

Student Services

1 **AP 5550 SPEECH: TIME, PLACE, MANNER, AND COMMERCIAL**
2 **VENDORS**

3 **References:**

4 Education Code, Sections 66301 and 76120

5 The students and employees of the District and members of the public, including
6 commercial vendors, shall be permitted to exercise their rights of free expression subject
7 to the time, place, and manner policies and procedures contained in Board Policy 5550
8 and these procedures.

9 This procedure and its implementing policy shall be applied equitably and fairly. The
10 District shall place no restrictions on any person, organization, or group on the basis of
11 the content of constitutionally protected free speech or free expression.

12 Individuals found to have subjected any other(s) to sexual harassment, sexual assault
13 including stalking, or other conduct prohibited on college property or at college events by
14 state or federal law, including harassment based on one or more protected class(es) per
15 Cerritos Community College District Board Policy 3410 Nondiscrimination, are subject to
16 disciplinary action, as well as civil and criminal charges. The District shall provide access
17 to its services, classes, and programs without regard to national origin, religion, age,
18 gender, gender identity, gender expression, race or ethnicity, color, medical condition,
19 genetic information, ancestry, sexual orientation, marital status, physical or mental
20 disability, pregnancy, or because he or she is perceived to have one or more of the
21 foregoing characteristics, or based on association with a person or group with one or
22 more of these actual or perceived characteristics.

23 Complaints regarding discrimination in programs and services will be directed to the Vice
24 President of Human Resources or designee for processing pursuant to appropriate state
25 and federal laws and regulations.

26 **I. DEFINITIONS**

27 For purposes of these procedures, the following definitions apply:

- 28 **A. GROUNDS OPEN TO THE PUBLIC GENERALLY:** Paved, exterior open spaces,
29 and paved exterior pedestrian walkways on District Property except:
30 1. space that has been reserved for classes, public performances or organized
31 activities;
32 2. space that has been reserved for food service or eating;

- 33 3. parking lots that have been reserved for parking in accordance with the
34 District's Permitting procedures or other uses designated by the District;
35 4. vehicular driveways and streets; and
36 5. stairways and ramps to or between District structures.

37 Grounds are open to the public generally between the hours of 6:30 a.m. and 10:30
38 p.m. Between the hours of 10:30 p.m. and 6:30 a.m., these areas are generally
39 closed to all activities except coming and going to a District building.

40 B. DISTRICT PERSONNEL: Individuals employed by any academic or nonacademic
41 department or division or other official District entity without regard to type of
42 monetary compensation.

43 C. DISTRICT PROPERTY: Any District-owned, operated or maintained property,
44 including all District grounds and structures.

45 D. COLLEGE UNIT: Any academic or nonacademic department or division.

46 E. OFFICIAL DISTRICT FUNCTIONS: Scheduled academic classes and activities;
47 normal daily operations of College units; and programs or activities sponsored by
48 College units in the course of fulfilling their College mission.

49 F. EMPLOYEE REPRESENTATIVE ORGANIZATION: An independent organization
50 which exists for the purpose, in whole or in part, of dealing with District
51 management concerning grievances, labor disputes, wages, hours and other
52 terms and conditions of employment of employees, as defined by Section
53 3540.1(d) of the Educational Employment Relations Act (EERA).

54 G. BOARD-APPROVED CAMPUS ORGANIZATION: Any organization whose
55 purpose is to provide support for the District and/or its students and staff, and which
56 is currently approved by the Board of Trustees.

57 H. STUDENT CLUB: Any club whose membership is limited to students of the
58 District, and which is currently officially approved, recognized, and/or chartered
59 according to procedures specified in Associated Students of Cerritos College
60 (ASCC) Code.

61 I. STUDENT: One who is currently enrolled at the College or one who has completed
62 the immediately preceding term and is eligible for re-enrollment.

63 J. STUDENT GOVERNMENT: The Associated Students of Cerritos College
64 (ASCC).

65 K. COMMERCIAL VENDORS: Any individual; whether independent or representing,
66 or on behalf of, any other individual or organization; carrying out the purpose(s) of
67 informing others of, promoting, and/or selling goods, services, information,
68 financial or other instruments, and/or other commercial resources.

