



AP 3900 Speech: Time, Place, and Manner

References: Education Code Sections 66301 and 76120

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Last Reviewed:

The District is dedicated to the dissemination of information and ideas, and the presence of engaged scholarly, cultural, and political debate. The ability of the campus community and the community at large to engage in expressive activity is central to the identity of a community college. Of all social institutions in a democracy, an institution of higher learning has a special responsibility to promote an open atmosphere and to honor the First Amendment.

In support of free speech, the District recognizes that opposing or unpopular views are important. It is the responsibility of the campus community to provide opportunities for dialogue based on mutual respect and learning.

To this end, this speech procedure is designed to be broad and flexible and to acknowledge the historic significance of free speech, while also preserving the teaching and public service mission of the District.

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 *Speech: Time, Place, and Manner* and these procedures.

Designated Free Speech Zones

The college and centers of the District are non-public forums, except for the following “designated zones” which are reserved for expressive activities that do not violate District policy and are lawful.

Main Campus:

- Campus Center (CC) courtyard
- Campus Center (CC) lawn – under solar panels
- Learning Resource Center (LRC) courtyard
- Life Science (LS) lawn
- Student and Administrative Services (SAS) courtyard

Chico Center:

- Patio area – front of building

Glenn County Center:

- Patio area– adjacent to the flagpole

Skyway Center:

- Patio area – near front door

The designated zones are chosen so as to provide visibility and allow communication to a large number of students, administrators, faculty, and others walking or traveling on the college and centers of the District but also so as not to disrupt educational and other District activities.

- Designated zones are designated public forums. The District reserves the right to revoke that designation and apply a non-public forum designation.
- The District reserves the right to designate areas as non-public forums as necessary to facilitate and maintain the orderly operation of the college and centers. Areas of the college and centers that are non-public forums specifically include: campus offices, classrooms, warehouses, maintenance yards, locker rooms, and all other areas not specified as designated zones.

The use of designated zones is subject to the following:

- Persons using and/or distributing material in a designated zone(s) shall not impede the movement of passersby and shall not force passersby to take material.
- No person using a designated zone(s) shall touch, strike, or impede the movement of passersby, except for incidental or accidental contact or contact initiated by a passerby.
- Persons using a designated zone(s) shall not use any means of amplification that creates a noise or diversion that disturbs or tends to disturb the orderly conduct of the college and centers of the District or classes.

Non-student, community groups, and members of the public wishing to engage in speech or expressive activities on the college or centers of the District in designated zones must check in with the District through Butte College Facilities Planning and Management prior to engaging in the activities. This does not involve an advance approval process. No illegal activities; no activities that violate District or campus rules, including rules and laws on illegal harassment and discrimination; and no activities that will substantially interfere with or disrupt activities already scheduled for that day and time in the designated zones, as described above, will be permitted. In the event the area sought to be used for expressive activities has already been reserved for another activity so that there will be substantial interference or disruption based on noise, overcrowding, or other considerations unrelated to content, the District will offer alternative available areas or if none are available offer alternative dates. Students, outside organizations, and others are encouraged to make reservations in advance to use the areas for their expressive activities by using the optional reservation forms. Reservations shall not be used to exclude free speech use by other individuals or groups.

All persons using designated zones shall be allowed to distribute petitions, circulars, leaflets, newspapers, and other printed matter. Such distribution shall take place only within designated zones. Material distributed in designated zones that is discarded or dropped in or around the designated zones 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 designated zones that day.

Hours of Access

The District's hours of access for expressive activities are 7:00 a.m. to 7:00 p.m. Overnight use and overnight sleeping on campus are not permitted, nor is use of the campus areas for

sleeping, camping, or laying down of bedding, nor is use of facilities for similar purposes permitted during hours of operation.

Bulletin Board Policy

Bulletin boards shall be provided for use in posting materials at the college and centers of the District at locations convenient for use by students, staff, and members of the public. All materials displayed on a bulletin board shall clearly indicate the author or agency responsible for its production and shall be dated with the date of posting by the Student Life Office or designee. Materials displayed shall be removed after the passage of ten (10) days and adhere to the bulletin board guidelines.

The District reserves the right to identify and designate other forums, which can include but are not limited to District facilities or means of communication such as bulletin boards or District operated technology resources, as limited public forums and to reserve such forums for their intended purposes.

This procedure shall not be interpreted or applied in a manner that restricts the rights of students to free expression, and students may speak on matters of public concern, distribute printed materials or petitions, use bulletin boards, and otherwise express themselves in ways that do not disrupt the orderly operations of the college and centers of the District.