ADMINISTRATIVE REGULATION  8000
SOUTH ORANGE COUNTY SPEECH AND ADVOCACY
COMMUNITY COLLEGE DISTRICT

SPEECH AND ADVOCACY

I. GENERAL PROVISIONS

A. Definitions:

1. President: Refers to chief administrative officer, including provost, of a campus and the designees of the President.

2. Chancellor: Refers to the Chancellor of the District and the designees of the Chancellor.

3. Day: Unless otherwise provided, a day shall mean any day on which the District administrative offices are open for business during normal working hours.

4. Notice: Any person or group intending to use the Student Service Center (SSC) Areas, as defined herein, shall notify the Office of the President, verbally or in writing, no fewer that four (4) working hours in advance of the use in accordance with Section II. C. 1-3 of this regulation.

5. Reservations: Reservations to use the SSC Areas, as defined herein, are optional. Any person or group intending to use the SSC Areas may reserve the SSC Areas in accordance with Section II. E. 1-3 of this regulation.

B. Education Code References

The Chancellor has enacted this regulation to enforce Board Policy 8000 consistent with the First Amendment to the United States Constitution, Article I, Section 2 of the California Constitution, Education Code Section 66301, and Education Code Section 76120.

C. Disclaimer and Defense

The District disclaims any liability for any damages for any defamation alleged to be committed by any student or member of the public using District facilities, and further disclaims any liability for damages for any violation of copyright, trademark, or service mark laws alleged to be committed because of any posting or distribution of material on campus. Nothing in these rules permitting speech and/or distribution of materials on its college campuses and property, shall be construed as requiring the District to provide any defense or payment of damages.
for defamatory statements made by any student, faculty or staff member, or member of the public, nor shall these rules be construed as requiring the District to provide any defense or payment of damages for violations of copyright, trademark or service mark laws.

D. Obscenity

For purposes of the board policy and this regulation, the term “obscene” shall be determined in accordance with the current legal standards.

E. Consequences for Violation

1. The right of members of the general public to utilize District facilities may be revoked if they violate the provisions of board policy and administrative regulations while utilizing District facilities.

2. The disciplinary penalties and procedures set forth in the Student Code of Conduct are applicable to students for violations of the board policy and the regulation and are incorporated herein. (See Administrative Regulation 5401).

F. Financial Responsibility

All persons who apply to use District property shall pay for:

   a. expenses incurred above the ordinary campus maintenance, and operating costs such as “supplies, utilities, janitorial services, services of any other District employees” necessitated by the organization’s use of District facilities and property; and

   b. the direct costs of security incurred above ordinary security

II. USE OF FACILITIES

A. Student Service Center (SSC) Areas

1. Irvine Valley College Campus

   The following exterior property at Irvine Valley College may be used for speech and advocacy to the extent permitted herein:

       a. the area in front of the Student Services Center (SSC) building (east entrance). Activities (setup, tables, etc.) must be a minimum of 25 feet from all doorways.
b. the large lawn area and walkways leading from the SSC building (east entrance) towards the parking lots

c. the area at the back entrance (west) to the SSC building and adjacent area

d. such further areas as may be designated by the President

2. Saddleback College Campus

The following exterior property at Saddleback College may be used for speech and advocacy to the extent permitted herein:

a. the area surrounding the Student Services Center (SSC) building. Activities (setup, tables, etc.) must be a minimum of 25 feet from all doorways

b. the lawn area and walkways leading from the SSC building. The area in front of the SSC building and the lawn area shall be referred to collectively at the “SSC Quad”

c. such further areas as may be designated by the President

B. Non Blockage of Areas

1. Tables and chairs may be placed within the area in front of the Student Services (SSC) buildings at Irvine Valley College and Saddleback College in an area designated by the President of each college.

2. No tables or chairs may be placed within the area that is designated as a “non use” and/or “open” area. This is done in order to maintain the unrestricted access to and from the SSC buildings. With regard to the walkways, branching out from the SSC buildings, tables and chairs may also be placed within these areas but may not impede free access across the walkway. Access across a walkway shall not be blocked in any manner.

