

College Council Minutes

02/28/2018, 2:00pm, Boardroom

Topic	Speaker/Topic Requestor
Present	Craig Taylor, Jim Salt, Marge Hamilton, Grant Matthews, Chris Rehn, Pat Griffin
Membership update	Sara Fox Chair will be no longer with the Council. Elizabeth Andrade will be the new representative of the Classified group. Jim Salt was nominated for the chair position Voting: Majority in favor, one voting sideways
Prior Minutes Approval	Minutes of the meetings of 1/24/18 and 2/14/18 were tabled for next meeting. Last meeting minutes 02/28/18
Agenda Review	Items added Digitalized minutes Academic & Student Affairs Vice President search update Revised to flexibility
Budget Forum 3/6/18 Institutional Effectiveness 4/25/18, 2:00pm-4:00pm, Jane Harmon & Jen Steele to facilitate Budget Forum 5/14/18	Budget forum scheduled for 3/6 2-3:30 pm was moved to 3/15/18 At the same time. Budget Development Subcommittee will send the reviewed budget report by next Thursday. IEC Jim Salt will talk with Jen Steele about reducing forum time. Budget Forum on 5-14-2018 will include the report of the final budget to the board.
Bristow Square Task Force Report presented by Jessica Alvarado	Jessica walked the council through the report (attached) prepared by the task force group. Proposal: establish a new board policy and a new college policy. Discussion: Clean the version presented and then send to the other councils for their input. The end game might be to present a recommendation for Board policy. There is no rationale on why some are board policies and others college. Misuse of language regarding to policy word. Policies are used at board level, the others are merely administratively rules that guide the institution. Board polices have no flexibility. Administrative rules are flexible. President is the only employee of the board, board policies are her guidebook. COOPS are the operational rules. Action: next meeting Jessica will present feedback and determine next

	<p>steps.</p> <p>Chair of Council and President Hamilton, will send official thanks to the task force.</p>
All Council Reschedule	<p>Craig Taylor and Jim Salt will facilitate this meeting.</p> <p>It will be a year wrap up session later in spring term, 5/16, 3-5 pm</p> <p>One of the items in the agenda will be listen what parts of their plans were not completed.</p> <p>CC Chair will reach out to chair and vice-chairs of the councils.</p>
<p>Subcommittees of College Council</p> <ul style="list-style-type: none"> • Budget Development • Governance • Policy 	<p>Budget Development</p> <p>Trying to develop a consensus budget. The administration plan that will be presented to the Board has been developed outside of the subcommittee. The BDS has got a piece of information this morning, but it is not complete, since the board makes recommendations based on that, it is frustrating. Once again the BDS has not been able to do the budget on a timeline way. There is two separate process, President Hamilton told the board that the budget will come from this group but that is not the practice.</p> <p>BDS has reach consensus on some things, the budget will not be as painful as last year.</p> <p>President Hamilton took responsibility for lateness of the budget, it has been because of the practice used by the budget office. She had requested that some pieces of information be sent to the BDS back in December, as soon as they were discussed. She requested for suggestions on ways that can be improved for next time. President Hamilton wants to bring the information out soon because she wants to hear from staff on things that the administration might have missed.</p> <p>Policy subcommittee, no meetings yet.</p> <p>Governance subcommittee, will be reviewing the college structure and the governance system within.</p>
Reports:	No time for reports
Adjourn	4:10 pm

BRISTOW SQUARE TASK FORCE REPORT 2/28/18

Facilitator/Participants: Meeting dates 1/8, 22&29; and 2/5 and 2/26

- Jessica Alvarado - Counseling, Faculty Council Co-Chair, College Council
- Jeffrey Borrowdale - Philosophy, faculty advisor for student group Young Americans for Liberty
- Sara Fox- Project Coordinator Student Standards, College Council Co Chair
- Mark Harris - Substance Abuse Recovery/Diversity Council
- Hannah Molen –Chief of Staff of Student Government
- Brett Rowlett –Director of Governmental and Community Relations

Primary responsibilities of task force: Review events of early October 2017 when an Anti-Genocide group in Bristow Square presented large graphic images that were considered disturbing to a large number of campus members including students, staff and administrators. The tasks include the following: gather input, review current policies and procedures, and produce recommendations.

College Council hosted a forum February 7th for the campus community to debrief what happened, receive feedback and gather recommendations. Around 40 people participated including the following task force members – Jessica Alvarado, Sara Fox, Mark Harris, Hannah Molen and Brett Rowlet. Jane Harmon Interim Vice President facilitated the conversation.

We have received input from the following people/groups and ourselves:

Participants present at the open forum – see notes.

Students groups:

Young Americans for Liberty

Student Government

Work Groups:

Public Safety and Threat Assessment Team

Gender Equity Center

Student Life and Leadership

Counseling and Career

Faculty:

Pat Boleyn - Science

Bill Burrows - Economics

Kendra Burrows – Psychology

Marc Duyck – Physical Therapist Assistant

Eric Kim – Psychology

Stan Taylor - Political Science

Nathan Waddell – Music, Dance, Theatre Arts

Classified campus members:

Dana Castro – HR Recruitment Analyst

Russell Ruddy – Specialized Support Services

Richard Weber – Information Technology

Please see attached minutes from our meetings. Some of these include feedback from the specific groups listed above.

