



Reference: *Education Code Sections 66301 and 76120*

Students and employees of the District and members of the public may exercise their rights of free expression subject to the time, place, and manner policies and procedures contained in Board Policy 3900 and these procedures.

The colleges and campuses of the District designates the following areas as reserved for expressive activities which do not violate District policy and which are lawful: grassy areas, outdoor walkways, and other similar common areas. These areas are chosen so as to provide visibility and allow communication to a large number of students, administrators, faculty, and others walking or traveling on campus but also so as not to disrupt educational and other activities of the District.

- These areas are designated public forums. The District reserves the right to revoke that designation as to one or more areas and apply a non-public forum designation or other 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 college that are non-public forums specifically include campus offices, classrooms, warehouses, maintenance yards, locker rooms, and any other area not by tradition or designation a forum of public communication.

The use of these areas reserved and open for expressive activities is subject to the following:

- No person using the areas shall touch, strike, or physically impede the progress of passerby, except for incidental or accidental contact or contact initiated by a passerby.
- Persons using for expressive activities shall not disrupt the orderly operation of the college.
- Persons engaged in expressive activities 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 taking place at that time.
- No persons shall solicit donations of money, through direct requests for funds, sales of tickets, or otherwise, except where he or she is acting on behalf of and collecting funds for an organization that is registered with the Secretary of State as a nonprofit corporation or is an approved Associated Students organization or club.
- No persons exercising their rights of free expression shall:
 - block entrances to or otherwise interfere with the free flow of traffic into or out of campus buildings;

- block any street, roadway, crosswalk, driveway, parking lot, or otherwise obstruct the free flow of pedestrian or vehicular traffic unless authorized to do so.

Anyone wishing to engage in speech or expressive activities on campus in areas designated as public forums should check in with the College Vice President of Student Services or designee or the Chancellor or designee at the District office prior to engaging in the activities. Students, outside organizations, and others are encouraged to submit an Expressive Activities Planning Form (available on the college and district website) in advance to the Vice President of Student Services or designee at the college or the Chancellor or designee at the District office.

No illegal activities will be permitted, no activities that violate District policies, including policies and laws on illegal harassment and discrimination, and none that will substantially interfere with or disrupt activities already scheduled for that day and time in the designation areas as described in this procedure.

In the event the area sought to be used for expressive activities has already been reserved for another activity so that there will be substantial interference or disruption based on noise, overcrowding, or other considerations unrelated to content, the District will offer alternative available areas or if none is available, offer alternative dates.

Distribution of Materials

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. Those persons distributing printed materials must prior to their departure from the areas that day, make reasonable efforts to retrieve, remove or properly discard material that is discarded or dropped in or around the areas other than in an appropriate receptacle.

Obscene, Defamatory, or Materials that Incite Violence

Nothing in this procedure shall be deemed to permit the distribution of material that is obscene, defamatory, or incites violence, the violation of law, Policy, or Procedure, or the commission of unlawful acts on District property or at a District event.

Posting

Bulletin boards shall be provided for use in posting materials at campus locations convenient for use by students, staff, 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 College Vice President of Student Services or designee. Materials displayed shall be removed after the passage of at least ten (10) days.

Copyrighted Material and Trademarks

The District disclaims any responsibility for any alleged violation of copyright trademark, or service mark laws in regards to any material that is set forth in any writing that is

posted or distributed on its property by persons who are not District employees.
Persons utilizing District facilities are advised not to violate copyright or trademark laws.

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