Administrative Policy

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Effective:	04/06/2018
Supersedes:	08/26/2016
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SUBJECT: POLICY ON TIME, PLACE, AND MANNER OF FREE EXPRESSION

I. Preamble

Exposure to the widest possible range of ideas, viewpoints, opinions and creative expression is an integral and indispensable part of a University education for life in a diverse global society. California State University, Los Angeles supports the right of individual students, faculty, staff and student organizations to exercise free speech, including but not limited to artistic, political, and/or symbolic speech, provided only that such expression does not significantly or materially disrupt normal activities or infringe upon the rights of others. This policy establishes reasonable, non-discriminatory, content-neutral guidelines and procedures designed to protect the rights of speakers and non-speakers, respect the rights of faculty and staff in the classrooms, ensure fair access and due process for those who wish to use the University's public forums, and maintain a safe environment on the University campus.

II. General Provisions

California State University, Los Angeles supports the right of individual students, faculty, staff and student organizations to exercise all forms of expression and free speech including but not limited to artistic, political, and/or symbolic speech, provided that such activities do not prevent the University from carrying out other aspects of its mission, or infringe upon the rights of others.

Learning to respond to the widest possible range of free expression in a civil and responsible manner is an integral and indispensable part of a University education for life in a diverse global society. The University will not condone behavior that violates, by intimidation or force, the freedom of speech, choice, assembly, or movement of other individuals or organizations, or that restrains others' voluntary exposure to free expression and free speech.

Freedom of expression in the University does not extend to actions that are illegal under the constitutions, or under valid applicable laws, of the United States and of the State of California. This policy does not endorse or relieve any person from legal liability for actions that amount to libel, slander, or infringement of intellectual property. All persons or groups engaging in activities on University property are subject to, and are expected to comply with any applicable University policies and procedures.

The mention in this policy of certain means and contexts for freedom of expression shall not be construed to deny or disparage any aspect of freedom of expression by other means or in other contexts.

Approved: _____ **Date:** _____

Whenever any provision of this policy is subject to interpretation, it shall be interpreted to maximize freedom of expression, consistent with the educational mission of the University and with the constitutions and laws of the United States and the State of California.

III. Definitions and Locations of Public, Limited Public, and Non-Public Forums

A. Public Forum Areas

In this policy, a "public forum" refers to University property that has traditionally been available to assembly or debate. Right of access and right of equality of access are guaranteed in these public forums. Prior restraint and most content-based restrictions are prohibited, but reasonable time, place, and manner regulations may be applied. Spontaneous events and demonstrations may take place in the public forum areas without reservations. Planned events and demonstrations in the public forum areas require reservations.

The following areas are public forums:

> The stage that is northeast of the University-Student Union, plus the area extending outwards 5 feet from every side of the stage; and the walkway area from the statute of the Golden Eagle east of the Golden Eagle building to the southernmost end of the Street of the Arts (see Appendix 1.).

B. Limited Public Forum Areas

"Limited public forum" areas refer to property that has not been traditionally public, but which the University has designated to be open as locations for public discourse. Spontaneous events and demonstrations may not take place in the limited public forum areas. Planned events and demonstrations in the limited public forum areas require reservations.

The following areas are limited public forums:

> All outdoor areas on campus (i.e., areas not inside a building) with the exception of: public forum areas, athletic fields (including but not limited to the tennis courts and the swimming pool and deck); streets; street crosswalks; driveways; parking lots; the corporation yard; the area directly between Kennedy Library North and the Palmer Wing South; bridges between buildings; building balconies; building walls; building rooftops; Luckman amphitheater; areas directly adjacent to electrical transformers, generators and panels; and designated construction areas.

C. Non-Public Forum Areas

Except for the areas designated above as limited public forums or public forums, the grounds, facilities, and property of the University (including the interiors of all buildings) are non-public forums. The University can restrict access to, and strictly regulate the public speech that occurs in non-public forums. Neither educational interaction between teachers and students nor academic freedom is limited by this policy.

