

FREEDOM OF SPEECH

The campuses of the Mt. San Jacinto Community College District are nonpublic forums (see AP3900), except for those areas designated as Free Speech areas, which per AP 3900: are designated public fora. 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 limited 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 designated for such use, the distribution of printed materials or petitions in those parts of the college designated as Free Speech areas, 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 shall be prohibited that is defamatory or 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. Students may be disciplined for harassment, threats, intimidation, or hate violence unless such speech is constitutionally protected.

Campus Speaking Area

In order to permit a forum for discussion and advocacy of issues and ideas outside the college curriculum, a Free Speech area shall be designated on each campus. This area shall be:

- Readily accessible to all students;
- Located so as not to require students to travel through it;
- Open to use on a first come, first served basis;
- Scheduled through the Student Life and Development Program (SLDP) office where all visitors, once approved, will obtain a copy of Education Code, Section 76120 and MSJC Administrative Procedures 3900 and be expected to abide by its guidelines.

Speech in the designated Free Speech areas shall not be limited except that:

- There shall be no use of electronic or other sound amplification that interferes with the conduct of classroom, laboratory, library, or office activities on campus.
- There shall be no obscene or slanderous speech or distribution of obscene or libelous materials.
- No speech shall be permitted which advocates the overthrow of the government.
- No speech shall express or advocate racial, ethnic, religious, sex-based, other hate-based prejudice or other speech that incites students so as to create a clear and present danger of the imminent commission of unlawful acts or of the substantial disruption of the orderly operations of the college.
- The Free Speech area shall not be used for any commercial activity. There shall be no solicitation of funds of any kind in the area, nor any implied solicitation of funds in the area.

- Speakers are responsible to ensure that all printed and other materials brought into the Free Speech area are removed at the conclusion of the activity, and that college funds shall not be required to return the Free Speech area to its original condition as the result of any individual or group exercising their rights of Free Speech in this area.

Campus Posting/Distribution of Materials

All non-classroom materials posted or distributed on any Mt. San Jacinto College campus or in any Mt. San Jacinto College facilities, which are not published by Mt. San Jacinto College, must be approved in advance by the Student Life and Development office. Please note, these postings will only be posted on our "Community Posting" boards on each campus and subject to available space on said posting boards.

- The approval will include a stamp placed on the front of the material.
- The expiration date for the approval will be included on the stamp. Posted materials will be removed from bulletin boards after the expiration date. Flyers that do not have the MSJC logo on them will be approved for two (2) weeks.
- Materials being distributed may only be distributed in the Free Speech area unless these materials are being distributed as part of an otherwise approved activity
- No printed material may contain the name Mt. San Jacinto College or in any way imply sponsorship or approval by Mt. San Jacinto College without advanced approval in writing. Use of the institution's name requires advance approval of the Board of Trustees.

The posting of printed materials shall in no way deface or mar the surface or substance of college facilities or other property.

- All items posted will be posted on designated bulletin boards/kiosks. There shall be no posting of materials of any kind in unauthorized areas, including but not limited to public restrooms.
- There is a size limit for all non-MSJC published flyers. They shall be no larger than 30" x 20" per AP 3900.
- Posting will be done with thumbtacks or pushpins only. No staples, brads, nails, tape or other objects will be used.
- No materials will be taped or in any way attached to walls, pillars, painted surfaces, windows or other glass surfaces, trees, doors or other surfaces not specifically designated for the purpose of posting printed materials.
- It is not permissible to enter a classroom or laboratory for the purpose of posting printed materials when the classroom or laboratory is in use.
- Individuals damaging college property as a result of violating the above rules shall be required to pay for appropriate repair/replacement of the damaged property.

No printed materials will be distributed on automobiles or other vehicles in Mt. San Jacinto College parking lots.

All printed materials posted or distributed at Mt. San Jacinto College shall conform to the following district requirements:

- Printed materials may not contain any obscene, slanderous or libelous content.
- Printed materials may not contain any material, verbal or graphic, which incites so as to create a clear and present danger of imminent commission of unlawful acts on college premises or of the violation

of college regulations or the substantial disruption of college activities.

- Bulletin boards in the classrooms are designated for instructional and college materials only.
- Specific materials which benefit students, i.e. college book sales, local rooms for rent, health services, local employment opportunities, child care, secretarial services, tutoring services, carpooling information, etc., may be posted in designated areas.
- Books for Sale/Rooms for Rent forms are available as a courtesy in the Student Life and Development Office. These forms will be approved and posted for thirty (30) days.

Students have the right to expect that all items approved for posting and/or distribution will be available through the expiration date assigned by the college. Individuals or groups who remove approved items without the permission of the individual or group approved to place the materials, and who remove these materials prior to the expiration date assigned by the college, shall be subject to discipline under the college's Standards of Conduct. Should the charge be proven, the individual and/or group will lose any rights to post materials at any Mt. San Jacinto College site for the remainder of the academic year. Additional discipline may be required, per the Standards of Conduct.

Notice

The following notice will be posted on all bulletin boards:

"Mt. San Jacinto College cannot be held responsible for the truthfulness and accuracy of content, or the quality of services or products offered as it relates to any public speech or posted materials."