

## 16.00 Expression and Advocacy

**16.10. Exercise of Constitutional Rights:** UCSD is committed to ensuring that the exercise of constitutional rights of free and open discussion, expression, and advocacy are not only protected but encouraged as a vital aspect of the spirit of free inquiry appropriate to a university setting.

**Commented [WB1]:** Policy can be rescinded because the provisions here are covered elsewhere, including UCOP PACAOS 10.00 & 30.00, PPM 510-1 II, PPM 510-1 IX & XII, and campus protocol.

**Commented [BW2]:** PPM 510-1 IX & XII

**16.11. Rights of Discussion, Expression, and Advocacy:** In the exercise of the rights of discussion, expression, and advocacy on UCSD, all persons are guaranteed the right of freedom from undue surveillance. Specifically, the video-taping of student demonstrations should not occur unless there is probable cause to believe that participants are engaging in illegal activity or activity subject to UCSD disciplinary proceedings. No information shall be gathered for any other purpose and placed or maintained in police or administrative files.

**Commented [BW3]:** Can be merged into PPM 510-1 IX & XII, if necessary.

**16.12. Time, Place and Manner of Exercise of Expression:** The time, place and manner of exercising free expression and advocacy at UCSD are subject to UCSD regulations that shall provide for noninterference with University or UCSD functions and reasonable protection to persons against practices which would make them involuntary audiences.

**Commented [BW4]:** PACAOS 30.30, PPM 510-1 II

**16.13. Chancellor's Responsibility:** It is the responsibility of the Chancellor to assure an ongoing opportunity for the expression of a variety of viewpoints.

**Commented [BW5]:** PACAOS 30.20, PPM 510-1 II

**16.14. Political and Religious Expression:** These UCSD policies and regulations in no way constitute prohibitions on the right to express political or religious views by an individual in the UCSD and University community. UCSD recognizes, supports, and shall not abridge the constitutional rights of faculty, students, or staff to participate either as individuals or as members of groups in the political process of supporting candidates for public office or any other political or religious activity.

**Commented [BW6]:** PACAOS 30.40, PPM 510-1 II

### 16.15. Student Demonstrations and Rallies

#### 16.15.10. References and Related Policies

##### 16.15.10.10. University of California Policies Applying to UCSD Activities, Organizations and Students

##### 16.15.10.11. UCSD Policy and Procedure Manual (PPM) Section II, 510-1, IX and XII, Use of University Properties

##### 16.15.11. Introduction

In order to carry on its work of teaching, research and public services, UCSD has an obligation to maintain conditions conducive to the conduct of University business in a free and open manner; and in accordance with the highest standards of quality, institutional integrity, and freedom of expression, with full recognition by all concerned of the rights and privileges, as well as the responsibilities, of those who comprise the UCSD community. Each member of the UCSD community shares in the responsibility of maintaining conditions conducive to achievement of the University's purposes.

**Commented [BW7]:** PACAOS 10.00 & 10.10

##### 16.15.12. Definitions

##### 16.15.12.10. Expression and Advocacy:

On-campus open expression and advocacy is defined as the action by any individual or group who exercises expression and advocacy in an open forum at UCSD. Planned or spontaneous demonstrations

**Commented [BW8]:** PPM 510-1 IX & XII

or rallies that result from exercising expression and advocacy by any individual or group are included in this definition.

#### **16.15.12.11. Grounds Open to the Public:**

For the purpose of these regulations, the term, "Grounds generally open to the public" is defined as the outdoor areas of UCSD, (lawns, patios, plazas) that are at least 25 feet from the entrances/exits of UCSD buildings and parking lots, and that are also a safe distance from the curbing of UCSD roads. All activity in these areas must be conducted in such a way that traffic is not impeded and the normal activity in classrooms and offices is not disrupted. Tables or moveable stands may not be placed in areas where passages to any entrances or walkways are blocked. Only official UCSD administrative units can set up tables or moveable stands without permission from the UCSD Official responsible for the area.

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#### **16.15.13. Policy**

##### **16.15.13.10. General:**

The time, place, and manner of exercising expression and advocacy are subject to the regulations that provide for the noninterference with university functions and protect persons against practices that cause bodily harm, or otherwise infringe upon the legally defined rights of others. UCSD administrative officials are responsible for the effective implementation of this policy.