IV. Guidelines for Events and Demonstrations

A. General Guidelines

1. Events and demonstrations may not be held in non-public forum areas.

2. Classes or other scheduled activities shall not be significantly or materially disrupted.

3. Persons may not block or otherwise interfere with the reasonable free flow of vehicular, bicycle or pedestrian traffic. The right of way on streets and sidewalks must be maintained.

4. Persons may not block or otherwise interfere with reasonable ingress and egress into and out of campus buildings, or interfere with any use of property belonging to the University, or to other persons, which is legal and authorized by the owner of the property.

5. Persons shall not significantly or materially disrupt any event or activity sponsored by the University or by any users authorized to use University facilities.

6. The safety and well-being of the campus community must be protected at all times. Persons shall not engage in physically abusive conduct toward any person or property nor present a credible threat of physical harm, or an objectively demonstrable risk of suffering physical harm. University property will be protected in accordance with all applicable University rules and procedures.

7. Persons shall comply with the directions of University officials lawfully acting in the performance of their duties. University officials shall not invoke this provision to stifle expression because of its content.

8. Amplified sound including public address systems shall comply with sound level limits specified in applicable University procedures.

9. When an event is being held in a University building or a facility, persons may demonstrate and/or leaflet in accordance with the procedures set forth in this policy. Signs, placards or similar paraphernalia associated with a demonstration may not be carried into the building or facility. Members of the campus community and outside guests shall have the right to peacefully protest any speaker, meeting, or event, so long as the event being protested is not significantly or materially disrupted.

10. Reasonable access to the public forum and limited public forum portions of campus for noncommercial speech and expressive activities is available to all, including those who are not a member of a recognized campus organization, or are not members of the University community. In allocating space and facilities that may be reserved members of the University community have priority for use of space and facilities over the general public.

11. Organizations sponsoring or organizing events, demonstrations, leafleting or equivalent activities will be held responsible for compliance with this policy. Each individual participating in an event, demonstration or equivalent activity is accountable for compliance with the provisions of this policy and all other applicable University policies. A substantiated complaint of a serious violation of this policy or any other University policy by a member of the University community may be grounds for proportionate disciplinary action against individuals, the sponsoring or participating organizations, and/or organization officers. Such disciplinary action shall be handled through the normal disciplinary procedures of the University. Disciplinary actions shall not be used to inhibit expression because of its content.

12. The University's Department of Public Safety will determine the type of security necessary based on the public safety needs of the event being held. Each event

will be considered on a case-by-case basis to determine appropriate staffing. The University will assess security needs, and assess fees for security provided by the University, based only on factors that are not related to viewpoint, such as the size of the crowd expected at an event, the location of the event, the time of day when the event is held, and the availability of parking in proximity to the event.

13. Signs, posters, placards and banners on University property may not be of a size, shape, or type that will interfere with University functions, operations or events, cause damage to University property, or pose a danger to the safety of persons or property. Signs exceeding 24" by 36" dimensions may be made only of foam core, cardboard or paper. No sign of any size or shape shall be made of metal. No person, while participating in any demonstration, rally, picket line, public assembly, or protest, shall carry or possess a signpost, pole, pipe or stake fabricated of metal or composite material, regardless of width or diameter. Sign posts made of wood or foam are permissible providing their dimensions do not exceed one-fourth inch in thickness and two inches in width, or if not generally rectangular in shape, such object shall not exceed one half inch at its largest diameter.

    Additional prohibited items include:

    - Any bag exceeding the size of 18" by 14" by 7"
    - Any weapons and/or ammunition
    - Mace, pepper spray, or similar chemical spray
    - Helmets
    - Face masks or personal disguises for the purpose of evading or escaping discovery, recognition, or identification in the commission of any public offense, or the purpose of concealment, flight or escape when charged with, arrested for, or convicted of any public offense
    - Gas masks
    - Shields and body armor
    - Glass, thermal and metal containers
    - Flammable liquids and gases
    - Torches and other open flames
    - Aerosol and other pressurized canisters and sprays
    - Balloons filled with any substance other than air and any non-flammable and non-hazardous gas
    - Liquids, other than water in factory sealed clear plastic bottles
    - Paint in whatever form
    - Drones and other unmanned aircraft systems
    - Laser pointers
    - Selfie sticks
    - Toy and replica guns
    - Bicycles, skateboards, roller skates and scooters
    - Wagons and carts capable to be pushed or pulled

