



## **FREE SPEECH & EXPRESSION**

The College has adopted a Board Policy setting for campus community members' free speech and expression rights.

The primary function of the College is the discovery, improvement, transmission, and dissemination of knowledge by means of research, teaching, discussion, and debate. To fulfill this function, the College must strive to ensure the fullest degree of intellectual freedom and free expression allowed under the First Amendment to the Constitution of the United States.

It is not the proper role of the College to shield individuals from speech protected by the First Amendment to the Constitution, which may include ideas and opinions the individual finds unwelcome, disagreeable, or even offensive.

It is the proper role of the College to encourage diversity of thoughts, ideas, and opinions and to encourage, within the bounds of the First Amendment, the peaceful, respectful, and safe exercise of First Amendment rights. Students and faculty have the freedom to discuss any problem that presents itself, assemble, and engage in spontaneous expressive activity on campus, within the bounds of established principles of the First Amendment and subject to reasonable time, place, and manner restrictions that are consistent with established First Amendment principles.

The outdoor areas of campus of the College are public forums, open on the same terms to any invited speaker subject to reasonable time, place, and manner restrictions that are consistent with established principles of the First Amendment.

The outdoor areas of campus, which for the Board Policy means the generally accessible outside areas of campus where the campus community are commonly allowed, such as grassy areas, walkways, or other similar common areas. Outdoor areas of campus do not include facilities or outdoor areas used by the College's athletic programs or teams, or other outdoor areas where access is restricted to a majority of the campus community.

## **PROTECTED ACTIVITIES**

A member of the campus community, which for the Board Policy shall include students, administrators, faculty, staff, and/or guests invited by students, administrators, faculty or staff, shall be freely permitted to engage in noncommercial expressive activity in outdoor areas of campus, subject to reasonable time, place, and manner restrictions, and as long as the Member's conduct is not unlawful, does not impede others' access to a facility or use of walkways and does not disrupt the functioning of the College. Iowa Lakes may designate other areas of campus available for use by the campus community. All access to designated areas will be granted on a viewpoint-neutral basis.

Noncommercial expressive Protected Activities include but are not limited to any lawful oral or written means by which members of the campus community may communicate ideas, including but limited to all forms of peaceful assembly, protests, speeches including invited speakers, distribution of literature, circulating petitions, and publishing, including publishing or streaming on an internet site, audio or video recorded in outdoor areas of campus.

Protected Activities shall also include the right of student expression in a counter demonstration held in an outdoor area of campus as long as the conduct at the counter demonstration is not unlawful, does not materially and substantially prohibit the free expression of others, or impede other's access to a facility or use of walkways.

## **NONPROTECTED ACTIVITIES**

Nothing shall prevent the College from prohibiting, limiting, or restricting expression and/or expressive activity that is not otherwise protected by the Constitution of the United States. Nonprotected activities include, but are not limited to the following:

- a threat of serious harm and expression directed or likely directed to provoke imminent unlawful actions; and

- harassment, including but not limited to expression which is so severe, pervasive, and subjectively and objectively offensive that the expression unreasonably interferes with an individual's access to educational opportunities or benefits provided by the College.

## **STUDENT ORGANIZATIONS**

Iowa Lakes Community College will not deny Benefits or privileges available to student organizations based on the viewpoint or expression of the viewpoint of a Student Organization or its members protected by the First Amendment to the Constitution of the United States. For purposes of the Board Policy, Benefits means recognition, registration, use of facilities for meetings or speaking purposes, use of channels of communication, and access to funding sources otherwise available to other student groups.

In addition, the College shall not deny any Benefits or privileges to a Student Organization based on the Organization's requirement that its leaders agree to and support the Organization's beliefs as interpreted and applied by the Organization, and to further the Organization's mission. For purposes of the Board Policy, Student Organization means a group officially recognized or registered by the College, or a group seeking official recognition or registration comprised of students who are admitted and in attendance at the College who receive or are seeking to receive Benefits or privileges.

## **PUBLIC FORUMS ON CAMPUS-FREEDOM OF ASSOCIATION**

The outdoor areas of campus are deemed public forums. The College may maintain and enforce clear, published, reasonable viewpoint-neutral time, place, and manner restrictions that are narrowly tailored in furtherance of a significant institutional interest, but shall allow members of the campus to engage in spontaneous expressive activity and to distribute literature. If the College places restrictions, it shall provide ample alternative means of expression. Except as provided in the Board Policy, and subject to the reasonable time, place, and manner restrictions, the College shall not designate any area of campus a free speech zone or otherwise create policies restricting expressive activities to a particular outdoor area of campus.

Nothing in the Board Policy shall be construed to grant individuals the right to engage in conduct that intentionally, materially, and substantially disrupts the expressive activity of a person or student organization if the College has reserved space in an outdoor area of campus for the activity in accordance with the Board Policy.

## **COMPLAINT PROCEDURE**

A member of the campus community who believes he or she has been aggrieved by a violation of the Board Policy shall first attempt to resolve any grievance with the Campus Dean. Any appeal of the Campus Dean's decision shall be to the College President.

A member of the campus community who believes he or she has been aggrieved by a violation of the Board Policy may file a complaint with Iowa Lakes Community College Board of Trustees as set forth in the Code of Iowa Chapter 261H.