
**LAKE-SUMTER STATE COLLEGE
ADMINISTRATIVE PROCEDURE**

**TITLE: SPEECH, EXPRESSION, AND COMMERCIAL ACTIVITY
ON COLLEGE PROPERTY**

NUMBER: PRO 2-26

**REFERENCE: F.S. 1004.097, F.S. 102.031, F.S. 871.01, F.S. 790
PRO 7-16 Internal College Events & Facility Usage**

PAGE 1 OF 5

I. PURPOSE

The College values the freedoms of speech, thought, expression, and assembly as part of its core educational and intellectual mission while also maintaining the integrity of the

Demonstrations, assemblies, and dissemination of information are valid expressions, whether in support or dissenting opinions provided they do not materially and substantially disrupt the academic and administrative functions of the College or infringe upon the rights of other individuals or organizations to engage in expressive activities. It is not the role of the College to shield individuals from protected expressive activities, including, without limitation, ideas and opinions they may find unwelcome, disagreeable, or even deeply offensive.

This procedure in no way prohibits individuals from engaging in conversations at the College but rather ensures that:

1. Students and non-students have the freedom to engage in outdoor expressive activities within the limits of reasonable content neutral restrictions on time, place, and manner of expression that are consistent in accordance with the Florida Campus Free Expression Act provided they do not materially disrupt previously scheduled or reserved activities on campus;
2. Students and non-students are permitted to assemble and engage in spontaneous protected outdoor expressive activity, as long as such activity is not unlawful and does not materially and substantially disrupt significant college interests;
3. The College campus and facilities are available to speakers sponsored by student groups or departments/programs pursuant to college procedures;
4. Commercial speech is not protected by law as an expressive activity.

The College affirms its commitment to freedom of speech, assembly, and expression even when the language or ideas of those seeking a venue for free expression may contradict the College's ideals and policies or the personal views of college employees and students. The content of expressive activities will not be considered in regulating speech in outdoor areas, except to the extent permitted by law. The College prohibits free speech zones, but may place reasonable limitations on time, place, and manner of speech. The College does not take a position on the content or viewpoint of the expression, but rather allows for a diversity of viewpoints to be expressed.

IV. DEFINITIONS

- a. **Commercial speech** - speech in which the individual is engaged in commerce, the intended audience is commercial or actual or potential consumers, and the content of the message is commercial. Fundraising, including political fundraising, is considered solicitation and is therefore deemed commercial speech under this procedure.
- b. **Expressive activities on campus** - activities protected under the First Amendment to the United States Constitution and Article I of the Florida Constitution, including any lawful oral or written communication of ideas, including all lawful forms of peaceful assembly, protests, and speeches; distributing literature; carrying signs; circulating petitions; and the recording and publication, including the Internet publication, or video or audio recorded in outdoor areas of campus.
- c. **Indoor areas of campus** - generally include classrooms or classroom buildings; interior
n

conduct that is protected under the First Amendment to the United States Constitution and Art. I of the State Constitution, including, but not limited to, lawful protests and counter-protests in the outdoor areas of campus or minor, brief, or fleeting nonviolent disruptions that are isolated or brief in duration.

- e. **Outdoor areas of campus** - 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.
- f. **Student** - any person who has provided LSSC with all the required admission documents and is officially enrolled in classes pursuant to LSSC Administrative Procedure 4-13, or who has been enrolled in credit courses at LSSC within any of the last three academic semesters.
- g. **Non-student** - any person other than a student as described above, to include LSSC employees, contract employees and all visitors and guests.

V. EXPRESSIVE ACTIVITIES IN OUTDOOR AREAS

Expressive activities, defined as those activities protected under the First Amendment to the United States Constitution and Article I of the Florida Constitution, including any lawful oral or written communication of ideas, including all lawful forms of peaceful assembly, protests, and speeches; distributing literature; carrying signs; circulating petitions; and the recording and publication, including the Internet publication, or video or audio recorded in outdoor areas of campus, shall be permitted in outdoor areas of college property with general access, subject to the limitations described below:

- a. Students and non-students may reserve and use available outdoor spaces for any legal purpose, including to engage in expressive activities subject to this procedure. Students and non-students may also spontaneously use areas such as sidewalks, walkways, and grassy areas between buildings for expressive activities as long as the conduct is lawful and does not materially and substantially disrupt the functioning of the College or infringe upon the rights of others to engage in expressive activities or materially disrupt previously scheduled or reserved activities on campus.
- b. Outdoor areas where expressive activities may not occur include areas of restricted access as identified by the College, which include but are not limited to areas being used as outdoor classrooms or educational training; areas to which access is restricted due to operational or safety protocols, such as energy or maintenance control areas, and outdoor areas of campus that are not open to the community for general use by third

procedures related to college events. The College does not permit students and non-students to bring and set up their own tables and chairs in outdoor areas of campus.

- f. Students and non-students who engage in expressive activities in permitted outdoor areas may do so freely, spontaneously, and contemporaneously as long as the conduct is

PROCEDURE 2-