

**3358:11-4-21 Use of college buildings and grounds policy.**

- (A) Purpose. The purpose of this rule is to facilitate the free exchange of ideas and the safe and efficient operation of Owens community college by:
- (1) Maintaining an appropriate educational and work environment for all persons present on college property, including but not limited to students, faculty, employees, customers and visitors.
  - (2) Maintaining the personal security of all persons present on college property and protecting the property of the college and of persons present on college property.
  - (3) Fostering free speech, assembly and other expressive activities on college property.

In developing this rule, the college recognizes the constitutional freedoms guaranteed by the United States and Ohio Constitutions, including freedom of speech, press and assembly. The college also recognizes the need to preserve and protect its property, students, guests and employees of the college, and to ensure the effective operation of educational, business and related activities of the college. Expressive activities on the college's campus may be subject to reasonable regulation with regard to the time, place and manner of the activities. College employees will not consider the content of expressive activities when enforcing this rule. No rule can address every possible activity or situation that may occur on college property, and the college reserves the right to address such situations as circumstances warrant.

This rule does not apply to use of college facilities and grounds for official events sponsored by the college.

Expressive activities carried out under this rule shall not be considered to be speech made by, on behalf of or endorsed by the college.

- (B) Outdoor areas generally available for use.
- (1) General access. Any person or group may use, for expressive activity without prior notification, any publicly accessible outdoor area of the college's Toledo-area campus or Findlay-area campus except parking lots, pedestrian bridges, enclosed outdoor courtyards, porticos of college buildings and driveways. Federal, state, local laws and college rules will be enforced as applicable. The use of walkways or other common areas may not impede ingress or egress to the college, any college property, parking lot, building, facility or event or impede the regular operation of the college. Use of the general access areas may

include speaking, non-verbal expression, distributing literature, displaying signage and circulating petitions. There is no limit to the number of times a month a person or group may access those areas.

Various outdoor areas for special access events may be available for rent by outside entities through contacting either the director of auxiliary services (Toledo) or the director of events (Findlay).

- (2) Amplification. During work and class hours or if the area is currently in use for an official college event, amplification may be restricted if it unreasonably interferes with college operations or noise ordinances are violated.
  - (3) Learning centers or offsite locations. The college's learning centers or offsite locations are leased facilities and not owned by the college. The facilities generally do not include any outdoor space leased or controlled by the college, therefore, no publicly accessible outdoor areas are available for use under this rule. Where any outdoor space is controlled by the college, this rule applies.
  - (4) Large groups. Except in circumstances described, any person or group, whose use of an outdoor area is expected or reasonably likely to have more than one hundred (100) people, must notify the college's director of public safety/chief of police at least two (2) business days before the day of the expressive activity, including information as to the specific location to be used for the event and the estimated expected number of persons, and the name and contact information of at least one person who can be contacted regarding logistics of the event, which shall include at least one person who will be personally present.
    - (a) Prior notice. Prior notice is necessary to ensure that there is sufficient space for the large group event, that the large group event does not conflict with any other scheduled use of the outdoor space, and that sufficient college resources are available for crowd control and security. If such advance notice is not feasible because of circumstances that could not be reasonably anticipated, the person or group shall provide the college with as much advance notice as circumstances reasonably permit.
- (C) Student use. In addition to the general right of access to outdoor areas of campus as described, any student or registered student organization may seek to reserve the use of specific outdoor areas by contacting student activities/student life. Any request by a student or registered student

organization to reserve such area or space shall be made at least two (2) business days prior to the event. A registered student organization or group of students, which has reserved a specific area or space under this paragraph will have priority over any other person seeking to use the area or space during the scheduled time period, excepting any unforeseen educational necessity. A request will be granted unless it would conflict or interfere with a previously scheduled event or activity or violate this rule.

- (D) Indoor space. While Owens community college and its educational functions have first consideration of use, various indoor spaces or rooms identified by the college may be made available for use for expressive activity by faculty, staff, students or registered student organizations. Registered student organizations can contact the office of student activities or the location director for offsite learning centers for additional information about the procedures and requirements for use and reservation of these spaces or rooms. Various spaces or rooms identified by the college may also be available for rent by outside entities. Faculty, staff, students and outside entities can contact the director of auxiliary services (Toledo) or the director of events (Findlay) for additional information about the procedures and requirements for use and reservation of these spaces or rooms.
- (E) Any decision denying a request shall be promptly communicated in writing to the requester and shall set forth the basis for the denial. The content of the anticipated speech or other expressive activity shall not form the basis for a denial. Decisions shall be made by the vice president/treasurer or designee.
- (F) Prohibited activities.
  - (1) Any event or activity that disrupts the ability of the college to effectively and peacefully teach students, provide client services, conduct any of its other business and support operations is prohibited, or otherwise violates a college rule is prohibited. Examples include but are not limited to excessive noise, impeding vehicle or pedestrian traffic, or conduct otherwise unlawful.
  - (2) No activity can damage college property. Prohibited actions include but are not limited to driving stakes or poles into the ground, hammering nails into buildings and attaching anything to sidewalks, paved areas, or any part of any building, structure or fixture.
  - (3) Activities that do not comply with appropriate building code regulations, fire codes or safety standards are prohibited.

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- (4) Distribution/solicitation by placing any material on vehicles in the parking lots is prohibited. Leaving trash, litter, materials or pollutants in any area is prohibited.
- (G) Enforcement. The director of public safety/chief of police, the department of public safety or local law enforcement shall enforce the provisions of this rule. Any person who violates this rule may be subject to an order to leave college property. Employees in violation of this rule may be subject to discipline, up to and including termination.
- (H) Dispute resolution. Any person or registered student organization who believes unlawful, unreasonable, or arbitrary limitations have been imposed on any such speech or other expressive activity under this rule may file a complaint with the college general counsel.
- (I) Implementation. The vice president/treasurer or designee may implement procedures or forms consistent with the provisions of this rule.
- (J) Effect on prior policy. This rule repeals and supersedes all portions of the Owens community college rules of 3358:11-3-43 (student organization use of college facilities), 3358:11-4-05 (solicitation and distribution activities), and 3358:11-4-14 (facilities use).

Effective date: 12/26/2013

Patricia M. Jezak  
Certification

12/16/2013  
Date

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