

30.00 POLICY ON SPEECH AND ADVOCACY

30.01 Free Speech Statement

Freedom of thought, inquiry, speech and lawful assembly are fundamental rights of all persons. These rights include:

- **The freedom to express opinions;**
- **To hear, express and debate various views, no matter how unpopular;**
- **To voice criticism.**

Free speech is uniquely important to the University as it brings about a free interchange of ideas integral to the University's fundamental mission of teaching, research and public service. All UC Police and other sworn personnel are bound by law to protect the Constitutional rights of all persons including the rights of free speech and assembly.

Protests and civil disobedience have played a historic role on university campuses and have brought important and beneficial changes within society and in the development of our democracy. However, civil disobedience is not protected speech under federal, state or local laws. The Constitution does not guarantee any right to engage in civil disobedience – which, by its very definition, involves the violation of laws or regulations – without incurring consequences. Civil disobedience may have a negative effect on the protected interests of others and may interfere with University business or threaten public safety or University assets in ways that require the University to act to protect those other interests.

30.10 The University is committed to assuring that all persons may exercise the constitutionally protected rights of free expression, speech, assembly, and worship.

30.20 It is the responsibility of the Chancellor to assure an ongoing opportunity for the expression of a variety of viewpoints.

30.30 The time, place, and manner of exercising the constitutionally protected rights of free expression, speech, assembly, and worship are subject to campus regulations that shall provide for non-interference with University functions and reasonable protection to persons against practices that would make them involuntary audiences or place them in reasonable fear, as determined by the University, for their personal safety.

30.31 Time, Place and Manner: UC may regulate, through policy, the time, place, and manner of speech. In public forums the policies must be content neutral, narrowly tailored to serve a significant interest and leave open ample alternative channels of communication. Policies may address, for example, time of day, location, preservation of access or traffic flow, amplified sound, and other issues.

30.32 Forums: The right to use particular locations at UC campuses for speech activities is largely a function of the character and/or location of the property where the speech occurs. The broadest rights are in areas that are open to the public for expressive activities, and not limited to specific purposes or topics (“public” or “traditional” forums). Rights are much narrower in other locations such as but not limited to lecture halls, classrooms or business offices (“non-public forums”).

30.33 Disruptive Behavior: Please see sections 102.13-102.16 of the Student Policies and Regulations Handbook regarding disruptive behaviors by students; other policies and law govern university response to disruptive behaviors by non-students.

30.40 The University recognizes, supports, and shall not abridge the constitutional rights of faculty, students, or staff to participate, either as individuals or as members of a group, in the political process of supporting candidates for public office or any other political activity.

30.41 Advocacy Activities in Residential Facilities. For the purpose of this policy, Residential facilities are not considered public areas. For security purposes, Residential facilities are not accessible to members of the general public unless invited as guests with the express consent of a residential facility resident, as outlined in the Terms and Conditions of Housing (Housing Contract).

Only current residents of a specific residential facility may distribute non-commercial literature or solicit for non-commercial purposes—including religious or political materials—to other residents of their own residential facility, except voter registration activities which are covered separately under Section 42.50.

30.42 Non-commercial materials may be posted on designated posting areas or by use of a door hanger. No posting is allowed directly on doors.

With respect to apartments such as those at Family Student Housing, Graduate Student Housing and the units at the Camper Park, Cowell, Stevenson, Crown, Merrill, Colleges Nine and Ten, Porter, Kresge, Oakes and Rachel Carson which are accessible directly by members of the general public, noncommercial solicitation and distribution of literature is permitted in the forms indicated above. Public access to the general campus is outlined in Section 42.12.

30.43 All campus policies and regulations regarding speech and advocacy shall be consistent with Section 40.00 of these Policies.

30.44 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.