C. No Reservations Needed to Use SSC Area

1. Any person or group desiring to use the area in front of the SSC buildings leading up to the entire SSC area at both Irvine Valley College and Saddleback College (and in the case of Irvine Valley College, the west entrance to the SSC building and adjacent area) may do so without a reservation as long as there is no conflict with a prior reservation as provided within Section II. E. 1-3.
2. However, any person or group intending to use these areas shall notify the Office of the President, verbally or in writing, no fewer than four (4) working hours in advance of the use.

3. Notice by a nonreserving user may only be denied use of the SSC Areas if:
   
a. there is a preexisting reservation and no agreement has been reached as to sharing the use of the SCC Areas in accordance with Section E. 2;

b. conditions exist as may be applicable to the lawn areas;

c. the person or group has, on prior occasions, made intentional material misrepresentations regarding the nature or scope of an event or activity previously permitted, or has violated the terms of prior reservations;

d. the person or group has on prior occasions damaged District property and has not paid in full for such damage;

e. the use or activity would conflict with previously planned programs organized and conducted by the District and previously scheduled for the same time and place;

f. the proposed use or activity is prohibited by or inconsistent with the classifications and uses of the District facilities or part thereof designated pursuant to this chapter;

g. the use or activity intended by the person or group would present a danger to the health or safety of the person or group, or other students, community members, faculty, or staff of the District;

h. the use or activity is prohibited by law

D. Restriction on Use of Lawn Areas

Any person or group using lawn areas at any campus shall be subject to the following exclusions which are based on the reasonable maintenance needs of the District and the District’s interest in maintaining its facilities:

1. In the event of substantial rainfall, the President may limit or restrict access on the lawn until such time as it is relatively safe to use the lawn area;

2. During watering periods;

3. During care, feeding and/or maintenance by gardeners, including but not limited to times when the area may contain pesticides and/or fertilizers.
E. Reservation Process at Option of Speaker: Joint Uses

1. In the event any person or group desires to make a reservation for use of any “SSC Area,” the user shall contact the IVC/SC Master Calendar office or the District web site. The reservation form, which shall be developed by the Office of the Deputy Chancellor, may include information such as:
   a. the sponsoring person or group (formal name);
   b. the date, day, and time of the request which shall be no more than 60 days in advance of the use;
   c. the proposed type of usage in generic terms, such as meeting, presentation, speech (without designation of content), or event;
   d. the time for the proposed event and/or usage

2. Persons are encouraged to act reasonably and to share a reserved area whenever possible. If no sharing agreement is reached, the nonreserving or later reserving user may use the area earlier or later in the day, or schedule use for another day.

3. A request by any person or group for a reservation for one of the SSC Areas may only be denied if:
   a. the reservation form (see E.1) is not completed;
   b. there is a preexisting reservation;
   c. conditions exist as may be applicable to the lawn areas;
   d. the person or group has, on prior occasions, made intentional material misrepresentations regarding the nature or scope of an event or activity previously permitted, or has violated the terms of prior reservations;
   e. the person or group on whose behalf the reservation was made has on prior occasions damaged District property and has not paid in full for such damage;
   f. the use or activity intended by the applicant would conflict with previously planned programs organized and conducted by the District and previously scheduled for the same time and place;
g. the proposed use or activity is prohibited by or inconsistent with the classifications and uses of the District facilities or part thereof designated pursuant to this chapter;

h. the use or activity intended by the person or group would present a danger to the health or safety of the applicant, or other students, community members, faculty, or staff of the District;

i. the use or activity intended by the applicant is prohibited by law

F. Amplification

The following requirements and restrictions are in place to respect the integrity of the educational process and prevent disruption of the learning environment and operations of the colleges. The following apply to amplification equipment/systems:

1. Amplification is permitted only in the “SSC Areas”, daily from 11:30 a.m. to 1:30 p.m. and from 4:00 p.m. until 8:00 p.m.

