



# Expressive Activities and Assembly: Protests, Demonstrations, Non-University Speakers and Signage on Campus and in University Facilities (INTERIM)

<b>Responsible Official:</b>	Assistant Chancellor and Chief of Staff to the Chancellor
<b>Responsible Office:</b>	Chancellor's Office
<b>Issuance Date:</b>	09/19/2024
<b>Effective Date:</b>	09/19/2024
<b>Summary:</b>	Describes the University's policy on expressive activities and assembly, including protests, demonstrations, outside speakers and Signage, including time, place and manner procedures implemented pursuant to this Policy.
<b>Scope:</b>	This Policy applies to all University Employees, Students and Non-Affiliates. It applies to all areas of university operations, programs, and facilities, including off-campus locations where university programs and business are conducted.

<b>Contact:</b>	Assistant Chancellor and Chief of Staff to the Chancellor
<b>Email:</b>	corilucero@ucmerced.edu
<b>Phone:</b>	(209) 228-4417

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## I. REFERENCES AND RESOURCES

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### Federal and State Laws and Regulations

- [Amendment I of the Constitution of the United States](#)
- [California Penal Code §§ 626-626.11](#)
- [California Penal Code § 647c](#)
- [California Penal Code § 185](#)

## University of California Policies and Procedures

- [Regulations Governing Conduct of Non-Affiliates in the Buildings and on the Grounds of the University of California](#)
- [Policies Applying to Campus Activities, Organizations and Students \(PACAOS\)](#)
  - [PACAOS-30: Policy on Speech and Advocacy](#)
  - [PACAOS-40: Policy on Use of University Properties](#)
- [UC Anti-Discrimination Policy](#)
- [UC Personnel Policies for Staff Members \(PPSM\)](#)
- [Academic Personnel Manual \(APM\)](#)
  - [APM-010: Academic Freedom](#)
  - [APM-011: Academic Freedom, Protection of Professional Standards, and Responsibilities of Non-Faculty Academic Appointees](#)
  - [APM-015: The Faculty Code of Conduct](#)
- [UC Community Safety Plan](#)

## UC Merced Policies and Resources

- [UC Merced Campus Climate Initiative](#)
- [UC Merced Police Department Policies](#)
- [UC Merced Code of Student Conduct](#)
- [UC Merced Academic Personnel Policies & Procedures \(MAPP\)](#)
- [UC Merced Police Accountability Board](#)

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## II. SUMMARY AND SCOPE

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Free and open expression and association, discussion and debate are important aspects of the educational environment and are part of the rich culture and history of the University. The right to free expression and association should be actively protected and encouraged, even where the issues and positions advocated are controversial and unpopular.

The University of California, Merced (“UC Merced”) is committed to assuring that all persons may exercise the constitutionally protected rights of free expression, speech, assembly, and

worship. In order to carry out its mission of teaching, research, and public service, the University has an obligation to maintain conditions under which the work of the University can go forward freely, 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 University. Each member of the University shares responsibility for maintaining conditions conducive to the achievement of the University's mission of teaching, research, and public service.

This Policy and associated procedures are designed to protect and promote the rights of members of the university community, including the right to freedom of expression, to prevent interference with university functions or activities, to protect university facilities and to assure compliance with all pertinent laws and other applicable University policies. They address the rights and responsibilities of all UC Merced Students, Employees, and Non-Affiliates, including members of the public. This Policy and associated procedures apply to all areas of university operations and programs and to all university facilities, including off-campus locations where university programs and business are conducted.

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### III. DEFINITIONS

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***Civil Disobedience:*** The refusal to comply with certain laws as a peaceful form of protest. Civil disobedience by definition involves a violation of law or regulation and is not protected speech under the state or federal constitutions. Those engaging in Civil Disobedience may be held accountable for violations of law, regulation and/or University policies.

***Designated University Official:*** Vice Chancellor and Chief Operating Officer

***Employees:*** All University staff, faculty, and other academic appointees, including graduate Student Employees, postdoctoral scholars, fellows and visiting scholars.

***Freedom of Assembly:*** The right to hold public meetings and form associations without the interference of the government.

***Freedom of Speech:*** The legal right to express one's opinions freely. Also referred to as "free speech".

***Grounds Open to the Public:*** These are grounds generally open to the public and to the University Community for public expression. The outdoor areas of the campus (e.g., lawns, patios, plazas) that are at least 30 feet from: a. university residential facilities; b. buildings, facilities, or areas where such use could impair entrance to or exit from the building, facility or

area, or interfere with activities therein; c. parking lots; d. walkways and roadways; and e. libraries. Outdoor recreational areas (e.g., playing fields, courts, swimming pools) and grounds adjacent to designated “private residences” (e.g., the residences of the chancellor and faculty/staff, etc.) are excluded from this definition. All other areas of University Property are not generally open to the public.

