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**A G E N D A**  
**BOARD OF TRUSTEES**  
**PLANNING RETREAT**  
**Tuesday, April 6, 2021 Virtual**  
**Meeting – Hosted on Zoom**  
**(click here to attend)**  
**2:00 PM**

1. Call to Order
2. Roll Call
3. Certification of Conformity with Section §121.22F of the Ohio Revised Code
4. Revise Current Policy No. 13-12, Public Use of College Grounds (For Board Approval).....1
5. Discussion of Strategic Priorities
6. Executive Session (*if needed*)
7. Adjournment



# COLUMBUS STATE COMMUNITY COLLEGE BOARD ACTION

**DATE:** \_\_\_\_\_

**SUBJECT:**

Revise Current Policy No. 13-12, Public Use of College Grounds.

**BACKGROUND INFORMATION:**

This policy was updated to align with recent changes to state law.

Maintaining compliance with the new state law requires the College to:

- Adopt the definition of “harassment” as required by Ohio Senate Bill 40 signed into law in December 2020; and
- Clarify existing policy language with non-substantive, minor administrative changes.

**RECOMMENDATION:**

That the Board of Trustees accepts the revisions to Policy No. 13-12, Public Use of College Grounds, as presented, with an effective date of April XXX, 2021.

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Effective September 19, 2013

(A) PURPOSE

The purpose of the Policy is to promote the free exchange of ideas and the safe and efficient operation of the College by:

- (1) Fostering free speech, assembly and other expressive activities on ~~College~~ COLUMBUS STATE property by all persons, whether or not they are affiliated with the College.
- (2) 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.
- (3) Maintaining the personal security of all persons present on College property and protecting COLUMBUS STATE ~~the property of the College~~ and of persons present on College property.

~~In developing this Policy,~~ 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~~ COLUMBUS STATE 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~~ PROPERTY may be subject to reasonable regulation with regard to the time, place and manner of the activities. ~~College~~ COLUMBUS STATE employees will not consider the content of expressive activities when enforcing this Policy. No Policy can address every possible activity or situation that may occur on College property; and ~~the College~~ COLUMBUS STATE reserves the right to address such situations as circumstances warrant.

This POLICY does not apply to use of College facilities and grounds for official events sponsored by ~~the College~~ COLUMBUS STATE. Expressive activities carried out under this Policy shall not be considered to be speech made by, on behalf of or endorsed by the College. This Policy supersedes any provisions in any other earlier-adopted College policies that address similar or overlapping issues; such as use of outdoor spaces.

(B) OUTDOOR AREAS OF CAMPUS GENERALLY AVAILABLE FOR USE

(1) General Access

Any person or group may use, without prior notification, any publicly accessible outdoor area of the College's Columbus campus or Delaware campus except parking lots, garages and driveways. Federal, state and local laws will be enforced as applicable. The use of walkways or other common areas may not block the free passage of others or impede the regular operation of the College.

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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.

During work and class hours or if the area is currently in use for an official ~~College~~ COLUMBUS STATE event, amplification may be restricted if it unreasonably interferes with College operations or noise ordinances are violated.

(2) Regional Learning Centers

The College's Regional Learning Centers are leased facilities and not owned by ~~the~~ ~~College~~ COLUMBUS STATE. ~~Those~~ REGIONAL LEARNING CENTER 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 ~~P~~policy. Where any outdoors space is controlled by the College, this ~~P~~policy applies.

(3) Large Groups

Except in circumstances described below, 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~~ Police Department at ~~614-287-2525~~ 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. Security and clean-up costs will not be charged to the person or group.

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~~ COLUMBUS STATE 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 described above, any student or student organization may seek to reserve the use of specific outdoor areas by contacting the Office of Student Engagement and Leadership at ~~614-287-2637~~.

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Any request by a student or student organization to reserve such area or space shall be made at least one (1) business day prior to the event. ~~A request~~ REQUESTS will be granted unless it would conflict or interfere with a previously scheduled event or activity or violate this policy.

A student or student organization that has reserved a specific area or space under this Policy will have priority over any other persons seeking to use the area or space during the scheduled time period. Any decision denying a request shall be promptly communicated in writing to the requester and ~~shall set forth~~ INCLUDE the basis for the denial. The content of the anticipated speech or other expressive activity shall not form the basis for a denial.

(D) KIOSKS

~~The College~~ COLUMBUS STATE provides outdoor kiosks for the purpose of posting materials in ~~the~~ public spaces. ~~Because of~~ DUE TO the limited space available, posted material may be no larger than 8 ½ x 11 inches and will be removed on the first and fifteenth of every month. Posted materials may not physically cover other materials previously posted on the kiosks.

(E) PROHIBITED ACTIVITIES

- (1) Any event or activity that disrupts the ability of the College to effectively and peacefully teach students, provide client services, or conduct any ~~of its~~ other business and support operations ~~is prohibited~~. Examples include, but are not limited to, excessive noise, impeding vehicle or pedestrian traffic, and conduct otherwise unlawful.
- (2) CONDUCT THAT CONSTITUTES HARASSMENT. FOR PURPOSES OF THIS POLICY, "HARASSMENT" MEANS UNWELCOME CONDUCT THAT IS SO SEVERE, PERVASIVE AND OBJECTIVELY OFFENSIVE THAT IT EFFECTIVELY DENIES AN INDIVIDUAL ACCESS TO THEIR EDUCATIONAL PROGRAM OR ACTIVITY.
- (2.3) ~~No a~~Activity THAT may 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 (except ~~the~~ designated kiosks).
- (3.4) Distribution/solicitation by placing any material on vehicles in the parking lots or garages. ~~is prohibited. Leaving trash, litter, materials or pollutants in any area is prohibited.~~
- (5) LEAVING TRASH, LITTER, MATERIALS OR POLLUTANTS IN ANY AREA.

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(F) ENFORCEMENT

The ~~Columbus State~~ Police Department and local law enforcement shall enforce the provisions of this ~~P~~policy.

Any person who violates Section E of this ~~P~~policy may be subject to an order to leave College property. Employees in violation of this ~~P~~policy may be subject to discipline, up to and including termination.

(G) DISPUTE RESOLUTION

Any person or recognized student organization who believes unlawful, unreasonable, or arbitrary limitations have been imposed on any of their speech or other expressive activities under this ~~P~~policy may file a complaint with the ~~College~~ Legal Office at ~~614-287-5939~~.

(H) ~~PROCEDURES~~ THE PRESIDENT MAY ESTABLISH PROCEDURE(S) TO ADMINISTER THIS POLICY.

~~The President may adopt procedures to administer this Policy.~~

*clh: New Policy(r)*

*Approved by the Board of Trustees: September 19, 2013*