

KEVIN A. SHAW

VS.

KATHLEEN BURKE; EARIC DIXON-PETERS; WILLIAM A. MARMOLEJO; JUAN C. ASTORGA; FRANCISCO C. RODRIGUEZ; SCOTT J. SVONKIN; SYDNEY K. KAMLAGER; MIKE FONG; MIKE ENG; ANDRA HOFFMAN; ERNEST H. MORENO; NANCY PEARLMAN

**COMPLAINT FOR INJUNCTIVE AND DECLARATORY RELIEF
AND DAMAGES**

EXHIBIT A

**LOS ANGELES COMMUNITY COLLEGE DISTRICT
BOARD RULES, CHAPTER IX, ARTICLE IX
FREEDOM OF SPEECH**

9901. COLLEGES AS NON-PUBLIC FORUMS.

The colleges of the Los Angeles Community College District are non-public forums, except for those portions of each college designated as Free Speech Areas are hereby designated as limited public forums, which designation may be removed and reverted to non-public forum designation by the Board of Trustees.

9902. FREE SPEECH AREAS.

The college president shall designate an area or areas on the college campus as areas for free discussion and expression by all persons. A Free Speech Area may only be located where there is a normal flow of student traffic with unlimited accessibility. Necessary campus rules governing the operation of such areas shall govern only the time, place and manner in which said areas are to be used. All such rules shall be applied equally and fairly to all persons desiring to use the Free Speech Areas. No restrictions shall be placed on subject matter, topics or viewpoints expressed in Free Speech Areas.

EC 76120

Historical Note: Former Board Rule 91103, enacted 3-15-72, repealed 4-20-89.

9902.10 Responsibilities of Persons Using Free Speech Areas.

All persons using the Free Speech Area of a college are expected to monitor the content of their speech such that the expression (1) is not obscene, libelous or slanderous according to current legal standards, (2) does not create a clear and present danger of the commission of unlawful acts on community college premises, (3)

is not violative of lawful community college regulations, or (4) does not substantially disrupt the orderly operation of the college. Any person who is found to have expressed speech in violation of this section may be subject to the sanctions applicable respectively to students, staff, faculty or visitors.

EC 76120

Historical Note: Former Board Rule 91107, enacted 3-15-72, repealed 4-20-89.

9902.11 Distribution of Materials.

Persons using a Free Speech Area shall be allowed to distribute petitions, circulars, leaflets, newspapers, miscellaneous printed matter and other materials, subject to the following restrictions:

- a. Such distribution shall take place only within the geographical limits of the Free Speech Area;
- b. Any material being distributed which is discarded or dropped in or around the Free Speech Area other than in an appropriate receptacle must be retrieved and removed or properly discarded by those persons distributing the material prior to their departure from the Free Speech Area that day;
- c. Persons distributing material shall not impede the progress of passersby, nor shall they force or coerce passersby into taking the proffered material.

Historical Note: Former Board Rule 91106.10, enacted 3-15-72, repealed 4-20-89.

9902.12 Forms of Speech.

Persons using a Free Speech Area shall be entitled to exercise their speech privileges in any manner which does not violate the rules of conduct set forth in Article VIII or in this Article, including but not limited to the use of printed materials and the wearing of buttons, badges or other insignia, except that:

- a. No means of amplification may be used, electronic or otherwise, which creates any noise or diversion that disturbs or tends to disturb the orderly conduct of the campus or classes taking place at the time.;
- b. No person using the Free Speech Area shall physically touch, strike or impede the progress of passersby, except for incidental or accidental contact, or initiation of such contact by a passerby;
- c. No person using the Free Speech Area shall solicit donations of money, through direct requests for funds, sales of tickets or otherwise, except where he/she is using the Free Speech Area on behalf of and collecting funds for an organization which is registered with the secretary of state as a nonprofit corporation, or is an approved Associated Student Organization or Club.

EC 76120

9902.13 Time Allotments for Speech.

The president of each college or his/her representative may set reasonable time restrictions on the use of Free Speech Areas, in order to ensure that all persons are given equal access to the use of the Free Speech Area. The times at which the Free Speech Area may be used shall be subject to reasonable campus regulations.

9903. STUDENT EXERCISE OF FREE SPEECH IN AREAS OUTSIDE OF DESIGNATED FREE SPEECH AREA.

The president of each college may designate areas outside of the Free Speech Areas where students, faculty and staff may exercise freedom of expression subject only to reasonable time, place and manner restrictions.

9903.10 Bulletin Boards.

Students shall be provided with bulletin boards for use in posting student materials at campus locations convenient for student use. The location and number of such bulletin boards shall be determined by the college president or his/her representative.

