive activities be limited to the space described above.*

<i>Audience</i>	<i>All College</i>
<i>Effective Date</i>	<i>7/18/2025</i>
<i>Date Revised</i>	<i>7/18/2025</i>
<i>Date Reviewed</i>	<i>7/18/2025</i>
<i>Owner</i>	<i>Vice President for Student Services</i>