

IMPLEMENTING RULES FOR THE REGENTS' POLICY ON NON-AFFILIATE ACCESS TO THE UNIVERSITY OF CALIFORNIA, SAN DIEGO CAMPUS

1. Preamble

In 2008, the Board of Regents adopted Regulations Governing Conduct of Non-Affiliates in the Buildings and on the Grounds of the University of California (the Regents' Policy) (available at <http://policy.ucop.edu/doc/3000127/NonAffiliateRegs>). These regulations were codified in Sections 100000-100015 of Title 5, Division 10 of the California Code of Regulations. All non-affiliates who enter the buildings or grounds of any University of California campus are subject to the Regents' Policy.

Under the Regents' Policy, campuses were directed to issue implementing rules for certain policy requirements. This policy constitutes the implementing rules for the San Diego campus.

UC San Diego values the ability of non-affiliates to speak and communicate on campus and the contribution of non-affiliates to the vibrant exchange of ideas at the University. At the same time, reasonable content-neutral regulations regarding the time, place, and manner of such speech help preserve University property for the functions for which it is dedicated. These implementing regulations aim to strike an appropriate balance between these two important values.

2. Definitions

2.1. Unless otherwise provided herein, the definitions provided in the Regents' policy apply to the terms used in these implementing rules.

2.2. *Designated University Official.* The Designated University Official for UC San Diego is the Executive Vice Chancellor. The Executive Vice Chancellor may delegate this authority to other University employees.

3. Curfew

3.1. Section 100007 of the Regents' Policy imposes a curfew on Non-Affiliates on University Property.

3.2. The curfew for the San Diego campus is between the hours of midnight to 6:00 a.m.

4. Gatherings and Demonstrations on Campus Property

- 4.1. Section 100004(A) of the Regents' Policy provides: "No non-affiliate may hold or conduct any demonstration or gathering in or upon University property without prior approval from the Designated University Official, and subject to such requirements regarding time, place, and manner as the Designated University Official may impose."
- 4.2. No prior approval for outdoor gatherings or demonstrations is required, provided that the gathering or demonstration complies with the requirements specified in this Policy.
- 4.3. Gatherings and demonstrations may not take place during the hours of the campus curfew.
- 4.4. Gatherings and demonstrations may not:
 - 4.4.1. Unreasonably disrupt or interfere with University business or the permitted activities of students.
 - 4.4.2. Violate the legal rights of other persons, endanger their safety, or unreasonably disrupt, interfere, or obstruct viewing or hearing of an expressive activity of another person or group that is in compliance with University policy.
 - 4.4.3. Obstruct the ingress or egress to any University facility or obstruct the use of any walkways, roadways, or fire lanes.
 - 4.4.4. Take place inside any University building or facility, in parking lots or parking structures, or on fields reserved for athletic or recreational uses (e.g., baseball fields, tennis courts, etc.).
 - 4.4.5. Include any activity that damages or poses an unreasonable risk of damage to the environment (e.g., trees and other vegetation, wildlife) or to property.
- 4.5. All participants in a gathering or demonstration must obey all lawful instructions issued by an authorized University official, including, but not limited to, requests to relocate a

gathering or demonstration to prevent or end a violation of the rules provided in Section 4.4 of this Policy.

4.6. The University reserves the right to close off any portion of the campus for gatherings or demonstrations at any time by giving reasonable notice (e.g., the posting of signs or verbal instructions to people in the area) when necessary, in the University's judgment, to

4.6.1. Accommodate University business, events, or activities;

4.6.2. Reduce risk of injury or damage to people, property, wildlife, or vegetation;

4.6.3. Maintain or promote security or enforce University policy;

4.6.4. Preserve access to and from University facilities, activities, or events; or

4.6.5. Other good cause or reason.

5. Structures or Equipment on Campus Property

5.1. Section 100004(B) of the Regents' Policy provides: "No non-affiliate may build, construct, set up, place, or maintain, or attempt such, in or upon any University of California owned or operated property, any tent, platform, booth, bench, table, building, sound system, or other structure, without prior approval from the Designated University Official, and subject to such requirements regarding time, place, and manner as the Designated University Official may impose."

5.2. Except as provided in Section 5.4, any non-affiliate wishing to set up structures or equipment on campus property must obtain a reservation and written approval from a campus department authorized to approve the proposed structure or equipment. A list of campus departments that reserve space and approve structures and equipment is attached.

