



Book VCCCD Administrative Procedure Manual

Section Chapter 3 General Institution

Title AP 3900 Speech: Time, Place and Manner

Code AP 3900

Status Active

Legal

Business and Professions Code, Section 5402

California Education Code, Section 66301

California Education Code, Section 76120

California Education Code, Section 87708

Penal Code, Section 311

Penal Code, Section 311.2

Penal Code, Section 407

Penal Code, Section 409

Penal Code, Section 415

Penal Code, Section 415.5

Penal Code, Section 416

Penal Code, Section 422.6

Penal Code, Section 602.10

Penal Code, Section 626-626.6

Adopted April 9, 2013

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I. USE OF AREAS GENERALLY AVAILABLE TO STUDENTS AND THE COMMUNITY

- A. The students and employees of the District and members of the public 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 this procedure.
- B. The District shall not restrict free expression in "areas generally available to students and the community," defined as grassy areas, walkways, or other similar common areas. This definition governs the phrase "areas generally available to students and the community" as it is used in Board Policy 3900 and throughout this administrative procedure.
- C. The areas generally available to students and the community are designated public forums. For purposes of further defining "areas generally available to students and the community," no person may engage in the circulation of petitions, leaflets, newspapers and other printed matter in the following areas: within 25 feet of doorways opening to outdoor areas of campus, all indoor facilities including, but not limited to campus offices, classroom facilities, libraries, performing art facilities, indoor or outdoor athletic facilities, parking lots, student lounge, warehouses, and maintenance yards. All areas generally available to students and the community, as set forth above, may be reserved by the District, including recognized student organizations, for specific uses.

- D. Use of areas generally available to students and the community shall be subject to the following:
1. Persons wishing to engage in speech or expressive activities in the areas generally available to students and the community are encouraged to inform the Chief Student Service Officer or designee of their intent to be present in such areas. The District encourages such check-in as a means to provide for safety and for the equitable use of such areas. Individuals availing themselves of such areas generally available to students and the community, whether they decide to check-in or not, may remain anonymous.
 2. Persons using areas generally available to students and the community shall not touch, strike, or impede the progress of passerby, nor shall they force passerby to take materials.
 3. Persons using areas generally available to students 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 (as defined under Penal Code Section 626.6) of the campus or classes, other lawful activities.
- E. Persons using areas generally available to students and the community shall not solicit donations of money, through direct requests for funds, sales of tickets, goods, or otherwise, except where he or she is using such areas 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.
- F. Non-student use of any areas, classrooms, rooms, buildings, facilities, and grounds not reserved and open for speech or expressive activities is subject to the Civic Center Permit rules set forth in Board Policy and Administrative Procedure 6700, "Civic Center and Other Facilities Use."

II. DISTRIBUTION OF MATERIALS

All persons using areas generally available to students and the community shall be allowed to distribute petitions, circulars, leaflets, newspapers, and other printed matter. Such distribution shall take place only within those areas. Those individuals or groups distributing materials in these areas, other than material that is discarded or dropped in or around an appropriate receptacle, shall make a reasonable effort to retrieve and remove such materials, prior to their departure from the areas that day.

III. POSTING

- A. Open Posting
1. There are bulletin boards and open posting areas identified and maintained throughout the College campus on which students, student clubs and recognized student organizations, College Faculty and Staff, and members of the community may post materials.
 2. The number of such bulletin boards may change from time to time. Materials may be posted on such bulletin boards with approval of the Chief Student Services Officer or designee. Materials posted in all other locations will be removed, including windows, classroom doors, walls, etc.
 3. Open posting bulletin boards and open posting areas will be cleaned periodically.
- B. Posting by Student Clubs and Recognized Student Organizations
1. Student Clubs and Recognized Student Organizations (collectively referred to as "student clubs") may have printed materials relating to activities and events that have been approved pursuant to Administrative Procedure 5450 posted on bulletin boards reserved for student clubs, official College communications, as well as in authorized open posting areas.
 2. Prior to posting of such materials by student clubs, the materials will be presented to the Office of Student Activities at each campus for the purpose of receiving an expiration date stamp, on materials to be posted on bulletin boards reserved for student clubs, and official College communications. Such expiration date stamped materials may only be removed by a representative of the originating club or organization, or at the direction of the Office of Student Activities at each campus, but neither expiration nor removal shall occur sooner than two weeks after the expiration date stamp appearing on any posted material, or the day after the scheduled event or activity.

3. Student clubs and organizations may bring a draft of the materials to be posted to the Office of Student Activities for assistance with design and content.

C. Rules Governing the Posting of Materials

1. Approved posting locations are bulletin boards labeled "Student Spaces" or approved bulletin boards in classrooms.
2. Do not post on glass, painted surfaces (including painted light posts and railings), or trees.
3. All postings must use adhesive tape only. Staples may be used on the bulletin boards. Duct tape is not allowed. The Student Activities Offices at each college recommends using the blue painters tape found at most home improvement or drug stores.
4. Postings may not be placed over previously posted or approved materials.
5. Originating individuals and organizations are requested to take responsibility for maintaining its posting in a neat manner.

Reference [Board Policy BP 3900](#).

Governance Review

2019 12.17 Board of Trustees Annual Organizational Meeting

2019 12.06 Consultation Council

2019 11.19 Board Policy, Planning and Student Success Committee

2019 11.14 DTRW-SS