

Policy Change	<input checked="" type="checkbox"/>	Constituency Group Review	<input type="checkbox"/>
Procedure Change	<input checked="" type="checkbox"/>	District Council	<input type="checkbox"/>
New Policy	<input type="checkbox"/>	Board 1 st Reading	<input checked="" type="checkbox"/>
New Procedure	<input type="checkbox"/>	Board 2 nd Reading	<input type="checkbox"/>
Comments:		Referred to:	

KEY:
BOLD= new language
~~strikethrough=~~ delete language

Edited:
1/2/14



Policy

3900 Time, Place & Manner

~~The Colleges of the District are non-public forums, except for those areas designated as “free speech areas”, which are limited public forums.~~ **Yosemite Community College District wholly supports student free speech and supports every individual’s right to express his or her views. YCCD supports civil discourse as a fundamental pillar of education.**

In areas of the Colleges of the District designated as limited public forums, the Chancellor 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 areas the District has not designated as limited public forums are not open to be used for expressive purposes by students, employees or the community generally.**

The administrative procedures promulgated by the Chancellor 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. 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.

References:

Education Code Section [76067](#), [76120](#), [66301](#)

Adopted: June 28, 2004

Revision Adopted: May 13, 2009

Administrative Procedure

3900 Time, Place & Manner

- I. The students **and employees** of the District **and members of the public have the right to** ~~shall be permitted to exercise their rights of~~ free expression subject to the time, place, and manner policies and procedures contained in Board Policy 3900 and these procedures.
- II. The Colleges of the District **shall not restrict free expression in** ~~are non-public forums, except for~~ **“areas generally available to students and the community,” defined as grassy area, walkways or other similar common areas. This definition governs the phrase “areas generally available to students and the community” as it is used throughout this administrative procedure.”**
- III. The areas generally available to students and the community are limited public forums. ~~The District reserves the right to revoke that designation and apply a non-public forum designation in a manner consistent with applicable law.~~
 - A. ~~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 Colleges. Areas of the Colleges that are non-public forums specifically include but are not limited to campus offices, warehouses, maintenance yards, and locker rooms.~~
- IV. The use of area(s) generally available to students and the community is subject to the following:
 - A. Persons using the area(s) generally available to students and the community and/or distributing material in the areas generally available to students and the community shall not **physically** impede the progress of passersby, nor shall they force passersby to take material.
 - B. Persons using an area(s) generally available to students and the community shall not use any means of amplification that creates a noise or diversion that disturbs the orderly conduct of the campus or classes taking place at that time.
 - C. No persons using the area(s) generally available to students and the community shall solicit donations of money, through direct requests for funds, sales of tickets or otherwise, except where he or she is using the area(s) generally available to students and the community 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.
 - D. Persons using the area(s) generally available to students and the community shall not disrupt the orderly operation of the college.
- V. All persons using the area(s) generally available to students and the community of the colleges shall be allowed to distribute petitions, circulars, leaflets, newspapers, and other printed matter. Such distribution shall take place only within the area(s) generally available to students and the

1 community. **Those persons distributing printed material must make reasonable efforts to**
2 **retrieve, remove or properly discard material that is discarded or dropped** Material distributed
3 in the area(s) generally available to students and the community that is discarded or dropped in
4 or around the area(s) generally available to students and the community other than in an
5 appropriate receptacle ~~must be retrieved and removed or properly discarded by those persons~~
6 ~~distributing the material prior to their departure from the area(s) generally available to students~~
7 and the community that day.

- 8
- 9 VI. Posting: Students shall be provided with bulletin boards for use in posting student materials at
10 campus locations convenient for student use. All materials displayed on a bulletin board shall
11 clearly indicate the author or agency responsible for its production, the name of the person
12 requesting the posting, and shall be dated and approved by the Student Development and
13 Campus Life Office on the East and West Campus for Modesto Junior College, and ~~or~~
14 the designee of the Learning Support Services office at Columbia College.

15 **Reference:**

16 Education Code Section [76120](#)

17 **Cross Reference:**

18 BP 4030 – Academic Freedom

19
20
21

Procedure Last Revised: April 11, 2007, May 9, 2012, interim procedure November 5, 2013, December 11, 2013
22