



AP 3900

SPEECH: TIME, PLACE, AND MANNER

References:

Education Code Sections 76120 and 66301

The students and employees of the District and members of the public shall be permitted to exercise their rights of free expression subject to BP 3900 Speech: Time, Place, and Manner and these procedures.

Expressive activities shall not violate District policy and must be lawful. Expressive activities shall not disrupt educational and other activities of the District.

Public Forums

All areas of Cliff Campus, Schott Campus, and Wake Campus are designated public forums except as specified below. 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 in those designated areas. Those persons distributing printed material must, prior to their departure from the areas that day, make reasonable efforts to retrieve, remove or properly discard material that is discarded or dropped in or around the areas other than an appropriate receptacle.

The hours of operation of the District are Monday through Friday 6 a.m. to 11 p.m., and 6:30 a.m. to 10 p.m. weekends and holidays. Expressive activities are not permitted outside the District's hours of operation. Overnight use or sleeping on campus is 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 (See AP 3501 Campus Security and Access).

Non-Public Forums

Specific areas of the District campuses are designated non-public forums in order to prevent the substantial disruption of the orderly operation of the college. Areas of the campus(es) that are non-public forums include campus offices, classrooms, student support areas, warehouses, maintenance yards, locker rooms, and the bridge between East and West Campus.

While campus offices are non-public and cannot be used by outside groups as a space for expressive activities, this designation does not preclude employees from expressing



opinions within the confines of their own offices, including the posting of placards or buttons.

Limited Purpose Forums

Instructional spaces may be temporarily designated as limited purpose forums when the District approves a group's advance request for this purpose. Examples of such spaces include the Fé Bland Forum and Garvin Theatre on Cliff Campus, the Tannahill Auditorium at Schott Campus, and the Thornton Auditorium at Wake Campus. Generally, only groups with an existing association with the District, such as the Faculty Association, will be permitted use of limited purpose forums within campus facilities.

Expressive activities are subject to the following:

- Persons using and/or distributing material in the areas shall not impede the progress of passersby, nor shall they force passersby to take material.
- 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.
- Persons 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.

Non-student, community groups wishing to engage in speech or expressive activities on campus, in the areas designated as public forums, must check in with the District through the Office of Student Life. No advance approval process is required for proposed uses not utilizing sound amplification or that are not reasonably anticipated to involve 25 or more participants. Groups proposing to use sound amplification or whose gatherings are reasonably anticipated to involve 25 or more participants must obtain a permit from the Office of Student Life no less than two days in advance of the proposed event.

The following activities will not be permitted: obscene, libelous, or slanderous according to current legal standards, or which so incites a person or persons as to create a clear and present danger of the commission of unlawful acts on District premises, or the violation of lawful District regulations, or the substantial disruption of the orderly operation of the District or violate District or campus rules, including rules and laws on illegal harassment and discrimination.



In the event the area sought to be used for expressive activities has already been reserved for one group so that simultaneous use by the second group presents a threat to public safety and order that cannot be mitigated by keeping the two groups separated, the District will offer alternative available areas or if none are available offer alternative dates. Students, outside organizations, and others are encouraged, but not required, to make reservations in advance to use the areas for their expressive activities by using the optional reservation forms.

All persons using the areas that are designated public forums and limited purpose 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.

Posting

Bulletin boards shall be provided for use in posting materials at campus locations convenient for use by students, employees, 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 Office of Student Life. Materials displayed shall be removed after the passage of 20 days.

Also see BP 4030 Academic Freedom

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