Commented [BW10]: PPM 510-1 IX & XII §III

##### **16.15.13.11. Related Policies**

The University-wide policies contained in Section 16.15.10., above are considered part of this policy and are also applicable to students.

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##### **16.15.13.12. UCSD Policy**

Any individual or group wishing to exercise rights of expression and/or advocacy may utilize UCSD grounds generally open to the public. These areas include: but are not necessarily limited to:

1. Revelle College Plaza
2. Revelle College Grassy Knoll
3. Muir College Quad
4. Thurgood Marshall College Quad
5. Warren College Mall
6. Gym Steps
7. Student Center Hump
8. Eleanor Roosevelt College Residence Hall Green
9. Pepper Canyon Plaza
10. Eleanor Roosevelt College Quad

**16.15.13.13.** The use of amplification as part of the rights of free expression in student demonstrations and rallies is permitted in the above designated areas as specified in Section 16.16. et seq. below. The use of amplification in times other than indicated shall be subject to approval by the Associate Vice Chancellor — Student Life, and the appropriate college dean or administrator of the designated areas listed above.

Commented [BW12]: PPM 510-1 IX & XII, §III C

**16.15.13.14.** The conduct of student demonstrations and rallies in designated UCSD areas as a part of the exercise of expression and/or advocacy shall include the use of demonstration monitors to be designated by the sponsor(s) or organizer(s) of the event.

~~16.15.13.15. At such time as the Vice Chancellor Student Affairs becomes aware of a spontaneous demonstration or rally on UCSD for the purpose of exercising expression and/or advocacy, a Student Affairs Coordinator shall be appointed.~~

#### ~~16.15.14. Procedures~~

##### ~~16.15.14.10. Role of Demonstration Monitors~~

~~A minimum of two demonstration monitors will always be designated. For large student demonstrations or rallies, a minimum of one monitor per hundred participants anticipated shall be appointed exclusive of the minimum. All monitors must consent to serve as such and shall wear an identifying mark, badge, or other means of identification that is clearly visible. Demonstration monitors are responsible for maintaining reasonable order during the course of the demonstration and coordinating events with the Student Affairs Coordinator to insure the health and safety of demonstration participants as well as bystanders.~~

##### ~~16.15.14.11. Appointment of Student Affairs Coordinator by the Vice Chancellor Student Affairs~~

~~At such time that a request is made to an appropriate college dean or administrator for the use of a designated UCSD or college area, or at such times that the VCSA becomes aware of a spontaneous gathering on UCSD for the purpose of exercising speech and/or advocacy, the VCSA shall appoint a Student Affairs Coordinator. The VCSA will maintain a list of individuals within the VCSA Affairs organization who are to be on call to serve as coordinators.~~

#### ~~a. Role of Student Affairs Coordinators~~

~~Student Affairs Coordinators are responsible as appropriate per event for the following:~~

- ~~1. Initiate appropriate liaison with the individual or group requesting use of a designated UCSD area. Verify names of all monitors.~~
- ~~2. Contact the UCSD Police and conduct preliminary discussions about the forthcoming event that is planned or anticipated. Obtain the name of the UCSD Police liaison person.~~
- ~~3. Be present at the event, arriving on the scene prior to its scheduled or anticipated starting time or as soon as practical after being informed of the event.~~
- ~~4. Observe events as they occur to ensure that individual rights are not being violated, University/UCSD property is not being damaged or destroyed, and contact the UCSD Police liaison for appropriate action in cases of unlawful activities, including but not limited to obstruction or disruption of teaching, research, administration, disciplinary procedures, or other UCSD related activities.~~
- ~~5. Make the determination in consultation with demonstration monitors and in accordance with existing University policies and UCSD regulations relating to speech and advocacy that a group of individuals should be dispersed and/or relocated. Dispersal and/or relocation determinations shall be publicly announced and shall include a reasonable warning period and advise a university affiliate to cease or modify the prohibited conduct or activity before imposing university sanctions and/or applying appropriate law enforcement measures for violation of this Policy, except where the conduct violating this policy reasonably appears to create a threat to or endanger health, safety, or property.~~
- ~~6. When violations of law, University policy, or UCSD regulations occur at the event, consult with the UCSD Police liaison and in accordance with existing University policies and UCSD regulations~~

relating to use of University property and speech and advocacy, take action as deemed appropriate and necessary.