2. Amplification is not permitted during the final week of each semester.

3. Levels of amplification:
   a. Irvine Valley College:
      Not to exceed 60 decibels (as measured in any classroom or office)
   b. Saddleback College:
      Not to exceed 60 decibels (as measured in any classroom or office)

4. In the event that there is more than one user in an area, only the user first requesting amplification shall be entitled to use amplification. In the event that the reserving user does not wish to use amplification, the second user shall be entitled to use amplification. Under no circumstances shall there be joint amplification systems or more than one amplification system in use in the same general area except as set forth herein.

5. Users of an “SSC Area” may bring their own amplification system or unit. The District has no responsibility to supply or provide extension cords or amplifiers to those users supplying their own amplification.
III. GROUNDS AND USE OF THE GROUNDS

All remaining outside portions of Irvine Valley College and Saddleback College (excluding the “SSC Areas”) which includes other walkways, other quads, and or/other lawns, Quad A and B, and the parking lots are herein referred to as the “Other Grounds Open for Public Usage” (“Grounds”).

A. Application Process for Grounds:

Use of any portion of the Grounds for speech and advocacy purposes must be reserved. The reservation process for the Grounds, except as expressly provided in this section, is the same as set forth in Sections D, E, and F with respect to “SSC Areas” above. A request by any person or group for a reservation for one of the Grounds may only be denied if:

a. the reservation form (see E.1) is not completed;

b. there is a preexisting reservation;

c. such conditions exist as may be applicable to the lawn areas;

d. the applicant has made on prior occasions made intentional material misrepresentations regarding the nature or scope of an event or activity previously permitted or has violated the terms of prior reservations issued to, or on behalf of, the applicant;

e. the application contains a material falsehood or misrepresentation;

f. the application or the person on whose behalf the application was made, has on prior occasions damaged District property and has not paid in full for such damage;

g. the use or activity intended by the applicant would conflict with previously planned programs organized and conducted by the District and previously scheduled for the same time and place;

h. the proposed use or activity is prohibited by or inconsistent with the classifications and uses of the District facilities or part thereof designated pursuant to this chapter;

i. the use or activity intended by the applicant would present a danger to the health or safety of the applicant, or other students, faculty or staff of District;

j. the use or activity intended by the applicant is prohibited by law.
B. Amplification for Grounds:

Amplification shall be permitted within the Grounds on the condition that such amplification shall not exceed 60 decibels (as measured in any classroom or office). The provisions with respect to amplification in SSC areas, to the extent they may be applied, are also applicable to the Grounds.

IV. INTERIOR DISTRICT PROPERTY

A. All interior portions of District facilities, including, without limitation, the Administration Building, classrooms, radio station(s), broadcasting center(s), television center, laboratories, computer rooms, research centers, and communication centers, (“Interior District Property”) are areas not available for use by students or the public.

Any use of Interior District Property which is inconsistent with that property’s intended use, or which would cause substantial disruption of the learning environment and the orderly operation of District campuses is prohibited.

B. Use of any portion of Interior District Property not otherwise prohibited must be reserved. The reservation process for Interior District Property, except as expressly provided in this section, is the same as set forth with respect to “SSC Areas.” A request by any person or group for a reservation for use of Interior District Property may only be denied if:

   a. there is a preexisting reservation;

   b. the applicant has made on prior occasions made intentional material misrepresentations regarding the nature or scope of an event or activity previously permitted or has violated the terms of prior reservations issued to or on behalf of the applicant;

   c. the application contains a material falsehood or misrepresentation;

   d. the application or the person on whose behalf the application was made has on prior occasions damaged District property and has not paid in full for such damage;

   e. the use or activity intended by the applicant would conflict with previously planned programs organized and conducted by the District and previously scheduled for the same time and place;

   f. the proposed use or activity is prohibited by or inconsistent with the classifications and uses of the District facilities or part thereof designated pursuant to this chapter;
g. the use or activity intended by the applicant would present a danger to the health or safety of the applicant, or other students, faculty or staff of District;

h. the use or activity intended by the applicant is prohibited by law; and

i. has missing or unsupplied necessary information required for ground usage

C. Amplification in Interior District Property:

1. Amplification may be used in gymnasiums, theatres, auditoriums, and large lecture halls seating more than 50 persons. The provisions with respect to amplification in “SSC Areas,” are also applicable to Interior District Property.

