

Student Peaceful Assembly and Forum Policy

Policy Number:

Category: Student Services

POLICY STATEMENT

As a public educational institution in Kansas, the buildings, facilities, and grounds of the College are dedicated to education and the fulfillment of the College's mission to provide high-quality instruction and make original contributions to knowledge and human understanding. The public character of the College does not grant to individuals an unlimited license to engage in activity which limits, interferes with, or otherwise disrupts the normal activities for and to which the College's buildings, facilities, and grounds are dedicated. In compliance with the **Kansas Intellectual Rights and Knowledge Act (KIRK Act)**, all unrestricted outdoor areas of the College campus are deemed **public forums for non-commercial expressive activities**. "Expressive activity" means lawful verbal, written, audio-visual, or electronic means by which individuals may communicate ideas to one another. This includes, but is not limited to peaceful assembly, protests, speeches, guest speaker presentations, distribution of literature, holding signs and circulating petitions. The time, place, and manner regulations contained herein are content- and viewpoint-neutral, narrowly tailored to serve a significant institutional interest, and intended to balance the College's operational needs with robust First Amendment protections.

The Event must be in accordance with all College policies and regulations, regulations and policies of the Kansas Board of Regents, local ordinances and/or state or federal laws.

PROCEDURES

1. **Right to Assembly:** Subject to the regulations and requirements of this policy, individuals and groups may use the outdoor public forums of the Garden City Community College campus for First Amendment activities.
2. **Reservation Protocols & Spontaneous Assembly**
 - Written application should be made for the intent to be on campus to engage in First Amendment activities (hereinafter "the Event") shall be provided to the Vice President for Student Services no later than one- week (7 calendar days) prior to the Event.
 - In compliance with the **Kirk Act**, members of the campus community (invited guests of such students, faculty, staff, and administrators) have the explicit right to spontaneously assemble and distribute literature in unrestricted outdoor areas without prior administrative notice or permit application, provided the gathering remains non-commercial and non-disruptive.
3. **Scheduling Conflicts:** The use of an outdoor area for a reserved Event may not conflict with any previously scheduled College event or activity where it is reasonably anticipated that more than fifty (50) people will attend. However, scheduling restrictions cannot be used to completely deny space for spontaneous expression elsewhere on campus.
4. **Hours of Operation:** Scheduled Events requiring institutional resources are generally limited between the hours of 8:00 am and 8:00 pm, Monday through Friday.
 - The College may charge security fees based on the rates of the on-duty officer to a student or student association as part of an application for any expressive activity that requires a permit, except that no fees may be assessed based on the content of the expressive activity of the student, student organization, an invited guest or anticipated

reaction to the expressive activity of such student, student organization or invited guest.

5. **No Restrictive Free Speech Zones:** Expressive activities are hereby deemed protected and outdoor areas of campus are hereby deemed public forums for the campus community to engage in expressive activities. The College shall not create free speech zones or other designated areas of campus outside of which expressive activities are prohibited.
6. **Sound Amplification:** The use of sound amplification devices is permitted in open outdoor areas as long as it is used at a volume that does not materially and substantially disrupt or disturb the normal use of classrooms, residence halls, offices, laboratories or any previously scheduled College activity.
7. **Literature Distribution:** Information and literature may be freely distributed in public campus forums as long as it is not obscene, libelous or does not advocate imminent unlawful conduct. The College allows spontaneously and contemporaneously assemble, speak or distribute literature. The Sponsoring Organization is encouraged, but not required, to include its name and address on the distributed information.
8. **Commercial Solicitation Prohibited:** Solicitations of funds, or activities where products or services are offered for sale, shall not occur in connection with the Event.
9. **Indoor Spaces:** No demonstrations or assemblies associated with the outdoor Event may occur inside a College building without separate, formal facility reservation approval.
10. **Restoration of Grounds:** The College campus should be cleaned up and left in its original condition and may be subject to inspection by a representative of the College after the event. Reasonable charges may be assessed against the Sponsoring Organization for the costs of extraordinary clean-up or for the repair of damaged property.
11. **Regulatory Compliance:** All fire, safety, sanitation, or special regulations specified for the Event are to be honored.
12. **Utility Access:** The College will not provide utility connections or hook-ups for purposes of First Amendment activities conducted pursuant to this policy.
13. **Traffic & Ingress/Egress:** The Event must not obstruct vehicular, bicycle, pedestrian or other traffic or otherwise interfere with ingress or egress to the College, or to College buildings or facilities, or to College activities or events.
14. **Safety Hazards:** The Event must not create safety hazards or pose unreasonable safety risks to College students, employees, or invitees to the College.
15. **Material and Substantial Disruption:** The Event must not interfere with educational activities inside or outside any College building or otherwise prevent the College from fulfilling its mission and achieving its primary purpose of providing an education to its students.
16. **Enforcement & Intervention:** If the Event becomes disruptive, the College will take appropriate action to limit or terminate the activity. If the Event area is not restored to its original condition, the organizer will be assessed for any damage and cleaning fees necessary.
17. **Student Organization Non-discrimination:** In accordance with the **KIRK Act**, student groups/organizations, including those with political, religious, or ideological missions, shall not be denied benefits, or recognition available to other student groups based on their beliefs, values, or the tenets of their mission statement.

Administration & Remedies

- Content Neutrality:

- The President of the College or designee may authorize First Amendment activities which are reasonably determined not to cause disruption of College activities despite a literal violation of this policy's operational limits. Such determination shall be made strictly without consideration of the content, viewpoint, or message of the activities.
- The President of the College or designee may at any time, terminate, cancel or prohibit the Event if it is determined, after proper inquiry, that the Event does constitute or will constitute a clear and present danger to the College's orderly operation.
- Any person determined to be violating this policy is subject to an order from the Garden City Community College Police to leave the College campus. Persons failing to comply with such an order to leave the College campus are subject to arrest for criminal trespass.
- The College recognizes and supports the rights of non-College groups to engage in First Amendment activities. This policy shall be interpreted and construed to support such activities while simultaneously balancing the needs and interests of the College to fulfill its mission as an educational institution in Kansas.
- **Civil Action and Damages:** Pursuant to the statutory enforcement mechanisms of the **KIRK Act**, any individual or student association whose expressive rights are violated by an institutional breach of this policy may bring a civil action against the College in a court of competent jurisdiction to enjoin a violation of this act and recover damages, reasonable court costs and attorney fees. The College may be held liable for actual damages, statutory damages of at least \$500 per violation plus \$50 for each day that such violation continues.
- **Annual Compliance Reporting:** The College will submit an annual report to the governor and the legislature on or before the first day of the regular legislative session.
 - The College will compile and submit an annual report detailing compliance with free expression policies, including any disruptions or incidents that hindered expressive activities on campus.
 - The report shall be accessible from the Garden City Community College website home page.

Policy History

June 10, 2026: Revised