



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.

The campus(es) of the District is/are non-public forums, except for the following areas, which are reserved for expressive activities which do not violate District policy and which are lawful.

These areas are chosen so as to provide visibility and allow communication to a large number of students, employees, and others walking or traveling on campus but also so as not to disrupt educational and other activities of the District on behalf of students:

1. Main Campus

- East Campus
 - Walkway areas adjacent to the Campus Center patio
 - Friendship Plaza: grassy areas along walkway across from Campus Center
 - Arbor walkway (southeast) between the Student Services Building (SS) and the Physical Science (PS) Building
- West Campus
 - West Campus walkway from the west end of the bridge to the fountain (Note: The east end of the bridge is prohibited as it is directly adjacent to lanes of traffic.)

2. Schott Campus

- Main entrance walkway from Padre Street, in between Tannahill Auditorium and Campus Offices

3. Wake Campus

- Courtyard lawn adjacent to the Thornton Auditorium and off of Parking Lot #1.

These areas 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 prevent the substantial disruption of the orderly operation of the college. Areas of the campus(es) that are non-public



forums specifically include campus offices, classrooms, warehouses, maintenance yards, or locker rooms, and any other area not specified above.

The use of these areas reserved and open for expressive activities is 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 students 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 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

Approved: April 29, 2016

Legal Reference Update #25: November 2014