We used the following additional sources of information:

- 1 Webinar – Free Speech versus Hate Speech FSHS– see attached notes
- 2 UCLA Equity, Diversity and Inclusion *Free Speech on Campus: The Basics, The Myths, The Challenges – released 11/09/2017*
- 3 *Obama Perspective – Trigger Warnings: Obama criticizes the Language Police On College Campuses* <http://www.forbes.com/sites/karinagness/2015/10/30/trigger-warning-obama-criticizes-the-language-police-on-college-campuses/#62c2eb95f14e>
- 4 17/18 Lane College Catalog page 68 Student Rights and Responsibilities
- 5 Lane Speech and Communication Studies Department CREDO for Ethical Communication from the National Communication Association
- 6 Lane Speech and Communication Studies Department CREDO for Free and Responsible Communication in a Democratic Society
- 7 COPPS Facilities Fees; Community Use; Scheduling; Use in General
- 8 COPPS Harassment Based on Race or Ethnicity or National Origin
- 9 COPPS Freedom of Inquiry and Expression
- 10 COPPS Distribution of Literature
- 11 COPPS Information Technology: Appropriate Use of Technology
- 12 Student Code of Conduct – January 2016 document
- 13 UO Message from VP for Student Life to students for same group that came in October
- 14 Communication from Kerry Levett to students a few days after display
- 15 Communication to students via myLane Monday morning first day of the display.
- 16 LBCC Policy and Procedures example – that could possibly be adopted. These policies have been approved by FIRE (Foundation for Individual Rights in Education). <https://www.thefire.org/> Initial word search replaces LBCC with Lane in provided material.
- 17 First Amendment: Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

We started our work answering the following questions from the webinar Free Speech versus Hate Speech (FSHS).

- 1) Does our institution have a clear statement of its principles and values with regard to freedom of expression, campus speech and security, commitment to civility and community? Do our leaders

understand the boundaries between protected and unprotected speech? Have we engaged the campus community in the development of these principles?

[We saw a need for improvement in response to each of these questions. Our work will address the first question. The second and third questions represent the need for ongoing work across campus.]

2) Does our institution have sufficient resources committed to creating an equitable educational environment? Do we have well developed educational programs to support a diverse and inclusive learning environment? Do we have effective systems in place for making and responding to complaints of discrimination and harassment?

[We think this represents ongoing work across campus in various departments – Administration, Academic Divisions, , Center for Accessible Resources, Public Safety, Student Life and Leadership, and Student Affairs]

3) Has our institution reviewed policies and procedures related to scheduling speakers on campus and planned for the possibility of protests and counter protests? Has our institution designated a leadership team to anticipate or respond to these issues?

[We see this as an area the Bristow Square Task Force can address as will be seen included in the following recommendations]

The following recommendations are from Jessica Alvarado, Jeffrey Borrowdale Mark Harris, Hannah Molen, Sara Fox. Rather than providing a unique list from each person I will be combining where possible our work.

Also the work completed by Linn Benton Community College that has passed the review by FIRE (Foundation for Individual Rights in Education) <https://www.thefire.org/> provides an excellent template for policies, processes and web presence that could be adopted by Lane and incorporate a number of recommendations we also were going to make. I will attach the original packet that that I received a revised copy that reflects the views of this Task Force.

Please see LBCC web information <http://linnbenton.edu/current-students/administration-information/policies/freedom-of-expression/freedom-of-expression> as this may be a useful template for Lane.

LBCC and the LBCC Board of Education believe that freedom of expression is essential to the fulfillment of our mission, values, and goals.

We believe that engaging with individuals and groups with beliefs and perspectives different from our own is a learning experience that enhances our understanding of the world and ourselves. We believe that as an inclusive college, LBCC commits to protecting and creating the opportunity for expression by all of us in a manner that fosters inquiry, debate, and understanding. We accept that we will encounter expression that may create a wide range of feelings, including discomfort, anger, frustration, and offense. We value the learning experience that results from thoughtful engagement with all protected expression, knowing free expression is necessary for accomplishing our mission and sustaining our values.

For questions regarding student rights and expressive activities at **LANE**, please contact the Administrative Office of the Vice President and Dean of Student Affairs, **541-917-4806** or **541-917-4848**. You may also visit [Public Safety](#).

FSHS Webinr: Does our institution have a clear statement of its principles and values with regard to freedom of expression, campus speech and security, commitment to civility and community?

The referenced url pages above does a nice job of providing a clear statement.

FSHS: Has our institution reviewed policies and procedures related to scheduling speakers on campus and planned for the possibility of protests and counter protests?

The following provides an example that could be adopted by Lane.

From Linn Benton Community College

BOARD POLICY SERIES NUMBER: ????

TITLE: FREEDOM OF EXPRESSION

PURPOSE

LANE and the **LANE** Board of Education believe that freedom of expression is essential to the fulfillment of our mission, values, and goals. The purpose of this policy is to affirm and guide our deep commitment to free expression.

STATEMENT

The Board of Education directs the President to establish content neutral **COPPS policies and procedures, Codes of Conduct, and practices** that establish allowable time, place and manner of free expression that supports the mission and the learning activities of the college. We believe that engaging with individuals and groups with beliefs and perspectives different from our own is a learning experience that enhances our understanding of the world and ourselves. We believe that as an inclusive college, **LANE** commits to protecting and creating the opportunity for expression by all of us in a manner that fosters inquiry, debate, and understanding. We accept that we will encounter expression that may create a wide range of feelings, including discomfort, anger, frustration, and offense. We value the learning

experience that results from thoughtful engagement with all protected expression, knowing free expression is necessary for accomplishing our mission and sustaining our values.

DATE OF ADOPTION: ?????

The above would serve as the umbrella policy for the procedures prescribed below.

Note the webpage provides a user friendly resource for both in house and community member use.

<http://linnbenton.edu/current-students/administration-information/policies/freedom-of-expression/freedom-of-expression>

The following are the Administrative Rules from Linn Benton Community College LBCC. We are replacing LBCC with LANE and it includes our edits. Note in **BOLD** our recommended revisions or **Yellow** that signals the need for additional research related to COPPS and/or Board Policies. Please see attached for the original unedited version.

We are recommending the designees of Brett Rowlett Director of Governmental and Community Relations to have the primary role in working with outside groups who are requesting use of public spaces. We want to move away from the nomenclature of “Free Speech” to emphasize instead “public spaces” and to also emphasize the need for a coordinated and systemic process that allows for notification of campus stakeholder groups and that provides a reasonable amount of time for resources and/or counter protests to be organized.