B. Special Guidelines for Scheduled Events and Demonstrations

Scheduled events and demonstrations may be held in the public forum and limited public forum areas of the University. University members and organizations have priority over the general public in scheduling events and demonstrations.

1. Students and student organizations that wish to schedule an event or demonstration must request the space and time by making a reservation with the University-Student Union, Reservations Office. Any such requests must be made

no less than two business days in advance of the activity. Reservations requests will be responded to within one business day. This decision will not be based on the content of the speech or viewpoints of the participants. In the event that a demonstration request is denied, students and student organizations may appeal to the Vice President for Student Affairs, who shall respond within one business day after the appeal is filed.

2. Non-student University organizations and individuals (including but not limited to current employees of the University) and organizations and individuals not affiliated with the University who wish to schedule an event or demonstration may request the space and time by making a reservation with the Office of Vice President for Administration and Chief Financial Officer. Any such requests must be made no less than two business days in advance of the activity. Reservations requests will be responded to within one business day. This decision will not be based on the content of the speech or viewpoints of the participants. In the event that a demonstration request is denied, individuals and organizations may appeal to the President, who shall respond within one business day after the appeal is filed.

3. No events will be scheduled during commencement ceremonies or other similar campus-wide special events, including but not limited to on campus housing move-in days, orientation week, and homecoming week.

C. Special Guidelines for Unscheduled Events and Demonstrations

It is the intent of this policy to ensure that all events and demonstrations on campus occur with minimal threat to the safety and security of persons or facilities through proper planning and scheduling.

1. Unscheduled events or demonstrations may be held in the public forum areas, without reservations, as long as they do not violate University policies or procedures or federal, state, or other applicable law.

2. It is inappropriate for events and demonstrations that have been planned to circumvent the policies by claiming to be spontaneous. In deciding whether an event or demonstration is spontaneous or planned, the University may consider any relevant evidence, including (a) whether signs or placards used at the demonstration were commercially produced, (b) whether participants used amplified equipment, (c) whether security was altered, or media contacted, substantially in advance of the demonstration, or (d) whether other circumstances demonstrate advance planning by one or more individuals and/or organizations.

3. In the event of multiple groups or individuals attempting to use the public forum areas at the same time and place, priority shall be given in the following order: (1) to previously scheduled events and demonstrations (including but not limited to University-arranged entertainment taking place on the stage northeast of the University-Student Union); (2) to events and demonstrations conducted by recognized University organizations, students, student organizations, and current employees; and (3) on a first-come, first-serve basis.

D. Special Guidelines for Leafleting

Anyone may distribute, without registration or advance approval, non-commercial announcements, statements or materials in any outdoor area of the campus. Persons distributing such materials are

