

ADMINISTRATIVE PROCEDURE 3900 SPEECH: TIME, PLACE, AND MANNER**I. Free Expression**

The students and employees of the District and members of the public shall be permitted to exercise their rights of free expression subject to the time, place, and manner policies and procedures contained in Board Policy 3900 and these procedures.

II. Public Forums

The colleges of the District are non-public forums, except for the areas reserved for free speech expressive activities which do not violate District policy and which are lawful: The public forum areas are as designated by the President for each college and the Chancellor for the district office. These areas are chosen so as to provide visibility and allow communication to a large number of students, administrators, faculty, and others walking or traveling on campus or other district property but also so as not to disrupt educational and other activities of the District on behalf of students.

- A. The District reserves the right to revoke a public forum designation and apply a non-public forum designation.
- B. The designated public forum areas are to be developed, or modified, by the President of the college in consultation with the appropriate college shared governance group in addition to representatives from the collective bargaining units. The specific areas so designated shall be included as a part of the "Free Speech Notification Form" referred to in section "IV" below.
- C. The District reserves the right to designate areas as non-public forums as necessary to prevent the substantial disruption of the orderly operating of the colleges or the district. Areas of the college or the district that are non-public forums specifically include at least campus offices, classrooms, physical education facilities, warehouses, maintenance yards, and the other buildings affecting the operation of the college not designated above.

III. Use of Public Forum Areas

The use of these areas reserved and open for expressive activities is subject to the following:

- A. Persons using and/or distributing material in the areas shall not impede the progress of passersby, nor shall they force passersby to take material or sign a petition.
- B. No person using the areas shall touch, strike or impede the progress of passersby, except for incidental or accidental contact or contact initiated by a passerby.
- C. Person using areas shall not use any means of amplification that creates a noise or diversion that disturbs or tends to disturb the orderly conduct of the campus or classes.
- D. No illegal activities will be permitted, no activities which violate District or college rules, including rules and laws on illegal harassment and discrimination, and none that will substantially interfere with or disrupt activities already scheduled for that day and time in the designated areas.
- E. All persons using the areas that are designated public forums shall be allowed to distribute petitions, circulars, leaflets, newspapers, and other printed matter. Such distribution shall take place only within those areas. Material distributed in the areas that is discarded or dropped in or around the areas other than in an appropriate receptacle must be retrieved and removed or

properly discarded by those persons distributing the material prior to their departure from the areas that day.

F. No person using the Free Speech Public Forum Area shall solicit money, through direct requests for funds, or sales of tickets or other items, except where the appropriate permission and accounting has been followed through Administrative Procedure AP 6300 General Accounting for district funds or through Administrative Procedure AP 6700 Civic Center for non-district funds.

G. Failure to comply with these regulations will be cause to deny use of the facilities.

IV. **Notification**

Non employee, non-student, community groups wishing to engage in speech or expressive activities on campus, in the areas designated as public forums, shall provide notification to the District through the Vice President or Dean of Students at least three business days in advance of the activities. The notification should include the name of the individual or group, contact information for the individual or group, and describe the nature of the activities. The notification is to include completion of a reservation form requesting a specific geographical location and time desired so that space can be reserved. This notification form does not involve an approval process. This notice is intended to provide the college with knowledge of the person's or group's presence on campus so that the college can notify the appropriate members of its staff whose services might be needed or impacted by the use of the designated area.

V. **Posting**

Bulletin boards shall be provided for public forum use in posting materials at campus locations convenient for use by students, staff, and members of the public. All materials submitted to the Vice President or Dean of Students for display on a public forum bulletin board shall clearly indicate the author or agency responsible for its production, shall be limited to 11" x 17" in size, and shall be dated with the date of posting by the college staff. Materials displayed shall be removed after the passage of 14 days. Materials soliciting money are not to be posted on the public forum bulletin boards.

References:

Education Code Sections 76120 and 66301
Board Policy BP 3900 Speech: Time, Place, and Manner

Approved by the Chancellor: March 14, 2013