



Chapter 5—Student Services

AP 5550 – Speech: Time, Place and Manner

Reference: Education Code Sections 76120, 48907; 82537 and 82548

The students of the District and members of the community shall be permitted to exercise their rights of free expression subject to the time, place, and manner policies and procedures contained in Board Policy 5550, these procedures and other applicable Board Policies and Administrative Procedures.

The colleges and campuses of the District are non-public forums, except for the areas designated by the Chancellor as designated public forums, which are generally available to students and the community as follows:

- Clear Lake Campus – the area between Buildings 400, 200, and 702.
- Woodland Community College – the central quad stage area between Buildings 200 and 700 and including the grassy area immediately north of the stage.
- Yuba College – the central area of campus surrounding Building 400 and bordered by Buildings 100B, 200, 500, 1100 and 300.
- The Chancellor shall have the discretion to modify the designated area of a campus in accordance with the following limitations. The new designated area must be reasonably comparable in size and pedestrian traffic to the former area as possible given the layout of the campus in question and use of the surrounding buildings. This discretion is not to be exercised on a case by case basis but only to the extent necessary when all or part of a designated area becomes inaccessible or not safe (such as when construction is undertaken in the designated area or in the event of a natural disaster) or when the use of the area or part of the area for speech activities in general interferes with the educational and administrative activities of the District (such as when noise caused by public speakers in general significantly and repeatedly interferes with classes and other activities taking place in surrounding buildings).

These areas are subject to the following:

- Persons using the designated area(s) and/or distributing material in the designated area(s) shall not impede the progress of passersby, nor shall they force passersby to take material.
- No person using the designated area(s) shall touch, strike, or impede the progress of passersby, except for incidental or accidental contact, or contact initiated by a passerby.
- Persons using a designated area shall not use any means of amplification that creates a noise or diversion that disturbs the orderly conduct of the college, campus, or classes taking place at that time.
- No persons using the designated area(s) shall solicit donations of money, through direct requests for funds, sales of tickets, or otherwise, except where he or she is using the designated area(s) 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.



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All persons using the designated area(s) of the college shall be allowed to distribute petitions, circulars, leaflets, newspapers, and other printed matter. Such distribution shall take place only within the designated area(s). Material distributed in the designated area(s) that is discarded or dropped in or around the designated area(s) other than in an appropriate receptacle must be retrieved and removed or properly discarded by those persons distributing the material prior to their departure from the designated area(s) that day.

Posting

Students shall be provided with bulletin boards for use in posting student materials at campus locations convenient for student use. 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. Materials displayed shall be removed after the passage of 15 days.

Use of Designated Areas by Persons Who Are Not Students or Employees of the District

Members of the public are welcome to speak and/or distribute written materials within the designated area(s) of each campus subject to the time, place, and manner policies and procedures contained in Board Policy 5550, these procedures and other applicable Board Policies and Administrative Procedures.

Prior to speaking and/or distributing written materials, members of the public who are not students or employees of the District, shall provide notice of their intent to speak and/or distribute written materials to the Office of the President on each campus, or in the case of the Clear Lake Center, the Office of the Dean of the School. This notice shall be provided at any time prior to the use of the designated area(s). This notice shall include the person's name and contact information and the dates and times he or she will be speaking and/or distributing written materials on campus. This notice does not involve any application or approval process, and therefore, the ability to use the designated area(s) cannot be denied. This notice is only intended to provide the College with knowledge of the community member's presence on campus so the College can notify the appropriate members of its staff whose services might be needed or impacted by the use of the designated area(s).

Construction with Civic Center policies and procedures

Use of the designated area(s) to speak and/or distribute written materials shall not be construed as the use of a "facility" or "service" of the District and/or College pursuant to the Civic Center Act policies and procedures. Therefore, a student or member of the community that wishes to speak and/or distribute written materials in the designated area(s) does not have to apply for or receive a permit prior to using the designated area(s).

Students and members of the community who wish to reserve space in a College facility and/or use the services of a College department (such as equipment, food, janitorial, or audio/visual) must follow the procedures set forth in BP 6700, AP 6700 and the other applicable policies and procedures of the District regarding use of its facilities.

Revised: 12/22/2008; 9/30/08; 12/17/07; 12/01/2006

Adopted: 7/21/2004