

40.00 POLICY ON USE OF UNIVERSITY PROPERTIES

40.10 University properties shall be used only in accordance with federal, State, and local laws and shall not be used for the purpose of organizing or carrying out unlawful activity.

40.11 Between 12:00 a.m. and 5:00 a.m., university properties, including buildings and real property, are not open to the public, except for members of the public who are attending events open to the public during those hours, or who are invited guests of university students, faculty, or staff.

40.20 All persons on University property are required to abide by University policies and campus regulations and shall identify themselves upon request to University officials acting in the performance of their duties. Violation of University policies or campus regulations may subject a person to possible legal penalties; if the person is a student, faculty member, or staff member of the University, that person may also be subject to disciplinary action in accordance with University policies and campus implementing regulations.

40.21 Alcoholic beverages may be served on university properties only in accordance with campus policies and regulations regarding the purpose, serving, and consumption of alcoholic beverages. (See Appendix X).

40.30 All use of university properties and services must conform to applicable campus time, place, and manner regulations.

40.40 On University grounds open to the public generally, as may be described in campus implementing regulations, all persons may exercise the constitutionally protected rights of free expression, speech, assembly, and worship (including the distribution or sale of noncommercial literature incidental to the exercise of these freedoms). Such activities shall not interfere with the orderly operation of the campus and must be conducted in accordance with campus time, place, and manner regulations.

40.41 For the purpose of these regulations, "university grounds open to the public" are defined as the outdoor areas of the campus (e.g., lawns, patios, plazas) that are at least 100 feet from the entrances/exits of campus buildings and parking lots, and that are also a safe distance from the curbing of campus roads. All activity in open areas must be conducted in such a way that vehicular and pedestrian traffic is not impeded and normal instruction, research, and administrative activities are not disrupted. Outdoor recreational areas (e.g., playing fields, courts, swimming pools) and grounds adjacent to designated "private residences" are excluded from this definition. Private residences are housing provided by University for faculty and staff (e.g., Hagar Court, Ranchview Terrace, Laureate Court, residence of the chancellor and college provosts).

Tables (excludes commercial activity Section 42.32) may not be placed in areas where direct passage to or through any entrances, exits, sidewalks, or walkways are blocked. Tables may be no larger than three feet by six feet and accessories may not extend

beyond three feet of the perimeter of the table. (Additional safety restrictions may pertain to activities at or near the Quarry Plaza parking lot or campus entries.)

40.42 Areas Designated as Public Forums. While the campus does not limit public expression to designated areas, the following properties are open to the public generally for expressive activity, but may be reserved by campus groups and are subject to time, place and manner restrictions:

a. The Quarry Amphitheater may be used at any time, subject to reasonable restrictions imposed by the Dean of Students Office when it has not been reserved. Reserved events will have priority over spontaneous use of the area. Reservations of this area must be approved by the Dean of Students Office.

b. College "quadrangles" may be used at any time (if they have not been reserved), subject to reasonable restrictions imposed by the Senior Director, Student Life after consultation with the college student government. Reservation of these areas must be approved by the Senior Director, Student Life.

c. The large grassy area between the University of California sign and the Granary and Stone House buildings near the intersection of High Street and Coolidge Drive may be used at any time (if it has not be reserved), subject to reasonable restrictions imposed by the Dean of Students Office of this area and must be approved by the Associate Vice Chancellor & Dean of Students or designee.

Outdoor displays including signs, banners, or temporary outdoor exhibits may not be placed on, draped over, or obstruct the University of California sign. Banners and signs may not be left unattended or posted as free standing in this area.

d. The Quarry Plaza may be used at any time, subject to reasonable restrictions, when it has not been reserved. Reservations of this area must be approved.

e. Signs, posters, banners, and picket signs may not be hung or placed on University property without prior written approval. All signage removal is the responsibility of the sponsoring organization and is to be removed immediately after the event. Temporary structures may not be constructed or placed on university property without the prior written approval of the Associate Vice Chancellor & Dean of Students or designee.

f. No sound amplification device may be used in any outdoor area without prior written authorization from the unit responsible for the designated area: Senior Director, Student Life for college areas, the Baytree Bookstore for the Quarry Plaza, the event and facility manager for the Quarry Amphitheater, or the Associate Vice Chancellor & Dean of Students for all other areas.

