

BP 5550 Speech: Time, Place and Manner

Reference:

Education Code Section 76120

The college of the District is a non-public forum, except for those areas designated as Free Speech Areas, which are limited public forums. The Superintendent/ President shall enact such administrative procedures as are necessary to reasonably regulate the time, place and manner of the exercise of free expression in the limited public forums. The administrative procedures promulgated by the Superintendent/President shall not prohibit the right of students 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 in those parts of the college designated as Free Speech areas, and the wearing of buttons, badges, or other insignia.

Students shall be free to exercise their rights of free expression, subject to the requirements of this policy. 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, 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, intimidation, or hate violence unless such speech is constitutionally protected.

See Administrative Procedures

Board Approved 4/9/03

Reviewed by the Board Ad Hoc Committee on Policy 8/12/09