

 <p>RHODE ISLAND COLLEGE</p> <p>OFFICIAL POLICY TEMPLATE</p>	<p><i>Use of Outdoor Campus Facilities by Third Parties as a Forum for Speech</i></p> <p><input checked="" type="checkbox"/> NEW POLICY</p> <p><input type="checkbox"/> REVISION OF EXISTING POLICY</p>	<p>LINK TO CURRENT POLICY (N/A)</p>
<p>RESPONSIBLE OFFICE: AVP Administration</p> <p>POLICY OWNER: AVP Administration</p>	<p>ORIGINATOR OF GOVERNANCE DOCUMENT: Vice President for Administration & Finance</p> <p>ORIGINATION DATE: 2015/01/20</p>	<p>EFFECTIVE DATE: 2015/12/18</p> <p>REVISION HISTORY: (N/A)</p>

PART 1. RATIONALE

As an institution of higher education, the college respects and fully supports the rights granted to individuals under the First Amendment to the United States Constitution regarding free speech.

As a public entity, funded in part by Rhode Island tax dollars, the college will provide a designated public forum to individuals or groups not associated with the college for the purpose of the exercise of free speech rights. To comply with existing law, the college recognizes that it will be dedicating scarce resources to the third parties, including staff time for the management of the designated public forum, the cost associated/loss of revenue with the use of space itself, and the possible utilization of Campus Police, the department of Facilities and Operations, and/or administrative staff in order to provide for the public safety of participants.

Through this policy, the college intends (1) to meet legal obligations as a public entity to provide a designated public forum for free speech by third parties, (2) to meet audit and control obligations in managing state property under its jurisdiction, (3) to meet obligations for the orderly and safe operation of the campus, (4) to ensure that the that the institution’s normal course of business (higher education) is not disturbed or interrupted, and (5) to permit responsible management and proper allocation of scarce resources that are provided by the state and by the students themselves.

PART 3. DEFINITIONS [AS USED IN THIS DOCUMENT]

third party	Any individual or entity without a formal association with Rhode Island College; e.g., general public. The definition of “third party” excludes recognized RIC-affiliated organizations and programs, including officially recognized student organizations.
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PART 4. STATEMENT OF POLICY

- A. Third party individuals or organizations seeking to exercise free speech in an outdoor forum on campus may request the use of space according to the college’s [Rental and Use of College Facilities](#) (Event Management System [“EMS”]).
- B. Notwithstanding the provisions of [EMS](#), individuals or organizations seeking to reserve any designated outdoor campus space for free speech purposes will not incur any rental fee. For service requests beyond use of the space (e.g., directional signage, catering), normal charges will apply.

- C. Outdoor areas that are available through EMS for purposes of this policy:
 - 1. Student Union/Media Center patio (southern side of building)
 - 2. parking lots A, B, I, and J (these lots are available only on days when fall or spring semester college classes are not in session)
- D. College use of said space will always take precedence over requests from non-college affiliated individuals or groups.
- E. The college reserves the right to designate blackout dates for college events, such as convocations, during which none of the areas designated in Part 4.C of this policy will be available.
- F. Alternate speech zone: the college has designated a special free speech area that does not require a reservation through the EMS system. This area may be accessed when the customary five-day advance notice required by EMS cannot be met, when other spaces are already scheduled, during blackout dates, or for any other reason.
 - 1. The area designated for this purpose is the pine grove bounded on the east by First Avenue, on the north and south by Rhode Island College Road, and on the west by Second Avenue.
 - 2. Other than waiver of the requirement for advance reservation through EMS, all other provisions of this policy shall be applicable.
- G. Permission to use designated free speech areas will not be affected by the topic or content of the speech.
- H. Restrictions
 - 1. In addition to conditions set forth in EMS, disruptive behavior at any outdoor venue is strictly prohibited. Actions that are considered disruptive include but are not limited to the following:
 - a. Physically obstructing vehicular or pedestrian traffic or blocking access to buildings
 - b. Defacing or destroying property
 - c. Conducting activities at a volume that substantially disrupts classes or other college activities
 - d. Causing an immediate safety hazard for members of the college community
 - e. Failure to comply with directives issued by authorized public safety officials
 - 2. Not all speech is protected by the First Amendment. Use of facilities pursuant to this policy does not authorize the following or other speech that is not protected by the First Amendment:
 - a. Blackmail
 - b. Child pornography
 - c. Defamation (includes libel, slander)
 - d. Fighting words
 - e. Incitement to imminent lawless action

- f. Obscenity
 - g. Perjury
 - h. Plagiarism of copyrighted material
 - i. Solicitations to commit crimes
 - j. True threats
3. Time, place, and manner
- a. Use of designated outdoor free speech areas may not begin earlier than 8:00 am nor conclude later than 10:00 pm.
 - b. Amplified sound: The City of Providence and Town of North Providence have established ordinances restricting the use of amplified sound. The college, which is bordered by residential neighborhoods, observes these restrictions and requires any entity using outdoor college facilities to also observe said restrictions (see section H.1.c of this policy).
 - i. [Providence](#) - (§ 16-91 to 16-109)
 - ii. [North Providence](#) - (§ 20-22 and 20-23)
 - c. The college has established a policy on [Event-Related Temporary Signage](#), the provisions of which are applicable to the policy on Use of Outdoor Facilities for Speech.
- J. It is the responsibility of the organizers of the free speech event to ensure that any materials or debris generated by the event are removed from the area immediately upon conclusion of the program.

PART 5. PROCEDURES

- A. Any third-party individual or group wishing to use outdoor campus space for free speech purposes shall begin the request process via the college’s online [EMS login page](#).

PART 6. GUIDELINES

N/A

PART 7. RESPONSIBILITIES

Responsible Official	List of Responsibilities
individuals designated as space reservation approvers per college EMS system	see college EMS policy for responsibilities

PART 8. CONTACTS

Subject	Office or Position	Telephone Number	Email
policy clarification and other assistance	Assistant Vice President for Administration	(401) 456-8007	Athletics@ric.edu

PART 9. POLICY ENFORCEMENT

Violation(s)	Any action that deviates from the standards set in Part 4 of this policy
Potential consequences	Requesting individual or organization may be prevented from accessing the site
Where to report violations	Security and Safety Department

PART 10. FORMS/TEMPLATES/REFERENCE DOCUMENTS

[Communication of VIP Guest Visits](#) (policy)

* Parking lot designations are subject to change. Handicap parking available in all parking lots. All existing reserved and handicap spaces will remain the same.

