

FREEDOM OF SPEECH

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 these administrative procedures.

Use of Areas Generally Available to Students and the Community

- 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.
- The campuses of the District are nonpublic forums, except for the areas generally available to student and community, which are designated public fora.
- 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, warehouses, and maintenance yards. These areas are designated as nonpublic fora. All areas generally available to students and the community, except as limited by the foregoing, may be temporarily reserved by the District, including recognized student organizations, for specific uses. Use of District grounds and facilities may also be obtained pursuant to other applicable policies and administrative procedures.
- Freedom of expression is guaranteed where such expression does not violate District policy or create a clear and present danger of the commission of unlawful acts or the substantial disruption of the orderly operation of the college. In order to prevent obstruction of the free passage of students and staff and to avoid disturbing the regular instructional program of the college, 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 obtain a reservation from, or check in with, the Student Life and Development Office for the date, time, and duration of the proposed assembly and the possible number of people expected to attend. The purpose of this reservation or check-in system is not intended as a prior restraint, but rather to assure equitable use of facilities. Individuals intending to use areas generally available to students and the community, whether they decide to register or check-in or not, may remain anonymous.

2. In the event the area sought to be used for expressive activities has been reserved for another activity or use such that there will be substantial interference or disruption based on noise, overcrowding or other considerations unrelated to content or viewpoint, the District will offer alternative available

areas, or if none are available offer alternative dates for the activity or use.

3. Persons using areas generally available to students and the community shall not touch, strike or impede the progress of passerby, except for incidental or accidental contact or contact initiated by a passerby, nor shall they force passersby to take materials.

4. 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 of District business (as defined by Penal Code Section 626.6), including but not limited to classes and other lawful activities for which approval has been received pursuant other policies and administrative procedures governing the use of District grounds and facilities.

5. 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 Student Government organization or club.

6. Nonstudent use of any areas, classrooms, rooms, building, 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.”

7. The following will not be permitted by anyone using areas generally available to students and the community: illegal activities, activities which violate District or campus rules, including rules and laws on unlawful harassment and discrimination, and activities that substantially interfere with or disrupt campus activities.

Sale, Solicitation and/or Distribution of Merchandise, Publications or Other Printed Matter

All persons using areas generally available to students and the community shall be allowed to distribute petitions, circulars, leaflets, newspapers, and other printed matter, except as provided below. Such distribution shall take place only within those areas generally available to students and the community. Those individual or groups distributing printed material must, prior to their departure from the areas that day, make reasonable efforts to retrieve, remove or properly discard materials that were not discarded or dropped in or around an appropriate receptacle.

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 Student Government organization or club.

No student or community member shall solicit, hawk or otherwise peddle or rent any goods, wares, merchandise, liquids or edibles for human consumption or services on College property, operate any commercial enterprise, or give any lessons, classes or instruction on District property whether for profit or otherwise, except as specifically authorized by the

Superintendent/President or designee. For purposes of this section, soliciting and selling shall include the leafleting or distribution of advertisements or other promotional devices.

Nonstudent 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 Act permit rules (Board Policy and Administrative Procedure 6700, "Civic Center and Other Facilities Use.").

Posting of Materials

Open Posting Bulletin boards shall be provided for use in posting materials at campus locations convenient for use by students, staff and members of the public. All materials displayed on a bulletin board shall clearly indicate the author or agency responsible for its production, the name of the person requesting the posting, and shall be approved and date stamped by the Student Life and Development Office. Materials displayed shall be removed after expiration of the date indicated on the stamp.

Posting by Student Clubs and Recognized Student Organizations

- Student Clubs and Recognized Student Organizations (collectively referred to as "student clubs") may have printed materials relating to activities and events posted on bulletin boards reserved for student clubs, official College communications, as well as in authorized open posting areas. There shall be no posting of materials of any kind in unauthorized areas, including but not limited to public restrooms.
- Prior to posting of such materials by student clubs, the materials will be presented to the Student Life and Development Office.

