
Note: For expression and use of College District facilities and grounds by students and registered student organizations, see FLA. For expression and use of College District facilities and grounds by the community, including by nonstudents and organizations that are not registered student organizations, see GD. For use of the College District's internal mail system, see CHE.

Academic Freedom

Each faculty member shall be entitled to the pursuit and expression of scholarly inquiry with neither undue restriction nor fear of institutional censorship or reprisals. Limitations to this statement exist within the bounds of intellectual honesty, professional integrity, and respect for the opinions of others.

The mastery of subject matter makes a faculty member a qualified authority in that discipline. In recognition of that expertise, the faculty member shall have an active role in the planning and implementation of curricula, the selection of textbooks, readings, and other teaching materials, and in the choice of instructional methodologies. The faculty member shall have the sole responsibility for assigning grades within the limits provided by law.

Each faculty member possesses the rights and privileges afforded every private citizen. These freedoms include the right to exercise civic, political, or religious convictions and to speak freely outside of the classroom on matters of public concern. When exercising his or her rights as a private citizen, a faculty member should avoid creating the impression that he or she is speaking or acting on behalf of his or her employing institution or of his or her profession.

The concept of academic freedom must be accompanied by an equally demanding concept of responsibility mutually exercised by the faculty, administration, and the Board. The essential responsibilities of a faculty member shall include a maintenance of competence in the assigned field of specialization and the demonstration of such competence in class lectures, discussions, and printed materials.

A faculty member shall exercise professional judgment and restraint in the use of controversial material in the classroom without forfeiting the pedagogical benefits of controversy and free inquiry. A faculty member should avoid introducing controversial material that has no relationship to the subject matter being taught.

Distribution of Literature

Written or printed materials, handbills, photographs, pictures, films, tapes, or other visual or auditory materials not sponsored by the College District shall not be sold, circulated, distributed, or posted

EMPLOYEE RIGHTS AND PRIVILEGES
EMPLOYEE EXPRESSION AND USE OF COLLEGE FACILITIES

DGC
(LOCAL)

on any College District premises by any employee or employee organization, except in accordance with this policy.

The College District shall not be responsible for, nor shall the College District endorse, the contents of any materials distributed by an employee or employee organization.

**Limitations on
Content**

Materials shall not be distributed by an employee or employee organization on College District property if:

1. The materials are obscene;
2. The materials contain defamatory statements about public figures or others;
3. The materials advocate imminent lawless or disruptive action and are likely to incite or produce such action;
4. The materials are considered prohibited harassment [see DIA series and FFD series];
5. The materials constitute nonpermissible solicitation; or
6. The materials infringe upon intellectual property rights of the College District [see CT].

**Time, Place, and
Manner Restrictions**

Distribution of materials shall be conducted in a manner that:

1. Is not disruptive to College District operations;
2. Does not impede reasonable access to College District facilities;
3. Does not result in damage to College District property;
4. Does not interfere with the rights of others; and
5. Does not violate local, state, or federal laws or College District policies and procedures.

The distributor shall clean the area around which the literature was distributed of any materials that were discarded or leftover.

The Vice Chancellor, Student Services shall designate times, locations, and means by which materials that are appropriate for distribution, as provided in this policy, may be made available or distributed by employees or employee organizations to employees or others in College District facilities and areas that are not considered common outdoor areas.

**Use of Facilities and
Grounds**

The facilities and grounds of the College District shall be made available to employees or employee organizations, when such use does not conflict with use by, or any of the policies and procedures

of, the College District. The requesting employees or employee organization shall pay all expenses incurred by their use of the facilities in accordance with a fee schedule developed by the Board.

An “employee organization” is an organization composed only of College District faculty and staff or an employee professional organization.

Current employees, including gatherings of employees not exceeding 50 persons, may engage in peaceful assembly and expressive activity in outdoor common areas of the College District in accordance with reasonable time, place, and manner regulations established by the administration. Advance permission shall not be required. For outdoor employee gatherings that are reasonably anticipated to exceed 50 persons, the individuals planning the activity shall provide at least a 24-hour notice in accordance with procedures established by the administration. The administration shall designate areas of the campus that are suitable for and shall accommodate gatherings exceeding 50 persons.