40.43 Use of University Properties by Campus Units and Registered Campus Organizations. Campus units, other official university units, registered campus organizations (students, faculty and/or staff) may use university properties in accordance with the following:

- a. Reservations for the property must be made in advance with the official responsible for the property (e.g., Registrar or departments for most classrooms and lecture halls, college reservations coordinators or Senior Director, Student Life or designee (for college facilities, etc.). Any expenses incurred for use of properties, including damages and security or police (assigned on a content neutral basis), will be charged to the registered campus organization or unit;
- b. Use of properties shall be arranged as follows: (i) by the Student Organization Advising and Resources/Student Media/Cultural Arts and Diversity (“SOMeCA”) for Registered Student Organizations; (ii) by the Office of Physical Education, Recreation and Sports (“OPERS”) for sports and recreational clubs; and (iii) by the Senior Director, Student Life or designee for college organizations. During the period before action on an application for registration, a student or college-affiliated organization may use available university properties for a maximum of two meetings;
- c. Approval of the use of major campus properties (such as a field house, college dining hall, Quarry Amphitheater, Student Union facilities, playing fields, and other outdoor areas) is contingent upon the fulfillment of specific regulations and/or procedures governing the use of these properties, and may require advance payment of estimated fees for use of the property and equipment.
- d. University properties may not be used for personal financial gain or business profit except as defined in the [Campus Commercial Activities Policy](#) (See Sections 42.31 and 42.32).
- e. In order to secure use of properties and ensure the safety of students and others, events, including end times for events on campus, must comply with the [Major Events Policy](#), if applicable.

40.44 Use of University Properties by Non-University Organizations. Major events are governed by the Major Events Policy found at <https://deanofstudents.ucsc.edu/pdf/Major-events-policy.pdf>. All non-major events involving use of university properties by organizations other than campus units or registered campus organizations must be officially sponsored by a campus unit or registered campus organization in accordance with the provisions of university policies and campus regulations and procedures. For the purposes of this policy, sponsorship is defined as accepting responsibility for planning, organizing, executing, and paying for an event. It also includes collaborating with the facilities manager to make sure that all applicable laws and University regulations and policies are followed.

a. The sponsor relationship between a campus unit or a registered campus organization and a non-affiliated organization or person must be approved in advance by the appropriate senior administrative officer.

b. The responsible senior administrative officer shall consult with the Office of Risk Management regarding potential liability and financial implications if the proposed use of university properties is for business-related or commercial purposes.

c. Campus arrangements (e.g., campus calendar clearance, space reservations, food service, audio-visual equipment, parking, security, etc.) for the approved sponsored event must be made by the sponsoring campus unit or registered campus organization. Expenses associated with the use of a university property or university service, including damages and security or police (assessed on an objective basis), shall be charged to the sponsoring campus unit or sponsoring registered campus organization.

d. Use of university properties during the summer months (i.e., between the end of the spring term and the beginning of the fall term) must be managed by Conference Services.

e. Promotional literature and other forms of publicity must clearly state the name of the sponsoring campus unit or sponsoring registered campus organization.

40.46 Use of the areas open for expressive activity is subject to the following time, manner and place restrictions, which may be imposed by any university principal officer or designee, including those officials with responsibility for the functions described below:

a. Reasonable conditions to minimize interference with other university or lawful activities in the vicinity;

b. Adequate safety precautions as prescribed by the Office of Emergency Services, University Police, Environmental Health & Safety, Physical Plant, and other impacted units;

c. Displays may be maintained for a period of no longer than seven calendar days;

d. For a sponsored event, the name of the sponsor must be clearly displayed;

e. Temporary structures, including those a person can enter, may be subject to additional safety and staffing requirements, including camping regulations (*See Section 102.28*).

