

Board Policy 3900

Speech: Time, Place, and Manner

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 is considered a non-public forum, except for those areas of the college that are designated as areas generally available for use by students or the community, which are designated public forums. The Superintendent/President or designee shall enact such administrative procedures as are necessary to reasonably regulate the time, place, and manner of the exercise of free expression in the designated public forums.

The administrative procedures promulgated by the Superintendent/President or designee 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.

Non-students may obtain use of areas, classrooms, rooms, buildings, facilities and grounds, not reserved and open for speech or expressive activities, pursuant to the Civic Center Permit rules set forth in Board Policy 6700, regarding "Civic Center and Other Facilities Use."

References:

Education Code Sections 66301 and 76120

Previous Numbers: 3900.1, 5550

El Camino College

Adopted: 2/09/02

Amended: 4/18/16, 11/21/16