The Task Force group unanimously agree that a Lane campus designated person needs to be identified to work with non-campus affiliated requests to use public spaces. We are also recommending that the application be called a “facility use permit” to de-emphasize the perception of “Approval” based on content. We believe that the review process and provision of permits needs to be “content neutral” and that all requests be considered equally. We do not fully agree on what is considered “reasonable” time for processing but most agreed to 2 to 4 weeks with the added provision that “some exceptions may apply.” Also, if a group that has already completed the Facility Use Permit process proposes a date change this would need to be considered a new request and may or may not be permitted if a group is requesting a date earlier than was previously approved.

Related to the ability of the college to recoup additional expenses that may result from facility use we are recommending a \$100 refundable deposit – should no additional campus costs result in the presence of an outside group we could add “some exceptions may apply.” Debate around additional cost was around the concept that should these occur (e.g. additional public safety officers and property damage) that it’s likely most of these circumstances are going to cost well above \$100. Another point provided is that imposing even a \$100 deposit could be cost prohibitive and seen as an intentional impediment. In the least the language provided to prospective campus visitors needs to be a notification that should additional dollars

be spent in response to the presence of an outside group that the college will take active steps toward recouping the costs. Also see COPPS Facilities Fees – we may or may not want to edit some of this to address non-affiliated groups.

I replaced Vice President of Student Affairs with Brett Rowlett –as per this Task Force recommendation as the identified campus representative.

From Linn Benton Community College Administrative Rules draft – see below with my edits.

TITLE: TIME, PLACE AND MANNER

PURPOSE

To establish content neutral parameters of time, place, and manner for the diverse forms of free expression.

STATEMENT

The College reserves the right to manage the time, place, and manner of expression in order to fulfill the educational purpose of the College. Upholding this interest means that we may define the use of campus-controlled spaces, establish the time our spaces are used for a particular purpose, and we may designate the types of allowable activities in a specific space. Faculty instructional expression is governed by policy, rules, and contracts defining academic freedom.

This rule ensures that we value and respect the rights of students and guests to share their views and be able to choose what perspectives they engage with in areas beyond the classroom. **Brett Rowlett** or designee, has responsibility for the administration and implementation of reasonable time, place, and manner rules, consistent with LANE’s policies pertaining to free expression. This rule attempts to create a complete guide of the times, places, and manner of free expression permitted at LANE.

The inclusion of specific forms of expression in this rule intentionally excludes those forms of expression not described here. If an individual or group desires to use college resources at a time or in a manner not listed here, that expression is not permitted. In allowing for innovation and new means of communicating, individuals or groups may consult with Brett Rowlett or designee for an “exception ruling” to approve a form of expression not described or anticipated in this rule. The decision of that office shall be final and not subject to appeal.

Regardless of the type or location of an expressive activity, all individuals and organizations are to ensure that:

Activities in all spaces must follow institutional policies and rules; and local, state, and federal laws, including laws regarding fire prevention and safety, accessibility, harassment and unlawful discrimination. Activities must allow for the uninterrupted flow of people in areas designed to facilitate the movement of people along walkways, aisles, or through doorways. [formatting challenge here] Activities must be conducted in a manner that does not disrupt or unreasonably interfere with the educational or operational functions of the College.

- Noise levels are to be maintained at a level that does not disrupt other activities.

- In general, sounds at conversational level (at or under 60 decibels measured at five or more feet distance) shall be presumptively acceptable in designated **Public Spaces** absent clear evidence of disruption. LANE library, testing areas and similar areas may establish a reduced volume standard appropriate to the study and purpose of those spaces.
- If college employees allege an expressive event is disruptive to learning or College operations, they may contact Public Safety to assess the decibel level of the impacting expression and to determine in a content-neutral manner whether disruption to learning and/or College business is occurring.
- Sounds or expressive events must work through the Public Safety Department if they wish to use amplifying devices, such as speakers or microphones, and must plan appropriately for safety, health, and protection of hearing. Should amplifying devices be planned, notification shall be provided to College employees **5 business** days in advance to limit adverse impacts on classes and operations. Should amplification interfere with teaching, learning or college operations, the college reserves the right to revoke the privilege to amplify.

The College respects the individual's power of choice regarding what expression to engage with in non-instructional environments.

- The College will use time, place, and manner rules to protect free expression and to show regard for personal choice to engage or not to engage and to **protect minors** from any content which it is unlawful to show them. **See ORS 167.060 OT .080 Displaying obscene materials to minors**
- The College reserves the right to add warnings to any place on our property to assist individuals in navigating campus and exercising their personal choice regarding their experience on campus and to comply with city, state or federal laws.
- Designated public spaces may be reserved for a single purpose or event.
- Events and activities are to adhere to campus rules that maintain a physically safe environment designed to be accessible to all.
- Activities are in spaces LANE has designated for the particular type of activity. **Spaces not designated for the use permit may not be used.**
- Expressive activity which is intended to protest and which does not prevent another speaker from delivering a message is protected expression. However, no person may stop or prevent another person or group's lawful free expression in an Open Public Forum.

Failure to meet the above expectations and guidelines of this rule may result in the cancellation of an activity by the College, in advance or while in progress, and may have consequences enforced based on the student conduct code, other College rules, or legal actions.

The designees of **Brett Rowlett** and the Public Safety department are available for planning, consulting, and assistance in ensuring an activity will meet these and other requirements. **These two groups are also responsible for enforcing the above to the best of their ability.**

FORUM TYPES:

LANE has three types of spaces or "forums" for expression. All the above conditions apply in all three defined forums.

Open Public Forums: LANE has many public spaces where free expression will be protected to our greatest ability during the time the property is not otherwise being used for scheduled College purposes. These spaces include and are not limited to the the **Bristow Square** courtyard, fields, exterior walkways, exterior corridors, and designated community bulletin boards.

