

**BP**  
**55503900**

## Speech: Time, Place, and Manner

Reference: ***Education Code Sections 66301, 76120***

Adoption Date: May 21, 2002      Last Updated: June 16, 2009

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The Grossmont-Cuyamaca Community College District guarantees freedom of expression provided that such expression does not result in a disruption of the orderly operations of College and District programs and activities. It is the policy of the District to maximize the opportunity for free discussion and expression while minimizing the potential for disruption of classroom and College/District activities and interference with the ability of students to obtain an education.

~~The colleges in the District are non-public forums, except for those areas that are generally available for use by students or the community, which are 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.~~its college campuses and District sites.

The administrative procedures promulgated by the Chancellor shall not prohibit the right of ~~students~~ individuals 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 areas generally available to students and the community,~~ and the wearing of buttons, badges, or other insignia.

~~Students shall be free to exercise their rights of free expression, subject to the requirements of this policy.~~

~~Speech 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 shall be prohibited.~~The District shall prohibit speech that is defamatory or obscene according to current legal standards, or which advocates for the use of force or law violation where such advocacy is directed to inciting or producing imminent lawless action and is likely to incite or produce such action, or which causes the substantial disruption of classroom or college activities.

Nothing in this policy shall prohibit the regulation of hate violence directed at individuals in a manner that denies their full participation in the educational process (Education Code Section 66301(e)). ~~The District may regulate the expression 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. ~~Students~~ Individuals may be disciplined for harassment, threats, intimidation, or hate violence, unless such speech is constitutionally protected.