Each college may have bulletin boards. The use of the bulletin boards shall be open to use only by students or recognized student organizations and shall be based on a first-come, first-served basis.

Posting of materials on bulletin boards shall be subject to the limitations concerning the manner of exercising students' rights of free expression in Free Speech Areas pursuant to Section 9902.10.

All materials displayed shall clearly indicate the author or agency responsible for its production and shall be dated with the date of posting by the College president's designee.

The president of each college shall prescribe reasonable lengths of time during which such printed material may be posted on the bulletin boards with the object of assuring fair access to the bulletin boards for all students.

Historical Note: Former Board Rule 91106.12, enacted 3-15-72, repealed 4-20-89.

9903.11 Posting Areas.

The president of each college, or his/her representative, may designate areas other than the bulletin boards for display of materials.

Historical Note: Former Board Rule 91106.13, enacted 3-15-72, repealed 4-20-89.

9904. STUDENT USE OF AREAS NOT DESIGNATED FOR FREE SPEECH ACTIVITIES.

Student use of classrooms, rooms, buildings, facilities and grounds not designated as Free Speech Areas or otherwise designated for student free speech exercises in accordance with this article shall be governed by the rules and regulations established pursuant to Article X, relating to student activities and events.

9905. VISITOR USE OF AREAS NOT DESIGNATED FOR FREE SPEECH ACTIVITIES.

Visitor use of any areas, classrooms, rooms, buildings, facilities and grounds not designated as Free Speech Areas is subject to the Civic Center Permit rules set forth in Chapter VII, Article 2 of these Board Rules.

