

**GENERAL INSTITUTION**

**BP 3900 SPEECH: TIME, PLACE, AND MANNER**

**References:**

Education Code Sections 66301 and 76120

With the intention of serving as an educational and cultural center for the people of Northern San Diego County, Palomar College values diversity in learning environments, inclusiveness of individual and collective viewpoints, and open communications. To this end, Palomar College supports the principle that students, employees and members of the public shall be free to exercise their rights of free expression.

In keeping with this principle, all district sites will support the right of free speech, with the exception of actions or activities that disrupt the orderly operation of the district. Students, employees of the District, and members of the public shall be permitted to exercise their rights of free expression subject to policies and procedures related to the time, place, and manner contained in this policy.

The Superintendent/President shall have the responsibility of ensuring that such administrative procedures are enacted as necessary to reasonably regulate the time, place, and manner of the exercise of free expression on district property.

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, 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 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 directed at students in a manner that denies their full participation in the educational process (Education Code Section 66301(e)), 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, or intimidation unless such speech is constitutionally protected.