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. 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 in those parts of the District designated as areas generally available to students and the community, 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 procedures, or the substantial disruption of the orderly operation of the District.

The District may adopt rules and regulations that are designed to prevent hate violence, as defined in subdivision (a) of Section 4 of Chapter 1363 of the Statutes of 1992, from being directed at students in a manner that denies them their full participation in the educational process, if the rules and regulations conform to standards established by the First Amendment to the United States Constitution and Section 2 of Article I of the California Constitution for citizens generally. Students may be disciplined for harassment, threats, or intimidation unless such speech is constitutionally protected.

Date Adopted: July 27, 2010
(Replaces College of Marin Policies 2.0004, 3.0022, 4.0027, and 8.0021)