40.47 Priority of Use: Non-University speakers may engage in expressive activities in the areas open to the public, as described above, subject to the Regulations Governing the Conduct of Non-Affiliates in the Buildings and on the Grounds of the University of

California (<https://policy.ucop.edu/doc/3000127/NonAffiliateRegs>) and the following time, manner and place restrictions:

- a. Use does not conflict with a previous reservation by a campus organization or university unit (the university may limit or exclude non-university speakers from the area accordingly);
- b. No form of amplification is being used; and
- c. There is no interference with university business.

40.48 Outdoor Displays. Outdoor displays, including signs, banners, and exhibits must be sponsored by a registered campus organization, a student, or a faculty or staff member. The following locations are designated areas for outdoor displays (see Sect. 40.42 for additional information):

- a. Specific areas adjacent to the Quarry Plaza as designated;
- b. Locations within the boundaries of each of the colleges as designated by the Senior Director, Student Life at each college.

Requests for exception to this policy may be submitted in writing to the Associate Vice Chancellor & Dean of Students.

41.00 University Support, Sponsorship or Endorsement

All individuals or organizations using University properties and services must avoid any unauthorized implication that they are sponsored, endorsed, or favored by the University.

41.10 University Neutrality on Religious and Political Matters

As a State instrumentality, the University must remain neutral on religious and political matters. The University cannot sponsor or fund religious or political activities except when authorized for University purposes by The Regents or the President or their designees. See Sections 60.00, 70.00, and 80.00 of these *Policies* for the special conditions that apply to the sponsoring or funding of such activities by student governments and Registered Campus Organizations from compulsory campus-based student fees.

41.11 Religious, political, and ideological Registered Campus Organizations and other campus organizations shall have access to University properties on the same basis as all other campus organizations, according to guidelines set forth in campus implementing regulations.

41.12 In personal and other non-official correspondence, statements, or other material represented in a variety of media, including but not limited to printed matter, the Internet, and film or television relating to commercial, religious, or political activities or issues, the University title of a faculty or staff member or the title of a student government official shall

be used only for identification. If such identification might reasonably be construed as implying the support, endorsement, or opposition of the University with regard to any commercial, religious or political activity or issue, the identification shall be accompanied by a disclaimer: an explicit statement that the individual is speaking for himself or herself and not as a representative of the University or any of its offices or units. Similarly, such correspondence, statements, or other material issued by a Registered Campus Organization shall be accompanied by a disclaimer to the same effect if it might reasonably be construed as implying the support, endorsement, or opposition of the university.

41.20 Use of University Name, Insignia, Seal, or Address

The name, insignia, seal, or address (including the electronic address) of the University or any of its offices or units shall not be used for or in connection with religious, political, business or other purposes or activities except as consistent with University policy, campus implementing regulations, and applicable law (including but not limited to “Use of the University’s Name,” State of California Education Code, Section 92000). (See also the Presidential Policy to Permit Use of the University’s Name. In addition, see Section 70.40 of these Policies for further guidance on the use of the University’s name by Registered Campus Organizations.).

42.00 Campus Regulations

Chancellors shall develop campus implementing regulations that provide procedures and criteria for the use of University properties by student governments and Registered Campus Organizations. Such regulations may provide procedures and criteria, based upon benefit to the University, permitting the use of University properties by other persons or organizations and shall specify the conditions under which University property may be used by non-University persons or organizations.

42.05 Definition of Registered Campus Organizations

42.10 Denial of Requests for Use

A request for use of University properties may be denied if the request is not in accordance with campus regulations implementing these *Policies*. The applicant shall be accorded a review of any denial of a request for use of University properties.

A request for use of University properties shall be denied if circumstances are such that the event will present a clear and present danger to the orderly operation of the campus. The applicant shall be accorded a prompt appeal to the Chancellor, who shall recognize the University's heavy burden in justifying such a denial.

The review processes shall be set out in campus regulations.