Perhaps there could be a color-coded map. These Open Public spaces can be used by individuals and groups, or organizations may use with a facilities use permit/reservation in accordance with this rule. The amount of space to be used will be dependent on the nature of the activity. Students and guests are not restricted in what content or messages they may express in Open Public Forums, except as otherwise noted in this rule.

Where there **are competing requests a particular space**, the College **will** first honor activities sponsored by the College. Once College interests have been satisfied, individuals or organizations not affiliated with the College **may** be granted space on a first-come, first-served basis. The College will make every attempt to provide individuals or organizations access to an Open Public Forum space that supports their activity.

Open Public Forum may be used to convey a message by various means, such as but not limited to displays, notices of events, petitioning, distribution of materials, picketing, or general conversation.

Limited Public Forums: Limited Public Forums are spaces which have a specific designated purpose of conducting College-related business or educational events at certain times, but which may be made available for other expressive activities at other times. Limited Public Forums include but are not limited to **the following** (*We need to list all the areas the college wants to include here - i.e. art galleries, gymnasiums, libraries, learning centers, reception areas in academic buildings or Centers, the commons, cafeteria, etc.*) On specific dates and times, these spaces may be made available for reservation by the **Facilities Use Permit process**. These Limited Public Forums may have written space-use guidelines, usage requirements, and usage fees on file and published on the LANE website or in **COPPS**.

Non Public Forums: Non Public Forums are spaces that serve a designated College function and are not available for any use by the public. These spaces are dedicated either to specific educational activities or to other College business purposes. These spaces include and are not limited to offices, staff work areas, staff desks, bathrooms, mechanical and storage areas, labs, and classrooms (*does Lane want to include other spaces?*). In Non Public Forums, specific learning or business purposes drive use. Students, guests, and employees may be directed as to what topics and behaviors are appropriate in these spaces. Expressive activities inappropriate to the space may be redirected to another time and place.

College Endorsement: The expression associated with speakers, displays, posters or demonstrations, does not constitute an endorsement by **LANE regarding** the views and opinions of the sponsoring individual or organization, including student organizations.

Lawful Exceptions to Free Expression: Regardless of time, place, or manner, expression described below is **unprotected** and may be stopped or sanctioned by the College or referred to law enforcement:

1. Speech **that** incites violence (e.g. Fighting words – see UCLA article) or violates relevant college rules intended to prevent unlawful harassment and discrimination. See **COPPS Harassment Based on Race or Ethnicity or National Origin: General. Prevention of Workplace Violence (Does Lane have a COPPS policy for this?)** Students must also **comply with Student Rights, Responsibilities and Conduct Code (January 2016)** and all other College policies and rules. **True Threats -- Speech which is a direct threat to harm a particular individual or group of persons is unprotected.**
2. Speech which incites lawless behavior is unprotected. [Example: Inciting to riot.]
3. **Expressive conduct – any conduct that is intended to communicate an idea or message that can be reasonably understood by others as threatening to specific populations should not be tolerated. This could include texting with images, wearing a certain color, wearing a black armband, flashing a gang sign, wearing a known identified hood, etc.**
4. **Speech which could be categorized in following ways: defamation, slander, libel, fraud, forgery, or the like is unprotected.**
5. College property is not available for purely commercial activity, not otherwise of value or in support of College goals or projects. “Commercial activity” means advertising, sales, purchases, demonstrating for purposes to sell, exchanging an item for money or other item of value, and solicitations of gifts or money. **LANE is not available for organizations whose sole intent is to solicit donations.** LANE is not required to provide space for commercial activity or to promote events or activities of our competitors. The College may choose to dedicate space to commercial activity if it benefits the College or its student body in some way.
6. There cannot be any intentional efforts to expose minors to obscene material as defined per state statute (**ORS 167.060 OT .080**). Child pornography **and/or obscene materials** may not be displayed or distributed using college electronic resources **or any other medium** on any college property.
7. Use of speech owned by others based on copyright or intellectual property rights is unprotected. The College may sanction violations that involve “stealing” or using another person’s intellectual property. **(Does LANE have a COPPS policy?: Student Rights, Responsibilities, and Conduct Code. Is this information included in the Student Code of Conduct January 2016.)**
8. **DELETE this as it does not apply to work of the Task Force.** Academic programs may require a specific dress code, uniform, or safety gear (i.e., eye protection, earplugs, a dress shirt with corporate logo). Students and employees may not assert that this requirement violates their rights to free expression. All other students not in a program with specific dress requirements and the public are permitted to express themselves and their messages through items of dress and items attached to their person, so long as no legitimate health or safety issues present.

SPACE USE PROCEDURES

Scheduling Use or Reserving Space

Individuals or groups must reserve spaces managed by a reservation system or use will be denied using a Facility Use Permit process. **For Open Public Forums, individuals and encourage to complete the Facility Use Permit Process with allow for adequate time to notify necessary stakeholders including Public Safety. The permit process provides campus visitors an**

opportunity to learn of space use guidelines and how facility use is prioritized. Permitted visitors will be asked to provide a name, address, and telephone number for a responsible contact person. The office of Brett Rowlett or designee, shall maintain and publish a list of spaces and methods of reservation for all Open Public Forums and Limited Public Forums. This list or publication shall provide directions on the policies and procedures for the use of any specific spaces **that** can be reserved. Reservations may give priority to College use and needs for spaces, but shall otherwise be content-neutral.

Time of Use

College properties are open primarily during daytime, early evening, and some weekend hours. When College properties are closed to the public, the College may require individuals or groups to leave the property or grounds. Requests for activities beyond normal operational hours **are to be vetted through the Facility Use Permit process**. The costs to and burdens on the College of permitting and staffing such use beyond traditional open hours may be charged to the sponsor of the activity.

