



## 2.7 Freedom of Expression Policy

Category: Administration

Name of Responsible Office: Student Rights and Responsibilities

Title of Responsible Executive: Provost and Vice President, Academic and Student Affairs

Date Established: June 1, 2015

Date Last Approved: August 12, 2019

### Summary

This document describes the College's policy pertaining to freedom of speech and assembly and further outlines the rules, applicability, and procedures regarding assembly, picketing, or demonstrating on College property.

### Policy

#### *Policy Statement*

- A. Consistent with the First Amendment, no student, faculty member, or other employee or authorized visitor shall be subject to any limitation or penalty for expressing their views or for assembling with others for such purpose. College officials will not interfere with orderly assemblies, picketing, or demonstrations occurring on College property provided that there are no violations of law or this or other College policies.
- B. Assemblies, picketing, demonstrations, and similar expressions of First Amendment rights may not infringe on or interfere with the rights of others or disrupt essential operations of the College. As such, no one engaged in an assembly, picket, or demonstration may impede vehicular or pedestrian traffic, block sidewalks or roadways, or engage in any activity that would constitute a violation of the New York State Penal Law, other applicable statutes, or College policies
- C. The use of College property for the purpose of assembly, picketing, or demonstrating does not imply Monroe Community College's endorsement of any organization, activity, cause, or position.
- D. If, in the judgment of College officials, an activity is not consistent with the purposes previously articulated on the application (See Procedures Step 1) by the applicant or the activity has been misrepresented, authorization to use College property will be withdrawn, and the activity in progress will be halted. Requests will be considered on a content-neutral and viewpoint-neutral basis.
- E. The College reserves the right to terminate any use of College property in the event that a participant or participants engage in conduct that violates any law or this or other College policies.

#### *Background*

Free speech and peaceful assembly are fundamental to the purpose of a College as a center for open inquiry in the search for knowledge and insight. Monroe Community College is strongly committed to the protection of these rights. However, these rights bring with them a concurrent obligation to maintain an atmosphere conducive to scholarly pursuits and respect for the rights of all individuals.

## ***Applicability***

This policy is applicable to any individual or group of students or visitors wishing to assemble, picket, or otherwise demonstrate on Monroe Community College property. It also applies to College employees, to the extent such employees: (1) are speaking as private individuals; (2) regarding a matter of public concern; (3) where the College lacks adequate justification for treating the faculty member or staff member differently than any other member of the general public.

## ***Responsibility***

Campus Events Office  
Public Safety Department  
Student Rights and Responsibilities Office

## ***Definitions***

**Assembly** - a rally or demonstration for the purpose of exercising free speech or dissension.

**Picketing or Demonstration** – any public gathering, congregation, or exhibition of one or more persons for the purpose of conveying or displaying a message or supporting a cause.

**College** – Monroe Community College.

**College Community** – includes Monroe Community College students, faculty, employees, and members of recognized MCC organizations.

**College Property** – any land, building or other property that is owned, leased, or under the control of Monroe Community College.

**Organization** – recognized student government groups or clubs, alumni groups, and/or athletic teams.

## **Contact Information**

Office of Student Rights and Responsibilities

## **Related Information**

Student Code of Conduct

[4.2 MCC Employee and Visitor Conduct Policy](#)

## **History**

<b>Item</b>	<b>Date</b>	<b>Explanation</b>
BOT Approval	June 1, 2015	Policy established
BOT Approval	August 12, 2014	Policy revised