

students section II

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2.4 college environment (cont'd)

2.4.14 Use of College Grounds By MCCCCD Affiliated Users

Introduction

The colleges of the Maricopa County Community College District (“MCCCCD”) are dedicated by law to the purpose of formal education. They are, and have been since their creation, for the educational use and benefit of prospective and enrolled students, the MCCCCD employees who serve them, and those who are invited on location by members of the college community to attend or participate in sponsored events. The MCCCCD has a long history of supporting expressive activities that are conducted on campuses. For the purposes of avoiding disruption or interference with its educational activities, while protecting the rights of the members of the campus community and their invited guests to express themselves and access information, this administrative regulation governs the use of college grounds by Affiliated Users (as defined in Section 1) for Expressive Activity. Expressive Activity is defined as:

- Meetings and other group activities by registered students and student organizations
- Non-commercial speeches, performances, demonstrations, rallies, vigils and other events that are organized by students or student clubs and organizations.
- Non-commercial leafleting and pamphleting
- Any other student expression that is protected by the First Amendment to the U.S. Constitution

Outdoor campus areas are venues for free expression by Affiliated Users, including speeches, demonstrations, and the distribution of literature, subject to the reasonable time, place and manner restrictions set forth in this regulation.

This regulation will be administered in a manner that is content and viewpoint neutral and seeks to protect the free expression of ideas.

1. Definitions

a. MCCCCD Affiliated Users

Affiliated Users are: 1) individuals employed by MCCCCD except when engaging in a commercial activity; 2) individuals contracted by MCCCCD who are acting on behalf of or for MCCCCD purposes; 3) individuals enrolled via the registrar as students within the MCCCCD system; and 4) external entities and/or individuals invited by student clubs and organizations to participate on behalf of the club or organization in an event that is related to the club or organization’s purpose.

b. Non-Affiliated Users

Non-Affiliated Users are organizations, groups or individuals that are not Affiliated Users. Use of MCCCCD grounds or facilities by Non-Affiliated Users is governed by Administrative Regulations 1.5 and 2.4.9.

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c. Substantial Interference

Substantial Interference includes, but is not limited to, activity that: 1) disrupts instruction, lecture, studying or other academic pursuits; 2) disrupts MCCCCD administrative activities; 3) blocks access to buildings or structures; 4) obstructs passageways for vehicles or pedestrians; 5) disrupts previously scheduled events; 6) impairs the health and safety of the college community; 7) is unlawful; and/or 8) otherwise presents a threat to public safety.

The mere potential for Substantial Interference is not sufficient to prohibit or limit Expressive Activity. Instead, it must be reasonably determined that the activity presents a significant likelihood of creating Substantial Interference before Expressive Activity may be prohibited or limited in accordance with this regulation.

d. Planned Expressive Activity

Planned Expressive Activity is when participants seek to reserve space for an established point in time and/or use tables, chairs, amplification or other audio-visual equipment and/or temporary structures such as tents or awnings.

2. Reservation of Campus Space for Planned Expressive Activity

Affiliated Users may reserve outdoor and indoor campus space, as defined below, for Planned Expressive Activity. Reservations are to be made through the respective college's Office of Student Life and Leadership no less than one business day before the activity is intended to occur. Such reservations will be approved on a first come, first served basis unless the Office of Student Life and Leadership determines, without regard to the content of the proposed Expressive Activity, that the activity constitutes Substantial Interference. If the Office of Student Life and Leadership determines an Expressive Activity constitutes Substantial Interference it will work with the Affiliated User in an effort to find an alternative, if any exists, that allows the Expressive Activity to occur without such interference.

a. Outdoor Space – outdoor space available for reservation by Affiliated Users does not include: parking lots, athletic facilities, meditation or peace gardens, areas designated as outdoor study zones, and child care facilities.

b. Indoor Space – indoor space is available for reservation by Affiliated Users if the space is determined by the college to be a common area that is publically accessible. Buildings housing classrooms and/or administrative offices are not available for reservation.

3. Spontaneous Expression

MCCCCD recognizes that Expressive Activity may occur in both structured and organic forms. Spontaneous expression by Affiliated Users may be undertaken in outdoor or indoor space, as defined above, without prior reservation as long as the activity does not constitute Substantial Interference.

[Direct Approval by the Chancellor, August 24, 2016](#)