

CHAPTER 100: University Organization and Campuswide Policies

140 Use Of University Property and Time, Place and Manner

141 Introduction

This Campus Administrative Policy (policy) governs the use of University property, and the rights, privileges, and responsibilities of persons and groups using University property¹. In order to support and achieve its educational mission, the University has an obligation to maintain an environment in which the business of the University can be conducted without disruption, in accordance with the highest standards of institutional integrity, academic freedom, freedom of expression, and recognition of the rights, privileges and responsibilities of University community members and the public.

This policy addresses rights, privileges and responsibilities, and applies to all users, including students, Recognized Student Organizations (RSO), individuals or groups sponsored by academic or administrative departments, faculty, staff, recognized employee organizations, University auxiliaries, University auxiliary employees, and all off campus individuals, groups and members of the public, including commercial vendors and/or solicitors. This policy concerns the use of University property for all purposes and events including, but not limited to, non-commercial transactions and solicitation, commercial transactions and solicitation, freedom of expression activities, electronic communications, amplified sound, display or distribution of published materials, including posting, signage and chalking, distribution of handbills, circulars and flyers, and political activity by state employees.

This policy also sets forth reasonable time, place, and manner regulations regarding the use of University property to ensure that individuals and groups exercising their legitimate rights do not disrupt the educational process or other operations of the University, infringe on the rights of others, or engage in unlawful acts, including, but not limited to, defamation, terrorist threats, false advertising, or the promotion or incitement of actual or imminent violence or harm. Except where noted or where other policies are incorporated by reference, this policy is intended to be the controlling document with regard to the University's time, place, and manner regulations.

The use of University property not authorized in this policy or pursuant to other University policies, procedures or written agreements is prohibited. All persons using University property must abide by University policies and the law. Except where otherwise indicated, this policy supersedes all other related University policies. This policy is not intended to interfere with the statutory rights provided by the Higher Education Employer-Employee Relations Act (HEERA), California Government Code section 3560 et seq., the terms of a controlling Collective Bargaining Agreement or an individual's free speech and assembly rights afforded in the First Amendment to the United States Constitution or Article I, sections 2(a) and 3(a) of the California Constitution.^{2 3}

¹ Definitions of key terms used in this policy are contained in Section 148 at the end of this policy. The term "property" refers to all land, buildings, facilities, or other grounds or structures, or any item in possession of or owned, used, maintained or controlled by the University or designated by the campus as subject to this policy, including property leased or licensed to others. Property also includes University services, resources, names, branding,

trademarks, logos, computers, computing devices, and network systems owned, maintained or controlled by the University, funded by University funds, or University auxiliary funds, or designated by the University as subject to this policy.

² Collectively, use of the phrases First Amendment rights or the First Amendment in this policy refers to an individual's free speech and assembly rights afforded in the First Amendment to the United States Constitution and Article I, sections 2(a) and 3(a) of the California Constitution.

³ Nothing in this policy shall prohibit the unions from communicating with their members regarding union-related activities or engaging in protected or concerted activities otherwise allowed under HEERA, or rights provided by the terms of a controlling collective bargaining agreement.

141.1 Purpose of Policy

The purpose of this policy is to facilitate the effective use and enjoyment of the University's property as an educational institution. Orderly procedures are necessary to promote the use of University property, to conserve and protect University property, to prevent interference with or disruption of University functions, and to protect the rights of those using University property.

The University is committed to free expression as essential to its educational mission. The University is also committed to enabling RSOs, University-affiliated groups, and the public in hosting a variety of events on campus to supplement and enrich the educational experience.

It is recognized, however, that some events may disrupt the orderly operation of the University and/or can raise significant security or safety concerns. To ensure the safety of the University and the campus community while protecting First Amendment rights of those who wish to participate in events hosted on University property, the University will enforce this policy. **All criteria for assessing events shall be applied in a viewpoint neutral manner.**

141.2 Policy Statement Regarding Free Expression and First Amendment Rights

The University seeks to foster and sustain a forum for the free and orderly exchange of ideas, values and opinions, recognizing that individuals grow and learn when confronted with differing views, alternative ways of thinking, and conflicting values. The search for knowledge requires the freedom to speak openly about concerns and issues. All members of the University community and the public are free to lawfully exercise their right to freedom of expression on University property within the guidelines established by this policy.

Freedom of expression is a cornerstone of a democratic society and is essential to the educational process. Universities have a special obligation not only to tolerate but also to encourage and support the free expression of ideas, values and opinions, even where they may be unpopular or controversial. The University accepts and embraces this obligation, recognizing that such expression may take a variety of forms, including, but not limited to, speeches, signs, written materials, public assemblies, parades, marches, demonstrations, and artistic representation.