All organizers of activities shall conduct their events and activities only during times that College property and facilities are available for public use. LANE facilities and properties are available during the posted hours of operation. The College reserves the right to open its properties at specific times only to specific groups. (For example, the College may be open to employees, but closed to all others.

Restrictive Participation

The College may restrict access to activities and events to students and employees only.

Charges for Space Use

The College applies ??? fees for use - see the **COPPS for Facilities Fees (may need to be revised)** in determining if charges for facilities are required. Fee schedules are established and published annually **(is this true at Lane?)**.

PUBLICATIONS

College Publications

Publications by the College and its departments shall be for educational and business purposes and made available at various locations around campus, in any forum types. Publications shall comply with College standards, as defined by Marketing, and shall be accessible and include the appropriate nondiscrimination and request for special needs statements, as necessary.

Student Publications

Student publications follow content-neutral guidelines established and enforced by the **Student Publications Committee – does Lane have this?** The College allows students to establish editorial standards for publications. Editors and writers are protected from arbitrary suspension and removal due to editorial policy or content. Editors and writers remain subject to the LANE Standards of Conduct as it applies to student organizations and individual students.

Community Publications

Publications of community profit and non-profit organizations may be distributed on College property. Organizations will be given distribution space on a first-come, first-served, space-available basis **via the Facility Use Permit process**. Community publications may submit a request to distribute their publication by request to **the Office of the Brett Rowlett**. The College is not required to approve the distribution of publications that are purely for commercial purposes.

Placement and Use of Publication Dispensers

The **Office of the Community Relations** implements content-neutral time, place, and manner policies regarding the placement and use of publication dispensers. Dispensers shall not exceed 75" height by 30" width by 30" depth. Space within or among various brand-neutral dispensers shall be allocated fairly without regard to content of the publications requesting use; the College may give preference to student publications for a majority portion of space. These dispensers are not for purely commercial speech. The College may permit the sale of advertising on publication dispensers if the proceeds benefit the College. When the College approves publication dispensers provided by a particular publication, that dispenser may be exclusively reserved for that publication only; however, the College may not refuse to host an additional dispenser for other publications. The College is not required to provide space in every building for every publication.

DISTRIBUTION AND POSTING OF INFORMATION

The College requires all material to be distributed or posted to be marked with the name of the sponsoring organization relevant contact information of an individual member of that organization. The College is not required to leave anonymous postings on display. No posting is permitted on brick or mortar at LANE.

Promotions of Commercial Activities or Opportunities

"Commercial activity" means advertising, sales, purchases, demonstrating for purposes to sell, exchanging an item for money or other item of value, **and solicitations of gifts or money**. LANE is not required to provide space for commercial activity. The College may choose to dedicate space to commercial activity if it benefits the College or its student body in some way. Commercial vendors may be invited by the College to post or distribute commercial information in a specific location or at a table as part of a College event or relationship for a specific limited time. College departments and recognized student organizations may post materials related to their fundraising and item-donation/collection activities.

Posting of Physical Materials

Bulletin Boards – The College supports three classifications of bulletin boards:

- 1) Department-Specific Boards;
- 2) College-Sponsored Bulletin Boards; and
- 3) Community Bulletin Boards (aka, Public Boards).

Department-Specific Boards: Departments of the College may designate co-located bulletin boards for department only business postings. Departmental boards are to clearly indicate the sponsoring department.

College-Sponsored Bulletin Boards: College organizations or groups may post on College-Sponsored Bulletin Boards if they comply with this rule.

Community Bulletin Boards: Non-LANE organizations and individuals may post their non-commercial messages only on Community Bulletin Boards. Individual students promoting individual opinions or expression are to use Community Bulletin Boards only.

College-Sponsored or Community bulletin boards, the person/group posting must have all materials date stamped in Student Life & Leadership or Public Safety or other designated office. Date stamping identifies which material has a right to be posted without removal for up to 30 days, but not longer than one day after an advertised activity, whichever occurs first. The person posting is responsible for posting and removal after 30 days or one day after the advertised event. Only one copy of a posting may be on any bulletin board. The College reserves the right to take down and discard postings which are without a date stamp or expired (event date has passed or 30-day posting stamp has expired).

Postings on any bulletin board space are to be typed or printed. Handwritten notices are not permitted unless the bulletin board manager specifically invites handwritten postings by official notice on the board. Postings are to be a minimum size of 3”x5” and are not to exceed 27” x 32,” unless otherwise stated on the bulletin board.

Electronic Monitors – Electronic monitors are limited to LANE-sponsored information only, including LANE student groups, clubs, and co-curricular groups.

Doorway Posting – Entrances to College facilities may have only College closure signs or notices necessary for safety. No other items may be posted on entrance doors.

Sandwich Boards – College departments and student organizations may place sandwich boards outside of buildings and in designated spaces. Responsible parties must place sandwich boards in a manner that does not impede normal traffic flow or present a safety risk to individuals who expect and require a consistent, clear path on sidewalks, and in buildings. Sandwich boards for an event may be placed no more than 2 business days in advance of the event date and are to be removed within 1 day of the event end. Sandwich boards promoting information may be placed for no more than 10 consecutive working days.

Non-College-related organizations who have reserved space at a college facility may place sandwich boards outside **for the day** of their event only. Sandwich boards are to be removed the same day by organization that made the space reservation.

Yard Signs – Yard signs may be placed on the grounds to promote an event purely. Signs may be placed 2 weeks in advance of the event and are to be removed the day following the event. Yard signs that serve only a directional purpose may be placed up to one week in advance and remain until the event concludes. If an event is a weekly recurring event, the signs may stay in place until the day after the final event.