2. Nothing contained herein shall be construed as restricting the use of amplification as part of the classroom and/or teaching process.

V. POSTING OF MATERIAL

A. Material may be posted in and on the permitted locations described in this regulation. All postings, except campus communications relating to college events which have not concluded, will be cleared on the last day of each month. Postings will also be removed if they:

1. Are obscene.

2. Create a clear and present danger of the commission of unlawful acts on District property, or of violence, or the substantial disruption of the orderly operation of the District.

B. Postings shall not exceed 240 square inches in size.

C. Permitted Locations:

1. Unsecured interior and exterior bulletin boards not marked for a specific purpose.

2. Kiosks.

3. Faculty copier areas, employee mailbox areas and/or employee lounge areas, on bulletin boards, which shall be provided for those areas.

4. Other designated areas as determined at each college by the College President.
D. Prohibited Locations:

1. Secured bulletin boards and any other bulletin board marked for a specific purpose.

2. No material other than campus communications may be posted
   a. in interior hallways, classrooms, and laboratories;
   b. on the exterior of any campus controlled building or structure

3. No material may be posted
   a. in the following interior areas: closets, bathrooms, ceilings, windows, trash cans, stairwells, stair railings, and benches, except as permitted herein
   b. in the following exterior areas: trees, landscaping, shrubbery, bricks, sign posts, directional signs, directional information or historical markers, vending machines, and light poles.

E. For purposes of this rule, “campus communications” are communications from the administration of any college or location; any official staff organization; and any official student group, including student government or student clubs. Any campus communication shall identify the entity or group responsible for it.

F. These provisions are not applicable to the interior of faculty offices.

VI. DISTRIBUTION OF HANDBILLS, CIRCULARS, OR ADVERTISEMENTS

A. In addition to the posting of commercial or non-commercial handbills, circulars, or advertisements, such materials may be distributed on District property. No prior approval for distribution of commercial or non-commercial handbills, circulars, or advertisements is required except as specified below.

B. Handbills, circulars, or advertisements may be distributed in the following areas:

1. Outside any District building, or inside any building normally open for use by the public and students.

2. Within the “SSC Areas.”

3. Along the walkway adjacent to the parking lots.

4. Within the parking lots.
C. **Litter Removal**

Distributors are required to remove litter from any immediate area where materials have been distributed. The failure to remove litter may result in a charge to the distributor for costs incurred in litter removal.

D. **Obscene, Defamatory, or Inciteful Materials**

Nothing in this section shall be deemed to permit the distribution of material that is obscene, defamatory, or incites students as to create a clear and present danger of the commission of unlawful acts on community college premises, or the violation of lawful community college regulations or the substantial disruption of the orderly operation of the community college.

VII. **BANNERS**

A. Speakers may display one banner per event not exceeding three feet by six feet in the following areas:

1. **Saddleback College:** On the exterior of the two bridges adjacent to the Library area. Quad A and Quad B.

2. **Irvine Valley College:** Quad A and Quad B.

B. The banner shall be removed within 24 hours after the end of the event.

VIII. **ADVERTISEMENT OF UNLAWFUL SUBSTANCES**

All advertisements which advertise illegal substances as identified by the laws of the United States and/or the State of California are prohibited. The following are prohibited:

A. Illegal substances as identified by the Federal Government, and/or by the State of California.

B. Explosive material of any kind.