Acknowledging the central role the unfettered exchange of information and ideas plays in learning and in a free society, the University shall ensure that individuals and groups are afforded wide latitude in exercising the right of free expression, and that their constitutionally protected right to free expression is not abridged. Freedom of expression, however, is not an absolute right. It coexists with other rights and the need for public order and safety. The exercise of freedom of expression and assembly rights must comply with all applicable federal, state, and local laws. Illegal speech activity not protected by the First Amendment or by this policy includes defamation, terrorist threats, false advertising, or the promotion of actual or imminent violence or harm.

All members of the University community should recognize that causing discomfort and even causing offense is not a basis for limiting free expression. At the same time, they should recognize that freedom of expression includes a responsibility to respect the dignity of others, to acknowledge the right of others to express differing opinions, and to do so in a lawful manner at all times. Sometimes, freedom of expression activities and posted materials direct hurtful and/or hateful messages toward an individual or group. While there will always be disagreements over what may constitute acceptable or appropriate comment, there can be no question, particularly in a university setting, that freedom of expression, as guaranteed by the First Amendment, is a cherished and protected right.

Accordingly, the University community promotes tolerance of differing points of view and to respect the rights of others to express themselves. While one may find certain expressions or materials to be quite offensive, or even insulting, the appropriate way to counteract such materials is through discourse, criticism, and the expression of contrary points of view. Free speech is allowed and supported as long as it does not violate other laws or University policies and procedures.

141.3 Scope of this Policy

The use of University property is contingent upon assuming responsibility for observing the following requirements:

- A. The activities must be conducted in a lawful manner.
- B. The activities must not unreasonably interfere with or disrupt instructional programs or University operations.
- C. The activities must be conducted in conformance with all applicable federal, state, and local laws, as well as University policies, procedures and regulations.
- D. During certain university wide events, e.g. Open House, commencement, Week of Welcome (WOW), Mustang Family Weekend and Homecoming, priority will be given to event-related activities. Additional events may be allowed with the permission of the University President's designee (the Vice President for Administration and Finance, in consultation with the Vice President for Student Affairs, in cases involving students; or in consultation with the Provost and Vice President for Academic Affairs, in cases involving non-students).
- E. Use of certain University properties must be scheduled and registered in advance, as set forth below. (See Section 144.1).

Use of University property may be subject to fees and/or require liability insurance and/or an indemnity agreement. Where this is the case, persons or groups granted the use of University property are responsible for reimbursing the University or its auxiliaries. Such users also assume responsibility for all damage they cause to University property. Failure to reimburse the University, its auxiliaries for use charges or for damage to property may jeopardize future access to and/or use of University property.

The University's Chief of Police will determine the type of security necessary for events based on the public safety needs of any event being held in or around University property (see Section 144.8). Each event will be considered on a case-by-case basis to determine appropriate staffing and other security and safety measures. The University will assess security needs, and assess fees for security provided by the University, based on content and viewpoint neutral factors. The University always reserves the right to charge fees ⁴([footnote-4](#)) for security on a content and viewpoint neutral basis (see Sections 144.1 D and 144.1 E).

⁴ CSU Executive Order 847.

142 Approved and Priority Uses Of University Property, Facilities and Services

Priority for the use of University property will be given to academic and administrative departments of the University. Subject to the requirements of this policy, and to campus policies applicable to specific facilities, campus facilities may be made available for use by non-departmental users provided those facilities are not needed by the University at that time, and use by the non-departmental users does not disrupt campus business or activities.

This policy operates in conjunction with specific deadlines, policies and regulations for each campus facility, as well as the [Campus Event Planning Resource Guide](#). Facility reservation deadlines and other procedural details may vary among campus facilities. Therefore, the facility manager of the requested venue must be consulted before the event to obtain specific details concerning reservation and event procedures (see Section 144.1).

Generally, use of University property, facilities and services that may be scheduled for activities or events is limited to the following purposes and will normally be granted in the following order of precedence:

- A. **University Instruction:** Classes that are part of the regular and recurring instructional activities of a University college or department, which support the delivery of academic programs.
 - B. **University Instructional Support:** Instructionally related activities, meetings, and programs such as music, drama, forensics, journalism, and intercollegiate athletics that support class offerings or academic programs; courses that are part of the authorized Extended Education program.
 - C. **Research and Consultant Activities:** Programs that are research-oriented in nature which contribute to the professional or educational development of students, faculty, staff, and consultant activities that have been approved by the University.
 - D. **Educational and Co-Curricular Events and Activities Sponsored by Cal Poly Faculty, Staff, or Recognized Student Organizations:** Events and activities concerned with the professional, cultural, recreational, educational, informational, or entertainment aspects of University life.
 - E. **Meetings of Groups Sponsored by or Related to the University:** Examples include meetings called by state agencies; by professional organizations of faculty or staff, students, recognized student organizations, faculty or staff, or recognized employee organizations; by University-related organizations; county and city school district-sponsored meetings; or meetings of federal, state, and local government organizations.
 - F. **Other Uses:** Use of facilities for programs consistent with the educational mission of the University may be granted to those agencies and organizations with whom the University is authorized to make lease or licensing agreements.
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143 Prohibited Uses Of University Facilities and Services

