



OTERO COLLEGE PROCESS

OCP 16-60: Protocol for Non-Commercial Expressive Activity on Campus By the General Public

OCP REFERENCE NUMBER:

OCP 16-60

REVISED/REVIEWED ON:

February 17, 2025

EFFECTIVE:

February 17, 2025

REFERENCE(S):

[BP 16-60 Facilities Use](#) and [SP 16-60 Facilities Use](#). Request for Reservation of Space Form

APPLICATION:

This protocol applies to use of publicly available spaces for non-commercial expressive activity by the general public. This protocol does not apply to space requests for official College activities, authorized uses by recognized student groups and CCCS-affiliated entities, rentals under the College's protocol for facilities use, or solicitation and vending.

BASIS:

The College recognizes that freedom of expression and assembly are important aspects of the educational experience. The College provides opportunities for discourse, debate, sharing of ideas, and other expressive activities while operating and maintaining an effective, safe and efficient institution of higher education.

This protocol sets out how to make arrangements for use of publicly available spaces for expressive activity in a constitutionally protected manner consistent with the needs of the College to identify the appropriate time, place and manner for these activities in order to coordinate multiple uses of limited space, provide adequate services to support the campus, maintain the safety and appearance of the campus and preserve financial accountability.

DEFINITIONS:

The following definitions apply for purposes of this protocol:

Amplified sound

Sound that is increased or enhanced by any electric, electronic, or mechanical means, including handheld devices such as megaphones and sound trucks. Other sound, specifically



individual shouting or group chanting/singing is subject to general requirements concerning disruption of official College activities.

Campus Community

Employees, students, recognized student groups and CCCS-affiliated entities.

Campus contact

The person through whom a member of the Campus Community or general public arranges space for their official College activities and/or authorized activities in support of the College.

CCCS-affiliated entities

Any foundation, partner, governmental agency or nonprofit service provider acting in support of the Colorado Community College System mission in accordance with prior approval by the Chancellor or College President or designees.

College facilities

CCCS-owned and controlled buildings, grounds, space, property and other facilities including but not limited to residence halls, buildings and the space within and between buildings, parking lots, athletic facilities, sidewalks, lawns, fields, shelters, amphitheaters, airspace, and all other spaces where events may be held, activities may take place, or that may require services.

Literature

Any printed non-commercial material that is produced for distribution or publication to an audience, including but not limited to flyers, handbills, leaflets, placards, bulletins, newspapers, and magazines, but does not include the College bulletins or newsletters or official College material. Distribution of commercial literature is governed by the College's solicitation and vending protocol.

Non-commercial expressive activity

The verbal or symbolic expression of an idea, thought or opinion and may include speeches, assembly, vigils, picketing, distribution of literature, displaying hand-held signs and other similar activities intended to communicate an idea or opinion. It does not include commercial soliciting and vending. For those interested in commercial solicitation and vending, please refer to the campus protocol for solicitation and vending.

Official College activities

College or System activity undertaken by or under the authority of a College or System official within the scope of his or her duty as part of the CCCS mission.



Publicly available space

An area of College facilities that has been identified as conducive to and available for non-commercial expressive activity by the Campus Community and/or members of the general public by reservation as outlined in this protocol.

Recognized student group

A group of student that work through the Associated Student Government and sponsors.

PROCEDURE:

Priority for Use of Publicly Available Space

College facilities that are identified as publicly available spaces will be made available for non-commercial expressive activity by groups in the following order of priority:

1. Official College activities,
2. The campus community (including students, employees, recognized student groups and CCCS-affiliated entities),
3. Members of the general public.

