

## Use of Public Forums and/or Distribution of Materials Guidelines for Students and Student Clubs and Organizations

(Replaces "Distribution/Posting or Sale of Written Materials or Products")

Palm Beach State College reaffirms its commitment to an environment in which members of the College community may freely express themselves. It is the purpose of this Policy, and all others that may impact free expression, to impose limitations only where necessary to ensure that the pursuit of the College's educational mission by members of the College community is not materially impaired by those exercising their expressive freedoms. This policy applies to those students or clubs/organizations that wish to use public forums. Students or clubs/organizations that desire to exercise their free speech may do so in other public areas that do not impede the normal flow of traffic, and disrupt ongoing instructional activities, or other campus activities.

Students and Student Clubs and Organizations may use those campus areas designated as public forums to speak and/or distribute printed materials on campus, but only on the following terms and conditions:

1. Such activities may only take place in a public forum, the availability of which is requested in advance by the student, club or organization and confirmed by the College. See the campus map designations for public forum areas at <http://www.palmbeachstate.edu/locations.xml>.
2. Requests to use a public forum must be submitted in writing on the form found on the Student Activities homepage (<http://www.palmbeachstate.edu/x1082.xml>), and returned to the Campus Student Activities Office ("CSAO") at least 2 business days prior to the proposed date of distribution or the use of the public forum. Once the CSAO confirms that the requesting party is a current student, club or organization in good standing, the CSAO will so advise the requesting party. Once approved, all permitted activities must remain behind tables provided by the Campus in the designated public forum. Good standing is determined by (1) whether a student is not subject to any disciplinary sanctions; (2) whether a club/organization and/or its officer(s) are not subject to any disciplinary sanctions; or (3) whether a club/organization has a current constitution and bylaws approved, has an advisor, and has complied with the College's Cash Collections & Deposit Guidelines for Student Activities.
3. Once approved, all permitted activities must remain behind tables provided by the Campus in the designated public forum. Students or clubs/organizations that do not require a setup may distribute materials by handouts to the public in areas that do not impede the normal flow of traffic, and that do not disrupt ongoing instructional activities, or other campus activities. Materials may not be distributed in classrooms.
4. In the event a specified public forum is requested by more than one student, club or organization for any particular time, the CSAO may take into account the number of prior occasions that a requesting party has used that public forum in a given school (semester) term. The College reserves the right to restrict the use of public forums by a student,

club, or organization to no more than three (3) separate dates in a school (semester) term, in order to accommodate all requests. The College will try to accommodate all requests for a specified location. Factors that will be considered in determining whether a specified location is available will depend upon the audio needs, prior scheduled College sponsored events that conflict with the student's or club/organization's request, and/or safety or security concerns.

5. Students are allowed to distribute materials or use public forums between the hours of 9:00 am to 7:00 pm for a maximum of no more than four (4) hours a day. These hours may be extended or limited for those clubs or organizations that participate in College-sponsored events or programs.
6. Audio equipment must be adjusted so as not to interfere with nearby classrooms, study activities or administrative functions. Upon request from any College official or faculty member, students, clubs or organizations using such equipment shall reduce its volume to a level that does not interfere with the College's academic or administrative activities.
7. The sale of items or publications is not permitted. Student clubs or organizations are permitted to sell items or materials as a fundraising activity for their club or organization.
8. Students, clubs or organizations are required to pick up any literature that has been scattered on the ground. The College reserves the right to assess a student, club or organization a fee to defray the costs of cleaning up such materials.
9. Literature or materials that promote or advertise the use, sale or distribution of alcoholic beverages, tobacco products or illegal drugs and drug paraphernalia are prohibited.
10. Publications and advertisements may not be placed on cars.
11. Students are reminded that the Student Code of Conduct and laws of the State of Florida impose sanctions for actions that injure others or materially interfere with the opportunity for others to participate in the College's academic programs or administrative activities.
12. The College may order a person(s) distributing literature to cease distribution when it would affect the health, safety and welfare of individuals or property, which may include, but is not limited to, the following:
  - a. Where the distribution materially and substantially disrupts the operation of the campus.
  - b. Where the distribution of materials would incite individuals so as to create a clear and present danger to persons or property.
  - c. Where the person(s) litters, defaces or destroys campus property.
  - d. Where the person(s) distributing literature is harassing, stalking or forcing their literature on any person(s).
  - e. Where the person(s) distributing literature is in violation of any applicable federal, state, and local laws or College Policies.

Failure to comply with these regulations and other rules and regulations of the College (including the Student Code of Conduct) may result in the revocation of a club or an organization's privilege to distribute materials or use a public forum at the College. Students who violate this policy may be subject to disciplinary sanctions. Persons violating this policy may be asked to leave the College by campus administration or security.

If distribution is stopped, the person(s) distributing literature may appeal this decision in writing to the Dean of Students of the relevant campus within seven (7) days after being ordered to stop. The Dean of Students must issue a written decision on the appeal within seven (7) days after receipt of the written appeal. The Dean of Students' decision shall be final on behalf of the College. If the Dean of Students affirms the decision to stop distribution, the person distributing literature may seek judicial review through the state courts.