**Merced Irrigation District (MID) Easements:** The area extending 75 feet in both directions from the center point of the Fairfield and LeGrand Canals.

**Non-Affiliates:** Any person who is not a Student, officer, official volunteer, Employee, Regent, or emeritus of the University of California.

**Non-University Speaker:** Any person or group that proposes to engage in expressive activity on campus, not including speakers participating in programs, meetings, lectures or other events hosted by the University or faculty as part of University business or education or research activities.

**Public Areas of Indoor Facilities:** Communal areas inside buildings that are routinely open to the public including lobbies. Excluded from this definition are internal and external stairs and landings, private offices, office hallways, classrooms, and rooms subject to reservations.

**Registered Campus Organization (RCO):** Any group whose membership is comprised predominantly of UC Merced Students, faculty, and/or staff that is registered with the Office of Student Involvement (“OSI”) in order to have access to university facilities and/or resources.

**Signage:** The display of signs (hand-written, digitally displayed or printed words/images) that do not serve official University business purposes including advertisements, notices, flyers, posters, banners, handbills, placards, literature for noncommercial purposes, or promotion of events/goods/services/causes on University Property, whether fixed, hand-held, or standing.

**Student:** An individual for whom the University maintains Student records and who: (a) is enrolled in or registered with an academic undergraduate or graduate program of the University; (b) has completed the immediately preceding term, is not presently enrolled, and is eligible for re-enrollment; or (c) is on an approved educational leave or other approved leave status or is on filing-fee status.

**University House:** The Merced residence of the Chancellor of UC Merced.

**University Property:** Any university-owned, -operated or -leased property, including all university grounds and structures or such other property as shall be designated as property subject to University policy.

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## **IV. POLICY TEXT**

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### **A. GENERAL PROVISIONS**

University Properties shall be used in accordance with federal, state and local laws and shall not be used for the purpose of organizing or carrying out unlawful activity. All persons on University Property are required to abide by university policies and procedures.

### **B. TIME, PLACE AND MANNER**

The time, place and manner of exercising constitutionally protected rights of free expression, speech, assembly and worship are subject to the procedures below that provide for noninterference with university functions, and provide reasonable protection to persons from practices that would make them involuntary audiences, or place them in reasonable fear, as determined by the university, for their personal safety.

Subject to the procedures implementing this Policy, on University Grounds Open to the Public and in Public Areas of Indoor Facilities, all persons may exercise the constitutionally protected rights of free expression, speech and assembly. Such activities must not, however, interfere with the right of the university to conduct its affairs in an orderly manner and to maintain its property. Further, no activities may interfere with the university's obligation to protect the rights of all to teach, study and fully exchange ideas. Physical force, the threat of force, and other coercive activities used to subject anyone to speech of any kind are expressly prohibited.

The University House is a residence and is not open to the public. Activities on the University House grounds, including driveways and lawn areas, other than those sponsored and approved by the Office of the Chancellor are prohibited.

### **C. NON-UNIVERSITY SPEAKERS**

Non-University Speakers or entities (often referred to as "outside speakers") may be invited to participate in events sponsored in university facilities upon invitation by the administration, academic divisions or departments, and RCOs. Non-University Speakers or entities may not schedule the use of university facilities directly, and may not collect funds

on University Property unless sponsored by the administration, academic divisions or departments, or RCOs. The sponsoring division, department or organization is required to reserve facilities for use by Non-University Speakers through the appropriate room reservation system in advance of issuing an invitation to speak or participate in an event and is required to pay all fees associated with the use of university facilities, including facility and equipment rental fees and security fees, at least 10 days in advance of the scheduled event. Failure to pay all fees will result in the automatic cancellation of the facility reservation. A list of facilities available for use by Non-University Speakers and the associated fee schedules is maintained by [Hospitality Services](#). Estimates of costs related to planned events, including room reservations, security costs, and IT and facilities support are available through [Hospitality Services](#), [UC Merced Police Department](#), the [Office of Information Technology](#) and [Facilities Management](#), respectively. Priority for the use of university facilities will be given to academic and administrative departments of the university and other University of California users.