Field Signs – Field signs may be posted in grassy areas in a manner that does not interfere with pedestrian pathways and traffic flow. Organizations wishing to post field signs are to confer with the LANE **Office of Community Relations** on where posts may be safely

placed in the ground without interference with grounds keeping or buried cable or power. Signs have a maximum size of 4' x 8' and must be made of material that withstands Oregon weather (rain, wind). Signs are to be secured with posts. Signs may be posted for no more than a consecutive 30-day period.

Banners – Banners may be hung by College departments and College organizations on upper deck railings **around the Courtyard on the Albany LANE Campus**. Banners must be between 2'w x 3'h and 16'w x 9'h in size. They must be secured per standards of College Facilities or Public Safety Department. The College reserves the right to request removal or to remove banners that the College deems unsafe, as determined by Public Safety. Banners may not be hung from stairwell railings. The bottom of a banner must not be below a hard-surface backing. Centers may designate a banner location for their property. Banners shall be displayed for a maximum of 30 consecutive days. Requests for extensions are to be directed to the Executive Director of Advancement. Extensions cannot be granted for more than another 30 consecutive days.

Banners may include names and logos of sponsors or partners of the College or College activities. The College department or recognized organization working with a partner should be on the banner with LANE's name and/or logo at least as large or prominent as any non-College-related organization's name or logo.

Non-College organizations that rent space at LANE may hang event banners that meet the requirements of this rule in designated banner locations. Banners may be hung not more than 48 hours before the event begins and must be removed within one day of the end of the reservation period.

Sponsor Recognition – **Delete this not the focus of the Task Force** With direction from the Executive Director of Advancement, areas of the College may be designated to recognize organizations that have contributed to the College. All design features of the recognition are to be established by the Executive Director of Advancement, the affected department(s), and the contributor(s).

Table Tents and Flyers – College departments and College organizations may distribute table tents on tables and counters in areas outside of classrooms with permission of the individual building manager or department manager in control of that space, for not more than 30 days. All other published materials, such as flyers, booklets, leaflets, and brochures, are not to be left on tables or counters, They may be posted only in appropriate locations as described within this rule (on appropriate bulletin boards or distributed through publication dispensers, for example).

Social Media (Not the focus of the Task Force)

College hosted social media sites for educational or business purposes shall include information about the sponsoring department or recognized student organization, the employee responsible for the site, and identify any rules for posting, including the requirement to provide identifying information, such as name, LANE email address, or X number of the person posting. Sites for

educational or business purposes are subject to College review and management. The responsible employee or “monitor” of a social media site may block or remove material or content that is not related to the educational content or business purpose of the site or that is deemed to interfere with educational or business purpose of the site, or for unlawful expression.

When LANE students use social media sites not related to the educational or business interests of the College, students shall be accorded the same rights, privileges, and limitations as other speech in Open Public Forums, including the right to anonymous posting.

SPEAKERS

Speakers on Campus by Invitation

Speakers come to LANE by invitation of College departments, students, or employees. The community may reserve space for hosting a speaker as a community event. **Non-Sponsored speakers are not allowed in the classrooms.** The sponsor of an outside speaker is to work with Public Safety, **Conference Services**, **Office of Community Relations** and other support departments in advance, preferably 1-2 months prior, to ensure the event is able to be given sufficient support and resources from College staff. Sponsors are to ensure that:

- The event is open to all faculty, staff, and students. If an event is also open to the public, proper information about non-discrimination and special needs requests must be included in all advertisements and invitations to the event;
- Suitable space for the speaker is available to provide a safe event at a time that is non-disruptive to regular operations and does not conflict with regularly-scheduled College programs;
- In all forums, the audience has the opportunity to question the speaker.
- In Open Public Forum, speakers are to prepare for possible questions and dialogue.
- Speakers must not attempt to silence a protest that is carried out in a manner that does not prevent the speaker from presenting a message.
- Speakers who are invited into classrooms or as trainers for employee development are to supplement the learning outcomes of the course or training. The choice of speakers and trainers for these purposes is supported by **Board Policy ???**

The **Student Rights Responsibilities and Conduct Code (???)** clearly states that, “Actions by individuals or groups to prevent speakers invited to the campus from speaking, to disrupt the operations of the institution in the course of demonstrations, or to obstruct or restrain other members of the academic community and campus visitors by physical force are subject to sanction.”

Student Expression and Beliefs in the Classroom – Would allow for student choice related to community groups on campus.

In class and classroom settings, **“Student Right B -- Freedom from Inquiry and Expression”** (what does LANE have for this?) permits students to take exception with information or views presented in any course without it affecting their grade as long as the disagreement is not disruptive to the instructional process. Students are responsible for learning the content of any course for which they have enrolled even if they disagree with the course content. See also Student Rights Responsibilities and Conduct Code (AR 7030-01).

DEMONSTRATIONS AND DISPLAYS

In Open Public Forums or Limited Public Forums during public use, students and student organizations shall be free to examine and discuss all questions of interest to them and to express opinions publicly and privately. They are free to support causes by orderly means that do not disrupt the regular and essential operation of the institution. In addition, it should be clear to the academic and the larger community that, in their public expressions or demonstrations, students or student organizations speak only for themselves.

Demonstrations

The College will provide logistical support to students, individuals or groups wishing to organize a planned demonstration. Examples of a “planned demonstration” include protests or demonstrations of support for a cause or point of view in the form of a mass gathering, meeting, parade, procession, or similar activity. The College encourages sponsors or organizers to contact Public Safety to request a space and equipment. The College will act in a manner that is content neutral, identifying an appropriate space to dedicate to the demonstration and an appropriate time for the demonstration to ensure no interference with College business. Demonstrations are not permitted to displace already scheduled activities for a given space.

Placards on sticks or poles may not be used by demonstrators indoors at the College. They are permissible in outdoor Open Public Forums.

Demonstrations are to occur during the regular hours of operation of the LANE location(s) of the event. Overnight events are not permitted.

