

ADMINISTRATIVE PROCEDURE MANUAL		
SECTION TITLE	NUMBER	PAGE
PUBLIC ASSEMBLY AND DISTRIBUTION OF INFORMATION	02-0705	1 OF 5
BASED ON BOARD OF TRUSTEES' RULE AND TITLE	DATE REVISED	
6Hx7-2.6 Speech, Assembly and Distribution of Information	August 28, 2024	

Purpose

The purpose of this procedure is to inform members of the Florida State College at Jacksonville (College) community and the public of the manner in which they may engage in constitutionally protected speech, expression or the distribution of information at the College in accordance with the Campus Free Expression Act of 2018 (F.S. 1004.097) while protecting the primary educational purpose of the College and its business operations.

Procedure

A. Public Assembly on Common Areas

1. Common areas (outdoor areas) on College grounds may be used for informal public assemblies and as forums that encourage open expression and exchange of ideas. Pursuant to section 1004.097, Florida Statutes; "Outdoor areas of campus means generally accessible areas of a campus of a public institution of higher education in which members of the campus community are commonly allowed, including grassy areas, walkways, or other similar common areas. The term does not include outdoor areas of campus to which access is restricted."

B. Sponsored Assemblies and Organized Activities

1. A person or group who wishes to engage in an expressive activity in outdoor areas of campus may do so freely, spontaneously and contemporaneously as long as the person's conduct is lawful and does not materially and substantially disrupt the functioning of the College or infringe upon the rights of other individuals or organizations to engage in expressive activities. Activities or events sponsored by recognized College organizations or clubs shall be approved by the appropriate Campus Dean at least three (3) working days in advance. In scheduling, College sponsored events or activities involving academic assignments, research, services or other educational functions will receive priority.
2. Student assemblies and other organized activities may not take place indoors without specific permission from the appropriate Campus Dean, or designee. Classrooms and administrative areas of the campus are considered limited public forums, and in some cases private forums and as such subject to limitations imposed on students through established classroom decorum and College protocol, which protect and advance the educational purpose and mission of the institution.
3. Persons and groups from outside the College community who engage in organized free speech activities on campus may be subject to the College's rules and procedures regarding the use/rental of College facilities, which may require charges to use the facilities and/or an executed indemnity agreement. Such rules and procedures shall be enforced in a content neutral manner.

C. Prohibited Conduct


1. The College prohibits any person from interfering with College and authorized functions, activities, and events and from participating in unlawful conduct. As such, no person may engage in the following:



ADMINISTRATIVE PROCEDURE MANUAL

SECTION TITLE	NUMBER	PAGE
PUBLIC ASSEMBLY AND DISTRIBUTION OF INFORMATION	02-0705	2 OF 5
BASED ON BOARD OF TRUSTEES' RULE AND TITLE	DATE REVISED	
6Hx7-2.6 Speech, Assembly and Distribution of Information	August 28, 2024	