It is the expectation of the university that all speakers and entities will recognize that the essence of the university is to provide for the free exchange of ideas and the expression of a variety of intellectual perspectives. On-campus programs should be designed in the best interests of the educational process, allowing appropriate opportunities for audience interaction. Non-University Speakers, as well as the audience at speaker events, are expected to comply with all University policies and procedures, and applicable laws.

The only campus areas exempt from the sponsorship requirements set forth in this Policy are the outdoor university Grounds Open to the Public and Public Areas of Indoor Facilities, as defined herein. Use of these areas by Non-University Speakers or persons, however, must be at least 30 feet from building entrances and external stairways, may not involve the use of amplified sound unless pre-approved by OSI, and may not interfere with the normal operation of the university, including other events scheduled by RCOs, the administration, Schools, departments and official units.

#### **D. SIGNAGE ON CAMPUS AND IN UNIVERSITY FACILITIES**

The university strictly regulates Signage on University Property that does not meet an official university purpose. Note, however, that the university will not decline to allow Signage on the basis of the content or viewpoint expressed, except where the content violates University policies, or state or federal law. The University does not endorse the content of posted, distributed or exhibited Signage on campus property. Except as specified below, Signage is not permitted on campus or in university facilities without the

express approval of the appropriate campus department as defined herein and may be posted only in designated areas.

The [University's Policies Applying to Campus Activities, Organizations and Students \(PACAOS\)](#) contain specific regulations and procedures relating to Signage that must be followed by all university Employees, Students, and RCOs. The size of Signage on campus displayed by affiliates must not exceed 36" x 36", unless a smaller format is indicated under PACAOS for Signage that is posted. In the event of conflict between this Policy and campus procedures under the PACAOS, the requirements of this Policy shall control.

[Regulations Governing Conduct of Non-Affiliates in the Buildings and on the Grounds of the University of California](#) contain specific regulations and procedures related to Signage (§100014) that must be followed by all Non-Affiliates. The size of Signage on campus displayed by Non-Affiliates must not exceed thirty inches (30" x 30"). The size of the handles or supports for such signs, posters, placards, or banners shall be limited to one-fourth inch (¼") in thickness by three-fourth inch (¾") in width and shall not extend to more than eighteen inches (18") beyond a single exterior edge of such signs, posters, placards or banners.

OSI maintains an [up-to-date list of all areas designated for posting Signage](#). Signage posted in areas not designated for posting, Signage past the expiration of the posting dates or Signage that has not been properly approved, will be removed by the university at any time.

Signage to advertise events sponsored by an administrative or academic department or division, or relating to educational or research activities undertaken by faculty members, are not subject to the approval requirements of this Policy but must be displayed only in areas designated for posting or within private offices or cubicles and must be removed promptly after the date of any function or activity for which the Signage was prepared.

#### 1. Approval of display of Signage

Any Employee seeking approval for display of Signage other than to advertise events sponsored by an administrative or academic department or division, or relating to educational or research activities undertaken by faculty members, must first obtain the written approval of the Vice Chancellor of the Employee's administrative division, or their designee (for non-academic Employees), or the Dean of the faculty member's School, or their designee (for academic Employees). Any Student or RCO seeking to display Signage must obtain the approval of OSI consistent with [PACAOS](#) (§§ 306 –

310). All approved Signage must be stamped by OSI prior to display. Individuals should present OSI with a copy of the written approval prior to requesting that the Signage be stamped for display.

## 2. Anonymous Signage posting

In addition to the existing policies and procedures for displaying Signage on campus, the university provides one specified location where both campus affiliates and Non-Affiliates may post Signage without OSI approval.

Please note the views and opinions expressed are those of the person(s) posting the material and do not necessarily reflect the position of UC Merced. Accordingly, the university will not decline to allow posting on the basis of the content or viewpoint expressed, except where the content violates University policies, or state or federal law, including but not limited to direct threats and materials inciting imminent violence. The university will not restrict or remove the display of Signage that the university or others may find critical of the university, controversial or offensive.

Content and viewpoint neutral regulations exist for the aforementioned general posting area, including a size limit of 8.5 inches by 14 inches for all material. Furthermore, the posting area will be cleared by the end of business every Friday, except where a legal holiday or other circumstances prevent OSI staff from doing such, at which point all material will be removed the following business day. The anonymous posting area serves several purposes including allowing Non-Affiliates (i.e. community members) to post material, allow a space for material related to electoral politics, and provide an avenue for those wishing to post anonymously.