Amended: 12-07-16

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EXHIBIT B

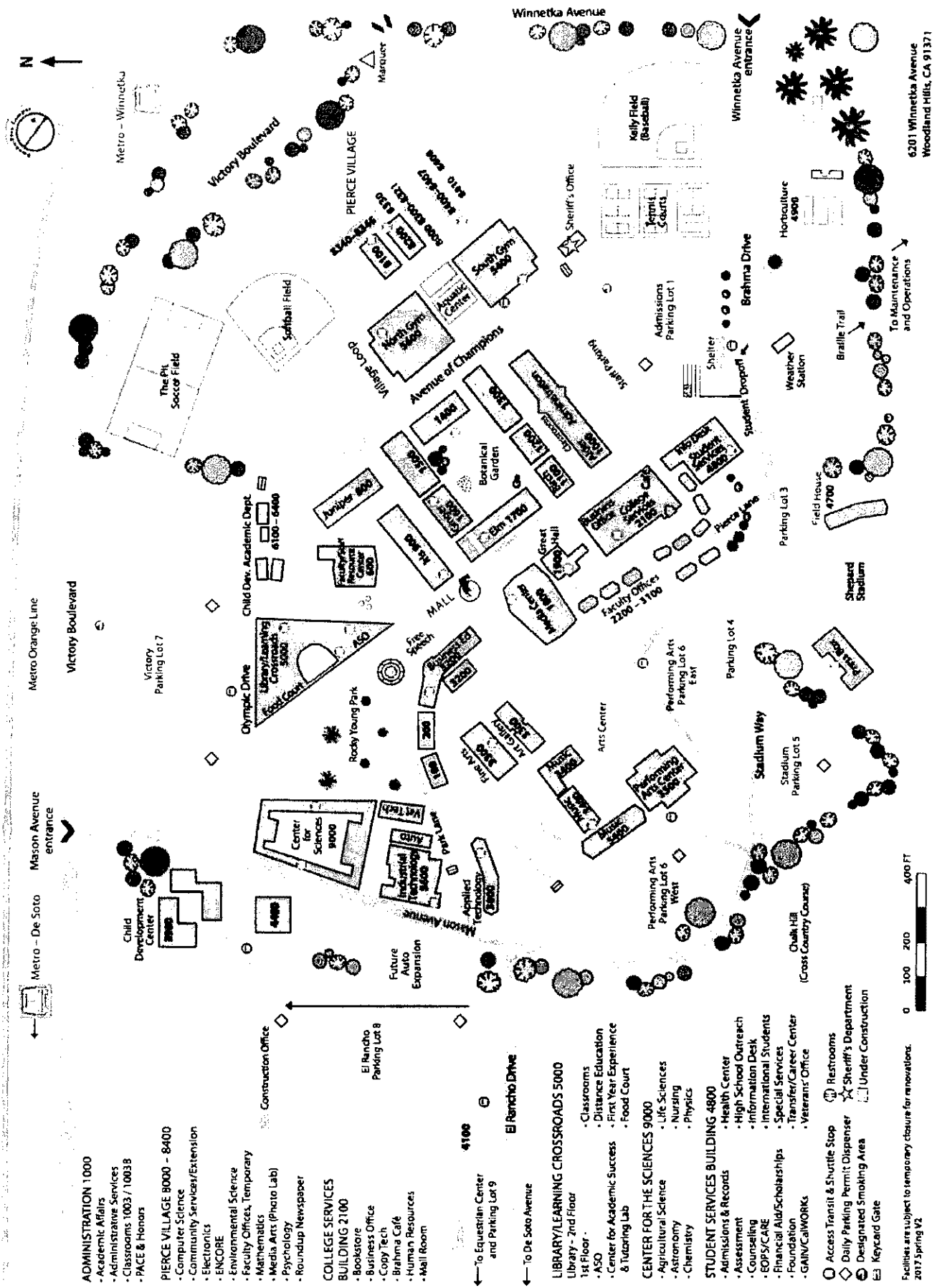


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Facilities are subject to temporary closure for renovations. 2017 Spring V2

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EXHIBIT C



LOS ANGELES PIERCE COLLEGE
USE OF FREE SPEECH AREA

Name of person(s) distributing materials:	Kevin Shaw		
Name of organization you represent:	Young Americans for Liberty		
Address of organization:	REDACTED		
City:	State:	Zip Code:	
Telephone: (Number of people to distribute material(s):		3
Date and time of literature distribution	11/2/18	12:00	
	(Date)	(Time)	

*Note: This is valid only on the date(s) listed above
(Keep this form with you while on campus)*

**RULES FOR DISTRIBUTION OF MATERIAL
AND USE OF FREE SPEECH AREAS OFF-CAMPUS ENTITIES**

The college has one (1) Free Speech Area (FSA) on the campus where there is unlimited accessibility and a normal flow of student traffic for the distribution of free material and the obtaining of signatures.

Individuals planning to distribute material on campus are required to go to the Vice President of Student Services Office located on the third floor of the Student Services Building between the hours of 9:00 am and 4:00 pm to:

1. Report his/her presence on campus
2. Identify the organization and give the name(s) of the distributor(s) and address of the organization
3. Indicate how many people will be distributing along with the date(s) and time(s) of distribution
(The college may set reasonable time restrictions in order to ensure equal access to the use of the FSA)

The following regulations are designed to permit all persons freedom of expression, yet prevent attempts to coerce or intimidate students:

1. TIME

The distribution of material/obtaining of signatures shall be allowed from 9:00am until 7:30am, Monday through Friday.

2. PLACE

There is one (1) area designated for free speech and gathering of signatures. The FSA is located on the Mall within the red and black dotted lines. (see attached map)

3. MANNER

No one shall coerce, force, or impede the progress of a passerby into taking the material or signing a paper. No one shall distribute material which disrupts the orderly operation of the college or interferes with the educational process of the college. No one is allowed to drive a vehicle on the Mall.

4. **9902.10 RESPONSIBILITIES OF PERSONS USING THE FREE SPEECH AREA**

All persons using the Free Speech Area of a college are expected to monitor the content of their speech such that the expression (1) is not obscene, libelous, or slanderous according to current legal standards, (2) does not create a clear and present danger of the commission of unlawful acts on community college premises, (3) is not violative of lawful community college regulations, or (4) does not substantially disrupt the orderly operation of the college. Any person who is found to have expressed speech in violation of this section may be subject to the sanctions applicable respectively to students, staff, faculty, or visitors.

EC 76120

Adopted 04-20-89

The distributor will control the material and dispose of any discarded material to avoid litter problem. The use of sound amplification equipment is prohibited. No person using the FSA shall physically touch, strike, or impede the progress of passerby. No one shall solicit donations of money through direct requests for funds, sales of tickets, or otherwise, except on the behalf of collecting funds for an organization which is registered with the Secretary of State of California as a nonprofit corporation or an approved Associated Student Organization or Club.

I have read and understand the rules contained on the form and will abide by them. I further understand that non-compliance of the rules in entirety may result in forfeit of present and/or future use of the FSA.

11/2

(Date)

Kevin Shaw

(Print Name)



(Signature)

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9902.

9902.10

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EC 76120

Adopted 04-20-89

Historical Note: Former Board Rule 91107, enacted 3-15-72, repealed

4-20-89.

9902.11

Distribution of Materials. Persons using a Free Speech Area shall be allowed to distribute petitions, circulars, leaflets, newspapers, miscellaneous printed matter and other materials, subject to the following restrictions:

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Adopted 04-20-89