

Adopted  
October 4, 2016  
Last Reviewed  
October 4, 2016

## **BP 3900 SPEECH: TIME, PLACE, AND MANNER**

### **References:**

Education Code Sections 66301 and 76120

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(s) of the District is/are non-public forums, except for those areas that are designated public forums available for the exercise of expression by students, employees, and members of the public. The District Chancellor shall delegate the responsibility to each College President to develop such administrative procedures as are necessary to reasonably regulate the time, place, and manner of the exercise of free expression.

The administrative procedures promulgated by the ~~District Chancellor~~ College Presidents shall not prohibit the right of students to exercise free expression, including but not limited to the use of bulletin boards, the distribution of printed materials or petitions, 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.

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(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, or intimidation unless such speech is constitutionally protected.