## 3. Designated posting locations for Signage

OSI maintains a current map of designated posting locations for Signage, including the one anonymous posting board. Generally posting, including chalking, is not allowed on classroom chalkboards/dry erase boards, on sidewalks, walkways and buildings, trees, bike path railings, windows (except as approved by specific departments), traffic signs, fixed poles, blue light poles, lamp poles, fountains, benches, trashcans, shrubbery, on top of other approved announcements/flyers, or automobiles. Employees may not post Signage on the inside or outside of doors to private offices, with the exception of materials that are exempt from the requirements of this Policy, as described above.



#### 4. Display of Signage by faculty and staff in the university workplace

The university has the right to require display of Signage by staff and faculty be removed if it determines the material has the effect of undermining the efficient operation of its business or its pursuit of its mission by creating a hostile or disruptive workplace environment. As Employees of the university, both staff and faculty do not have an absolutely unfettered right of freedom of expression in the workplace; however, the university recognizes the principles of academic freedom and will not restrict display of Signage that the university or others may find critical of the university, controversial or offensive. Signage will only be removed if the university has determined that the display has a demonstrated impact that has undermined or is likely to undermine university operations.

#### 5. Display of Signage inside private offices

Subject to the university's right to remove Signage as described above, display of Signage is not restricted within private offices; however, all individuals are encouraged to consider the impact of any controversial or objectively offensive displays on the university community.

#### 6. Display of Signage on doors to private offices

Subject to the university's right to remove Signage as described above, individuals with private offices may display Signage related to events sponsored by an administrative or academic department or division, or relating to educational or research activities undertaken by faculty members on the inside or outside of the door to their office without higher-level approval from relevant Vice Chancellor or Dean as described above.

#### 7. Display of Signage inside open cubicles

Subject to the university's right to remove Signage as described above, display of Signage is not restricted on the interior walls of single-person dedicated cubicles or workspaces; however, all individuals are encouraged to consider the impact of any controversial or offensive Signage on the university community.

#### 8. Display of Signage in shared workspaces

Signage shall not be displayed in shared workspaces except with the approval of all Employees sharing the workspace and the direct supervisor(s) of such Employees.

## 9. Display of Signage related to electoral politics

Because the university by law does not engage in electoral politics or campaigns and its physical facilities are fundamentally under its control and responsibility, the university generally prohibits on campus and in university facilities the display of Signage related to electoral politics, including campaign posters, stickers, buttons or other materials. This does not preclude individuals from wearing buttons, hats or clothing relating to electoral politics, and does not preclude faculty from utilizing campaign material in the course of their teaching and research activities, if the material is used for education and research purposes and is not used in a manner intended to influence electoral politics. In addition, anonymous bulletin board(s) designated within this Policy may be used for display of Signage related to electoral politics.

## 10. Unauthorized structures

Unauthorized structures may pose safety risks and can disrupt the functional integrity of university grounds. No one shall erect, build, construct, set up, establish and/or maintain unauthorized structures on University Property without prior written authorization from the Designated University Official under this Policy. For purposes of this paragraph, a “structure or display” means any object larger than two feet in any dimension that is intended to be placed or displayed in a public area, or is left unattended in a public area. Unauthorized structures may include tents, platforms, benches, tables, buildings, barricades, and other structures. Unauthorized structures are subject to immediate impoundment and removal from University Property. The university shall not be liable for the loss of, or damage to, any Unauthorized structures placed in University Property.

## 11. Display of hand-held Signage

Students, faculty, and staff may display Signage on campus by holding or carrying it by hand or otherwise attaching it to their person. Members of the public may display Signage in the Grounds Open to the Public by holding or carrying it by hand or otherwise attaching it to their person. No advance permission is required.

- a. Hand-held signs constructed of materials that create a hazard to other people are not permitted. Signs constructed of rigid materials, including sticks, poles, wood, metal, hard plastic, or other materials that could be construed as a hazard are not permitted.

- b. Any person holding or carrying a sign shall exercise due care to avoid bumping, hitting, or injuring any other person.
- c. Any person holding or carrying a sign at a speech, performance, or other event shall exercise due care to avoid blocking the view of any other person observing the speech, performance, or event. Depending on the venue, this may mean that signs may be displayed only around the perimeter of a room or an audience.
- d. A law enforcement officer, an usher or any other university Employee if authorized by officials responsible for managing the venue, may warn any person that their sign is being handled in violation of this section. If the violation persists after a clear warning, the law enforcement officer, authorized usher, or other authorized Employee may confiscate the sign or take other appropriate steps to respond to the violation. A law enforcement officer may take any action necessary to keep the peace including but not limited to issuing a criminal trespass warning to the violator.

