

FREEDOM OF EXPRESSION

The students of the District shall be permitted to exercise their rights of free expression subject to the time, place and manner of conducting such activities as contained in Board Policy, 2019 and this procedure.

The colleges of the District are non-public forums, except for designated Free Speech Area(s).

The Free Speech Area(s) are limited public forums. The District reserves the right to revoke that designation and apply a non-public forum designation at its discretion.

The Free Speech Area(s) are open to the public generally between the hours of 6:00 am and 12:00 midnight. Between the hours of midnight and 6:00 am, these areas are generally closed to all activities except coming and going to a campus building or crossing the campus.

The use of Free Speech Areas is subject to the following:

- Persons using the Free Speech Area(s) and/or distributing material in the Free Speech Area(s) shall not impede the progress of passers by, nor shall they force passers by to take material.
- No person using the Free Speech Area(s) shall touch, strike or impede the progress of passers by, except for incidental or accidental contact, or contact initiated by a passerby.
- Persons using a Free Speech Area shall not use sound amplification, electronic or otherwise, which creates a noise or diversion that disturbs or tends to disturb the orderly conduct of the campus or classes taking place at that time.
- No persons using the Free Speech Area(s) shall solicit donations of money, through direct requests for funds, sales of tickets or otherwise, except where he or she is using the Free Speech Area(s) on behalf of and collecting funds for an organization that is registered with the Secretary of State as a nonprofit corporation or is an approved Associated Students Organization or club.

All persons using the Free Speech Area(s) of the college shall be allowed to distribute petitions, circulars, leaflets, newspapers, and other printed matter. Such distribution shall take place only within the Free Speech Area(s). Material distributed in the Free Speech Area(s) that is discarded or dropped in or around the Free Speech Area(s) 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 Free Speech Area(s) that day.

The College may set reasonable time restrictions on the use of Free Speech Area(s), in order to ensure that all persons are given equal access to the use of the Free Speech Area.

The policy excludes expression which is obscene, libelous or slanderous according to current legal standards, anything that can be construed as bias-motivated harassment or hate speech, including but not limited to: abusive epithets, derogatory visuals or symbols, or other injurious expression which has the clear purpose of harassing people because of race, color, gender, national origin, ancestry, citizenship, sexual orientation, age, physical or mental ability, medical condition, marital status, or status as a veteran, or which incites students to create a clear and present danger or to commit unlawful acts on community college premises or damage to persons or property. Inciting students to riot, or the violation of lawful community college regulations or the substantial disruption of the orderly operation of the community college, is also prohibited.

Posting:

Students shall be provided with bulletin boards for use in posting student materials at campus locations convenient for student use. 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 or Student Activities Office. The College shall prescribe reasonable lengths of time during which such printed material may be posted on the bulletin boards with the object of assuring fair access to the bulletin boards for all students. (Materials displayed shall be removed at the end of the semester or immediately after the event has concluded.)

Materials must not include anything that can be construed as bias-motivated harassment or hate speech, including but not limited to: abusive epithets, derogatory visuals or symbols, or other injurious expression which has the clear purpose of harassing people because of race, color, gender, national origin, ancestry, citizenship, sexual orientation, age, physical or mental ability, medical condition, marital status, or status as a veteran. This policy is meant to inhibit harassment, and should not be interpreted as a rationale for curtailing academic freedom, artistic expression, or political discourse.

Unless constitutionally protected, acts of harassment, threats, intimidation or hate violence will be grounds for disciplinary action. Any person who is found to be in violation of this policy may be subject to the sanctions applicable respectively to students, staff, faculty or visitors.

Education Code, Sections 66301 and 76120