

## **Freedom of Expression and First Amendment Guarantees**

Lake Land College values the freedoms of speech, thought, expression and assembly as vital to the pursuit of knowledge and shall endeavor to ensure the fullest degree of intellectual freedom and free expression within a supportive learning environment. The College seeks to facilitate personal and societal growth by teaching students to challenge themselves and to learn from opposing perspectives. As such, members of the academic community shall be encouraged to assemble and engage in free and open discussion, debate and expressive activity.

As an institution of higher education, it is not the proper role of the College to shield individuals from speech and expression protected by the First Amendment, including ideas and opinions they find unwelcome, disagreeable or offensive. Although Lake Land College greatly values civility and expects that all members of the College community share in the responsibility for maintaining a climate of mutual respect, concerns about civility and mutual respect will not be used as justification for closing off discussion of ideas.

Freedom of expression does not mean that individuals may say whatever they wish, whenever or wherever they wish. The orderly and safe operation of the College's educational programs is of utmost importance.

The College may restrict expressive activity not protected by the First Amendment including all of the following:

- 1) Violations of state or federal law;
- 2) Defamation of a specific individual;
- 3) Harassment based on protected class that is so severe, pervasive or objectively offensive that it deprives the victim's access to an educational opportunity or benefit;
- 4) Threats of violence to a particular individual or group of individuals;
- 5) Unjustifiable invasion of privacy or confidentiality not involving a matter of public concern;

- 6) Action that endangers the safety of others, damages or defaces property, or disrupts the ordinary activities or functions of the College. Obstructing building entrances, walkways and right-of-ways; obstructing vehicular or pedestrian traffic on or adjacent to campus; or interfering with classes, meetings, events or ceremonies or with other essential processes of the College will generally be considered to be disruptive to College activities and functions.

In order to ensure that expressive activity does not infringe upon the rights of others, the College may reasonably regulate the time, place and manner of expression, including as follows:

- 1) Open public areas of the College campus in Mattoon and of the Kluthe Center for Higher Education and Technology in Effingham are recognized as public forums where individuals may distribute materials, protest or demonstrate in accordance with the College's policies. Adherence to building closures is expected. The College's recognition of public forums should not be interpreted as limiting the rights of free expression elsewhere on campus.
- 2) Individuals wishing to post or distribute literature or materials on campus are expected to comply with Board Policy 09.16 - Temporary Indoor Signage and the Distribution of Materials.
- 3) Placards, banners and signs may not endanger the safety of others, damage or deface property, or unreasonably impede the participation or mobility of others. Individuals displaying placards, banners or signs that infringe upon the rights of others or otherwise violate College policies may be required to move to a different location or remove their materials.
- 4) A protest, demonstration or event on campus may invite another form of protest. When these occasions arise, freedom of expression of all parties is important. In support of this effort, the College will make reasonable accommodations regarding the manner in which persons may exercise their rights to free speech and assembly to assure the orderly operation and safety of the campus community. To this end, a separate protest area may be designated by College

officials for those persons with views that differ from the views held by the original event organizers.

- 5) This policy does not limit or constrain the College or law enforcement authorities' duty to maintain and protect public safety. In order to ensure the safety of all participants, the College police department may require the attendance of one or more officers. As deemed necessary by any College official and upon his/her request, individuals may be required to present a College ID or government-issued identification.

To further the effectiveness of their event, individuals or groups organizing a presentation, protest or demonstration are encouraged to make advance arrangements at least 48 hours prior to the start of the event. Although not mandatory, advance notification is strongly recommended as it enables the College to help ensure that the event takes place in a constructive and peaceable manner. Students should contact the Vice President for Student Services. Staff and community members should contact the Vice President for Business Services.

Application of this policy does not preclude application of other College policies or regulations including Board Policies 06.01 – *Academic Freedom*, 07.28.01 - *Student Code of Conduct and Disciplinary Procedures*, and 11.16 – *College Sponsored Speakers, Performers and Presenters* as may be warranted by a given situation.