Use of College District facilities and expressive activities must be conducted in a manner that does not disturb or interfere with the academic programs or administrative or business activities of the College District, or any program or activity that is conducted or authorized by the College District.

Administrative procedures adopted pursuant to this policy shall not discriminate based on the content or viewpoint of the expressive activity or upon the expected reaction of others to the activity.

Requests

Because the buildings, classrooms, libraries, and facilities owned or controlled by the College District exist to support the College District’s instructional and support programs and are not a traditional public forum, most facilities on campus are not available for events and activities that are not sponsored by the College District. However, to support the professional and personal growth of employees through participation in employee organizations, the administration shall identify facilities that are suitable for reservation and that shall not otherwise interfere with the academic programs or administrative or business activities of the College District.

Registered employee organizations may request to reserve an indoor location for activities germane to the purpose of the organization or to host a speaker by submitting a request in accordance with administrative procedures.

The employees or the employee organization making the request shall indicate that they have read and understand the policies and

rules governing use of College District facilities and that they will abide by those rules.

Approval

The Vice Chancellor, Student Services or designee shall approve or reject the request in accordance with provisions and deadlines set out in this policy and administrative procedures, without regard to the religious, political, philosophical, ideological, academic viewpoint, or other content of the speech likely to be associated with the employees' or employee organization's use of the facility.

Approval shall not be granted when the official has reasonable grounds to believe that:

1. The College District facility requested is unavailable, inadequate, or inappropriate to accommodate the proposed use at the time requested;
2. The applicant is under a disciplinary penalty or sanction prohibiting the use of the facility;
3. The proposed use includes nonpermissible solicitation;
4. The proposed use would constitute an immediate and actual danger to the peace or security of the College District that available law enforcement officials could not control with reasonable efforts;
5. The applicant owes a monetary debt to the College District and the debt is considered delinquent;
6. The proposed activity would disrupt or disturb the regular academic program;
7. The proposed use would result in damage to or defacement of property or the applicant has previously damaged College District property; or
8. The proposed activity would constitute an unauthorized joint sponsorship with an outside group.

An administrative decision to allow or deny a requested use shall be made within three business days. The Vice Chancellor, Student Services or designee shall provide the applicant a written statement of the grounds for rejection if a request is denied.

*Common
Outdoor Area
Exception*

Common outdoor areas are traditional public forums and are not subject to the approval procedures. Employees and employee organizations may engage in expressive activities in common outdoor areas, unless:

1. The person's conduct is unlawful;

EMPLOYEE RIGHTS AND PRIVILEGES
EMPLOYEE EXPRESSION AND USE OF COLLEGE FACILITIES

DGC
(LOCAL)

2. The use would constitute an immediate and actual danger to the peace or security of the College District that available law enforcement officials could not control with reasonable efforts;
3. The use would materially or substantially disrupt or disturb the regular academic program; or
4. The use would result in damage to or defacement of property.

Announcements
and Publicity

In accordance with administrative procedures, all employees and employee organizations shall be given access on the same basis for making announcements and publicizing their meetings and activities.

Identification

Employees and employee organizations using College District facilities must provide identification when requested to do so by a College District representative.

Violations

Failure to comply with this policy and associated procedures shall result in appropriate administrative action, including but not limited to, suspension of an employee's or employee organization's use of College District facilities and/or other disciplinary action in accordance with the College District's policies and procedures and the employee handbook.

Interference with
Expression

Faculty, students, or student organizations that interfere with the expressive activities permitted by this policy shall be subject to disciplinary action in accordance with the College District's discipline policies and procedures. [See DH, FM, and FMA]

Appeals

The administration shall maintain a procedure providing for a prompt appeal of a decision denying a request to use space. The procedure shall require that the appeal be heard within five business days of the filing of the appeal.

Publication

This policy and associated procedures must be posted on the College District's website and distributed in the employee and student handbooks and other appropriate publications.