

**Manhattan Area Technical College
Institutional Policy and Procedure Manual**

Policy No. 3.8.2

Title: Free Expression and Expressive Activities	
Originated By: Neil Ross, AVP of Institutional Effectiveness & Operations	Date:
President / Board of Directors Approval Date:	
Revised by:	
Revision/Review Date:	

Policy Statement

Manhattan Area Technical College recognizes freedom of expression as a fundamental right and is committed to protecting lawful freedom of speech, expression, association, religion, peaceful assembly, and the open exchange of ideas and viewpoints consistent with applicable state and federal law.

Rationale

The First Amendment to the United States Constitution protects freedom of speech, freedom of the press, freedom of religion, freedom of association, and the right to petition the government.

In accordance with Kansas HB 2333 (Kansas Intellectual Rights and Knowledge Act), Manhattan Area Technical College protects the rights of individuals to engage in lawful, noncommercial expressive activities on campus, provided such activities do not materially and substantially disrupt the functioning of the College or the lawful expressive activities of others.

This policy establishes the College's expectations for expressive activities on College property and provides for the protection of free expression while maintaining safe and orderly College operations.

Expressive Activities on Campus

1. Generally accessible outdoor areas of the Manhattan Area Technical College campus are public forums for expressive activities. Outdoor areas where access is restricted are not considered generally accessible outdoor areas.
2. The College will not establish or maintain designated "free speech zones" or otherwise limit protected expressive activities exclusively to designated areas of campus.
3. Generally accessible outdoor areas that are not otherwise reserved or in use for a scheduled College event or activity are available for individuals to engage in lawful noncommercial expressive activities.
4. Members of the campus community may gather, speak, or distribute literature in generally accessible outdoor areas without advance notice, reservation, or approval, consistent with applicable law and this policy.
5. Individuals may not intentionally, materially, and substantially disrupt:
 - the functioning or operations of the College;
 - another individual's lawful expressive activity;
 - an expressive activity occurring in a campus space properly reserved for such activity;
 - access to College buildings, walkways, roadways, or other facilities; or
 - another person's ability to attend, hear, view, or participate in an expressive activity through force, violence, physical obstruction, threats, or other unlawful behavior.
6. The use of sound amplification is permitted when it does not materially and substantially disrupt College operations, instruction, or other lawful activities.
7. Expressive activities may not damage College or private property, create an unlawful safety hazard, or materially and substantially interfere with College operations.

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Reasonable Time, Place, and Manner Restrictions

The College may maintain and enforce reasonable time, place, and manner restrictions on expressive activities when such restrictions:

- serve a significant institutional interest;
- are narrowly tailored;
- are clear and published in advance;
- are content-neutral and viewpoint-neutral;
- provide adequate alternative means of expression; and
- allow individuals to gather, speak, or distribute literature without advance notice or approval, as required by law.

The College will not restrict expressive activity solely because the ideas or viewpoints expressed are controversial, unpopular, offensive, political, religious, or ideological.

Campus Facilities and Events

College facilities may be reserved for events and activities in accordance with applicable College facility-use procedures. Facility reservation requirements shall be administered without regard to the content or viewpoint of protected expression. When security fees are assessed in connection with an expressive activity requiring a permit or reservation, such fees shall be determined using published, content-neutral and viewpoint-neutral criteria. Security fees will not be increased based on the content or viewpoint of the expressive activity, the speaker, or anticipated opposition to the activity.

Relationship to Other College Policies

Nothing in this policy shall be interpreted to protect unlawful conduct or expression that is not protected by applicable law. Nothing in this policy, or any other College policy, shall be interpreted or applied to prohibit expression protected by the First Amendment to the United States Constitution, the Kansas Constitution, or applicable Kansas law. The College retains its authority and responsibility to address discrimination, harassment, threats, violence, unlawful conduct, material and substantial disruption, and other conduct as permitted or required by applicable state and federal law.

Publication and Education

The College will publish its policies, regulations, and expectations concerning free expression on its website and include applicable information in student handbooks and orientation programs. The College will develop and provide appropriate materials, programs, and procedures to ensure that individuals responsible for student discipline or education understand the College's policies, responsibilities, and obligations concerning free expression.

Compliance and Reporting

The College will maintain appropriate procedures and records and will complete, submit, and make publicly available any reports concerning free expression as required by applicable law.