

NEW YORK CITY COLLEGE OF TECHNOLOGY

FIRST AMENDMENT – TIME, PLACE AND MANNER GUIDANCE

As a public institution of higher education, New York College of Technology is committed to academic freedom and the free exchange of ideas and expression of all points of view for members of the College community, including individual students, faculty, and staff and recognized groups of those constituencies. At the same time, the College has a responsibility to protect the safety of everyone on campus and to prevent discrimination, harassment, and disruptions to the College's academic operations.

Consistent with the First Amendment, the College may regulate speech on campus by imposing content-neutral "reasonable time, place, and manner" restrictions so long as (1) the restrictions are necessary to fulfill a significant legitimate institutional purpose and (2) other avenues remain available for communicating the same message to the same audience. For example, the College could prohibit the use of a bullhorn during an event if use of a bullhorn would be so noisy as to interfere with classes scheduled for the same time. The College could restrict the hours or location of an event or speaker provided the rule was reasonably necessary to prevent disruption of such activities as teaching or course registration.

A member of the College community who fails to comply with the College's reasonable time, place and manner restrictions, or fails to comply with a directive to cease behavior in violation of those restrictions, would be in violation of one or more of CUNY's Rules and Regulations for the Maintenance of Public Order (the "Henderson Rules"), which prohibit, among other things:

- o Interfering with the institution's educational processes and facilities;
- o Interfering with the rights of others who wish to avail themselves of the college's instructional, personal, administrative, recreational, and community services; and
- o Failing to comply with lawful directions issued by representatives of the University/college

Students whose conduct violates the Henderson Rules are subject to student disciplinary charges under Article XV of the CUNY Bylaws. Penalties range from an admonition to expulsion. Employees may be subject to disciplinary action in accordance with applicable CUNY policies and collective bargaining agreements.