

Farmingdale State College
Special College Council Meeting
June 20, 2018

Council members present: Dr. Patricia Hill Williams, Chair; Ms. Kathleen Ferrell; Mr. Paul Caroleo; Mr. James E. Durant, Mr. Robert Sweeney, Ms. Randi Shubin Dresner

Excused absence: Dr. Kenneth Card; Mr. David Curry; Mr. Ernesto Mattace, Mr. Messiah Gaymon

College Administration: Dr. John Nader; Dr. Tom Corti; Ms. Nancy Connors

Guests: Ms. Christine LaPlace; Ms. Kathryn Coley, Ms. Carolyn Fedder, Mr. David Phyfe

The meeting was called to order by Chair Williams at 10:02am.

Chairperson's statement of Purpose: Chair Williams informs that this is a special meeting of the College Council to discuss the Use of Facilities by Third Parties for Free Speech Policy.

President's remarks:

President Nader states that the Student Rights & Assembly Policy was adopted at the last College Council meeting on 4/18/18. The Use of Facilities by Third Parties policy involves individuals, groups and organizations that are not affiliated with the College and wish to use the campus for free speech purposes. Instances have occurred on campuses across the country and the College did not previously have a document that would serve as a guide in the approval or denial of submissions for requests of this nature. Based on this need, Christine LaPlace has drafted a policy encompassing what other colleges and universities have done and the core principals referenced in related court cases. The model template arose out of a lawsuit in Albany and has the blessing of U.S. magistrate. The policy includes statements of definitions and a sample application and it has been vetted and approved by FEC and cabinet and shared with the student government.

Discussion of possible significant costs to the College for a sizable free speech activity and concerns about hostile groups and parties who fail to comply with our rules, the number of requests we can expect, liability, the distribution of literature and the removal of refuse were raised.

FSC is obligated to provide space and not permitted to charge for its use because it is a public college. The policy would allow for built in black out periods and for regulation and control in time, place and manner. The Great Lawn designation is the least intrusive sight. Based on the number of attendees the president can move the location if necessary. Alternate locations were proposed and it was explained

that the area must be open and accessible. University Police has reviewed the policy and supports the location and the time frame to turn over applications.

The College cannot ask the nature of the topic nor the content of the speech for an assembly as this is a federal right to free speech. It is emphasized that this is a campus policy that enables preparedness and the ability to outline restrictions and identify specifics. The distribution of handouts on the day of, specifying the rights of organizers and opposing views may help to prevent disorderly conduct. It is possible to terminate an event as Section E of the policy calls for maintenance of public order which dictates participants behave in a certain way. Security is the main concern. There are no guidelines regarding recourse for damages and further clarification is needed from the courts on this point.

The work put into the policy and the time provided for review was acknowledged by the council and Chair Williams concludes in saying she believes that all are in agreement that a policy is needed. Motion to accept.

Mr. Sweeney moves to accept.

Mr. Durant seconds.

No opposed, no abstentions.

The policy has been approved.

MOTION CARRIED

Announcements

Call for Consensual Relations Policy has been tabled by the SUNY Board of Trustees. A draft that includes six key principles may be shared in the fall.

At the 2018 SUNYCUAD conference our Communications Department was recognized, with a second place award for the FSCNow magazine and Ru Jurow earned second place for her webpage design for the Nexus Center.

As there was no other business the meeting adjourned at 10:35am.

Respectfully submitted,

Carolyn Fedder

Approved 10/10/2018

Dates to remember:

- Convocation – Thursday, August 30, 8:30am breakfast MPR Roosevelt Hall, 9:30am Program Little Theatre
- Legislative Breakfast – Friday, September 21, 9:00am Campus Center Ballroom
- Open House – Sunday, November 4, 1-3pm