RESOLUTION: ADOPT FREEDOM OF EXPRESSION POLICY

WHEREAS, the Illinois Public Community College Act, as amended, lists the powers and duties of community college districts in the State of Illinois, and states in 110 ILCS 850/3-30, that:

"The board of any community college district has the powers...that may be requisite or proper for the maintenance, operation and development of any college or colleges under the jurisdiction of the board."

WHEREAS, the Rules for the Management and Government of the City Colleges of Chicago ("Rules"), as adopted July 15, 2004 (Board Resolution No. 26280) and as amended, state in Article 1, Section 1.8:

"The Board may adopt, from time to time, policy statements, guidelines, procedures, regulations, collective bargaining agreements, codes of conduct, or similar documents issued for the governance of the Board, the District and the Colleges...."

WHEREAS, the City Colleges of Chicago does not have a formal comprehensive Freedom of Expression Policy; and

WHEREAS, formal guidance regarding freedom of expression on campus is warranted; and

WHEREAS, the following Freedom of Expression Policy has been developed by the Office of the General Counsel to address this void:

**Freedom of Expression Policy**

This policy is intended to inform members of City Colleges of Chicago community and the public of the manner in which they may engage in protected speech and expression at City Colleges of Chicago. The standards set forth in this policy are intended to be neutral and shall be applied without regard to the content of the speech.

City Colleges of Chicago is committed to providing an educational and work climate that is conducive to the personal and professional development of each individual. In furtherance of this commitment, City Colleges of Chicago maintains the right to establish and regulate reasonable time, place, and manner restrictions concerning acts of
expression and dissent. It is the policy of City Colleges of Chicago that facilities are to be used primarily for the purpose of fulfilling City Colleges of Chicago's mission of teaching, research and public service. College facilities are not available for unrestricted use for other purposes.

Students, faculty, staff and College-affiliated organizations may use college facilities during normal operating hours when such use does not interfere with instructional or other activities at City Colleges of Chicago. Not-for-profit community, educational, civic, youth and social organizations may use college facilities when available and on a first-come-first serve basis. City Colleges of Chicago encourages individuals and groups to make advance reservations to ensure space availability. College sponsored events have first priority on the use of campus facilities.

City Colleges of Chicago reserves the right to relocate any event, assembly or speech to ensure that the activity does not interfere with the normal operation of the City Colleges of Chicago or interfere with the rights of others.

Any acts that are disruptive to the normal operations of the City Colleges of Chicago, including classes and City Colleges of Chicago business or invades the right of others will not be tolerated. Faculty, staff, and students engaging in a disruptive activity may be subject to disciplinary action. Any participant in a disruptive activity may also face criminal charges.

In all instances, Free Speech and Assembly will be governed by the following guidelines:

1. Disruptive Activity – Obstruction, disruption, or interference with classes, research, administrative functions, or other College activities is not permitted. Likewise, infringement on the rights of others is prohibited.

2. Reasonable Access – It is important to provide reasonable access to and exit from any office, classroom, laboratory, or building. Likewise vehicular and pedestrian traffic should not be obstructed. [A distance of 8 feet must be maintained between speech participants and building entrances].

3. Picketing – Picketing in an orderly manner or distributing literature outside of College buildings is acceptable provided it does not interfere with College activities or business. Picketing or demonstrations are not permitted inside campus buildings.

4. Distribution of Literature – Written or printed material may be distributed on the grounds outside of campus buildings. Only students, faculty, staff and campus recognized organizations and departments may distribute written or printed materials inside campus buildings. Distribution of commercial literature requires a separate concessions permit. In no event may distribution of written or printed materials cause excessive litter on campus property. Signs may be posted only on bulletin boards which have been designated for public use.
5. Symbolic Protest – Displaying a sign, gesturing, wearing symbolic clothing, or otherwise protesting silently is permissible unless it is a disruptive activity or impedes access. Such action should not block the audience’s view or prevent the audience from being able to pay attention. In all instances signs may not be carried with the aid of wooden, plastic or metal sticks, pipes or poles.

6. Noise – Making sustained or repeated noise in a manner that substantially interferes with a speaker’s ability to communicate his/her message is prohibited. Noise levels should not interfere with classes, meetings or other activities in progress.

7. Force or Violence – Any attempt to prevent a College activity or other lawful assembly by the threat or use of force or violence is prohibited.

8. Damage to Property – Care should always be taken to ensure that College and personal property is not damaged or destroyed. This includes the campus lawns, shrubs and trees.

9. Other Campus Regulations – All applicable College rules, regulations, and policies should be followed whenever engaging in activities on campus. Consult the Student Handbook for further information.

All individuals participating in expressive activities are expected to comply with state and federal law, municipal ordinances, City Colleges of Chicago regulations and the above guidelines. Failure to do so may result in immediate removal from the campus and any other civil and/or crimination sanctions. Students and student organizations may be sanctioned in accordance with institutional policies covering violations.

For security reasons, individuals or organizations may be required to present valid identification.

NOW, THEREFORE, BE IT RESOLVED that the above stated Freedom of Expression Policy be adopted by the Board and published.

August 3, 2006