

Policy Title: Expressive Activities; Time, Place and Manner Regulations

Policy Number: 700-70

Responsible Officer:	Chancellor
Responsible Office:	Chancellor’s Office
Date of Revision:	October 4, 2024
Date of Last Review:	October 1, 2024

This policy is maintained by the Chief Compliance Office.

I. INTRODUCTION

The University of California, Riverside (“UCR”) embraces the free expression of ideas as a fundamental part of our public and academic mission, consistent with principles of free speech and academic freedom and the pursuit of knowledge. These regulations and other campus policies (see Section V) provide a framework for the conduct of demonstrations and other expressive activities that protects the rights of members of the campus community as well as campus operations.

These regulations implement PACAOS 30.00, the University’s Policy on Speech and Advocacy. (<https://policy.ucop.edu/doc/2710523/PACAOS-30>).

II. SCOPE AND DEFINITION OF EXPRESSIVE ACTIVITIES

This policy applies to any individual while on UCR’s campus or UCR-owned or controlled property, when engaging in Expressive Activities.

A. Definition of Expressive Activities



Expressive Activities covered by this policy are actions by an individual or group designed to engage, or aimed at, a larger audience, or to send a broad message. Common Expressive Activities are demonstrations, protests, assemblies and rallies, vigils, picketing, speech-making, leafletting, and other writing and drawing communicating a message.

B. Exclusions and Limitations

1. This policy does not affect any rights of any employee bargaining unit under their collective bargaining agreement or law.
2. This policy does not apply to Expressive Activities that occur as part of an academic program.
3. Commercial communications are covered by Section 100006 of the Regents Regulations Governing Conduct of Non-Affiliates in the Buildings and on the Grounds of the University of California (the “Regents’ Non-Affiliate Regulations”) and UCR Policy 700-10: Commercial Activities/Advertising/Soliciting (<https://policyking.ucr.edu/home/policy/6539d1030ad0f868b86635be>).
4. Expressive Activities permitted by this policy may also be regulated by other laws and policies, including (but not limited to) Expressive Activities that damage UCR or individual’s property, that violate University policies relating to discrimination and harassment, or that constitute a true threat.^[1]
 - a. Expressive Activities that have an expected attendance of 300 or more people or otherwise constitutes a Major Event must comply with Policy 700-85: Major Events.
 - b. Print materials (such as signs, banners, flyers, posters, etc.) must also comply with UCR Policy 700-50: Posting Policy for Students and UCR Policy 700-52: Temporary Signage and Banners (<https://policyking.ucr.edu/home/policy/6539d1030ad0f868b8663781>) (for others).

III. POLICY

UCR promotes and respects the free exchange of ideas and information. As provided in this policy, UCR grounds are generally available for Expressive Activities.

Those who engage in Expressive Activities are responsible for prompt clean-up and for compliance with all other applicable policies (see Section V; other policies may apply to specific types of activities).

A. Time Restrictions

1. Activities are not permitted from 8:00 p.m. to 8:00 a.m., without prior authorization (see Section IV(B) below). Note that the Regents Non-Affiliates Regulations imposes a curfew on entering or remaining on University property between midnight and 6:00 a.m.

2. UCR may put in place specific time restrictions for particular areas or location, such as to reserve use for a function or activity, in which case Expressive Activities are not permitted until the area is re-opened.

B. Place (Space) Restrictions

1. Grounds Are Generally Available. Students, faculty, staff, and other members of the campus community, as well as visitors and other non-affiliates, generally may conduct demonstrations and engage in other Expressive Activities on campus grounds—outdoor places/spaces with unrestricted access such as lawns, plazas or patios, paths and sidewalks—provided that the activity complies with the Time, Place and Manner Regulations below and any other applicable policies and laws.

2. Some Locations Are Available Only with Prior Authorization. Expressive Activities are not permitted inside UCR buildings without prior authorization (see Section IV(B)). UCR has numerous and varied outdoor areas, while its buildings are dedicated to research, health, dining, administrative, study and instruction, athletic and recreational purposes.

