

7.21 Speech: Time, Place and Manner

1. The Board recognizes that the fostering of free speech and the encouragement of broad expression of diverse views are essential to the District's goal of offering a rich educational environment. At the same time, in order to carry out its functions of teaching and public service, the District must maintain conditions under which the work of its faculty, students, and staff can be carried out freely, effectively and safely. This policy is intended to ensure that free speech activities on District campuses are fostered while at the same time preventing unreasonable interference or conflict with the educational, research, outreach, and other functions of the District and its campuses
2. Students, employees and members of the public shall be free to exercise their rights of free expression, subject to the requirements of this policy and College procedures on Time, Place and Manner.
3. ~~The College(s) of the District are non-public forums, except for those areas that are generally available for use by students or the community, which are limited public forums.~~ Each College shall identify areas on campus that are designated public forums available for the exercise of free expression by students, employees and members of the public. Each College shall enact administrative procedures to reasonably regulate the time, place and manner of the exercise of free expression in the ~~limited~~ designated public forums.
4. College procedures shall not prohibit the right of students, employees and members of the public 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, and the wearing of buttons, badges and other insignia in those parts of the College designated as areas generally available to students and the community.
5. Speech shall be prohibited that is ~~defamatory~~, obscene, libelous or slanderous 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.
6. Nothing in this policy shall prohibit the regulation of hate violence (as defined by subsection (a) of Section 4 of Chapter 1363 of the Statutes of 1992) ~~directed at students in a manner that denies their full participation in the educational process~~, so long as the regulation conforms to the requirements of the First Amendment of the United States Constitution, and of Section 2 of Article 1 of the California Constitution. Students may be disciplined for harassment, threats, or intimidation, ~~or hate violence~~ unless such speech is constitutionally protected.

Reference: Education Code Sections 76120, 66301

(xx/10)

NOTE: Items 4 and 5 repeat State law found in Education Code 76120.

Item 6 repeats State law found in Education Code 66301.