Size of Postings, Structures and Displays

- Persons who are not students or employees of the District shall not, without prior written permission from the Student Life and Development Office, carry, transport or use signs, posters, placards or banners exceeding thirty inches (30") by thirty inches (30") in size; affix, fasten, or attach to the premises any signs, posters, placards or banners; nor shall they be self-supporting and placed for display; nor leaned against any wall, partition or other portion of District property.
- No person shall erect any structure or display, or bring a structure or display on to District property without prior written authorization from the Student Life and Development Office. For purposes of this paragraph "structure or display" means any object larger than two feet in any dimension that is intended to be placed or displayed in a public area, or is left unattended in a public area. It does not include objects entirely supported or carried by a single person that do not extend more than one foot from that person (e.g. a signboard supported over someone's shoulders).
- Where the Student Life and Development Office is permitted to authorize exceptions to the regulations set forth in this subsection, the criteria for such authorization shall be content-neutral and specified in advance.

Amplification

Notwithstanding, section I.D.4., above, outdoor sound amplification is limited to areas generally available to students and the community and must be scheduled with the office of Campus Safety at (951) 639-5188. Amplification is limited to 12:00 p.m. to 1:30 p.m. and 4:00 p.m. to 6:00 p.m. on days when classes are in session or when events or programs are scheduled in adjacent buildings. Advance permission to use amplification outside of areas generally available to students and the community or at special times shall not be granted or denied on the basis of the content or viewpoint of the activity.

- For certain designated outdoor areas, approval for scheduled events with amplified sound may be obtained in the office of Campus Safety.
- Approved outdoor events with amplified sound are subject to monitoring and regulation.
- Amplified sound includes, but is not limited to, bands, bullhorns, microphones, CD players, amplifiers, VCR/TV set-ups, cassette decks and DJ systems including radio stations.

Amplified sound is intended to be heard in the immediate area only. When approved, amplified sound pressure levels may not exceed a maximum of 80 decibels (db) with the insertion of a 300 Hz equalizing filter when measured at a facility (e.g., classroom and other occupied buildings) closest to the sound source (do a check of sound levels to see if 80 db is too quiet or too loud). However, any amplified sound that is considered disruptive to District business, within the meaning of Penal Code Section 626.6 and without consideration of content or viewpoint, regardless of the measured decibels, shall have the level reduced immediately.

- During an event where amplified sound is in use, the District shall have the right to monitor amplification levels to ensure compliance with stated maximum permissible decibel limits. Should amplification exceed the authorized decibel levels thereby violating this policy, the District will request that the event organizers lower the amplification. Should there be a lack of compliance, the District will exercise its right to immediately cancel the event. In addition, future events by the sponsoring organization or department, or individuals may not be approved.
- Faculty, staff, management, and/or students sponsoring an event with amplified sound shall be responsible for ensuring compliance with the amplified sound pressure level, and shall be responsible for lowering the decibel level to comply with the provisions as stated below.
- Amplified sound is allowed under the amplified sound guidelines that are detailed above, but shall not exceed 80 db with 300 Hz equalizing filter in areas generally available to students and the community.
- As is the case with any expressive activity, the use of acoustic or ambient sound, such as that generated through musical instruments, and the use of sound amplification equipment otherwise permitted by this policy may be limited when such use:
 - a. Exceeds the authorized decibel levels;
 - b. Otherwise violates this policy; or

c. Interferes with the orderly conduct of college business or authorized events.

- Exceptions for events requiring amplification, not in conflict with classroom or Library activity, must be approved by the office of Campus Safety.

a. For events involving live bands, sound check may commence at 10:45 a.m. Prior written approval from the appropriate venue scheduler will be required for all amplified sounds at least 48 hours before the event. Sponsoring department(s) for the event with amplified sound shall be responsible for insuring that a sound check is conducted according to the guidelines set forth in this policy and that sound levels throughout the event stay within the guidelines.

b. During any event where amplified sound is in use, the District shall have the right to require a sound check in advance of the event, and to inspect the sound system or other amplification equipment to monitor compliance with the maximum permissible decibel limit. As a courtesy, sponsoring unit(s) for any event in which amplified sound is scheduled are encouraged to keep their users aware of any change in sound level conditions.

c. Violations of the amplification restrictions should be reported to the office of Campus Safety. The office of Campus Safety will call an Information Resources & Technology representative to determine whether db values are being exceeded. Should that be the case, the office of Campus Safety, in conjunction with the Riverside County Sheriff's Department, will take appropriate action as per this policy.