

CITRUS COMMUNITY COLLEGE DISTRICT GENERAL INSTITUTION

AP 3900 Speech: Time, Place, and Manner (formerly numbered AP 5550)

References: Education Code Sections 66301, 76120, and 87708; Penal Code Sections 311, 311.2, 407, 409, 415, 415.5, 416, 422.6, 602.10, 626-626.6; Business & professions Code Section 5402

I. USE OF AREAS GENERALLY AVAILABLE TO STUDENTS AND THE COMMUNITY

- A. 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 this procedure.
- B. 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.
- C. The areas generally available to students and the community are designated public forums.

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. All areas generally available to students and the community, as set forth above, may be temporarily reserved by the District, including recognized student organizations, for specific uses.

- D. 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 inform the Department of Campus Safety of their intent to be present in such areas. The District encourages such check-in as a means to provide for safety and for the equitable use

of such areas. Individuals availing themselves of such areas generally available to students and the community, whether they decide to check-in or not, may remain anonymous.

2. Persons using areas generally available to students and the community shall not touch, strike or impede the progress of passersby, except for incidental or accidental contact or contact initiated by a passerby, nor shall they force passersby to take materials.
 3. 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 (as defined under Penal Code Section 626.6) of the campus or classes, other lawful activities.
- E. 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 Associated Students Organization or club.
- F. Non-student 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 Permit rules set forth in Board Policy and Administrative Procedure 6700, "Civic Center and Other Facilities Use."

II. DISTRIBUTION OF MATERIALS

All persons using areas generally available to students and the community shall be allowed to distribute petitions, circulars, leaflets, newspapers, and other printed matter. Such distribution shall take place only within those areas. Those individuals or groups distributing materials in these areas, other than material that is discarded or dropped in or around an appropriate receptacle, shall make a reasonable effort to retrieve and remove such materials, prior to their departure from the areas that day.

III. POSTING

A. Open Posting

1. There are currently eleven bulletin boards and open posting areas identified and maintained throughout the College campus on which students, student clubs and recognized student organizations, College Faculty and Staff, and members of the community may post materials.
2. The number of such bulletin boards may change from time to time. Materials may be posted on such bulletin boards without any prior

approval. A map of bulletin boards and open posting areas is available online at www.citruscollege.edu. Materials posted in all other locations will be removed.

3. Open posting bulletin boards and open posting areas will be cleared on the first and third Monday of each month.

B. Posting by Student Clubs and Recognized Student Organizations

1. 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.
2. Prior to posting of such materials by student clubs, the materials will be presented to the Office of Student Life and Leadership Development for the purpose of receiving an expiration date stamp, on materials to be posted on bulletin boards reserved for student clubs, and official College communications. Such expiration date stamped materials may only be removed by a representative of the originating club or organization, or at the direction of the Office of Student Life and Leadership Development, but neither expiration nor removal shall occur sooner than two weeks after the expiration date stamp appearing on any posted material, or the day after the scheduled event or activity.
3. Student clubs and organizations may bring a draft of the materials to be posted to the Office of Student Life and Leadership Development for assistance with design and content.

C. Rules Governing the Posting of Materials

1. Approved posting locations are bulletin boards labeled “Official College Business” or “Open Posting” and concrete block walls and columns.
2. Do not post on glass, painted surfaces (including painted light posts and railings), or trees.
3. All postings must use masking tape only. Staples may be used on the bulletin boards. Duct tape is not allowed. The Student Life and Leadership Development Office recommends using the blue painters tape found at most home improvement or drug stores.
4. Postings may not be placed over previously posted or approved materials.

5. Originating individuals and organizations are requested to take responsibility for maintaining its posting in a neat manner.

Also see BP 4030 titled Academic Freedom.

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| Board Approved | 02/05/13 |
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CITRUS COMMUNITY COLLEGE DISTRICT STUDENT SERVICES

AP 5450 STUDENT CLUBS AND ORGANIZATIONS

References: Education Code sections 76060-76067;
Military and Veterans Code Section 616

Co-curricular campus involvement is a vital element of student development, promoting student growth as well as student engagement and satisfaction. These procedures are put into place to govern Citrus College student clubs and organizations that are approved by the Associated Students Citrus College ("ASCC"). No group of students is required to become a student club or organization, but student groups that are not recognized by the ASCC are not eligible for some of the benefits available to recognized student clubs.