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## **V. PROCEDURES FOR EXPRESSIVE ACTIVITIES AND ASSEMBLY**

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The following “Time, Place and Manner” procedures provide a framework for the conduct of assemblies and expressive activities, including speakers, demonstrations and protests, to protect the rights of all persons (demonstrators and non-demonstrators), to ensure that the activity conforms to all applicable university rules, procedures, and state laws, and to address health and safety and risk management issues.

### **A. TIME: HOURS**

Individuals may conduct their assembly, demonstration and protest activities during normal business hours (8:00 a.m. to 5:00 p.m.) in the Public Areas of Indoor Facilities, or at any time on Grounds Open to the Public as defined herein.

After-hours activities may be authorized in the Public Areas of Indoor Facilities, after consultation with the appropriate university officials and approval under Section E: Advanced Arrangements for Planned Activities. After-hours activities in indoor locations require the presence of campus staff and/or faculty acting as activity monitors.

## **B. PLACE: GROUNDS OPEN TO THE PUBLIC AND PUBLIC AREAS OF INDOOR FACILITIES**

On university Grounds Open to the Public and Public Areas of Indoor Facilities, all persons may exercise the constitutionally protected rights of free expression, speech, assembly, worship and distribution of literature incidental to the exercise of these freedoms; however, these activities:

1. Must not interfere with the orderly operation of the campus.
2. Are subject to the time restrictions in section V.A.
3. May not include sales or solicitation without a permit.
4. Are subject to the standard reservation system and fee schedules for university facilities. If the area has been previously reserved for use by a campus organization or University unit, the University shall honor such use and may limit or exclude those without a reservation.
5. May not occur on the Merced Irrigation District (MID) easements, except on bridges open to the public (such as the Scholars Lane bridge).
6. May not take place on internal or external stairs or landings and may not occur in outdoor areas of campus within thirty (30) feet of the following: a. university residential facilities; b. buildings, facilities, or areas where such use could impair entrance to or exit from the building, facility or area, or interfere with activities therein; c. parking lots; d. walkways and roadways; and e. libraries. These restrictions apply to all University Property. Exceptions will be considered subject to the approval process set forth in Section E: Advanced Arrangements for Planned Activities.
7. Tables or moveable stands may not be placed in areas where passages to any entrance or walkways are blocked, where the free flow of pedestrian traffic is restricted, or where emergency fire lanes are blocked. Additional and more restrictive policies may apply to specific facilities or use areas.
8. Student groups using moveable tables or stands at any location on the campus must have prior approval of OSI. Authority for approval rests with the Director of OSI or their designee.

**C. MANNER: RULES OF CONDUCT APPLICABLE TO ALL PERSONS, INCLUDING DEMONSTRATORS AND NON-DEMONSTRATORS, AND THE RIGHTS AND RESPONSIBILITIES OF INDIVIDUALS PARTICIPATING IN ASSEMBLY, PROTESTS AND DEMONSTRATIONS**

All individuals participating in assembly, protests and demonstrations shall have the following rights and responsibilities, subject to the restrictions regarding time, place and manner set forth in these procedures:

- To exercise the right to Freedom of Speech and expression in a way that demonstrates commitment to civility and respect toward all, is nonviolent and does not result in harm to people or damage to property.
  - To respect the rights of other members of the university community to go about the mission and business of the university without interference.
  - To exercise the right to assemble in a manner consistent with University policies as well as state and federal law, understanding that, while free speech is protected by the First Amendment, Civil Disobedience is not protected speech and may have consequences for those who engage in it.
  - To promote a safe, non-violent, and constructive environment in which community members may engage their right to free speech and assembly, and where the exchange of opinions and ideas from all community members is encouraged.
1. No one may refuse to identify themselves upon request to university officials acting in the performance of their duties.
  2. Wearing masks or face coverings is permissible for all persons who are complying with University policies and applicable laws. No one may wear a mask or personal disguise or otherwise conceal their identity with the intent of intimidating any person or group, or for the purpose of evading or escaping discovery, recognition, or identification while committing violations of law or policy.
  3. No one may intentionally restrict the movement of another person or persons by, among other means, blocking or obstructing their ingress or egress of roadways, walkways, buildings, parking structures, fire lanes, windows, doors or other passageways to University Property, or otherwise denying a person access to spaces on University Property.
  4. No one may congregate in front of elevators, or at the top, bottom or on the steps or landings of stairways. Stairways and elevators may be used to move from floor to floor.

