

SPEECH: TIME, PLACE, AND MANNER

The students and employees 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 following the established procedures outlined below 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 Superintendent/President, or designee, and those areas designated as public forums. These designated areas are generally available to students, employees, and the community and are reserved for expressive activities which do not violate District policy and which are lawful. These areas are chosen to provide visibility and allow communication to a large number of students, administrators, faculty, and others walking or traveling on campus but also not to disrupt educational and other activities of the District on behalf of students.

Areas Designated For Use As Public Forums:

Visalia:	Grass area on North side of Quad (designated by signs)
Tulare:	Lower Walkway between Building A and B on the ground floor
Hanford:	Patio behind Student Lounge

The Superintendent/President, or designee, shall have the discretion to modify the designated area of a campus in accordance with the following limitations: The newly 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 significantly and repeatedly interferes with classes and other activities taking place in surrounding buildings).

The areas generally available to students, employees and the community are limited public forums. The areas are available during days when District classes are held and during the hours of 8:00 a.m. to 5:00 p.m.

The District reserves the right to revoke that designation and apply a non-public forum designation. 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 District.

Areas of the District that are non-public forums specifically include campus offices, classrooms, warehouses, maintenance yards, or locker rooms.

The use of areas generally available to students, employees and the community is subject to the following:

1. Persons using areas generally available to students, employees and the community and/or distributing material in the areas generally available to students and community shall not impede the progress of passersby, nor shall they force passersby to take material.
2. No persons using areas generally available to students, employees and the community shall touch, strike or impede the progress of passersby, except for incidental or accidental contact, or contact initiated by a passerby.
3. Persons using areas generally available to students, employees and the community shall not use any means of amplification that creates a noise or diversion that disturbs or tends to disturb the orderly conduct of the campus or classes taking place at the time.
4. No persons using the areas generally available to students, employees 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 areas generally available to students, employees 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 Student Senate organization or club.
5. Outside vendors may be approved by the Vice President, Administrative Services, or designee, to come to a campus to promote their business and provide information to students. A \$50.00 per day charge (in advance) will be collected and deposited to an account as designated by each campus. To reserve a date on the Visalia campus and to be included on the District's master calendar, a vendor must secure, complete, and submit an Activity Date Request two weeks prior to the promotion date to the Student Activities and Affairs Office. For the Hanford Campus, Activity Date Requests will be submitted to the Hub. In Tulare the requests will be submitted to the Tulare campus administrator. Each campus will handle scheduling their individual calendars. No commercial business will be allowed which is in direct competition with the District or with vendors with whom the District has exclusive agreements.
6. 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 outlined in this procedure and any other applicable Board Policy or Procedure.

7. 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 Superintendent/President, or designee(s), for Sequoias Community College District. This notice shall not be provided more than three days 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 District with knowledge of the community member's presence on campus so the District can notify the appropriate members of its staff whose services might be needed or impacted by the use of the designated area(s).
8. No amplified sound devices shall be used for any event other than approved Student Senate functions at times deemed acceptable so as not to interfere with scheduled classes.

All persons using the designated area(s) of the District 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.

Distribution and/or posting of materials on campus is subject to the following:

1. 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 be approved by the Superintendent/President, or designee and shall clearly indicate the author or agency responsible for its production and reflect the date of posting. Materials displayed shall be removed after two weeks or after the date of the event. If a student's request for posting of materials is denied, they may meet with the Dean, Student Services, or designee, to appeal the decision.
2. Unacceptable items include:
 - So-called "HATE" literature which scurrilously attacks gender and sexual orientation (actual or perceived), ethnic, religious and racial groups; other irresponsible publications aimed at creating hostility and violence; hardcore pornography; and, similar materials are not suitable for distribution on campus.
 - Materials denigrating to specific individuals in or out of school.
 - Materials designated for commercial purpose to advertise a product or service for sale without providing a discount to students.

- Materials which are designed to solicit funds, unless approved by the proper authorities.

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 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 facilities use permit prior to using the designated area(s).

Students and members of the community who wish to reserve space in a District facility and/or use the services of a 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.

Reference: Educ. Code Sections 76120, 66301, 48907, 82537, 82548

Adopted: December 11, 2007

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