

SPEECH: TIME, PLACE AND MANNER

The District is committed to providing its students and the community at large the ability to exercise their rights of free expression subject to the time, place and manner contained in Board Policy 3900.

District sites are non-public forums except for the areas that are defined as limited public forums. These limited public forums are available to students and the community and include all outdoor areas that are outside 30 feet of any building or similar structure. The District reserves the right to revoke the limited public forum designation and apply a non-public forum designation based not on speech content but on previously scheduled, dedicated use of a particular space that has been reserved for District-related functions.

The use of the limited public forums is subject to the following:

Persons using the limited public forum and/or distributing material in the limited public forums shall not: impede the progress of passersby, nor shall they force passersby to take material; not touch, strike or impede the progress of passersby, except for incidental or accidental contact, or contact initiated by a passerby; 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 that time.

No persons using the limited public forums shall solicit donations of money, through direct requests for funds, sales of tickets or otherwise, except where he or she is using the limited public forums 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.

All persons using the limited public forums shall be allowed to distribute petitions, circulars, leaflets, newspapers, and other printed matter. Such distribution shall take place only within the limited public forums. Material distributed in the limited public forums that is discarded or dropped in or around the limited public forums 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 limited public forum that day.

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 district policies or procedures, or the substantial disruption of the orderly operation of the District.

Nothing in this policy shall prohibit the regulation 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. The District will take action as appropriate for harassment, threats, intimidation, or hate violence unless such speech is constitutionally protected.

Reference: Sierra College Board Policy 3900 (http://www.sierracollege.edu/_files/resources/about-us/board/policies/chapter3/Board-Policy-3900.pdf) and Administrative Procedure 3900 (http://www.sierracollege.edu/_files/resources/about-us/board/policies/chapter3/Administrative-Procedure-3900.pdf).