69 Refer also to BP 5570 titled Student Credit Card Solicitation.

70 II. USE OF DISTRICT PROPERTY

71 A. General Provisions

72 1. The District derives its basic authority from the California Education Code. All
73 pertinent local, state, and federal statutes are in force on District property and
74 may be enforced by authorized campus or off-campus agencies.

75 2. All persons on District Property are required to abide by Board policies and
76 administrative procedures. This includes, but is not limited to, the following
77 prohibitions:

78 a. no person on District Property or at official District functions may block
79 entrances to or otherwise physically interfere with the free flow of traffic into
80 and out of campus buildings of passerby, except for incidental or accidental
81 contact or contact initiative by a passerby;

82 b. obstruct or disrupt campus activities and the orderly operation of the
83 college;

84 c. engage in the production of amplified or non-amplified sound that disrupts
85 campus activities taking place at that time;

86 d. camp or lodge, except in authorized facilities or locations;

87 e. engage in physically abusive, threatening, harassing or intimidating conduct
88 toward any person;

89 f. exhibit disorderly or lewd conduct;

90 g. participate in a disturbance of the peace or unlawful assembly;

91 h. use, possess, sell, or manufacture narcotic or illegal drugs;

92 i. possess weapons, including all firearms of any kind;

93 j. fail to comply with the directions of a District official acting in the
94 performance of his or her duties; or

95 k. engage in the theft or misuse of District property or equipment.

96 3. Persons using grounds open to the public generally or who have reserved
97 space for programs or activities under Section VII of these procedures shall not
98 create noise or diversion that unreasonably disturbs the orderly conduct of the
99 campus or classes taking place at that time. Individuals or groups desiring to
100 use amplification at an event in designated exterior areas may reserve time
101 from 11:00 a.m. to 12:30 p.m. Tuesdays and Thursdays during the fall and
102 spring semesters. Such reservations can be made through the Student
103 Activities Office for Student Groups, the Facilities Scheduling Office for College
104 units, and Campus Police for all others. Reservations are made on a first come,
105 first served basis. Amplification will be permitted provided it does not
106 unreasonably disrupt the operations of the District.

107 Sales or distribution of commercial products on campus must be conducted in
108 accordance with procedures administered by the Student Activities Office.

109 Commercial sales in support of programs and activities of students of the
110 District, Board approved campus organizations, or student clubs is not
111 considered a commercial activity under these procedures, provided that the
112 primary purpose of such is to underwrite a District program or activity, as
113 opposed to personal gain or the promotion or endorsement of a commercial
114 product.

115 Non-student, community individuals or groups wishing to engage in speech or
116 expressive activities on campus, in the areas designated as public forums,
117 must check in with the District through the Chief of Campus Police or designee
118 prior to engaging in the activities. No illegal activities will be permitted. No
119 activities will be permitted that violate District or campus rules, including rules
120 and laws on illegal harassment and discrimination, and none that will
121 substantially interfere with or disrupt activities already scheduled for that day
122 and time in the designated areas as described below. In the event the area
123 sought to be used for expressive activities has already been reserved for
124 another activity so that there will be substantial interference or disruption based
125 on noise, overcrowding, or other considerations unrelated to content, the
126 District will offer alternative available areas or if none are available offer
127 alternative dates. Students, outside organizations, and others are encouraged
128 to make reservations in advance to use the areas for their expressive activities
129 by using the optional reservation forms.

130 4. District property may be used for the purpose of voter registration. Such activity
131 is restricted to grounds open to the public generally (as defined in these
132 procedures).

133 5. All persons on District property are required, for reasonable cause, to identify
134 themselves to, and comply with instructions of, authorized District officials
135 acting in the performance of their duties.

136 6. The name, initials, insignia, seal or address of the District or any of its offices
137 or units shall not be used except for official or authorized District purposes.

138 7. No sign, poster, paint, pencil, charcoal, chalk, ink or other writing, marking, or
139 posting medium may be placed, affixed or applied to the walls, ceilings,
140 windows, floors, roof areas or other surfaces of campus buildings or structures,
141 streets, parking lots, driveways, walkways, lighting and other utility poles,
142 campus signs and poles, construction fences, trees or shrubbery, except as
143 provided for in Section V of this procedure.