- a. Obstruct or impede vehicular, bicycle, pedestrian, or other traffic;
 - b. Obstruct any entrance or exit to any building, assembly space, driveway, parking lot, vehicular path, stairway or walkway or impede entry to or exit from any such area;
 - c. Build or construct any shelter, barrier, or other physical structure;
 - d. Camping as defined in Municipal Ordinance and Florida Statutes;
 - e. Disrupt, disturb, or interfere with educational or administrative activities, events, or operations inside or outside any building;
 - f. Enter into any building or facility or occupy any College building without appropriate authorization;
 - g. Violate any applicable federal, state, or local law, rule, or ordinance;
 - h. Fail to comply with any reasonable instruction by College police or any College official acting in the performance of their duty;
 - i. Cause any threat to the health or safety of any passerby or member of the College community;
 - j. Engage in harassing conduct as defined in the Student Conduct Code, and College policies and procedures which includes any gesture, written, verbal or physical act or any electronic communication that places a person in reasonable fear of harm to their person or damage to their property, infringes upon rights of personal privacy, has the effect of substantially interfering with a reasonable person's academic performance or ability to participate in opportunities or benefits provided by the College, or has the effect of substantially interfering with the orderly operation of the College;
 - k. Obstruct, disrupt, or attempt by physical force to cancel or discontinue speech by any speaker, or the observation of speech by any person intending to see or hear a speaker;
 - l. Damage College property, including but not limited to structures, grass, shrubs, trees, fountains, or other landscaping;
 - m. Mark College property, including any vertical or horizontal surface;
 - n. Use amplified sound, including but not limited to bullhorns, airhorns, and noise making devices or instrument, except as approved in advance under applicable policy or procedure and within sound limits that will not disrupt College operations;
 - o. Wear any mask, hood, or device whereby any portion of the face is so hidden, concealed, or covered as to conceal the identity of the wearer;
 - p. Conduct that is in violation of the lawful time, place, and manner restrictions in this procedure;
 - q. Any inflammatory speech that is directed to inciting or producing imminent lawless action and is likely to incite or produce such action.
2. Time, Place and Manner Restrictions
- a. Time, place and manner restrictions are content-neutral limitations that serve the College interest to ensure the health, safety and rights of all members of the College community.
 - b. No person, while participating in any meeting, assembly, picketing activity, demonstration, protest, or gathering demonstration, rally, picket line or other public assembly shall carry or possess any of the following:
 - i. Signs exceeding the size restriction of 24" by 36". Only signs constructed of foam, cardboard, or paper shall be permitted to be carried. Signs may be mounted on sticks or posts provided that the sticks or posts are constructed of wood, foam or plastic and their dimensions do not exceed one-half (1/2) inch in diameter (if round in shape) or one-fourth (1/4) inch thick by two (2) inches wide (if rectangular in shape).

	ADMINISTRATIVE PROCEDURE MANUAL		
	SECTION TITLE	NUMBER	PAGE
	PUBLIC ASSEMBLY AND DISTRIBUTION OF INFORMATION	02-0705	3 OF 5
	BASED ON BOARD OF TRUSTEES' RULE AND TITLE	DATE REVISED	
	6Hx7-2.6 Speech, Assembly and Distribution of Information	August 28, 2024	

- ii. Unmanned signs, banners or flags. All signs, banners and flags must be in the possession of persons at all times, and any unmanned signs, banners or flags will be collected.
- iii. Signs, banners, flags or displays that infer College endorsement either by content or location.

3. Weapons or firearms as defined by Florida Statute 790.001.

- a. Mace or pepper spray unless for the purpose of personal protection.
- b. Bats or other club-like objects.
- c. Face shields, or gas masks, hand-held shields or helmets.
- d. Other masks or disguises that are worn with the intent of threatening the safety of others of evading or escaping discovery, recognition or identification in the commission of violations of College regulations or policies, or other applicable laws or ordinances.

4. Flammable liquids

- a. Torches or other open flames, except as authorized by College officials.

5. Wagons, carts or ladders, except as authorized by College officials, or other items that could be used to barricade or to push or manipulate crowds.

6. Any items reasonably determined by the College President, or designee, to be a public safety hazard.

7. Meetings, assemblies, picketing activities, demonstrations, protests and gatherings are subject to the following restrictions:

- a. The College may place limits on the attendance of expressive activities based upon the capacity of the forum.
- b. Outdoor events are only permitted between sunrise and sundown unless prior approval is granted from the College (i.e. scheduled sports competitions located in properly lighted space designed for such activity) and scheduled through Campus Recreation.
- c. Events are not permitted to block ingress or egress to any building or pathway, stairs, landings or other areas deemed to create a hazard to the safety of the community.

D. Commercial sales and solicitation

- 1. Businesses, agencies, charities or other entities seeking to engage in commercial activities and solicitation shall comply with the requirements in APM 05-0701, Vendor on Campus and request permission to come onto College property for such purposes through the appropriate Campus Dean, or designee. Other commercial activity on College property may be permitted through a contract entered into with such party, such as a sponsorship or advertising contract.
- 2. Unless approved in advance or otherwise permitted by contract, all commercial solicitation or sales is prohibited, including the distribution of commercial printed materials.