Campus Contacts for Reserving Space

Members of the Campus Community should arrange any use of publicly available space, whether for official/authorized College activities or for other expressive activities, through the following form: <https://form.jotform.com/OteroCollege/event-scheduling-request>

For questions, contact the following:

- Students and recognized student groups: Dean of Students – 719-384-6853
- Employees: Human Resources Director – 719-384-6824
- CCCS-affiliated entities: the employee through whom arrangements have been made for activities in support of the CCCS mission
- Members of the general public: Auxiliary Services Coordinator – 719-384-6890

Reserving and Using Space

The following provisions apply to the use of publicly available space for non-commercial expressive activity:

1. Those planning to engage in expressive activities as a group or individuals planning to engage in expressive activities intended to attract the attention of passers-by must reserve appropriate space for a proposed activity at least 24 hours in advance. Reservations, including expected number of attendees and the proposed manner in which the activity will be conducted assist in identifying an

appropriate location and time, thus avoiding conflicts that could require rescheduling an activity and permit the College to evaluate necessary services and costs. Where an activity requires more than a nominal increase in services to accommodate the event, or results in damages, the additional costs of such services and/or damages may be assessed to the individual or group reserving the space.

2. Space is available for reservation and activities only during the normal business hours of 8:00 AM to 5:00 PM on weekdays. To allow for a diversity of information and perspectives no one may reserve more than five consecutive days and fifteen days total for the semester.
3. Upon arrival on the day of the reservation or activity, the individual making the reservation must check in with the Auxiliary Services Director at the Student Center.
4. Internal campus controlled streets and walkways are for public ingress and egress for activities open to the public. Persons must abide by all applicable laws, policies, procedures and protocols and not block or otherwise interfere with the free flow of vehicular, bicycle or pedestrian traffic.
5. Persons must not engage in activity that defames, is obscene, incites violence, or threatens physical harm.
6. Persons must not obstruct, disrupt, interrupt, or attempt to force the cancellation of any event or activity.
7. Persons shall comply with the directions of a College official or law enforcement officer acting in the performance of his or her duty.
8. Persons shall not disrupt official College activities or other reserved or authorized uses, or impede pedestrian or vehicle traffic or access to buildings.
9. Continuing to approach anyone or stop anyone who has indicated a lack of interest is prohibited.
10. Amplification is not permitted unless prior arrangement has been made through the reservation process for the activity to take place at a time and place where the amplification will not interfere with official College activities or the space is being rented and the rental agreement provides for amplification. No individual or group will be permitted to use amplification that interferes with official College activities.
11. Signs, images and demonstrative items or artwork used in connection with the activity must be hand-held. They may not be affixed to College facilities. No structures may be used or erected.
12. Persons on campus may be required to provide picture identification and provide information regarding their status as a student or employee upon request.
13. Campaign fundraising is not allowed.
14. Candidates for public office may not use student groups to directly or indirectly secure the use of College facilities for free or at a reduced rate for campaigning in



violation of law. Candidates may rent available facilities or solicitation or vending space in accordance with the College's protocols for facilities rental and solicitation and vending.

15. To avoid the appearance that the College supports or opposes a particular candidate, ballot issue or referred measure, College facilities may not be used for collecting signatures for ballot initiatives, referred measures, or candidate petitions, except when the collector rents space in accordance with College protocol for facilities rental or protocol for solicitation and vending. Streets and sidewalks abutting campus property that are under the local government's jurisdiction are available for signature collection in accordance with federal, state and local law.
16. Distribution of Literature:
 - a. Distribution of non-commercial literature is considered an expressive activity and may take place by reservation in publicly available space identified for expressive activity in accordance with this protocol or in conjunction with a reservation of vending and solicitation space or a facilities rental. College property, such as parking lots and internal campus walkways and other spaces are for supporting official College activities and for authorized activities of the Campus Community and are not available to the general public for distribution of commercial or non-commercial literature. Streets and sidewalks abutting College property that are under a local government's jurisdiction are available for distribution of literature in accordance with federal, state and local law.
 - b. Those distributing literature may not continue to approach anyone who has indicated a lack of interest, follow or stop anyone, shout, or interfere with any person's progress.
 - c. Those distributing literature should be considerate about collecting any litter that may be generated as a consequence of their distributions and are expected to collect literature that is left over or that is on the ground in the area in which it is distributed.
 - d. Literature distributed on campus that contains the College's name or acronym in the organization's name or that contains any reference to being affiliated with the College, or references an activity as taking place at the College, must include the statement that the literature is not an official College publication and does not represent the views or official position of the College.