3. Access and Free Movement Must Not Be Blocked. No one may restrict the movement of another person or persons through Expressive Activities, or deny a person access to a University facility, service, fixture, or space otherwise open or available to that individual.

Prohibited restriction includes blocking or obstructing the normal ingress or egress to or from any:

- road or other campus entrance/exit
- building or portion of one (including office, classroom, auditorium, laboratory, restroom, etc.)
- elevator or stairway,
- walkway or ramp
- parking lot or parking structure
- accessible path of travel (for example, a marked route in a parking lot for those using a wheelchair).

These restrictions help ensure compliance with California regulations; violations of these regulations are misdemeanor offenses.[2]

C. Manner Restrictions

These restrictions regulate the manner or methods of Expressive Activities.

1. Amplified Sound. To avoid disruption to campus operations (see #3 below), any Expressive Activity involving sound amplification including use of a bullhorn, must be scheduled in advance (see IV(B) below).

2. Camping and Unauthorized Structures.

- Camping is prohibited. See UCR Policy 700-20: Policy Prohibiting Camping on University Property.

- Prior authorization^[3] is required to erect, build, construct, set up, establish and/or maintain unauthorized structures and equipment such as:

- o Tents
- o Platforms
- o Booths
- o Tables, benches, and other furniture
- o Buildings
- o Barricades, walls or gates
- o Scaffolding
- o Sound systems.

Unauthorized structures and camps will be promptly removed by UCR.

3. Activities May Not Disrupt Campus Operations. No one may interfere with or disrupt normal University business, classes, or any organized and authorized University activity inside or outside a campus building. This includes non-amplified but disruptive sound in proximity to campus buildings or activities.

IV. APPLICATION AND ENFORCEMENT

A. Policy Applied Regardless of Content

The University protects free expression, speech, and assembly. This policy shall be enforced on a content-neutral basis.

B. Authorizing Officials

Activities requiring prior approval or scheduling under this policy, or requests for exceptions under this policy, are reviewed by the Vice Chancellor for Planning, Budget & Administration or the Vice chancellor for Student Affairs, or their designees.

C. Compliance with UCR Officials

No one may refuse to follow the lawful directions of a university official/employee or police officer acting in their official capacities to enforce this policy. Individuals are obligated to identify themselves when requested by UCR officials acting in the performance of their duties in situations where assistance or intervention is needed.[4]

D. Identity Concealment

Wearing masks or face coverings is permissible for persons complying with University policies and laws, however, concealing one's identity, including by wearing a mask or disguise, is prohibited when done to

1. intimidate or
2. evade accountability for the commission of violations of law or policy.[5]

E. Enforcement and Discipline

Any person violating this policy is subject to disciplinary proceedings under applicable policies, if a student or employee, and an order to vacate. See V(A) below for applicable policies; note that any disciplinary action will also be consistent with any applicable Collective Bargaining Agreement. Students, faculty and other employees are subject to conduct policies, while visitors and non-affiliates are subject to the Regents Non-Affiliate Regulations (including Section 100012).

V. RELATED POLICIES AND REFERENCES

In the event of any conflict between this and any other policy, this policy shall govern, if the other policy is a campus (UCR) policy.

A. Conduct (Enforcement) Policies

- For students: PACAOS 100.00 (Policy on Student Conduct and Discipline) and UCR Standard of Conduct (<https://o365ucr.sharepoint.com/teams/CCOOrg/Shared%20Documents/Speech%20Related%20Policies/Time%2070/Time%20Place%20Manner%20doc.docx>)
- For staff: PPSM-62: Corrective Action – Professional and Support Staff and related UCR local procedure; PPSM-64: Termination and Job Abandonment and related UCR local procedure; for represented staff, relevant provisions of applicable Collective Bargaining Agreement

