

ARTICLE IX

FREEDOM OF SPEECH

9901. COLLEGES AS NON-PUBLIC FORUMS. The colleges of the Los Angeles Community College District are non-public forums, except for those portions of each college designated as Free Speech Areas are hereby designated as limited public forums, which designation may be removed and reverted to non-public forum designation by the Board of Trustees.

Adopted 04-20-89

9902. FREE SPEECH AREAS. The college president shall designate an area or areas on the college campus as areas for free discussion and expression by all persons. A Free Speech Area may only be located where there is a normal flow of student traffic with unlimited accessibility. Necessary campus rules governing the operation of such areas shall govern only the time, place and manner in which said areas are to be used. All such rules shall be applied equally and fairly to all persons desiring to use the Free Speech Areas. No restrictions shall be placed on subject matter, topics or viewpoints expressed in Free Speech Areas.

EC 76120

Adopted 04-20-89

Historical Note: Former Board Rule 91103, enacted 3-15-72, repealed 4-20-89.

9902.10 Responsibilities of Persons Using Free Speech Areas. All persons using the Free Speech Area of a college are expected to monitor the content of their speech such that the expression (1) is not obscene, libelous or slanderous according to current legal standards, (2) does not create a clear and present danger of the commission of unlawful acts on community college premises, (3) is not violative of lawful community college regulations, or (4) does not substantially disrupt the orderly operation of the college. Any person who is found to have expressed speech in violation of this section may be subject to the sanctions applicable respectively to students, staff, faculty or visitors.

EC 76120

Adopted 04-20-89

Historical Note: Former Board Rule 91107, enacted 3-15-72, repealed 4-20-89.

9902.11 Distribution of Materials. Persons using a Free Speech Area shall be allowed to distribute petitions, circulars, leaflets, newspapers, miscellaneous printed matter and other materials, subject to the following restrictions:

- a. Such distribution shall take place only within the geographical limits of the Free Speech Area;
- b. Any material being distributed which is discarded or dropped in or around the Free Speech Area 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 Free Speech Area that day;

Adopted 04-20-89

Historical Note: Former Board Rule 91106.10, enacted 3-15-72, repealed 4-20-89.

- c. Persons distributing material shall not impede the progress of passersby, nor shall they force or coerce passersby into taking the proffered material.

Adopted 04-20-89

Historical Note: Former Board Rule 91106.10, enacted 3-15-72, repealed 4-20-89.

9902.12 Forms of Speech. Persons using a Free Speech Area shall be entitled to exercise their speech privileges in any manner which does not violate the rules of conduct set forth in Article VIII or in this Article, including but not limited to the use of printed materials and the wearing of buttons, badges or other insignia, except that:

- a. No means of amplification may be used, electronic or otherwise, which creates any noise or diversion that disturbs or tends to disturb the orderly conduct of the campus or classes taking place at the time.;
- b. No person using the Free Speech Area shall physically touch, strike or impede the progress of passersby, except for incidental or accidental contact, or initiation of such contact by a passerby;

Adopted 04-20-89

- c. No person using the Free Speech Area shall solicit donations of money, through direct requests for funds, sales of tickets or otherwise, except where he/she is using the Free Speech Area on behalf of and collecting funds for an organization which is registered with the secretary of state as a nonprofit corporation, or is an approved Associated Student Organization or Club.

EC 76120

Adopted 04-20-89

9902.13 Time Allotments for Speech. The president of each college or his/her representative may set reasonable time restrictions on the use of Free Speech Areas, in order to ensure that all persons are given equal access to the use of the Free Speech Area. The times at which the Free Speech Area may be used shall be subject to reasonable campus regulations.

Adopted 04-20-89

9903. STUDENT EXERCISE OF FREE SPEECH IN AREAS OUTSIDE OF DESIGNATED FREE SPEECH AREA. The president of each college may designate areas outside of the Free Speech Areas where students, faculty and staff may exercise freedom of expression subject only to reasonable time, place and manner restrictions.

Adopted 04-20-89

9903.10 Bulletin Boards. Students shall be provided with bulletin boards for use in posting student materials at campus locations convenient for student use. The location and number of such bulletin boards shall be determined by the college president or his/her representative.

Each college may have bulletin boards. The use of the bulletin boards shall be open to use only by students or recognized student organizations and shall be based on a first-come, first-served basis.

Posting of materials on bulletin boards shall be subject to the limitations concerning the manner of exercising students' rights of free expression in Free Speech Areas pursuant to Section 9902.10.

All materials displayed shall clearly indicate the author or agency responsible for its production and shall be dated with the date of posting by the College president's designee.

Adopted 04-20-89

Historical Note: Former Board Rule 91106.12, enacted 3-15-72, repealed 4-20-89.

The president of each college shall prescribe reasonable lengths of time during which such printed material may be posted on the bulletin boards with the object of assuring fair access to the bulletin boards for all students.

Adopted 04-20-89

Historical Note: Former Board Rule 91106.12, enacted 3-15-72, repealed 4-20-89.

9903.11 Posting Areas. The president of each college, or his/her representative, may designate areas other than the bulletin boards for display of materials.

Adopted 04-20-89

Historical Note: Former Board Rule 91106.13, enacted 3-15-72, repealed 4-20-89.

9904. STUDENT USE OF AREAS NOT DESIGNATED FOR FREE SPEECH ACTIVITIES. Student use of classrooms, rooms, buildings, facilities and grounds not designated as Free Speech Areas or otherwise designated for student free speech exercises in accordance with this article shall be governed by the rules and regulations established pursuant to Article X, relating to student activities and events.

Adopted 04-20-89

9905. VISITOR USE OF AREAS NOT DESIGNATED FOR FREE SPEECH ACTIVITIES. Visitor use of any areas, classrooms, rooms, buildings, facilities and grounds not designated as Free Speech Areas is subject to the Civic Center Permit rules set forth in Chapter VII, Article 2 of these Board Rules.

Adopted 04-20-89