

6030 PUBLIC ACCESS

Purpose

NCTC is a publicly supported institution of higher education, maintained by the people of the state to further the educational and cultural opportunities of the citizens. Education broadly conceived, is the fundamental purpose and responsibility of the College and to this end its employees direct their efforts. Contributing to this primary purpose and erected solely to further it are physical plant facilities that house various educational activities that are initiated and developed by the College.

These facilities are of many types and adapted to a wide variety of purposes, some of which are specialized, as in the case of the library, program shop areas and laboratories. Others are adaptable to more general use, such as classrooms, gymnasium, auditorium, etc. Regardless of the uses to which the College facilities may be put, all of them were conceived and planned with the immediate needs of the institution and its educational program in mind. The one justification for the extension of the physical plant has been that of enabling the College to do its broad educational task more effectively.

Public Forum

NCTC recognizes the tradition of the public forum. The grounds open to the public generally are the paved walkways on College property. Grounds are open to the public generally between the hours of 7:00 a.m. and 10:00 p.m. Between the hours of 10:00 p.m. and 7:00 a.m., these areas are generally closed to all activities except coming and going to a College function or crossing the campus.

The college reserves the right to reasonably limit or otherwise direct demonstrations, especially for safety reasons. Such activities should not be disruptive, impede access, or litter the campus.

- a. Picketing in an orderly manner outside College facilities is acceptable. Picketing is not permitted inside college facilities.
- b. Literature may be distributed in public areas of the grounds and in certain facilities after receiving the appropriate approval provided that the free flow of traffic is not obstructed, literature or materials are not forced upon others and literature is not placed on or in vehicles parked on campus.
- c. Displaying a sign, gesturing, wearing symbolic clothing or otherwise protesting is permissible unless it is a disruptive activity or impedes access. Such acts should not block the audience's view or prevent the audience from being able to pay attention.

The criteria to be used to determine whether an activity, program or event unreasonably disrupts the orderly operation of the college or an official College function or any other scheduled activity shall include, but are not limited to, the following: the expected

duration of the activity; the activity's timing in relation to the academic calendar (for example, proposed scheduling during the first week of classes or during final examination week); the number of participants; the expected noise level to be generated by the activity; and the need for College resources and personnel to facilitate, oversee or control the activity.

Educational Activities

Because the facilities of the College are requisite to the educational activities and designed to house them, specific underlying assumptions are made with respect to their use. They are at any and all times available for purposes, which the College itself develops as part of its own educational program. Such use constantly extends beyond that associated with the courses of instruction. It may and does include programs that contribute to the physical and cultural development of the students supplementary to the formal course work. The College, through its departments, invites lecturers to come to the campus; it provides opportunities to hear good music, to see fine examples of art, and in many specific ways it stimulates the intellectual and emotional life of the students. All such extra classroom activity is a definite part of the educational program. The people of the state are invited to share in many of these advantages and do so.

It is not in connection with such educational programs that questions arise concerning the use of the facilities of the College; rather, it is in connection with the desire of and request by non-College groups to come to the campus and use the facilities to house programs or activities which they themselves have initiated. The College appreciates the fact that its facilities are sometimes more adequate for specific purposes than are other buildings that may be available. At the same time, it reiterates its basic assumption that the buildings are designed for the educational uses of the College and not for general use.

Co-sponsored Activities

There are circumstances in which the purposes of non-College groups coincide with or complement those of the College itself. In such circumstances, non-College groups may be authorized to use College facilities under agreements in which all conditions and pertinent details are arranged by the College or subject to its formal approval.

The College will not, under any circumstances, permit the unrestricted use of its facilities by non-College groups. In order that there may be a clarification of the policy governing the use of College facilities, these principles are listed.

Events involving the use of College facilities by non-College groups may be cosponsored by the College or by registered student organizations. The College, by the very nature of the functions for which it exists as a publicly-supported institution of higher education, should not enter into joint sponsorship of any project or program that is to result in profits

or private gain for the non-College group, except as provided in Sections II and III. The College cannot be a cosponsor with any non-campus group for political, racial, or sectarian gatherings. Whenever non-College groups share in the use of College facilities, it is with the approval of the College, and all conditions of that co-sponsorship are to be set by the College. The College will not enter into cosponsorship of any program or activity in which the educational or public service implications are not evident and which does not relate appropriately to the mission of the College.

Upon entering into cosponsorship or any program or activity, the College reserves the right to approve all copy for advertising as well as all news releases.

Rental Agreements

- a. Non-College Groups – The College, as a public institution, is not in competition with other institutions or commercial enterprises in the rental of facilities. There are circumstances, however, in which the nature of the activity is appropriate to a campus facility and complimentary to the regular programs of the College. In these cases, the College may enter into rental agreements with non-College groups.
- b. Conditions – The College retains the full authority for all conditions specified in a rental agreement and all pertinent details related to the planning and conduct of the program or activity.
- c. Conflicting Activities – In the event of a conflict with regular College programs or activities, College activities have higher priority.

Rates - The College will set rates for rental agreements. The current rates are located in Policy #6025.

Conflicting Opinions – Entering into a rental agreement with a non-College organization in no way indicates official College sanction of or agreement with the policies, goals, or opinions of the non-College group. In cases where there may be groups with differing views, it should be clear that such groups have an equal opportunity to rent College facilities. For example, the College's location in the community and the lack of availability of space in other facilities may make it appropriate for a political party to rent College facilities for a caucus meeting. In that case, opposing parties must be afforded equal opportunity to rent facilities.

Denial of Use of College Facilities to Authorized Users

The use of College facilities may be denied to authorized users if the proposed activity:

- a) Clearly contrary to express College policies or campus regulations concerning the general use of properties or use of specific properties; or
- b) Likely to significantly harm the safety or welfare of persons or property; or

would involve an off campus audience under circumstances not permitted by
NCTC Public Access Policy.

Date of Implementation: 1/25/05

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Date & Subject of Revisions: