

ABOUT SINCLAIR

SINCLAIR COMMUNITY COLLEGE CAMPUS ACCESS POLICY

Sinclair Community College is a community college district primarily funded by local and state tax revenues for the purposes of providing post high school educational services to residents of the Greater Dayton Metropolitan Area. These educational services include: arts and sciences curricula; providing occupational, cultural, or general educational courses, seminars or similar opportunities for adults; and technical programs to prepare students to meet occupational requirements of the community. Ohio Rev. Code §§3354.01; 3354.09 (F); 3354.12. The buildings, grounds, and facilities of Sinclair Community College are public property; however, it is the responsibility of the Board of Trustees of Sinclair Community College to regulate access to such property in such a manner that the purposes of the Community College are adequately served.

To that end the Board of Trustees of Sinclair Community College adopts the following policies concerning access to campus property in order to better assure:

- The avoidance of disruption of the educational functions of Sinclair Community College;
- Maintenance of order on campus;
- Protection of persons and property of students, employees, and other members of the public present on campus for lawful reasons as well as protection of Sinclair Community College property;
- Protection of students from illegal, unethical or fraudulent actions;
- Preservation of appropriate academic and work environments for employees and students; and
- Maintenance of Sinclair Community College's disciplinary systems.

In formulating these policies the Board of Trustees of Sinclair Community College took into consideration the interests of the community it serves in maintaining reasonable access to its buildings, grounds, and facilities. Those community interests include:

- Ready access to the educational services offered by Sinclair Community College;
- Attendance at, or participation in, civic, cultural, and educational events held at, or sponsored by, Sinclair Community College;
- Attendance at, or participation in, sporting events;
- Safe guarding civil liberties guaranteed by the United States and Ohio Constitutions, including freedoms of speech, press, and assembly; and
- Protecting employee rights in accordance with Ohio law.

These policies establish the parameters for access to Sinclair Community College's buildings, grounds, and facilities.

However, nothing in these policies should be interpreted to interfere with, or restrict, regular classroom activities scheduled by the teacher. Teachers, as professionals, are responsible for determining the means to be employed in presenting the course materials.

It should also be noted that no policy can or should be all inclusive. There are numerous situations which will arise that are not specifically addressed in these policies. Sinclair Community College reserves the right to handle such situations as the circumstances warrant and the President retains full discretion to deal with said situations as he/she deems fit.

The President of Sinclair Community College and his/her designees are hereby directed and empowered to develop and sinclair.edu/about/.../campusaccess/

implement procedures deemed necessary to give full effect to these policies.

I. GENERAL POLICIES APPLICABLE TO ALL CAMPUS ACCESS:

Any unauthorized use of, or access to, Sinclair Community College facilities and/or grounds may result in immediate eviction and/or criminal or civil prosecution. Persons on campus may expect to be asked their purpose for being on campus by Campus Police, and if such persons have no legitimate business on campus, Sinclair Community College Campus Police will ask for the person's identification, and request that the person leave the Sinclair Community College premises immediately, subject to prosecution for trespass in the event that this person returns. The second time this person is found to be on campus with no legitimate business with Sinclair Community College, he/she will be arrested, and Sinclair Community College will prosecute the person for trespass.

No person shall be in any room, area, or facility for purposes other than those for which the room, area, or facility has been intended. Approval for use of facilities may be revoked by Sinclair Community College in an emergency, when any use interferes with regular college use, when facilities are misused, or when Sinclair Community College regulations are violated.

Youth or children's groups shall be supervised at all times by responsible adults provided by the outside organization seeking access to Sinclair Community College premises.

Security for Sinclair Community College shall at all times be under the control of Sinclair Community College, and any activity by outside organizations on Sinclair Community College premises shall be open to inspection by Sinclair Community College at all times.

II. SPEAKERS AND PRESENTATIONS BY OUTSIDE ORGANIZATIONS:

The freedoms of speech and assembly guaranteed by the United States and State of Ohio Constitutions shall be enjoyed by the students, faculty and staff of Sinclair Community College, as well as members of the community in the use of facilities on campus. Free discussion of subjects of either controversial or noncontroversial nature shall not be curtailed.

However, because there is no absolute right to assemble, to make or hear a speech or to make presentations, at any time or place regardless of the circumstances; invitations to outside speakers, or to outside organizations for presentations shall be limited in the following particulars:

1. No request to invite an outside speaker will be granted if the speaker, or presentation, is a part of any program the nature of which is otherwise prohibited by this Campus Access Policy;
2. A request to invite an outside speaker, or for presentations by outside organizations, will be considered only when made by a recognized student organization or member of the faculty or staff, or where the speaker, or presenter, is on the program of a meeting or function of a community organization for which access to campus is otherwise permitted;
3. No invitation by such student group, faculty, staff or organization shall be issued to an outside speaker, or presenter, without prior written approval by the President of Sinclair Community College (or his/her designee) for scheduling of speaker/presentation dates and assignment of campus facilities;
4. Speaker Requests shall be made in writing by the group, person, or organization desiring to sponsor the speaker at least three (3) weeks prior to the date of the proposed speaking engagement. (Requests should be submitted as soon as possible, as facilities are assigned on the basis of availability with first preference to functions sponsored by Sinclair Community College, second preference to academic topics, and other topics or functions assigned on a first-come/first-served basis.)
5. Speaker Requests shall identify the speaker, or presenter, and state the name of the group, person or organization sponsoring the speaker, the proposed date, time and location of the meeting, the expected size of the audience, and the topic of the speech or nature of presentation. (Speaker Request forms are available in the Business Services office.)
6. Speaker Requests may be denied if the President (or designee) determines that facilities are not available to accommodate the proposed engagement, if the nature of the program is otherwise prohibited by this Campus Access Policy (for example: the proposed speaker would address a political fund raising dinner), or if the proposed speech will constitute a clear and present danger to Sinclair Community College's orderly operation by the speaker's advocacy of such actions as:

- a. The violent overthrow of government;
 - b. The willful damage or destruction, or seizure and subversion, of Sinclair Community College buildings or other property;
 - c. The forcible disruption or interference with Sinclair Community College's regularly scheduled classes functions; impairment of, or other educational functions;
 - d. The physical harm, coercion, intimidation, or other invasion of lawful rights, of Sinclair Community College officials, administrative staff, faculty, staff or students; or
 - e. Other campus disorder of an obscene or violent nature. [The President may base such determinations on the stated intent or topic of the speaker/presenter and/or past practice or experiences of the speaker/presenter or sponsoring outside group.]
7. In the event a Speaker Request is denied, the sponsoring group, person, or organization may appeal the denial, in writing to the President, who shall set the matter for hearing, within three working days of the receipt of the appeal, before the Access Appeals Committee for consideration of the request. The Access Appeals Committee's decision shall be issued within two days of the hearing, and shall be final.
8. In the event a Speaker Request is granted, the sponsoring group, person, or organization shall:
- a) If there are any modifications to the Speaker Request, such as a change in the time or place of the speech, etc., the modifications must be given to the President (or designee), in writing, sufficiently in advance to assure that the assembly can be accommodated;
 - b) Make public statements that the views presented are not necessarily those of Sinclair Community College;
 - c) Comply with applicable rules, regulations, and laws for such assemblies, including reasonable requests of the President (or designee) as to the conduct of the assembly. (At the discretion of the President, it may be required that a member of Sinclair Community College's administration or faculty chair or co-chair, participate in, or attend the assembly.)

III. SOCIAL AND COMMERCIAL ACTIVITY:

Sinclair Community College's primary mission is the educational enrichment of the community. It should not compete with other available meeting and assembly facilities for social functions, religious services, and commercial ventures. There are ample conference/banquet/convention facilities in the area designed for such purposes. For these reasons, the following functions, meetings, or activities shall not be permitted on Sinclair Community College's campus:

1. Social functions, such as weddings, parties, banquets (except such functions sponsored by, co-sponsored by, or for the benefit of recognized student, faculty, or staff organizations, or Sinclair Community College);
2. Religious services, or events which include religious services as a substantial portion of the program;
3. Events which involve gambling of any kind, even if the gambling is intended solely as a fund-raising mechanism for charity; however, recognized student, faculty, or staff organizations may with prior written approval of the President (or designee), include lawful games of chance (such as a raffle) as part of a fund-raising activity;
4. Commercial ventures or proprietary functions intended to generate a profit for a person, group, organization, or company, except such ventures or functions sponsored, or co-sponsored by, Sinclair Community College; (such activities are not permitted even if sponsored or co-sponsored by a recognized student, faculty, or staff organization);
5. Any function or event requiring food and/or refreshments to be supplied by anyone other than the Sinclair Community College food service contractor, unless there has been prior written consent signed by Sinclair Community College and its food service contractor;
6. Any activity involving the collection of, or raising of, funds by any outside person or organization (this prohibition includes political fund raising events); however, United Way is permitted to collect and/or raise funds. (Recognized student, faculty, or staff organizations, while permitted to collect or raise funds on campus, must have the prior approval of the President (or designee).