5. No one may block or impede access to any emergency alarm system(s).
6. No one may interfere or tamper with any part of any emergency alarm system.
7. No one may engage in any activity which endangers personal safety, which results in damage to personal or University Property, or which violates the privacy and/or confidentiality of sensitive university records.
8. No one may substantially interfere with, or disrupt, normal university business, classes, or any organized and authorized university activity inside or outside a campus building.

The following factors weigh in favor of a finding that conduct is a disruption of a university activity, but are not exhaustive:

- a. Whether the conduct unduly interferes with any person's ability to participate in a university activity.
- b. Whether the conduct was violent or involved a threat of violence.
- c. Whether the speech or conduct incited an immediate breach of the peace.
- d. Whether the conduct and its effect lasted long enough, either in totality and/or in comparison to any university activity it may have affected, to unduly interfere with that university activity.
- e. Whether the conduct stopped if and when a request to stop was addressed to the individual or group engaging in the conduct.
- f. Whether the conduct caused physical harm or damage to property.
- g. Whether the conduct was coordinated with others' conduct in a way that it caused a cumulative effect that unduly interfered with a university activity.
- h. Whether the conduct was intentionally aimed at unduly interfering with a university activity.
- i. In the case of a university activity that involves a speaker or presenter:
  - i. Whether the conduct unduly interfered with the speaker's or presenter's ability to deliver the speaker's or presenter's message.

- ii. Whether the conduct unduly interfered with the audience's ability to receive the speaker's or presenter's message, including whether the conduct was loud enough to unduly interfere with any audience member's ability to hear the speaker or presenter.
9. No one may refuse to follow the lawful directions of a university official or police officer acting in their official capacities.
10. No one may interfere with the ability of vehicles to enter or exit a roadway or with the normal flow of vehicular traffic.
11. Sound amplification equipment may not be used at any indoor or outdoor location without the prior written approval of OSI. Use of sound amplification equipment will only be approved in accordance with Section 304.00 of the UC Merced Student Handbook. If complaints are received indicating that the amplification sound level is interfering with the normal operations of the campus, the responsible person(s) will be directed to lower the volume by OSI staff. If additional complaints occur, the person(s) in charge of the amplification equipment will be directed to turn off the sound completely. These limitations do not apply to campus-wide events, such as speakers, concerts, dances, rallies, sports events and other outdoor educational, athletic or entertainment events, formally sponsored by an administrative or academic division or department.
12. No one may camp, set up or erect a campsite, or occupy a tent or other temporary housing structure on University Property, unless specifically pre-approved by the Designated University Official under this Policy and documented in writing.
13. Campfires, open fires and other fires are prohibited on University Property without written permission from the campus fire Marshall. Any torches, flammable outdoor displays or open fires must be approved in writing by the campus fire Marshal and Chief of Police.

#### **D. ENFORCEMENT**

Violation of university policies or procedures may subject a person to educational, administrative, legal or other penalties. If the person is a Student or Employee, that person may also be subject to disciplinary action in accordance with university policies, as set forth in the UC Merced Code of Student Conduct (Students), UC Personnel Policies for Staff Members (staff), the Academic Personnel Manual (academic appointees), and any applicable collective bargaining agreements. Non-Affiliates are subject to the Regulations Governing Conduct of Non-Affiliates in the Buildings and on the Grounds of the University

of California. Violation of these Regulations by Non-Affiliates is a misdemeanor and may result in arrest, a monetary fine and imprisonment.

## **E. ADVANCED ARRANGEMENTS FOR PLANNED ACTIVITIES**

UC Merced understands that many forms of assembly, protest and demonstration occur spontaneously. For the events that are planned in advance, by either affiliates of the university (Students and Employees) or Non-Affiliates (public members), coordination with the appropriate offices within the university is encouraged to ensure the success of the event and minimize the potential to disrupt the normal operation of the university.

Although not mandatory, the following procedures are administered by OSI for planned events on campus. OSI will coordinate with other administrative units, including the Office of the Chancellor, the Office of the Executive Vice Chancellor & Provost, Facilities Management, Public Safety and the Protest Oversight Group, as necessary.

1. If the assistance of OSI is desired for a planned event, a representative for the event should prepare a proposal in writing and submit it to OSI at least 48 hours in advance of the planned activity. OSI should be provided further advanced notice if possible, depending on the scale of the event.
2. A proposal for a planned event should include the proposed location and date of the event, the proposed start and end time, the purpose/goal of the event, the anticipated participants, such as Students, staff, faculty, campus administration or community members, the estimated number of participants, and any identified security requirements.
3. If the proposed event includes a march, the sponsoring group should attach a proposed route for the march.
4. If the proposed event includes sound amplification equipment, the use of such equipment must be approved by OSI in writing in advance for all events.