ORGANIZATION

1. Authorized college clubs must be organized according to college policies. These clubs are sponsored by college personnel, composed completely of current student body members, and hold the majority of their meetings at the college during the regular college day, i.e., between 7:30 a.m. and 10:00 p.m., Monday through Friday.
2. Recognized student clubs and organizations shall not discriminate unlawfully on the basis of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or any other characteristic protected by law of any person, or the perception that a person has one or more of these characteristics.
3. All other clubs whose membership is composed for the most part of Citrus College students who are sponsored by other than college personnel, who meet outside college hours at places other than at college, and whose aims are other than education or college interests, are considered to be non-college clubs and beyond the jurisdiction and responsibility of college authorities.

ORGANIZATION MINUTES

All organizations/clubs shall keep accurate minutes of each of their official meetings, and make them available to the College upon request. All minutes reflecting action items to approve activities or expenditures must be attached to the Request for Activity or check requests, as applicable.

ACTIVITIES AND EVENTS

For all activities and fundraisers requiring ASCC account funds or using District or ASCC Resources, and for all off-campus club activities, all student clubs and organizations must

submit to the Inter-Club Council, by way of the Office of Student Life, a properly completed and signed "Request for Activity Approval" and other necessary forms. "District or ASCC Resources" for these purposes include facilities that are not generally available to students and the community, tables, chairs, canopies, extension cords, stages, portable sound systems, or other equipment directly owned by the ASCC or the District, and do not include any equipment that student organizations purchase themselves. If an on campus activity or event does not require ASCC account funds or the use of District or ASCC resources, student clubs and organizations may, but are not required to, submit the "Request for Activity Approval" as a means of reserving areas that are generally available to students and the community.

"Requests for Activity Approval" must be submitted at least five business days in advance of the activity or event to ensure sufficient time for the Inter-Club Council to review and approve the request at its weekly meeting and for ASCC or District staff to provide timely delivery of the requested resources. If the requested facilities or resources are not available at the desired date and time, the Office of Student Life will notify the requester no later than two business days following receipt of the "Request for Activity Approval" form.

A "Request for Activity Approval" may be denied only for a viewpoint-neutral reason. The activity clearance is only to assure no calendar conflicts, proper sponsorship, necessary transportation, assistance with resources and facilities, and necessary paperwork being on file. A record is kept of all activities by the Office of Student Life.

All materials distributed or posted on campus must meet the guidelines set forth in BP3900 and AP3900 Speech: Time, Place and Manner.

FINANCIAL

All monies collected or distributed by campus clubs or organizations must be transacted through the college's Student Business Office. Each club is entitled to the assignment of an Associated Student Organization (ASO) account and use of the college's accounting services at no charge to the club. Clubs may not have any sort of off-campus banking accounts.

Procedures for ASO accounting must be strictly adhered to in order to maintain ASO financial privileges.

CLUB ADVISORS

Each club must have a Citrus College faculty advisor who provides guidance and support to the club members. The advisor is also responsible for advising students of District policies and administrative procedures within the club's structure and activities.

The advisor must be present at all club meetings where business is conducted and is required to sign off on the organization's meeting minutes.

The advisor shall make every effort to may be present at all activities and

fundraisers. The advisor is required to be present at club activities when held in the evening, on weekends, or at any time the event is held off-campus.

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CITRUS COMMUNITY COLLEGE DISTRICT HUMAN RESOURCES

AP 7102.1 Prohibition of Harassment: Students

References: Education Code Sections 212.5, 66250, 66262.5, 66270, 66281.5, and 66301; Civil Code Sections 51 and 51.7; Government Code Section 11135, et seq.; California Code of Regulations, Title 5, Section 59300, et seq.; Title 22, Section 98000, et seq.; Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. § 2000d); Title IX of the Education Amendments of 1972, as amended (20 USC § 1681); The Age Discrimination Act of 1975, as amended (42 U.S.C. § 6101); Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794)

I. GENERAL PROVISIONS

The District is committed to providing an academic environment free of unlawful harassment. This procedure defines sexual harassment and other forms of harassment on campus, and sets forth a procedure for the investigation and resolution of complaints of harassment by or against any student within the District.

