



ADMINISTRATIVE **PROCEDURE**

3900

DESERT COMMUNITY COLLEGE DISTRICT

SPEECH: TIME, PLACE, AND MANNER

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 Speech: Time, Place, and Manner this procedure.

Free speech rights include the following protection in public institutions; as follows:

First Amendment Coverage	Fully bound by the First Amendment as government actors
Speech and Expression	Protected unless it disrupts education or violates reasonable limits, or is one of the exceptions
Religious Neutrality	Must remain neutral; cannot endorse or inhibit religion
Assembly Rights	Protected with reasonable time, place, and manner restrictions
Federal Funding Impact	Must comply with constitution and civil rights laws

There are four type of forums that have various limitations:

1. Traditional Public Forum (ex: Public Sidewalks)
 - a. Any limitation to the speech, assembly, or other forms of expression must serve a significant interest of the school/institution, such as:
 - i. Not disrupting the delivery of education
 - ii. Not posing a significant health or safety risk (the risk must be determined as imminent and specific)
 - iii. Not blocking the ingress or egress of buildings, hallways, or offices
 - iv. Placing a priority on the use of the space to support the school/institutional mission

2. Designated Public Forum (ex: areas designated for free speech)
 - a. The District designates the following areas as reserved for expressive activities which do not violate District policy and which are lawful:
 - i. Palm Desert Campus: area between Student Life/Dining Hall and Administration Buildings
 - ii. Temporary Palm Springs Campus: upper open court area in front of PS07-PS09
 - iii. Desert Hot Springs Campus: within the College of the Desert fence between

- the restrooms and Building 39
- iv. Indio Campus: between the northeast corner of Building A near the bookstore and Basic Needs, and the southeast corner of the shade structure
 - v. Mecca/Thermal Campus: quad area near the bench.
 - vi. Other designated areas, as managed by Administrative Services Department.

These areas are chosen to provide visibility and allow communication to a large number of students, administrators, faculty, and others walking or traveling on campus but also so as not to disrupt educational and other activities of the District on behalf of students.

The District reserves the right to revoke that designation as to one or more areas and apply a non-public forum or other designation to prevent the substantial disruption of the orderly operation of the college.

The use of these areas reserved and open for expressive activities is subject to the following:

- No person using the areas shall touch, strike, or physically impede the progress of passersby, except for incidental or accidental contact or contact initiated by a passerby.
- Persons using areas shall not use any means of amplification that creates a noise or diversion that disturbs the orderly conduct of the campus or classes taking place at that time.
- Persons using the areas reserved for expressive activities shall not disrupt the orderly operation of the college.

3. Limited Public Forum (ex: auditoriums, meeting rooms, athletic facilities)

- a. An activity may be limited based on the location and type of activity, but not based on the message
 - i. Must be related to legitimate, clearly articulated standards based on location type
 - ii. Cannot restrict more expression than is necessary

4. Non-Public Forum (ex: classrooms, offices, warehouses, maintenance yards, locker rooms)

- a. May apply limitations on the subject matter being discussed and the speaker's identity, but not based on the speaker's message
Example: an institution may limit classroom discussion to the course subject matter, but not on a student or instructor's opinion about what is being discussed.

Notification of Usage of Public Forum Areas

Non-student community groups wishing to engage in speech or expressive activities on campus, in the areas designated as public forums, must check in with the District through the Vice President, Administrative Services, prior to engaging in the activities. This does not involve an advanced approval process.

In the event the area sought to be used for expressive activities has already been reserved for another activity so that there will be substantial interference or disruption based on noise, overcrowding, or other considerations unrelated to content, the District will offer alternative areas or if none is available offer alternative dates. Students, outside organizations, and others are encouraged to make reservations in advance to use the areas for their expressive activities through the use of optional reservation forms.

Distribution of Materials

All persons using the areas that are designated public forums shall be allowed to distribute petitions, circulars, leaflets, newspapers, and other printed matter. Such distribution shall take place only within those areas. Those persons distributing printed material must, prior to their departure from the areas that day, make reasonable efforts to retrieve, remove or properly discard material that is discarded or dropped in or around the areas other than in an appropriate receptacle.

Hours of Access

The hours of operation for the District are 8:00 a.m. to 5:00 p.m. Expressive activities are not permitted outside the District's hours of operation. Overnight use or sleeping on campus is not permitted, nor is use of the campus areas for sleeping, camping, or laying down of bedding. Nor is use of facilities for similar purposes permitted during hours of operation.

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 and shall be dated with the date of posting by the Director of Student Life. Materials displayed shall be removed after the passage of ten days.

References:

Education Code Sections 76120 and 66301

Administrator: VP Administrative Services

Executive Cabinet Review: 4/7/26

College Planning Council, Review/Approval: 4/24/26

Board Meeting/Information Item: 5/15/26

Next Review: 2032-2033