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## **VI. RESPONSIBILITIES**

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As needed, and if there is enough advanced notice, the Vice Chancellor for Student Affairs and Engagement or designee will convene the Protest Oversight Group (POG) to coordinate the university's involvement in assemblies, protests and demonstrations on campus. The POG is responsible for operating in a manner that continually re-assesses the event and objectives, and emphasizes teamwork, timely and effective communication and actions that support the



university’s teaching, research and service missions while protecting and respecting the right to assemble and protest. It is the university’s explicit intention to accomplish these goals with the least possible show or use of force or other means of control. In situations where this objective cannot be met, clear protocols for escalation identified in the Police Operations Plan approved by the Vice Chancellor and Chief Operating Officer and provided to the POG will be understood and strictly observed by all law-enforcement personnel. The Chancellor has the ultimate authority over and responsibility for the university’s involvement in assemblies, protests and demonstrations, and the POG is expected to continually brief and coordinate with the Chancellor.

In the rare event of an imminent and substantial threat of harm to persons or property, and with no reasonable opportunity to consult with the Chancellor or designee, UC Merced Police will follow the approved Police Operations Plan for responding. The Chief of Police is responsible for exercising sound judgment and appropriate restraint.

## VII. REVISION HISTORY

Date	Action/Summary of Changes
September 19, 2024	Policy revised and issued in interim. Revisions include: <ul style="list-style-type: none"> <li>• Mandatory revisions required by <a href="#">California State Senate Bill 108</a>, SEC. 219, 34 implemented under <a href="#">UC Merced’s Campus Climate Initiative</a></li> <li>• Technical updates to contact information and resources</li> <li>• Clarifications around disruptions of a university activity, proximity of activities, unauthorized structures, and consequences</li> <li>• Updated Policy owner to Assistant Chancellor and COS</li> </ul>
May 1, 2024	Policy revised and issued in interim. Revisions include: <ul style="list-style-type: none"> <li>• Changed Policy owner and POG oversight to VCSA</li> <li>• Clarified and added language around posting/Signage</li> <li>• Added language around camping</li> <li>• Moved POG membership/roles &amp; responsibilities to Appendix</li> </ul>
November 20, 2019	Revised to address comments received during interim period. Final Policy Issued
January 9, 2018	Original Interim Policy Issued

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## **VIII. APPENDICES**

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**APPENDIX 1 – PROTEST OVERSIGHT GROUP (POG)**

**APPENDIX 2 – PROTEST/DEMONSTRATION EVENT PROPOSAL FORM**

## **APPENDIX 1 – PROTEST OVERSIGHT GROUP (POG)**

### **MEMBERSHIP AND RESPONSIBILITIES OF THE POG:**

The POG shall consist of the senior administrator, or their designee, from each of the divisions identified below. Responsibilities of each member are as outlined. The Faculty Welfare and Academic Freedom Committee may appoint an ex officio member to the POG who may attend meetings and coordinate with the Office of the Provost in carrying out its responsibilities under this Policy with respect to faculty.

#### **A. Vice Chancellor for Student Affairs – Acting on Behalf of Chancellor:**

- Brief Chancellor on all protest activity on University Property
- Set expectations for monitoring and managing the event
- Designate appropriate individual as Chancellor’s representative “on the ground” to event organizers/protest leaders and law enforcement
- Ensure appropriate and effective communication between event organizers/protesters, senior administrators, and law enforcement
- Appoint or designate mediator as appropriate
- Make decisions regarding police action against protesters on the property of UC Merced, except in exigent or emergency situations where the police are required to act immediately to prevent imminent and substantial harm to persons or property

#### **B. Division of the Vice Chancellor for Student Affairs:**

- Direct personal communication with Students regarding interpretation of policies, expectations, academics, Student discipline, and general guidance provided by the UC Merced Principles of Community
- Monitor mental and physical health of Students
- Identify and communicate health, safety, security and academic needs of Students to the POG
- Communicate with parents and Student caregivers as appropriate
- Appoint Student Affairs spokesperson for media interviews, if appropriate, in consultation with the Division of External Relations
- Provide planning guidance to Students proposing assembly, protest or demonstration activities

- Designate one or more “on the ground” liaisons if Students are primarily involved in the protest