II. DEFINITIONS

- A. General Harassment - Harassment based on race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, sex, gender, gender identity, gender expression, age, or sexual orientation of any person, or the perception that a person has one or more of these characteristics is illegal and violates District policy. However, such conduct will not constitute harassment for students unless it is (a) unprotected by the First Amendment under established law, and (b) severe, pervasive, and objectively offensive under established law, as determined by an investigation conducted pursuant to 5 California Code of Regulations section 59300 et seq., or Board Policy 5500 and Administrative Procedure 5520 (relating to student discipline), so as to constitute harassment as a matter of law.

Gender-based harassment does not necessarily involve conduct that is sexual. Any hostile, severe, pervasive and objectively offensive conduct based on gender can constitute prohibited harassment. Harassment comes in many forms, including, but not limited to, the following conduct (when such conduct is determined to constitute harassment as a matter of law and is unprotected by the First Amendment under established law):

1. Verbal: Slurs or innuendoes based on a person's race, gender, sexual orientation, marital status or other protected status; unwelcome flirting or propositions; demands for sexual favors; threats; or intimidation.

2. Physical: Assault or battery (which may include unwelcomed kissing, grabbing, groping, or pinching, as examples), physical interference with free movement, or intimidation directed at an individual due to that person's gender, race, national origin, sexual orientation, or other protected status.
 3. Environmental: The creation of a hostile academic environment may constitute harassment. The determination of whether an environment is hostile is based on the totality of the circumstances, including such factors as the frequency of the conduct, the severity of the conduct, whether the conduct is humiliating or physically threatening, and whether the conduct unreasonably interferes with an individual's learning.
- B. Sexual Harassment - In addition to the above, sexual harassment consists of unwelcome sexual advances, requests for sexual favors, and other conduct of a sexual nature when:
1. submission to the conduct is made a term or condition of an individual's academic status or progress;
 2. submission to, or rejection of, the conduct by the individual is used as a basis of academic decisions affecting the individual;
 3. the conduct is so severe, pervasive, and objectively offensive that the victim is effectively denied access to an educational opportunity or benefit; or,
 4. submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the community college.
- C. This definition encompasses two kinds of sexual harassment:
1. "Quid pro quo" sexual harassment occurs when a person in a position of authority makes educational benefits conditional upon an individual's willingness to engage in or tolerate unwanted sexual conduct.
 2. "Hostile environment" sexual harassment occurs when unwelcome conduct based on a person's gender is severe, pervasive and objectively offensive under established law, based on the totality of the circumstances, that it effectively denies the victim of participation in or the benefits of any educational program or activity. The victim must subjectively perceive the environment as hostile, and the harassment must be such that a reasonable person of the same gender would perceive the environment as hostile. The

determination of whether an environment is hostile is based on the totality of the circumstances, including such factors as the frequency of the conduct, the severity of the conduct, whether the conduct is humiliating or physically threatening, and whether the conduct unreasonably interferes with an individual's learning.

3. Sexually harassing conduct can occur between people of the same or different genders. The standard for determining whether conduct constitutes sexual harassment is whether a reasonable person of the same gender as the victim would perceive the conduct as harassment based on sex.

III. CONSENSUAL RELATIONSHIPS

Romantic or sexual relationships between students and administrators, faculty, or staff members are discouraged. There is an inherent imbalance of power and potential for exploitation in such relationships. A conflict of interest may arise if the administrator, faculty, or staff member must evaluate the student's work or make decisions affecting the student. The relationship may create an appearance of impropriety and lead to charges of favoritism by other students. A consensual sexual relationship may change, with the result that sexual conduct that was once welcome becomes unwelcome and harassing. In the event that such relationships do occur, the District has the authority to transfer any involved employee to eliminate or attenuate the authority of the employee over a student. Such action by the District is a proactive and preventive measure to avoid possible charges of harassment and does not constitute discipline against any affected employee.

IV. COMPLAINT PROCEDURE

Allegations of sexual harassment will be reviewed pursuant to the complaint procedure set forth under Administrative Procedure 7101—Discrimination Complaint Procedure: Students, Employees, and Job Applicants. The terms "discrimination" or "unlawful discrimination" as used in Administrative Procedure 7101 shall include sexual harassment.

V. ACADEMIC FREEDOM AND HARASSMENT

The District is committed to creating an environment where there is the full and free discussion of ideas and where students are free from a hostile learning environment. Works of art and literature, readings and other written, auditory, or visual course materials, including lectures and discussions, which are used in a learning context or which are a part of academic or cultural programs, do not violate the prohibition against creating a hostile learning environment for students.

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