



BP 3900 Speech: Time, Place and Manner

References: Education Code Sections 76120, 66301

Adopted: May 22, 2013

Last Revised: April 17, 2019

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Students, employees, and members of the public shall be free to exercise their rights of free expression, subject to the requirements of this policy.

The college and centers of the District has areas that are designated public forums available for use by students, employees, and members of the public. The President/Superintendent or designee shall enact such administrative procedures as are necessary to reasonably regulate the time, place, and manner of the exercise of free expression in the designated public forum areas.

The administrative procedures promulgated by the President/Superintendent shall not prohibit the right of students to exercise free expression, including but not limited to the use of bulletin boards designated for such use, the distribution of printed materials or petitions in those parts of the college designated as areas generally available to students and the community, and the wearing of buttons, badges, or other insignia.

Speech shall be prohibited that is defamatory, obscene according to current legal standards, or which so incites others as to create a clear and present danger of the commission of unlawful acts on district property or the violation of district policies or procedures, or the substantial disruption of the orderly operation of the District, or creates or seeks to create a hostile work or educational environment.

Nothing in this policy shall prohibit the regulation of hate violence directed at students in a manner that denies their full participation in the educational process (Education Code Section 66301 subdivision (e)), so long as the regulation conforms to the requirements of the First Amendment to the United States Constitution, and of Section 2 of Article 1 of the California Constitution. Students may be disciplined for harassment, threats, intimidation, or hate violence unless such speech is constitutionally protected.

See Administrative Procedure 3900