



Origination 06/2004
Last Approved 04/2020
Effective 04/2020
Last Revised 04/2020
Next Review 04/2030

Chapter Lead Angel Rodriguez:
Chapter 3(CC)
Policy Area Chapter 3
General Institution
References 10+1, CCLC |
Legally Required

BP 3900 Speech: Time, Place, and Manner

(Replaces current SBCCD BP 5550)

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 colleges of the District are non-public forums, except for those areas designated public forums available for the exercise of expression by students, employees, and members of the public as Free Speech Areas, which are limited public forums. The Chancellor shall enact such administrative procedures regulations as are necessary to reasonably regulate the time, place, and manner of the exercise of free expression in the designated public forums limited public forums.

The administrative procedures promulgated by the Chancellor shall not prohibit the right of any person to exercise free expression, including but not limited to the use of bulletin boards, 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, District employees and members of the public 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 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, intimidation, or hate violence intimidation unless such speech is constitutionally protected.

References:

Education Code Sections 76120 and 66301

Attachments

-  [BP 3900 Speech: Time, Place, and Manner - Comments](#)
-  [BP 3900 Speech: Time, Place, and Manner - Legal Citations](#)
-  [BP3900- OLD.pdf](#)
-  [Legal Update 33 Overview Rev. 10-25-18.docx](#)

Approval Signatures

Step Description	Approver	Date
Final Board Approval	Policy Stat	04/2020
Reviewed and Approved per AP 2510	Policy Stat	04/2020