

MASSACHUSETTS COMMUNITY COLLEGES OFFICE OF THE GENERAL COUNSEL

MASSACHUSETTS COMMUNITY COLLEGES
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June 16, 2017

J. Caleb Dalton, Esq.
Center for Academic Freedom
Alliance Defending Freedom
440 First Street
NW Suite 600
Washington, D.C. 20001

Re: Bunker Hill Community College

Dear Mr. Dalton:

I serve as General Counsel for the Massachusetts Community College System and your letter to Bunker Hill Community College, dated May 30, 2017, was forwarded to me for response. After having an opportunity to review your letter, I respond accordingly.

In your letter you raised several concerns about some of the College's policies and their potential limitations on free speech. Please understand that the College takes those concerns very seriously and is currently reviewing its policies and practices in order to ensure that all students and staff on our campus enjoy the full protections afforded under the 1st Amendment. This includes ensuring that there is no blanket ban on student rights to distribute materials¹ on campus or engage in spontaneous speech absent pre-approval. Consistent with federal law, the College does reserve the right to impose reasonable time, place and manner restrictions on speech, including the distribution of materials on campus. For example, the College may establish certain places on campus as the proper locations for those wishing to pass out written materials, or it may prohibit distribution at times where such activity would substantially interfere with the College's educational activities, business or operations and/or the reasonable entry or egress of campus buildings, classrooms or other locations. Additionally, the College is developing specific procedures concerning the organization and recognition of student clubs on campus, which shall be objective in nature and applied equitably to all groups seeking recognition.

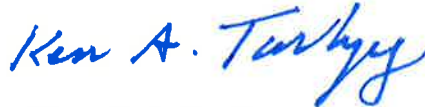
Separately, the College is presently in the process of reviewing and approving the YAL's application to become a recognized student organization at the College. As recently as June 8,

¹ The College acknowledges that on May 3, 2017, it should not have directed members of the Young Americans for Liberty (YAL) to stop distributing copies of the U.S. Constitution in an open, outdoor area on campus since this activity did not cause any impediment to the free flow of traffic or substantially interfere with College business or operations.

2017, the organization's Chapter President, Jeff Lyons, acknowledged receipt of the College's feedback on the group's draft constitution on May 25, 2017, and anticipates submitting a revised document to the College after Tuesday, June 13, 2017. Once that document is received and finalized, along with the group's by-laws, the YAL will receive recognition from the College.

On behalf of the College, I thank you for bringing these issues to our attention. If you have any additional questions, please do not hesitate to contact me. Thank you for your assistance and attention concerning this matter.

Sincerely,



Kenneth A. Tashjy
General Counsel

cc: Dr. Pam Eddinger, President