144 III. FREE SPEECH AND ADVOCACY

145 A. On District grounds open to the public generally (as defined in these procedures),
146 individuals and groups may assemble and engage in discussions and other speech
147 provided that individual privacy and orderly operations of the District are not

148 disrupted. Space is available on a first-come, first-served basis, subject to the prior
149 reservation of certain spaces under Section III.B., below.

150

151 B. Space may be reserved in designated areas in accordance with the provisions of
152 Section VII.G.2. of these procedures.

153 IV. DISTRIBUTION OF LITERATURE

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

160 B. Literature may be distributed on District Property or at official District functions
161 subject to the following provisions:

162 1. On District grounds open to the public generally (as defined in these
163 procedures), literature may be distributed provided that:
164 a. the free flow of traffic at any point is not obstructed;
165 b. it is not forced upon others;
166 c. it is not placed on or in vehicles parked on campus;
167 d. tables or portable (i.e., hand carried) displays used to facilitate distribution
168 are placed on paved pedestrian walkways, do not block the walkways or
169 entrances to buildings so as to impede the free flow of traffic, and are
170 attended to at all times by the individuals or groups sponsoring the
171 distribution; and
172 e. it does not litter the area.

173 2. Literature advertising any on-campus program for which a donation is
174 requested must make it clear that such a donation is not required as a condition
175 of admission nor may a specific amount of donation be indicated.

176 3. In campus buildings or at District events or programs, literature may be
177 distributed only in accordance with the following provisions:
178 a. literature may be distributed only in rooms or areas reserved for meetings
179 or programs and only by the group which has reserved the room or area;
180 and
181 b. only in compliance with the restrictions stated in Section IV.A.1., a through
182 e of these procedures.

183 V. POSTING OF LITERATURE, SIGNS, OR BANNERS

184 A. Literature, signs, or personal announcements may not be posted on District bulletin
185 boards, buildings, or elsewhere on campus, except that:

- 186 1. materials may be posted on College Unit bulletin boards with the prior consent
187 of the College Unit; and
188 2. materials may be posted on the designated, open posting boards and locations
189 on campus and must comply with the established size limitations.

190 B. All materials posted including signs and banners shall clearly indicate the name of
191 the sponsoring College Unit, Student Government, Board-Approved Campus
192 Organization, Student Club, Employee Representative Organization, or other
193 group or individual.

194 C. Material posted shall be considered expired and removed as of the last event date
195 on the material or as of the removal date affixed by the District or when deemed
196 weathered and unsightly by District personnel.

197 D. Posting of literature and materials within the areas of College Units or on Unit
198 bulletin boards must be in accord with the specific procedures applicable to such
199 areas and boards. Information regarding the specific procedures may be obtained
200 from the individual Units. Such procedures shall ensure that all materials conform
201 to the general provisions governing distribution and posting.

202 E. Posters, signs, or banners which are written in any language other than English
203 must provide, on the same poster, sign or banner, an accurate and complete
204 translation, in English, of the information contained therein.

205 F. Posters, signs, banners, and other materials and literature advertising official
206 District functions may be placed in designated posting locations on campus. (Note:
207 The use of windows or any painted, metal, plastic or wood surfaces is prohibited.)

208 G. "Sidewalk chalk" may be placed by Student Government, Student Clubs, or the
209 Child Development Center only in those locations authorized by the Facilities
210 Department and either the Student Activities Office or the Child Development
211 Center, as applicable.

212 H. Banners and signs may be placed by Student Government or Student Clubs only
213 in those locations authorized by the Student Activities Office.

214 VI. FUND RAISING

215 A. On District grounds open to the public generally (as defined in these procedures),
216 individuals and groups may engage in fundraising through direct requests for funds
217 or sales of tickets or materials provided such activities comply with the
218 requirements in Section IV.A.1., a through e above, and do not disrupt the orderly
219 operation of the campus.

220 B. All Student Club fund raising activities must have the prior authorization of the
221 Student Activities Office to ensure proper accounting and expenditure of such
222 funds.

223 VII. PROGRAMS AND ACTIVITIES

224 A. College Units, Student Government, Board-Approved Campus Organizations,
225 Student Clubs and Employee Representative Organizations are authorized to use
226 District Properties for organized programs and activities subject to the provisions
227 of these procedures.