- For Senate faculty: APM-015 (<https://www.ucop.edu/academic-personnel-programs/files/apm/apm-015.pdf>) (The Faculty Code of Conduct) and -016 (<https://www.ucop.edu/academic-personnel-programs/files/apm/apm-016.pdf>) (University Policy on Faculty Conduct and the Administration of Discipline) and UCR Senate Bylaws Rules of Procedure for Implementation of Policies on Faculty Conduct and the Administration of Discipline at UCR (<https://senate.ucr.edu/appendix/section/712/05.03>).
- For other academic employees: APM-150 (<https://www.ucop.edu/academic-personnel-programs/files/apm/apm-150.pdf>) (Non-Senate Academic Appointees/Corrective Action and Dismissal); for represented academic appointees, relevant provisions of the applicable Collective Bargaining Agreement

B. Other Related Policies

- UC PACAOS 30.00 Policy on Speech and Advocacy (<https://policy.ucop.edu/doc/2710523/PACAOS-30>).
- UC Regents' Regulations Governing Conduct of Non-Affiliates in the Buildings and on the Grounds of the University of California (Cal. Code of Regulations Title 5 Div. 10 Chap. 1 et seq.)
- UCR Policy 650-75: Major Events (<https://compliance.ucr.edu/document/major-events-policy>).
- UCR Policy 700-52: Temporary Signage and Banners Policy
(<https://policyking.ucr.edu/home/policy/6539d1030ad0f868b8663781>).
- UCR Policy 700-20: Policy Prohibiting Camping on University Property
(<https://policyking.ucr.edu/home/policy/66cf77298d54f6db8c3cb3c9>).
- UC Anti-Discrimination Policy (<https://policy.ucop.edu/doc/1001004/Anti-Discrimination>) and UCR Anti-Discrimination Complaint Resolution Policy
(<https://policyking.ucr.edu/home/policy/66985e226b6772515c978f2c>).
- APM – 010 (Academic Freedom) (<https://www.ucop.edu/academic-personnel-programs/files/apm/apm-010.pdf>).
- UCR Policy 700-90: Use of University Materials, Equipment, and Facilities
(<https://policyking.ucr.edu/home/policy/6539d1030ad0f868b86635c0>).
- UCR Principles of Community (<https://diversity.ucr.edu/document/ucr-principles-community>).
- UCR 850-85: Violence Prevention in the UCR Community
- UCR Policy 850-65: Smoke/Tobacco Free Environment
(<https://policyking.ucr.edu/home/policy/6539d1030ad0f868b8663771>).

C. Other References and Resources

- Cal. Penal Code 602 trespassing

<https://codes.findlaw.com/ca/penal-code/pen-sect-602/> (<https://codes.findlaw.com/ca/penal-code/pen-sect-602/>).

- Cal. Penal Code 626.4, withdrawing consent

<https://codes.findlaw.com/ca/penal-code/pen-sect-626-4/> (<https://codes.findlaw.com/ca/penal-code/pen-sect-626-4/>).

- Cal. Penal Code 626.6, withdrawing consent (non-student/non-employee)

<https://codes.findlaw.com/ca/penal-code/pen-sect-626-6/> (<https://codes.findlaw.com/ca/penal-code/pen-sect-626-6/>).

- UCR Free Speech website (<https://freespeech.ucr.edu/>)

VI. APPROVAL AND REVISION HISTORY

This policy was revised in interim status with the approval of the Chancellor to (a) revise, reorganize and clarify the time, place, and manner restrictions, including revisions to comply with UCOP directives, (b) update the format to conform to standard University and campus policy practices, and (c) clarify relationship to other policies, effective September 3, 2024; the interim revisions were finalized with minor technical additions and a clarification regarding masking, effective October 4, 2024.

[1] Determination that an Expressive Activity violates University policy or is not protected speech requires careful analysis and consultation with Legal Affairs.

[2] Cal. Code Regs. Tit. 19, Sections 3.05, 3.11 and 3.19.

[3] For non-affiliates, see also Section 100004(B) of the Regents Non-Affiliate Regulations.

[4] See PACAOS 40.20 and 102.16.

[5] See Section 100013(L) of the Regents Non-Affiliate Regulations.