

Personnel

Board of Trustees Policy

SUBJECT: First Amendment Support Team Policy	NUMBER: 2.39, 3.23 and 4.14
	DATE: May 13, 2024
	SUPERSEDES: New Policy

Purpose

SUNY Schenectady County Community College (the “College” or “SUNY Schenectady”) respects and fully supports students, employees, and third parties in the exercise of their First Amendment rights. This First Amendment Support Team Policy (the “Policy”) establishes guidelines and procedures for the administration and operation of the College’s First Amendment Support Team (“FAST”).

Policy

FAST will take actions to support the College’s policies and procedures pertaining to free speech and public assembly, as protected by the New York and United States Constitutions. The role of FAST is primarily to support expressive activities that are held on campus and are either planned by students or at which student engagement is anticipated. Exceptions to this scope will be handled on a case-by-case basis.

Procedures

A. FAST Advisory Committee and Coordinators:

1. FAST Advisory Committee: The College has created the FAST Advisory Committee (the “Committee”) to develop guidance and recommendations on First Amendment and FAST programmatic matters, including reviewing applicable laws and College policies, drafting protocols and procedures, creating training programs for FAST Coordinators and/or the College Community, and addressing expressive activities that occur on campus. The Committee will be comprised of College employees and/or their respective designees, including the following:

- a. Chief Diversity Officer
- b. Associate Vice President for Campus Safety
- c. Executive Vice President of Administration
- d. Executive Director for Human Resources
- e. Associate Vice President of Student Affairs
- f. Executive Director of Marketing and Public Relations
- g. Campus Events Coordinator
- h. Chief of Staff

The composition of the Committee may be amended from time to time by the College President.

2. FAST Coordinators: FAST Coordinators (the “Coordinators”) are appointed by the Advisory Committee. The Coordinators will engage in some or all of the following activities as deemed necessary by the College president and Committee:
 - a. Meet and confer with organizers of expressive activities, as needed;
 - b. Notify FAST members of upcoming expressive activities to occur on campus;
 - c. Confer with Campus Safety on adequate staffing and security for expressive activities;
 - d. Develop and distribute FAST educational materials for the College community;
 - e. Attend expressive activities, as scheduled, or on an emergency basis, if the need arises; and
 - f. Otherwise support the Committee as needed.
3. Neutrality: While acting in their official capacity, Committee members and Coordinators are expected to support the exercise of free speech on campus without endorsing a particular message or viewpoint. FAST Members are expected to remain neutral and should take no action or make any comment reasonably deemed to support or oppose the expressive activity at hand. Nothing in this Policy shall be construed to prevent any College employee from speaking in their personal capacity on a matter of public concern.

B. FAST Response

1. Not all expressive activity on campus will require intervention from FAST. FAST will monitor and/or respond to any spontaneous or planned expressive activity that:
 - a. Draws a large crowd;
 - b. Presents a possible security risk or threat to public health and safety;
 - c. May result in violations of the Student Conduct Rules and Regulations, College policy, or applicable law;

- d. Is likely to garner media attention; and/or
 - e. Presents an imminent or substantial risk of disruption to College-sponsored events or programming, including classes and administrative functions.
2. If it is necessary for FAST to intervene, a Committee member will call upon the Coordinators to work with the event organizers and seek support from Campus Safety, as needed.
3. Media Inquiries: Committee members and Coordinators shall forward all media inquiries to the Executive Director of Marketing and Public Relations, or their designee as applicable, to prepare the College's official media response or statement.

C. Campus Safety Escalation Protocol

1. The College's commitment to free speech does not require it to tolerate civil disobedience, unlawful or illegal activity, or conduct that poses an imminent risk of harm to its College community or property or that interferes with College operations and/or student learning. Campus Safety, in consultation with the College's legal counsel, may impose content and viewpoint neutral time, place, and manner restrictions on expressive activities, where necessary for public health and safety and to ensure operational effectiveness.
2. Committee members and Coordinators must alert Campus Safety immediately if they encounter any of the following circumstances before, during, or after any expressive activity:
 - a. The blockage of streets, sidewalks, entrance, and/or exits creates a risk to public health and safety;
 - b. There is a credible and reasonable basis to fear for their safety or the safety of any other individuals present for the expressive activity;
 - c. There is violence or a credible threat of violence involving any individuals present for the expressive activity;
 - d. There is an actual or a credible threat of vandalism or destruction of College or other property;
 - e. A person is carrying or brandishing a firearm or other weapon in violation of College policy or New York State law; and/or
 - f. They otherwise observe any illegal or unlawful activity or circumstance that warrants the intervention of Campus Safety.

If any of these situations exist, Campus Safety shall take appropriate action, and fully inform the College President and Committee.