228 B. Non-college organizations' use of designated and available District Properties
229 shall be in accordance with the specific policies governing such use, as
230 administered by the Facilities Scheduling Office.

231 C. A request for use of District Properties may be denied if the request is not in
232 accordance with Board policies and these procedures, and shall be denied if
233 circumstances are such that the use will unreasonably disrupt the orderly operation
234 of the campus. Denial of use requests by authorized users may be appealed to
235 the appropriate College Vice President or designee. Denial of use requests on the
236 basis of unreasonable disruption shall be accorded a prompt appeal directly to the
237 appropriate Vice President or designee.

238 D. Activities, programs or events must not unreasonably disrupt official District
239 functions or the orderly operation of the District. If any unscheduled or scheduled
240 activity unreasonably disrupts the orderly operation of the District or an official
241 District function or any other scheduled activity, it shall be discontinued at the
242 direction of Campus Police or, in the absence of the Campus Police, by duly
243 authorized administrators.

244 The criteria to be used to determine whether an activity, program or event
245 unreasonably disrupts the orderly operation of the District or an official District
246 function or any other scheduled activity shall include the following:

- 247 1. The availability of proximate, alternate locations which afford opportunities for
248 similar or larger-sized audiences;
- 249 2. the expected duration of the activity;
- 250 3. the activity's timing in relation to the academic calendar (for example, proposed
251 scheduling during the first week of classes or during final examination week);
- 252 4. the number of participants; the expected noise level to be generated by the
253 activity; and
- 254 5. the need for District resources and personnel to facilitate, oversee, or control
255 the activity.

256 E. District property may be available for reservation for activities, programs, or
257 events. For direction to the appropriate department regarding scheduling, student
258 groups shall first contact the Student Activities Office and all other groups shall
259 contact the Facilities Scheduling Office. Such use must be for activities, programs

260 or events which are directly related to the purposes of the sponsoring entity. Such
261 use is also subject to the specific limitations and scheduling procedures of the
262 facilities involved. No reservations by Student Government or Student Clubs may
263 be finalized until arrangements have been approved by the Student Activities
264 Office. Permission to use facilities shall not necessarily confer endorsement by the
265 District.

266 F. Users requiring special facility arrangements, equipment or staffing may be
267 assessed charges for such. Deposits and/or other financial accountability may be
268 required.

269 G. Outdoor Areas

270 1. General Provisions

271 a. Outdoor areas of the campus may be reserved for activities and programs
272 in accordance with Board policies and campus procedures, and specific
273 restrictions applicable to each area.

274 b. Use of outdoor areas must not interfere with the use of those areas by
275 others for other than reasonably short periods, or unreasonably disrupt the
276 orderly operation of the campus or official District functions, or unreasonably
277 disrupt the peace and quiet of the campus and the community adjacent to
278 the campus.

279 2. Designated Areas

280 a. The specific areas (listed below) may be used for programs or activities
281 subject to the General Provisions (above) and specific restrictions
282 applicable to each area. Use of these areas may be substantially altered or
283 precluded due to construction or renovation or other District activities:

284 (i) The paved areas of the quadrangle known as "Falcon Square" and
285 generally bounded by the Student Center, Fine Arts, Library, and
286 Burnight Center buildings;

287 (ii) the paved area, except for space reserved for outdoor dining, generally
288 bounded by the Liberal Arts, Business Education, Social Sciences, and
289 Administration Buildings; and

290 (iii) pedestrian access ways onto the campus from parking lots.

291 b. For scheduled events, such areas as shall freely allow access to the
292 pedestrian traffic flow to and from the special event but shall not interfere
293 with ingress to or egress from the special event.

294 3. Restricted Areas: Areas essential to the operation of the District are not
295 available for programs and activities. These areas include, but may not be
296 limited to: interior hallways and stairways, elevators, classrooms, bathrooms,
297 locker rooms, lobbies, office waiting areas, employee/student offices,
298 warehouses, storage or maintenance yards, mechanical rooms, and storage
299 rooms.

300 Refer also to BP 5570 titled Student Credit Card Solicitation.

301 Office of Primary Responsibility: Vice President, Student Services

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