

Speech and Expression

Policy Number: 109

Categorized: [General Policies](#)

Responsible Office: Campus Dean of Student Success

Subject: To establish guidelines for the protection of speech and expression, of all forms and for all members of the College community.

Related Policies: [Posting, Solicitation and Distribution of Materials on College Property](#)

Procedures: [109P](#)

Additional Information: [Free Speech webpage](#)

Effective Date: 05/01/2014

Last Reviewed Date: 04/27/2021

1. Scope

This policy applies to all employees, students, and visitors and to all buildings, grounds, and other spaces owned or controlled by Northern Virginia Community College (“NOVA” or the “College”).

2. Policy Statement

College property is primarily dedicated to academic, student life and administrative functions. But it also represents the “marketplace of ideas,” and especially for students, many areas of campus represent a public forum for speech and other expressive activities. NOVA may place restrictions on expressive activities occurring indoors, but especially for students and student organizations, the outdoor areas of campus remain venues for free expression, including speeches, demonstrations, and the distribution of literature.

Indoors or outdoors, NOVA will not interfere with the rights of individuals and groups to the free expression of their views or impermissibly regulate their speech based on content or viewpoint. NOVA may establish reasonable time, manner and place restrictions on expressive activity which are narrowly tailored to serve a significant governmental interest and allow ample alternative channels for communication of the information. The Campus Dean of Student Success, in coordination with the Director for Campus Operations and in consultation with Campus Police, will be responsible for determining if any reasonable restrictions are necessary. The College President, and/or Campus Provost shall have ultimate authority on which indoor areas to designate for possible use in Expressive Activities.

No event or expressive activity shall be permitted to violate or hinder the rights of others within the campus community or substantially disrupt normal College operations.

The use of College Property for the purpose of expressive activity does not imply Northern Virginia Community College's endorsement of any organization, nor its activity, cause, or position.

Requests for use of College Property for Expressive Activity will be considered on a content-neutral and viewpoint-neutral basis in accordance with Procedures 109P.

The College reserves the right to terminate any use of College Property if a participant or participants engage in conduct that violates any law or College policies, if the conduct continues after being directed to bring the conduct in compliance with the law or College policy.

3. Definitions

College Property: Any land, building or other property that is owned, leased or under the control of Northern Virginia Community College.

Expressive Activity includes:

- a. Meetings and other group activities of students and student organizations;
- b. Speeches, performances, demonstrations, rallies, vigils, and other events by students, student organizations, and visitors;
- c. Distributions of literature, such as leaflets and pamphlets; and
- d. Any other expression protected by the First Amendment to the U.S. Constitution.

Prohibited Speech includes speech that is not protected by the First Amendment:

- a. speech which is considered to incite imminent lawless action
- b. obscenity,
- c. defamation,
- d. harassment,
- e. true threats,
- f. child pornography,
- g. fighting words (words indicating a willingness to fight)

Visitor: outside groups that are not directly associated with the College or its recognized student organizations, but who are invited by student organizations.

4. Procedures See [109P](#).

5. Authority

VCCS Policy 6.5.1, 6.5.2

[Code of Virginia § 23.1-401.1](#)