

DESIGNATED LIMITED PUBLIC FORUM FOR USE OF FACILITIES FOR FREE SPEECH

Summary:

The following constitutes Dutchess Community College’s “time, place and manner” policy on the use of Dutchess Community College (“the College”) facilities for free speech purposes as adopted by the Board of Trustees.

Reasons for this Policy:

As an institution of higher education, the College respects and fully supports the rights granted to individuals under the First Amendment to the United States Constitution regarding free speech.

As a public entity, the College will provide a designated limited public forum space for their exercise of free speech rights.

Policy Application:

This policy shall apply to all third parties, who are not sponsored by the College and-to student organizations, faculty, or staff who want to use the College’s designated limited public forum for free speech purposes.

Definitions:

Blackout Days: The College has “blacked out” certain days on its calendar wherein the use of the campus and its facilities, including outdoor spaces, are reserved exclusively for Campus activities that are related to its primary educational mission. During these blackout periods, no party shall be allowed to use the designated limited public forum for free speech purposes. The College defines the blackout periods to include the following:

- A. During the weekend prior to the commencement of fall and spring semesters;
- B. During reading periods and examination periods for each academic semester and the summer sessions;
- C. During graduation related activities and events, and;
- D. During major fall or spring campus wide events.

Designated Limited Public Forum: The College identifies the following as its designated limited public forum: The area known as the Edgar Petrovitz Pine Grove patio between Bowne and Dutchess Halls on the Poughkeepsie campus. Attached hereto is a map outlining the designated limited public forum.

The College designates this outdoor space for its limited public forum as this space is near to a highly trafficked pedestrian walkway on the College's main campus used by students, faculty, staff and visitors. The use of this space also is not likely to interfere with classroom instruction or residence hall activities.

The President shall have the authority to change, either permanently or temporarily, the designated limited public forum to address concerns for the health, safety and welfare of the campus community.

Applicant: A person(s) who wants to use the designated limited public forum for free speech purposes.

Policy:

- A. The College is providing a designated limited public forum for the use of free speech purposes.

- B. Reservation and Recordkeeping of the Use of Space:
 - 1. Parties who seek to use the designated limited public forum must:
 - a. Complete a designated limited public forum use application; and
 - b. File the application with the College Scheduling Office at least five (5) business days before the date the applicant wants to use the designated limited public forum (applications received after 3 p.m. on a given business day shall be considered as having been received on the morning of the next business day). The applicant assumes responsibility for the proper delivery of the application to the College Scheduling Office in a timely manner.

 - 2. The College shall review the application and respond to the applicant within three business days or no later than the business day prior to the date the applicant wants to use the designated limited public forum:
 - a. If the application is completed fully and signed by the applicant and the date and time is available for use, the College shall inform the applicant of its approval to use the designated limited public forum on the date and time so requested.
 - b. If the application is not complete and/or it is not signed, the College shall return the application to the applicant for completion.
 - c. If the space is already reserved for the date and time requested, or if the date and time requested is during a defined "blackout period", the College shall inform the applicant and the applicant may apply for another available date and time for the use of the space.

- C. The College shall not:
1. Inquire as to the nature or content of the free speech;
 2. Charge the applicant an application fee to reserve the designated limited public forum;
 3. Charge the applicant party for the use of the space, or;
 4. Impose insurance requirements on the applicant.
- D. The applicant shall:
1. Be responsible for picking up from the designated limited public forum and College campus any brochures, pamphlets, leaflets or other handouts or goods that the speaker(s) brought with him/her to disseminate during his/her speech, and properly disposing of the same in public garbage receptacles or taking them with him/her. Failure to comply with this provision may result in future denial of use of the designated limited public forum; and
 2. Not use megaphone equipment, amplified music, or other equipment for amplification. Failure to comply with this provision may result in future denial of use of the designated limited public forum.
 3. Cease expressive activities and vacate the designated limited public forum at the expiration of the time identified in the application and approved by the College.
- E. The College reserves the right to terminate any use of the designated limited public forum in the event either the speaker or a member(s) of an audience engages in conduct that violates the Rules for the Maintenance of Public Order, adopted in accordance with Education Law Section 6430 and 8 NYCRR 535, in order to secure the orderly operation of the campus for the safety of the entire campus community.
- F. The College shall not be liable for any damages incurred or sustained by the applicant resulting from any cancellation of the applicant's use.

Completed applications to use the designated limited public forum should be sent to or hand delivered to:

Dutchess Community College
College Scheduling Office
SSB 201
53 Pendell Road
Poughkeepsie, NY 12601

All applications must be reviewed and approved by the Vice President for Finance and Administration.

