

General Institution

BP 3900 SPEECH: TIME, PLACE, AND MANNER**References:**

Education Code Sections 66301 and 76120

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 District is a non-public forum, except for those areas that are designated public forums available for the exercise of expression by students, employees, and members of the public. The Superintendent/President shall enact such administrative procedures as are necessary to reasonably regulate the time, place, and manner of the exercise of free expression in the designated public forums.

The administrative procedures promulgated by the Superintendent/President shall not prohibit the right of students to exercise free expression, including but not limited to the use of bulletin boards, the distribution of printed materials or petitions, and the wearing of buttons, badges, or other insignia.

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 Board policies or administrative 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, or intimidation unless such speech is constitutionally protected.

Also see: AP 3900 Speech: Time, Place, Manner; BP 5500 Standards of Conduct; AP 5520 Student Discipline and Due Process

Date Adopted: July 27, 2010

(Replaces College of Marin Policies 2.0004, 3.0022, 4.0027, and 8.0021)

Revised/Reviewed: January 17, 2017