IV. SOLICITATIONS AND LITERATURE DISTRIBUTION:

1. Outside persons or organizations (non-employees, and others not a student or recognized student, faculty, or staff organization) intending to solicit students or employees for any purpose, or to distribute literature must, for each visit:
 - a. Give advance notice of at least five (5) business days of such intention to the Director of Business Services, which notice shall include the following: (If less than five (5) business days notice is given, depending on the arrangements required to be made, Sinclair Community College may not be able to accommodate the request for access.)
 - i. the date and time for such solicitation or distribution;
 - ii. the identity of the person or organization;
 - iii. a list of the names of those intending to solicit or distribute literature;
 - iv. whether the solicitation will include distribution of literature; and
 - v. the general nature of the solicitation or distribution;
 - b. Confine all solicitation and/or distribution to non-work areas designated by the Director of Business for their activities;
 - c. Refrain from the solicitation or distribution of literature to employees during their work-time; and
 - d. Abide by all other requirements of this Policy, and other applicable laws, rules, and regulations.
2. Employees, students, and recognized student, faculty, or staff organizations may engage in the solicitation of employees only if such does not interfere with, or occur during, the work-time of the employee being solicited or doing the solicitation.
3. Literature may not be distributed in working areas, including: classrooms, laboratories, lecture halls, gymnasiums, libraries, offices, work stations, conference rooms, and corridors leading directly thereto which are an integral part of the work areas.
4. Internal Sinclair Community College communications systems, such as intra-campus mail system, telephones, copy machines and other electronic equipment, shall not be used for the purpose of solicitation or distribution of literature, except for United Way solicitations and for solicitations or distributions for the benefit of, or on behalf of, Sinclair Community College. (This does not apply to employee use of the Faculty Forum and/or Staff Communicator circulated on campus.)
5. No solicitation or distribution shall be permitted to disrupt or interfere with normal work and educational activities on campus.
6. Violations of this Solicitation/Distribution Policy by employees will be subject to discipline pursuant to Sinclair Community College discipline procedures.
7. Violations of this Solicitation/Distribution Policy by students will subject the student to discipline as provided in the Student Handbook.
8. Outside persons or organizations violating this Solicitation/Distribution Policy will be asked to cease the violation(s) and if necessary escorted off the campus. Flagrant or repeated violations by an outside person or organization may result in denial of future access to the campus and/or prosecution as appropriate.

V. COMMON AREAS:

Common areas such as lobbies, hallways and stairwells are not available to any person or group for any purpose which could impede ingress or egress from any building, room or office, or otherwise interfere with traffic (pedestrian or vehicular). For this reason, any use of common areas must have prior approval of the President (or designee).

No event or function shall be permitted in any common area which could interfere with the orderly conduct of scheduled classes, or other operations of Sinclair Community College. For example, a band concert sponsored by a student group would not be permitted on the parquet floor of the first level of Building No. 7 during regular business hours.

VI. ATHLETIC/RECREATIONAL FACILITIES:

Athletic/recreational facilities are available only to the following: (Availability of facilities is generally limited to regular service hours according to the published quarterly schedule of campus, hours.)

1. Administration, faculty, employees, and students of Sinclair Community College in accordance with established Physical Activities Center policies; and
2. Participants in, or spectators at, any athletic or recreational event sponsored or co-sponsored by Sinclair Community College or a recognized student, faculty, or staff organization.
3. Outside organizations may use the facilities provided:
 - a. the intended use is in keeping with the mission and purpose of Sinclair Community College;
 - b. requests advance; for use are made at least 3 weeks in
 - c. facilities are available;
 - d. all applicable fees or deposits are paid in advance; and
 - e. evidence of insurance to defend and hold harmless Sinclair Community College from any possible claims which could arise from such use of the facilities.

Any person making use of athletic/recreational facilities must comply with applicable rules, regulations, or laws.

VII. PARKING FACILITIES:

Except for occasional use by civic or community organizations as a parade or march assembly point (for which prior written approval must be obtained from the President or his/her designee), parking facilities are for the use of Sinclair Community College employees, students, visitors, and guests solely to park their vehicles. No other activity in, or use of, parking facilities is allowed. Administration, faculty, staff and students are expected to observe all applicable rules and regulations in using these facilities. Fees, if any, must be paid when due. Parking spaces reserved for use by handicapped persons may only be occupied by properly identified vehicles. Observe all posted traffic regulations.

Pedestrian use of parking facilities shall be limited to travel to or from parked vehicles. No distribution of literature shall be allowed, and no postings are permitted in or on the parking facilities.

VIII. FEES, INSURANCE AND FINANCIAL RESPONSIBILITY:

Sinclair Community College has established fees and rental rates for the use of its facilities. Persons or organizations sponsoring any event or function, or availing themselves of Sinclair Community College's facilities, are required to execute a rental agreement and to pay the applicable fee or rental. Depending on the nature of the event or function, an outside person or organization may be required to show evidence of financial responsibility (such as adequate liability insurance naming Sinclair Community College as an additional insured), and agree to indemnify, defend, and hold harmless Sinclair Community College for any and all claims arising out of the event or function. Such evidence of financial responsibility shall be required of outside persons or organizations for the following:

- a. Any event or function which may include the serving or consumption of alcoholic beverages;