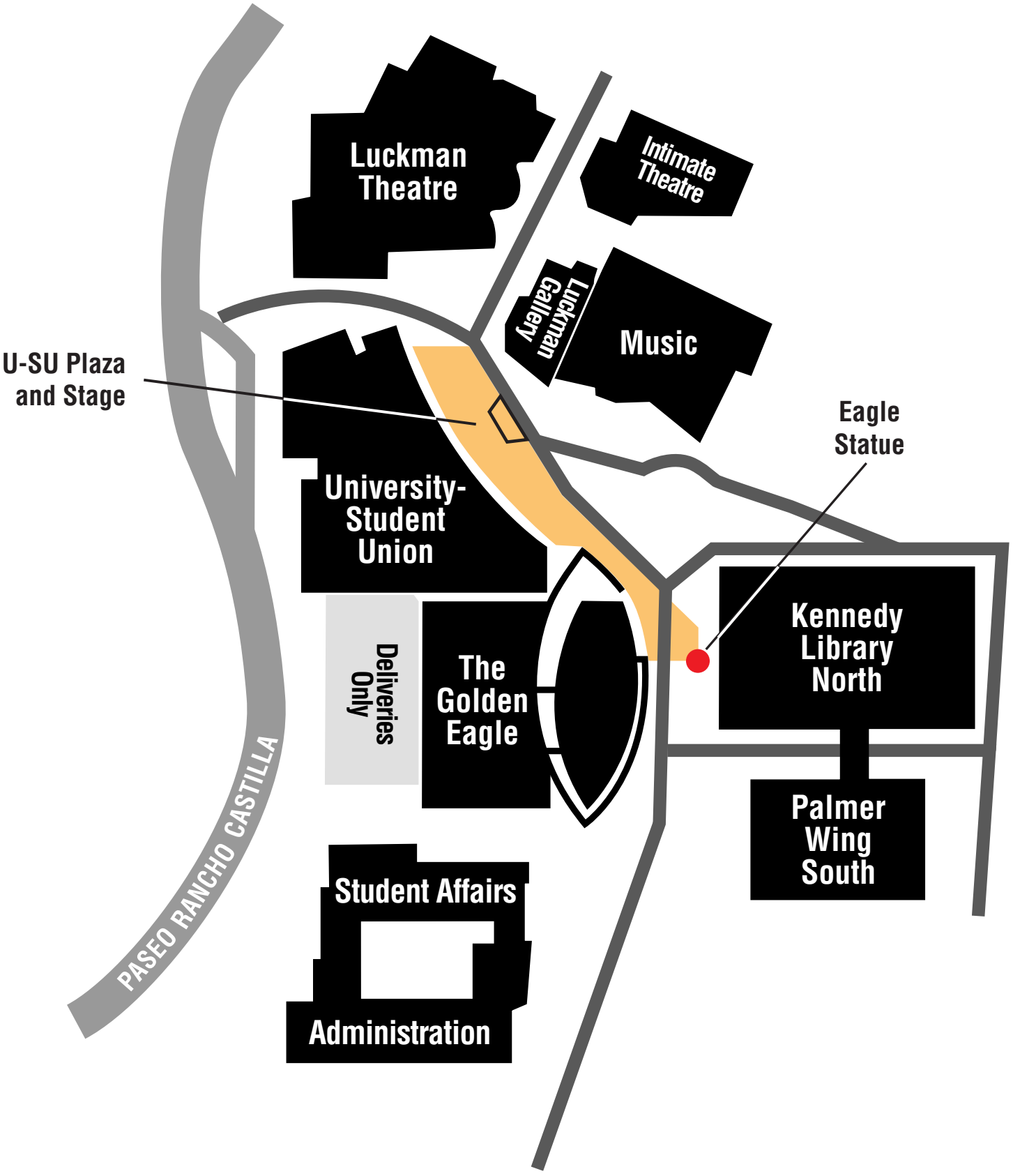
expected to refrain from littering and may be held responsible for costs incurred as a result of littering. Such distribution must not interfere with classes and other University functions, operations, and events, or obstruct the free flow of pedestrian and vehicular traffic, and may not be conducted at the top or bottom of elevators and stairs.

Distribution is defined as individuals handing materials to other individuals who may accept them or refrain from receiving them. Leaving materials unattended on a surface to be picked up is considered littering, not distribution. For purposes of this provision, announcements, statements or materials pertaining to the sale of goods or services authorized by the University administration pursuant to the Campus Solicitation policy are considered non-commercial.

Printed material shall not be placed on or in vehicles parked on University property.

APPENDICES:

1. Map of Public Forum Areas


Luckman Theatre
Intimate Theatre
Luckman Gallery
Music
U-SU Plaza and Stage
Eagle Statue
University-Student Union
Deliveries Only
The Golden Eagle
Kennedy Library North
Palmer Wing South
Student Affairs
Administration
PASEO RANCHO CASTILLA