42.11 Registered Campus Organizations may be denied use of university properties by Student Organization Advising and Resources/Student Media/Cultural Arts and Diversity

(SOMeCA), Office of Physical Education, Recreation and Sports (OPERS), Associate Vice Chancellor & Dean of Students or Designee, or the Senior Director, Student Life (see Section 42.10 & 40.44).

42.12 Any Registered Campus Organization denied use of a university property may seek reconsideration with the Associate Vice Chancellor & Dean of Students within five (5) business days of being denied use. The following are the grounds for reconsideration: (a) failure by the administration to follow the policies and procedures set herein; (b) arbitrary or capricious justification for the decision to deny use; or (c) the absence of a clear and present danger.

42.20 Posting of Noncommercial Materials

Campus implementing regulations shall permit University students, faculty, staff, Registered Campus Organizations, and University units to post and exhibit noncommercial materials at locations designated in campus regulations for that purpose. Posting and exhibiting of noncommercial materials by others also may be permitted by campus regulations. All such materials shall clearly indicate the name of the sponsoring campus, individual, Registered Campus Organization, University unit, or other individuals or organizations permitted to post and exhibit pursuant to campus regulations.

42.21 For the purpose of these policies, commercial literature is defined as any material published primarily to generate income for individuals or businesses. Commercial solicitation and commercial literature distribution are forbidden in all residential units, whether by residents or non-residents. For a definition of commercial versus non-commercial activity please see Section 42.32.

42.22 Literature incidental to the exercise of the freedom of expression, speech, assembly, or worship may be distributed on university grounds open to the public generally, as long as such activities do not interfere with the orderly operation of the campus.

42.23 Non-university organizations and individuals may post and distribute materials only on bulletin boards designated for public use, outdoor kiosks, and the interior of bus shelters. These areas will be cleared of all materials on a regular basis.

42.24 Commercial and noncommercial posters and announcements may be placed on public access bulletin boards not designated for specific use within the following guidelines:

- a. Distribution and posting in each college is controlled by the Senior Director, Student Life and must be in accordance with guidelines established by the Senior Director, Student Life (See Section 30.41);**

b. Distribution and posting on non-college bulletin boards, including designated public access bulletin boards, is controlled by the campus unit responsible for the bulletin board and must be in accordance with the guidelines established by the unit for the use of the bulletin board;

c. Where posting is permitted, each individual or group is limited to one poster per board, kiosk, or bus shelter, and there may be no posting over announcements that are current;

d. All posted materials must clearly indicate the name of the person(s), group(s), university unit(s), or campus organization(s) responsible for posting them and the day by which they are to be removed. Posters shall not exceed 17" X 22" (or equivalent area);

e. Commercial or noncommercial literature may not be placed on cars.

42.25 The damage, destruction or removal of signs, flyers, banners or any other type of authorized posting (other than by authorized university personnel) is prohibited.

42.30 Noncommercial Fundraising

Noncommercial fund-raising by student governments and by Registered Campus Organizations shall be permitted pursuant to University policies and campus implementing regulations. Noncommercial fundraising by individuals or by other groups also may be permitted under regulations developed by the campus, consistent with University policy. Provisions must be made in such regulations governing the collection of donations, sale of materials, admission charges, and financial accountability.

42.31 University properties may not be used for income-producing activities that are commercial in nature or for the purpose of realizing personal financial gain except for approved educational or training programs, or as defined by the *Campus Commercial Activities Policy*, or as required by law.

42.32 For the purpose of these policies, commercial activity is defined as soliciting, hawking or otherwise peddling or renting any goods, wares, merchandise, liquids or edibles for human consumption or services on University property, operating any commercial enterprise, or giving any lessons, classes or instruction on University property whether for profit or otherwise, except as specifically authorized. This category of activity is not intended to include the hiring of speakers or performers by the university.