**b. Role of UCSD Police**

1. The UCSD Police official(s) at any event described above will be responsible for upholding all Federal and State of California laws and applicable UCSD policies and regulations. UCSD Police would be expected to take immediate action in any case involving the imminent threat to destruction of UCSD or University property or the imminent threat of bodily harm.
2. When the Student Affairs Coordinator in consultation with student demonstration monitors has made a determination that a group of individuals should be dispersed and/or relocated, the UCSD Police official will be so informed and shall attempt to peacefully implement the decision. If the group does not disperse and/or relocate and, if in the opinion of the UCSD Police official a violation of the Unlawful Assembly statute is occurring, the official shall read the Unlawful Assembly dispersal notice to the assembled group. A second reading shall be given and appropriate action shall be taken by the police official if the group fails to obey the instructions.

Commented [WB13]: Demonstrations Event Management Committee protocol.

**16.16. Use of Amplified Sound**

**16.16.10. Designated Times and Places for Use of Amplified Sound**

16.16.10.10. Amplified sound is authorized in the areas listed below at the designated date and times, unless otherwise approved by the UCSD official designated for the site.

Designated Area	Designated Time
Revelle College Plaza	11:30 a.m. – 1:30 p.m.
Revelle College Grassy Knoll	11:30 a.m. – 1:30 p.m.
Muir College Quad	11:30 a.m. – 1:30 p.m.
Thurgood Marshall Solis Quad	11:30 a.m. – 1:30 p.m. M-F
Warren Student Activity Center (sidewalk area near shuttle stop)	11:30 a.m. – 1 p.m., 5 p.m. – 7 p.m.*
Warren Mall (near Engineering Complex)	11:30 a.m. – 1:30 p.m. M-F*
Warren Mall (near Snake Path)	11:30 a.m. – 1:30 p.m.* 8 p.m. – 10 p.m. M-F*
Eleanor Roosevelt College Admin Bldg Plaza	11:30 a.m. – 1:30 p.m.
Eleanor Roosevelt College Residence Halls Green	11:30 a.m. – 1:30 p.m.
Sixth College Res Hall Quad	11:30 a.m. – 1:30 p.m.
Sixth College Apartments Plaza	11:30 a.m. – 1:30 p.m.
Student Center Hump	All Times
Price Center Plaza	All Times**
Sun God Lawn	11:30 a.m. – 1:30 p.m.
Library Walk Dentils 1967 – 1993 (Lyman Lane north to intersection of Library Walk and Geisel Tree)	All Times

\*Non-Electronic amplified voice only, prior approval required for amplified sound.

\*\*Information table is not permitted without a reservation.

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Commented [BW14]: PPM 510-1 IX & XII §III C

~~16.16.10.11. No amplified sound is allowed for the Gymnasium Steps except between 4 p.m. and 10 p.m. on Friday, Saturday and Sunday unless otherwise approved by the UCSD designated facility manager.~~

~~16.16.10.12. Exceptions to these locations and times must be approved by the designated facility manager, e.g. College Dean, University Center Director or Assistant Vice Chancellor — Student Life.~~

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~~16.16.11. Required Procedures for Use of Amplified Sound~~

~~16.16.11.10. The use of amplified sound must be scheduled through the UCSD master calendar website and approved by the designated facility manager.~~

~~16.16.11.11. Exceptions to these event scheduling guidelines must be approved by the designated facility manager.~~

~~16.16.11.12. Decibel Levels: The maximum permissible decibel level, measured at the sound mix panel, is of 90 dBA peak and a continuous/average decibel level of no more than 75 dBA.~~

~~16.16.11.13. Decibel Monitoring: Contracts for outdoor musical events must include language that mandates adherence to the decibel level policy established by UCSD. Events will be monitored by a designated University official with costs recharged to the sponsoring organization. When the decibel level is unacceptable, the program sponsor/advisor or the facility manager will take the necessary corrective action, including but not restricted to, cancellation of the event and non-payment of the performing group since a violation of contractual agreements has occurred.~~

~~16.16.11.14. Any scheduled event will have priority over other spontaneous uses of the areas concerned. Sound amplification equipment may not be used at other outdoor locations unless approved in advance by the Assistant Vice Chancellor — Student Life.~~

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