



# POLICY

Category	Approval		
Series 100: Foundations and Basic Commitments	Effective	Administration	Board
	6/8/2020	4/30/2020	6/8/2020
	Revised		For Review
			2023

## FREEDOM OF EXPRESSION

**MTC 111**

### I. Purpose

The purpose of this policy is to promote the free exchange of ideas through speech, petition, and peaceful assembly while protecting the educational purpose of Mitchell Technical College.

### II. General Statement of Policy

MTC employees and students, as well as groups or individuals not affiliated with the college, may use campus public areas to engage in freedom of expression activities, so long as those activities are not substantially disruptive to the operations, functions, and activities of the college.

### III. Definitions

- A. Public areas on campus are strictly defined as sidewalks, lobbies, commons, and hallways. Classrooms, labs, offices, student lounge areas and study rooms are not public areas.
- B. The following forms of expression are examples of forms of speech that are not protected which may lead to individuals or groups being subject to disciplinary, administrative, or legal action:
  - 1. Threats that communicate an intent to commit an act of violence
  - 2. Harassment, including speech and other conduct based on a protected class, targeted at an individual that denies educational access, opportunities, and rights
  - 3. Defamation
  - 4. Incitement of illegal action
- C. A disruptive activity is defined as one which:
  - 1. Interferes with college employees' ability to perform their job responsibilities or students' ability to participate in academic activities
  - 2. Disrupts the flow of pedestrian or vehicular traffic
  - 3. Has a foreseeable risk of damage to college property
  - 4. Presents a foreseeable risk of physical harm to individuals
  - 5. Blocks entrances or exits to campus buildings or facilities

LEGAL REFS.: First Amendment of the Constitution of the United States of America; Constitution of the State of South Dakota, Article VI, §4 and §5