### **C. Division of Executive Vice Chancellor & Provost**

- Direct communication with faculty regarding all appropriate aspects of faculty involvement in assemblies or protests, interpretation of policies and academic discipline
- Initiate educational opportunities involving faculty, when appropriate, around issues of protest
- Communicate with the Office of the Chancellor all recommendations to alter daily campus business as usual, to facilitate the immediate needs of the Students and faculty regarding the issues of protest or the safety of the campus
- Appoint academic spokesperson for media interviews, if appropriate, in consultation with the Division of External Relations
- May designate one or more “on the ground” liaisons if faculty or instructional staff are primarily involved in the protest

### **D. Office of Human Resources:**

- Direct communication with Employees and labor union representatives regarding interpretation of policies, expectations, Employee discipline and general guidance related to assemblies or protests
- Monitor mental and physical health of Employees
- Identify and communicate health, safety and security needs of Employees to the POG
- Designate one or more “on the ground” liaisons if staff are primarily involved in the protest

### **E. Division of External Relations:**

- Develop communications/media strategy and news points
- Recommend and provide oversight of all media outlets, interviews, releases and press conferences
- Monitor news coverage and social media to provide real-time feedback to decision-makers
- Designate official event videographer, if appropriate

#### **F. Office of Facilities Management:**

Provide facilities support as identified by POG including but not limited to:

- Sanitation and trash receptacles and pick up
- Lighting
- Building-access control
- Grounds maintenance and irrigation control
- Signage
- Facility maintenance
- Safety, health and security equipment needs
- Transportation and parking needs

#### **G. Offices of Fire and Building Safety & Environmental Health and Safety:**

- Monitor and provide guidance for meeting the fire, health and safety needs during sustained protests

#### **H. Chancellor's Office – Chief of Staff:**

- Provide communication to governmental entities as appropriate, in coordination with the Office of University Communications
- Identify independent community observers
- Provide direct communication with the UC Office of the President

#### **I. Department of Public Safety:**

- Provide continuous and appropriate levels of security for the safety of all involved people and UC property
- Develop Police Operations Plan, approved by the Vice Chancellor and Chief Operating Officer, and provide to POG
- Ensure all on and off-campus responding law-enforcement personnel are thoroughly briefed on the chancellor's authority and the approved Police Operations Plan
- Identify one UC Merced police official responsible for giving an order to use force prior to deployment and establish direct line of communication with the Chancellor's on the ground representative

- As needed, and upon the directive of the Chancellor or designee, activate the POG Operations Center and provide 24/7 staffing for the center to monitor the event and coordinate communications and response
- Provide proactive planning guidance to affiliates if requested
- Identify staffing needs and proactively request appropriate levels of staffing from UC campuses, CSU campuses, CHP, local law enforcement agencies, fire and EMS when appropriate for the safety, security and timely response of or to the needs of the community
- Provide violence-prevention education and advocacy support as appropriate
- Establish, if necessary, field incident command post and communicate the location to the POG
- Assist in identifying Non-Affiliates participating in a sustained or encampment protest

#### **AFTER-ACTION REPORTING**

The office of the Vice Chancellor for Student Affairs will compile an after-action report to be made available to the Chancellor, Protest Oversight Group and UC Office of the President as needed to facilitate process improvement. A summary of observations and recommendations from the neutral observers, if applicable, must be included in the after-action report. Any Student or Employee disciplinary actions arising from assembly/protest activity will be included in the after-action report.

## APPENDIX 2 – PROTEST/DEMONSTRATION EVENT PROPOSAL FORM



### Protest/Demonstration Event Proposal Form

Prior to sponsoring a peaceful assembly, the sponsoring organization, whether affiliated or not affiliated with UC Merced, is encouraged to prepare a written proposal for the event at least 48 hours in advance of any activity and submit it to the Office of Student Involvement (OSI).

Sponsoring organizations are encouraged to give OSI notice further in advance where possible, depending on the scale of the event. OSI will coordinate with other campus administrative units, including the Divisions of the Chancellor, the Executive Vice Chancellor & Provost, Offices of Facilities Management, Public Safety and the Protest Oversight Group, as necessary. Estimates of costs related to planned events, including room reservations, security costs, and IT and facilities support are available through [Hospitality Services](#), [UC Merced Police Department](#), the [Office of Information Technology](#) and [Facilities Management](#), respectively.

The proposal should include the following information to the extent available:

1. Proposed date of the event:
2. Proposed location of the event:
3. Proposed start and end time:
4. Estimated number of participants:
5. Security requirements:
6. Proposed use of sound amplification:
7. If the proposed event includes a march, the sponsoring group should attach a proposed route.

**Note: Any use of amplified sound on campus must be approved in advance by OSI.**