Tabling –Not the focus of the Task Force

College departments and recognized student organizations may set-up tables in Open Public Forums or in building lobbies which have available Open Public Forum space with permission from the building manager. These entities are allowed to conduct fundraising (if otherwise permissible by College rules), distribute information, and engage in presentation of their viewpoints. Students and employees wanting to have a table with information related to College purpose are to work through the Student Life & Leadership office if they would like to reserve a space.

Organizations not affiliated with the College may use tables available in the Courtyard. They may reserve a table in the Courtyard or other designated tabling spaces. Community groups who want to table at LANE are free to use permanent tables in the Courtyard and are encouraged to work through Public Safety to secure other tables and chairs as needed.

Community groups and non-LANE groups may not sell or solicit under this rule unless by invitation by the college.

Tables may be no larger than 30”W x 10”L.

Collection Bins for Charitable Purposes –Not the focus of the Task Force

When a college or recognized student organization makes a request to place a collection bin for charitable purposes, **the building manager** may determine whether to approve such a bin and its placement and length of time for placement. Charitable collection bins are permitted only when sponsored by the College or a College-affiliated organization and when placement has been approved by the building manager. Bins are to include the contact information of the sponsoring

organization and the receiver of the charitable contributions. Sponsor name and contact information must be provided to the College.

Construction of Structures for Expression

Persons or organizations wishing to place a temporary structure are to consult with the Office of Public Safety and Risk Management and Facilities to ensure the structure is safely constructed, and properly maintained by the sponsor for the duration of the demonstration. The College reserves the right in a content-neutral manner to direct such persons to Open Public Forum or Limited Public Forum locations as an alternative to approval of erecting a structure. Any approved structure shall be placed pursuant to a negotiated agreement and published standards of the College and shall remain on campus no longer than two hours past the time approved for the event. No person may camp or habitate in the structure. Risk Management shall have primary voice in determining safety and other issues in the approval or disapproval of a structure. Structures may be on display for no more than 30 consecutive days. The sponsor may contact Public Safety about the availability of a location for a structure to learn if other planned uses of the space would reduce the time the structure could be on display.

EMPLOYEES

While the College does not regulate the content of student or guest speech, the College may have a legitimate business interest in regulating the content as well as the time, place, and manner of employee speech. To support the College values of inclusiveness, learning, and engagement, employee expression be it direct or electronic in nature must comply with all board policies, administrative rules, and association contracts. In particular, employee expression is to be in alignment with policies and rules governing values, **nondiscrimination/nonharassment (AR 1015-01)**, **non-violent workplace (COPPS Harassment policy)**, and **Employee Standards of Conduct (Do we have this?)**. Additionally, employees shall conduct themselves in accordance with rules governing public employees' participation in political activities. LANE faculty have additional protections related to **Academic Freedom and Responsibility (Do we have a COPPS policy for this)**, also stated in their contracts.

PARTISAN ENDORSEMENT

Political speech is welcome and encouraged at the College. However, the LANE campus or properties may not be used at any time or in any manner that would suggest or involve the College as endorsing or sponsoring a partisan, political, sectarian, or religious position or candidate for political office. It is important that all such speech clearly be identified as the opinion and position of the speakers themselves, not the College.

NONREMOVAL OR NONCOMPLIANCE WITH THIS RULE

The College through designated employees has the right to remove, destroy, discard or stop any expressive activity, materials or event which does not comply with this reasonable time, place, manner rule. Individuals, groups, or organizations which are found to have violated this or other College rules may have their access to spaces denied or limited for up to two years in the future as a consequence of a past violation pursuant to the LANE **Student Rights, Responsibilities, and Conduct Code (Student Code of Conduct January 2016)** and/or may be subject to other College sanctions.

COMPLAINT OR GRIEVANCE PROCESS

Persons who believe that this rule is being violated or that this rule violates a legal standard or individual right may file a complaint, concern or grievance report via the LANE **Student or Employee of Concern reporting process**. The **Director of Student Standards** or designee, shall handle these reports, by conducting an inquiry or investigation proportionate in scale to the nature of the complaint. Once a complaint is decided by the Director of Student Standards; Human Resource; or the Office of the President, it is final, and there is no right of appeal.

SEVERABILITY

If any part of this rule is determined to be illegal or otherwise unenforceable, the remainder of this rule will remain in effect.

The remainder of this report reflects the views of this Task Force, and feedback and recommendations as listed in the initial pages. Not every item mentioned is endorsed by every Task Force member.

Communication Needs:

A review of what transpired in October 2017 and the collection of recommendations from individuals, groups, and the open forum emphasized the need for improvement in the following areas:

- Multiple modalities for communication need to be utilized consistently including the possibility of using text messaging, web presence, social media platforms and a user friendly web based calendar for Open Forums and Limited Use Forums– see LBCC example. We need to find students where they “are.”
- Adequate time needed for stakeholders groups to be prepared (two to four weeks – some exceptions may apply but not content related exceptions).
- A coordinated process for scheduling that separates the scheduling of non-affiliated groups using open public forums; limited public forums.
- Information about outside groups coming to campus should also be included in the scheduling information in an easily accessible way.
- Public Safety; Student Government; Student Life and Leadership groups; Administration and Office of Community Relations will need to work collaboratively to be prepared for individuals and groups not affiliated with the college.
- Provide the option for debriefing for the campus community when it appears necessary after controversial events have happened.

Having multiple platforms may be necessary and could be problematic. Even in scheduling the Bristow Square debrief – although announced multiple times – this was not included in 25 Live and some who wanted to participated did not know how to find the session.

Events can be scheduled through Student Life and Leadership, the Athletics Department; 25 Live and Center for Meeting and Learning. It is not known if these schedules are integrated and/or searchable for duplications or for specific types of events. It makes sense to have a unique calendar for the use of Open Public Forums and Limited Use Public Forums for outside non-sponsored groups and for there to be a way to search for these through the most commonly used scheduling platforms.