ADMINISTRATIVE PROCEDURE MANUAL		
SECTION TITLE	NUMBER	PAGE
PUBLIC ASSEMBLY AND DISTRIBUTION OF INFORMATION	02-0705	4 OF 5
BASED ON BOARD OF TRUSTEES' RULE AND TITLE	DATE REVISED	
6Hx7-2.6 Speech, Assembly and Distribution of Information	August 28, 2024	

E. Distribution and Posting of Printed Materials and Literature (non-commercial):

1. Printed materials include notices, handbills, leaflets, pamphlets, newspapers, signs, posters, magazines and similar printed papers. Printed materials may only be distributed in outdoor common areas of the College.
2. No printed materials may be distributed within College buildings and facilities, including athletic fields and recreational areas. Printed materials may not be distributed in any manner that interferes with access to buildings or facilities. No material of any kind (commercial or non-commercial) may be placed on automobile windshields.
3. The College has established areas throughout campus where printed material may be posted without prior authorization. The posting of any items advocating illegal, pornographic or violent activity or otherwise interfering with the orderly functioning of the institution is prohibited.
4. Specific departmental or administrative bulletin boards are for the exclusive use of members of those academic or administrative areas where they are located, and such bulletin boards are provided exclusively for the posting of official business or information originating from the applicable College academic or administrative units. Irrelevant items that are posted without administrative approval will be removed.

F. Circulation of Petitions and Surveys


1. Informal petitions and surveys may be conducted in outdoor common areas of the College. Petitions and surveys may not occur within College buildings and facilities, including athletic fields and recreational areas. Petitions and surveys may not be conducted in any manner that interferes with access to buildings or facilities. Those that require a table or station to conduct a petition or survey must receive prior permission from the appropriate Campus Dean, or designee.
2. Petitions and surveys shall be conducted in a courteous manner without any coercion or force. In no case shall tactics of harassment or intimidation be used to solicit participation in signing a petition. Students and employees should not be approached; rather those petitioning and circulating surveys should await students and others to approach them.

G. Silent and Personal Expressions of Free Speech

1. Silent expressions of free speech where confined to one's immediate person such as speech found on clothing or other personal belongings, or the displaying of buttons, pins and armbands are allowed. However, such expressions are subject to the College's rules and procedures relating to behavior that may constitute illegal harassment or be unreasonably disruptive.

H. Exhibits and Displays on College Premises

1. Pre-approval from the appropriate Campus Dean, or designee, of times and locations of display is required prior to formally addressing the College community while using tables, chairs or other accessories for exhibits and displays. Chartered student organizations, campus visitors and students are permitted to have exhibits and displays on College property in accordance with the same

	ADMINISTRATIVE PROCEDURE MANUAL		
	SECTION TITLE	NUMBER	PAGE
	PUBLIC ASSEMBLY AND DISTRIBUTION OF INFORMATION	02-0705	5 OF 5
	BASED ON BOARD OF TRUSTEES' RULE AND TITLE	DATE REVISED	
	6Hx7-2.6 Speech, Assembly and Distribution of Information	August 28, 2024	

guidelines as set forth above for organized public assemblies. The College reserves the right to set limits per event or organization in order to allow equitable access.

I. Non-Compliance

1. All individuals and organizations disseminating any information on campus are subject to sanctions for failure to comply with this procedure. Such sanctions may include payment of reasonable charges resulting from non-compliance, including repairing, cleaning, painting and/or replacement costs. College students and employees may be subject to institutional disciplinary or administrative action as stated in the Student Conduct Code and/or applicable College rules and procedures. Outside entities may be issued a trespass warning and denied future access to College premises.

REFERENCES: F.S. 790.001, 817.568(1)(c), 1001.64, 1001.65, 1004.097, United States Constitution Amendment I

Adopted Date: February 10, 2015
 Reviewed Date: March 14, 2016
 Revised Date: October 30, 2019, August 28, 2024