42.33 Registered Campus Organizations may raise funds on campus in accordance with the following definitions and regulations:

a. Fundraising is defined as the collection of money by means of sales, contributions, donations and/or admission charges to events or meetings on a regular or occasional basis.

b. All fundraising events and activities by registered campus organizations must be scheduled through and approved by SOMeCA, OPERS, the college, or the Dean of Students Office.

c. The purpose for which funds are raised must be described clearly and be consistent with the stated purpose of the sponsoring organization.

d. Financial and in-kind support of student programs and activities or Registered Campus Organizations by for-profit organizations is not considered a commercial activity under these guidelines and therefore may be permitted, provided that the primary purpose of such support is to underwrite a program or activity, as opposed to the promotion or endorsement of a commercial product or service. Examples might include the financial underwriting of a crafts fair, a lecture or a sports event. A Registered Campus Organization may publicly acknowledge such support but shall not endorse any commercial products or services which includes not providing advertising on university websites. Prior to any solicitation, all plans for business for-profit support involving registered campus organizations must receive prior approval from Student Organization Advising and Resources/Student Media/Cultural Arts and Diversity (SOMeCA), or Office of Physical Education, Recreation and Sports (OPERS). SOMeCA/OPERS will consult with Risk Management and University Relations to ensure consistency with the university's solicitation policy.

e. Advertising for any on-campus event program for which a donation is requested must make it clear that such a donation is not required as a condition of admission, nor may a specific amount of donation be indicated.

f. Raffles are illegal under the California Penal Code 330. A raffle is the sale of a chance at a prize. Prize drawings are permitted only when tickets/chances are given away. The fact that the tickets are available free of-charge must be disclosed on the ticket and on any advertising. Voluntary donations may be accepted but cannot be "required" in order to have a chance at a prize.

g. Campus units/organizations may raise funds on campus with the approval of the Associate Vice Chancellor & Dean of Students, dean, or Senior Director, Student Life in accordance with these policies and regulations and in consultation with Risk Management and University Advancement.

42.34 Registered Campus Organizations (*see Section 42.05*) must be financially accountable and operate within the following guidelines:

- a. All of the regulations governing the allocation and expenditure of university funds relating to student governance also apply to Registered Campus Organizations, with the exception of Section 62.04a-d;**
- b. Standard *Performance Agreement* forms required by purchasing (available from the campus sponsor) must be used when entering into agreements with off-campus entertainment groups or agencies, and the sponsoring organization must make clear that the university is not a contracting party, and is in no way responsible for the acts or omissions of the Registered Campus Organization;**
- c. Registered campus organizations that need to sell tickets to events not held in Performing Arts must arrange for a cash box through SOMeCA, OPERS, or the colleges;**
- d. All funds raised on campus must be expended in accordance with the original fundraising purposes after all expenses incurred during the event have been paid. Funds collected must be placed in accounts approved by the university, to which the university has access, and processed pursuant to university fiscal policies. This does not include the collection of initiation or membership fees;**
- e. The university reserves the right to audit the financial records of a registered campus organization that has been allowed to raise funds on campus to determine if the funds were used for the purpose for which they were raised.**

42.40 Use of University Property for Commercial Purposes

Campus implementing regulations may adopt restrictions, consistent with existing law and University policy, on the use of University properties for commercial purposes and personal financial gain. (See the [University of California Policy and Supplemental Guidelines on the On-campus Marketing of Credit Cards to Students](#) for the special conditions controlling the on-campus marketing of credit cards to students by banks and other commercial entities.)

42.50 Student Voter Registration Activities

Consistent with the requirement under federal law that the University make a “good faith effort” to distribute voter registration forms to students, and the requirement under State law that the university “do all in its power to ensure that students are provided the opportunity and means to register to vote” (Student Voter Registration Act of 2003), campus implementing regulations may authorize non-partisan student voter registration activities that are carried out either directly by, or under the direct supervision of and on behalf of, a campus student government or other official unit of the University on University grounds that are not open to the public generally, including campus residence halls and dining commons, subject to specified conditions to be established by each campus. Such activities shall not be considered to be commercial or noncommercial solicitation, since there is no offer of either goods or services, nor any solicitation of funds or other assistance from students.