Have a Command Committee – this would include one key person from each of the following: Student Government, Counseling and Career, Public Safety, specific students groups, Gender Equity Center, veterans, Student Affairs, etc. Members of this committee would need to be responsible for tracking the events scheduled in the Public Forum Calendar to consider the need for additional communication and preparation for guest groups that could be considered controversial. Should an event meet specific trigger criteria this may activate the need for lining up support including counseling, public safety officers, etc. to prepare for the presence of the non-affiliated guests. Some tactics may include one or more of the following examples:

- Specific student groups may want to stage a counter protest
- Other groups with an opposing view could be invited to campus – example invite Planned Parenthood to present at the same time as an anti-abortion group.
- A specific student group may want to pass out information fliers about the presenting group – to provide students passing by more choice to engage or not.
- The Child Care Center may want to not take children to the public areas to avoid unnecessary exposure to information that is not age appropriate
- Programs like ECCO may want to know about specific controversial groups so that “minors” are not exposed to topics that are not appropriate for them.
- Command team representatives could also serve as conduit representatives where questionable behavior can be reported and addressed

Security and Safety

Most items of concern from this Task Force, individual and group comments have been addressed from the edited example from Linn Benton Community College.

Physical and emotional safety:

- Task Force members shared a common perspective that administration and Public Safety could and should take measures to ensure that physical harm is prevented.
- Emotional Safety – is more difficult to safeguard. Graphic media, large signs, loud noises, and certain behaviors that trigger emotional responses and destabilization of mental health should be avoided – based on a common sense standard of what a reasonable person would deem meet this criteria. However it may not be possible to anticipate the needs of all campus members. Command Committee members may want to use some type of criteria that would necessitate a trigger warning process without infringing on protected speech rights of campus guests.
- Train students in non-violent communication, personal coping strategies, responsible civic engagement, campus resources, and how to stage a counter within the confines of protected and unprotected speech.
- Safe and tranquil spaces: We need to make our best effort to have it known to students where they can go to find these types of spaces. We could provide a map for students that include quiet study areas, the library, tutoring centers, Counseling, Multi Cultural and Gender Equity Center, TRiO, etc.

Education:

The college cannot prohibit “free speech” on public property (this would encompass Lane Community College) based on content. The college can place reasonable time, place and manner restrictions on those who seek the opportunity to speak on campus to prevent the activity from disrupting the College’s educational mission. Even hate speech that is considered highly offensive can not be prohibited. We live in a marketplace of competing ideas. (Stan Taylor, Political Science faculty).

Identify Brave Spaces – on campus. This could include the following:

- the classroom where civic discourse and debate are invited
- Student or faculty sponsored events –that include invited speakers with perspectives that may be not represent the majority.
- Student Government sponsored events and activities
- Women’s Program and other special interest groups where people learn how to be empowered to voice their own perspectives.
- Faculty and staff need to be educated about campus resources and to be ready to support students. All campus members are responsible for student teaching, learning, and providing student support that support an open and safe learning environment.

Provide as part of new student orientation information on Free Speech and the obligations of a governmental institution to support the First Amendment.

Stage a Free Speech week to educate students and staff about the First Amendment about the challenges and social benefits of a market place of competing ideas, tolerance and civil discourse. Have speakers from Political Science discuss the legal and social aspects of free speech in presentations, talks and panel discussion.

Encourage faculty staff and students to use controversial displays/events as a springboard for discussion, introduction to argument and a better understanding of the power of discourse and expressive conduct.

Establish a civic literacy program that incorporates concepts of civic responsibilities, democracy, Hecklers Veto, freedom of speech principles, an anti-fragile mindset, the power of expressive conduct, the power of words, protected and unprotected speech principles.

Summary:

After events similar to what happened in Bristow Square October 2017 we need to find ways to constructively, compassionately, and respectfully respond to our campus community.

We need to hold debriefing sessions that invite all campus members to take part in an open forum to share concerns, provide feedback and provide recommendations.

Student Government members in particular (see 1/29/18 meeting minutes) specifically described responses to their concerns as patronizing and that the person(s) to whom they shared their concerns either ignored them or put forth the “free speech” obligations without truly being empathetic to the position that the speech was “racist” and “generally appalling from the student perspective. They wanted more transparency and honesty. Some students felt that the response of the college representatives was almost as concerning as the display itself.

From a different perspective in the College Council forum some students in attendance indicated that there are members of the student population who were in support of the ideas presented in Bristow Square and are concerned that the actions and recommendations from the Task Force could extend to student and college sponsored events without appropriate opportunities for these changes to be vetted across all stakeholder groups.

Additional concerns from some faculty and some students regarded the counter protest by students on the second day of the display where attempts were made to block the view of the images with sheets, the use of megaphones and some one (student??) tearing up posters from the display.

I think we can all agree that words and expression conduct can do awful things (see UCLA article). They can grievously wound, gossip and betray. They can be misleading, untruthful, manipulate and sow discord. There is much value in learning from a marketplace of competing ideas and an event like that one that brought this Task Force together. We have a responsibility as an educational institution to take this opportunity to model for our students that we can rise above a difficult situation and come out with concrete policies, processes and solutions that serve the best interests of all our campus members. We don't need to take a passive position or fail to uphold our values and our primary mission to transform lives through learning.

If we promote peaceful assembly opportunities within a market place of competing ideas that allows for student choice to engage in difficult conversations we have done due diligence to support the First Amendment.

If we are able to effectively communicate to all campus community members through an organized and clearly communicated process to schedule non affiliated campus guests we have overcome a significant challenge and addressed what needs to improve the most.

If we can have a interdepartmental command team that can monitor upcoming use of Open Public forums they can accomplish setting up necessary supports like counseling, invite student groups to prepare their own response and plan for the public safety needs of the campus. That said if all these things are accomplished the work of this Task Force will have been worth it.

Credit should be given to all Task Force members, individuals and groups who responded to our request for feedback.

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