Reaffirmed by Board of Trustees, Resolution # 2024-03, dated September 19, 2023
Revised by Board of Trustees, Resolution # 2025-04, dated September 24, 2024

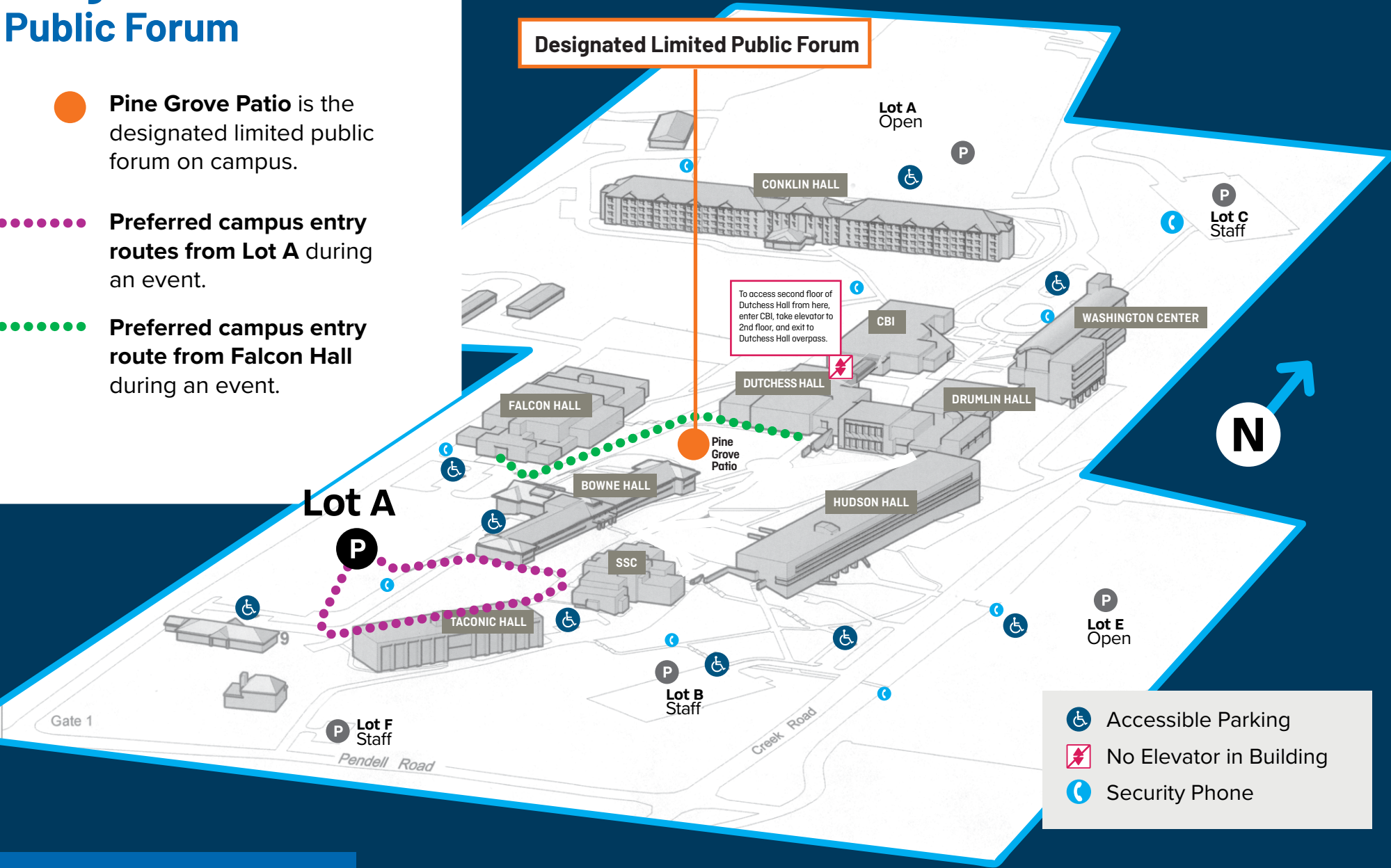
Designated Limited Public Forum

Pine Grove Patio is the designated limited public forum on campus.

Preferred campus entry routes from Lot A during an event.

Preferred campus entry route from Falcon Hall during an event.

Designated Limited Public Forum



- Accessible Parking
- No Elevator in Building
- Security Phone