5.3. Requirements for Approval

- 5.3.1. All non-affiliates wishing to set up structures or equipment on campus property must provide written evidence of insurance that meets the following minimum requirements:
- 5.3.1.1. *A certificate of insurance with The Regents of The University of California as Certificate Holder.*
 - 5.3.1.2. *General Liability Insurance-\$2,000,000 per occurrence*
 - 5.3.1.3. *If a Business Vehicle used on campus Auto Liability Insurance-\$1,000,000 per occurrence*
 - 5.3.1.4. *A separate endorsement naming The Regents of The University of California as additional insured (i.e. CG20 26 or CG 20 24 or comparable).*
 - 5.3.1.5. *Questions regarding insurance requirements should be directed to UCSD Risk Management at 858-534-4237 or 858-534-2454.*
- 5.3.2. Approval from Environment Health & Safety that the proposed structure or equipment does not pose a danger to people or property.
- 5.4. Structures or equipment must not:
- 5.4.1. Unreasonably disrupt or interfere with University business or the permitted activities of students.
 - 5.4.2. Violate the legal rights of other persons, endanger their safety, or unreasonably disrupt, interfere, or obstruct viewing or hearing of an expressive activity of another person or group that is in compliance with University policy.
 - 5.4.3. Obstruct the ingress or egress to any University facility or obstruct the use of any walkways, roadways, or fire lanes.

- 5.4.4. Be placed inside any University building or facility, in parking lots or parking structures, or on fields reserved for athletic or recreational uses (e.g., baseball fields, tennis courts, etc.).
 - 5.4.5. Damage or pose an unreasonable risk of damage to the environment (e.g., trees and other vegetation, wildlife) or to property.
- 5.5. Information Tables
- 5.5.1. No advance reservation or approval is required to set up a table that meets the requirements in this section.
 - 5.5.2. The purpose of the table must be to facilitate the distribution or display of non-commercial information.
 - 5.5.3. Tables cannot be larger than 70 inches wide and must not extend more than 5 feet from the outer edge of the sidewalk.
 - 5.5.4. Tables must allow for the free flow of pedestrian traffic.
 - 5.5.5. Tables must be staffed at all times and cannot be left unattended.
 - 5.5.6. Tables must be located at the northwest end of Library Walk in the area depicted in the attached diagram.
- 5.6. Campus departments may impose additional requirements for approval, provided that the requirements are content-neutral and specified in advance.
- 5.7. In cases where approval is required, the approval must be in writing. The non-affiliate must have the written approval in his or her possession at all times during the event and must produce the approval to university officials upon demand. Failure to do so may result in the removal of the structures or equipment at the expense of the non-affiliate.

6. Amplified Sound

- 6.1. Section 100004(C) of the Regents' Policy provides: "No non-affiliate may use amplified sound on University Property, without prior approval from the Designated University Official, and subject to such requirements regarding time, place, and manner as the Designated University Official may impose."
- 6.2. No prior approval for use of amplified sound is required, provided that the use of amplified sound complies with this Policy.
- 6.3. No amplified sound may be used during the hours of the campus curfew provided in this Policy.
- 6.4. Amplified sound may only be used in the time, place, and manner authorized for the use of amplified sound by Affiliates as provided in section III (C) and (D) of the UC San Diego Policy and Procedure Manual (PPM) [510-1, IX](#).

7. Disputes

- 7.1. If a person disputes a decision by a University official under this Policy, within seven calendar days of receiving notice of the decision, the non-affiliate must file a written appeal to the Vice Chancellor—Resource Management and Planning.
- 7.2. The written appeal must include all facts, reasons, and evidence the appealing party believes supports the appeal.
- 7.3. The appeal should be emailed to vcrmp@ucsd.edu or mailed to Vice Chancellor—Resource Management and Planning, 9500 Gilman Drive #0057, La Jolla, CA 92093-0057.
- 7.4. Within five business days of receiving an appeal, the Vice Chancellor—Resource Management and Planning will respond in writing.

7.5. Notwithstanding any other provision in this Policy, disputes regarding exclusion orders issued pursuant to California Penal Code § 626.6 will be resolved in accordance with California law.

8. Non-employee Union Representatives

8.1. These regulations do not apply to non-employee union representatives to the extent their conduct and access to the campus are governed by collective bargaining agreements.

8.2. Any questions regarding the handling of union activities on campus should be addressed to Labor Relations or the General Counsel's Office.