Publicly Available Space

Publicly available space identified in this protocol is also available for assembly and expressive activity in accordance with law, Board Policy and System Procedure and this protocol. Publicly available space is currently identified as available for reservation for expressive activity as follows:



- The outside area between Wheeler Hall and the Student Center.

If the above-described space is unsuitable for the proposed activity because of logistical, support services or safety concerns, the College will work with the requester to identify and reserve other suitable space on campus on a case-by-case basis.

In addition to the above space(s) available for reservation by members of the general public and the Campus Community for expressive conduct, students may assemble for spontaneous expressive activity without a reservation, on College walkways and outdoor common areas, so long as they remain at least 50 feet from building entrances and otherwise conduct their expressive activities in a manner consistent with this protocol.

Refusal of a Reservation

The Office of Student Affairs monitors and responds to requests to reserve space. When deemed appropriate by the reviewer, a requester may be asked to meet with the Dean of Student Affairs to clarify the request before a reservation is made so as to assist the requester to conform the request to the requirements of law, policy, procedure and this protocol and discuss time, place and manner considerations for effective communication that protects the safety of the requester, the Campus Community and any visitors. The Office of Student Affairs may refuse a reservation request for the following reasons:

- Conflict with an earlier request to reserve the same space and time, whether for official College activity or other previously reserved use.
- Failure to conform to the requirements of law, Board Policy, System Procedure or this protocol.
- An adjacent space is being used for an official College activity or a previously reserved use that renders the requested space unsuitable for the proposed activity.
- The request form is incomplete.
- The request alone or cumulatively with other requests exceeds more than fifteen days in a semester or is for more than five consecutive days.
- Lack of resources necessary to support an activity in a manner that preserves College facilities and protects the safety of the campus.

Refusal of a reservation may not be based on the viewpoint of the proposed activity.

Request for Review of Refusal of a Reservation

If a request for a reservation is refused by the Dean of Student Affairs, the requester may request review of the refusal by the President's Cabinet, whose decision will be final.

Otero College (OTERO) reserves the right to cancel an existing reservation and/or withhold reservations and use of OTERO facilities or grounds by any outside group during an emergency situation affecting college operations, public health and safety, or other



emergency as designated by the federal, state, county or municipal government. In these circumstances, alternate means of communication may be considered, if available.

Enforcement

Activities that commence without a reservation may need to be moved or cancelled if the size and nature of the event cannot be accommodated without jeopardizing the safe and orderly operations of the campus or a previously scheduled use. If an activity attracts more attendees than can be effectively managed by available staff and/or resources, or is otherwise occurring in a manner that fails to observe this protocol, a College official acting in the performance of his or her duty shall determine appropriate action up to and including directing individuals in violation of this protocol to leave campus or cancelling the activity and directing participants to disperse. Any participant who fails to leave campus or disperse after having been requested to do so by a College official or law enforcement officer acting in the performance of his or her duty may be subject to arrest and/or issued a no trespass order.

Violation of this protocol may result in being asked to leave immediately. The College reserves the right to refuse to grant future applications to individuals or groups in violation of this protocol. Students and employees also may be subject to discipline up to and including suspension or expulsion for students and dismissal or termination for employees.

DISCLAIMER:

This protocol provides operational directives that interpret Board Policies and System Procedures. It does not create, nor shall be construed to create, an express or implied contract or a guarantee or promise of any specific process, procedures, practice or benefit. To the extent that any provision of this protocol is inconsistent with federal or state law, State Board for Community Colleges and Occupational Education Policies Board Policies (BPs) or System Procedures (SPs), the law, BPs and SPs, shall, in that order, take precedence, supersede and control. BPs and SPs are subject to change throughout the year and are effective immediately upon adoption by the Board or System Chancellor, respectively. The College reserves the right to modify, change, delete or add to this protocol as it deems appropriate.

REVISING THIS PROCEDURE:

Otero College reserves the right to change any provision or requirement of this procedure at any time and the change shall become effective immediately.