- A. No person, while on University property, shall possess, carry or have control of any firearm, whether loaded or not, unless it is with the written permission of the University President or designee, such as Chief of the Cal Poly Police Department (CPPD), or equivalent University authority . Exceptions include: A duly appointed California peace officer as defined, a full-time paid peace officer of another state or the federal government who is carrying out official duties while in California, any person summoned by any of these officers to assist in making arrests or preserving the peace while he or she is actually engaged in assisting the officer, a member of the military forces of this state or of the United States who is engaged in the performance of his or her duties, or an armored vehicle guard, engaged in the performance of his or her duties, and where otherwise provided by the California Penal Code. Reference "The Gun-Free School Zone Act of 1995" California Penal Code 626.9. (See also [CAP 351.4 \(/cap/300/cap-350#cap-351-4\).](#))
- B. Weapons are prohibited on campus by California Penal Code 626.10. No person, while on University property, shall possess, carry or have control of any weapon defined as:
 - Any knife that has a blade longer than 2 1/2 inches or opens automatically.

- Any dirk, dagger or ice pick.
 - Any razor with an unguarded blade.
 - Taser or stun gun.
 - Any instrument that expels a metallic projectile, such as a BB or a pellet, through the force of air pressure, CO2 pressure or spring action.
- C. Without specific written permission from the University President's designee, it is prohibited on University property or areas under the control of the University to engage in, participate in, or assist participants in any game which involves the ambushing, lying-in-wait for, or following another person by means of stealth; or to participate or assist in the participation in any game which would involve the firing of any device as defined in the preceding paragraph.
- D. It is prohibited on University property or areas under the control of the University to shoot any arrow or similar missile, and/or to permit any arrow or similar missile to be shot on University property, except as part of a University course of study or official University sponsored activity.
- E. No Unmanned Aircraft System (UAS) (also known as a drone) may be flown from, on or around University property or areas under control of the University without the express written approval of the University. (See CAP 361.10. (/cap/300/cap-360)))
- F. Use of University facilities for commercial purposes is prohibited unless prior written permission has been obtained from the University President's designee.
- G. In general, the use of University facilities or property for personal or private events is not authorized. The category "personal or private events" includes, but is not limited to, weddings and memorial services. The scheduling of these or similar events on University property may be authorized only in unusual circumstances and requires prior approval of the University President's designee.
- H. In order to facilitate safety and floor maintenance, individuals with bare feet are prohibited from entering University buildings, with the exception of appropriately designated areas of University housing facilities, athletics, physical education and recreation facilities.
- I. Camping on University property or areas under control of the University, or living in privately owned, temporary lodging parked or erected on University property is prohibited.
- J. Occupation of facilities outside of approved operating hours is prohibited, but may be authorized only in unusual circumstances and requires prior approval of the University President's designee
- K. Erection of any structure (whether temporary or permanent) on University property or areas under the control of the University must be approved by Facilities Management and Development (https://afd.calpoly.edu/facilities/services_buildingpermits.asp) for the safety of all participants and by-standers.
- L. Pets will be allowed on campus only when on a leash and accompanied by their owner. No animals, except when being used for official University instructional purposes, police purposes, authorized and approved service or emotional support animals, will be permitted inside campus buildings and facilities without prior written approval of the University. Animal waste must be picked up and disposed of properly. (See CAP 353. (/cap/300/cap-350), Pets on Campus.)
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144 Procedures

144.1 Reserving or Requesting University Property for Events and Activities

- A. Information concerning reservation and request procedures for designated property, summarized below and can be found in the University's Event Planning Resource Guide (<https://eventscalendar.calpoly.edu/planning-resources>). Note, not all University property, facilities and services are available for reservation or request for non-instructional purposes.

- B. The University has established scheduling protocols (<https://eventscalendar.calpoly.edu/getting-started>) for events and activities to ensure effective campus coordination and to provide individuals and groups with a means by which to reserve facilities, spaces, equipment, other resources, and support services. These scheduling protocols also apply to all non-instructional and non-academic campus events and activities, including but not limited to: speeches, musical and artistic performances and exhibitions, public assemblies and events, marches and parades, non-commercial solicitation, commercial activities, and certain signage, such as sandwich boards.
- C. In carrying out its scheduling and reservation functions, the University will retain a position of strict neutrality regarding the views groups or individuals may wish to express. The institutional control of campus facilities shall not be used as a device for censorship.
- D. No organization or individual other than the reserving organization or individual may use authorized University property, facilities or services. The authorized reserving organization or individual may not transfer control of the event for which the University property, facilities or services were reserved or requested to any other organization, group, or individual speaker. These restrictions apply to areas for public expression as well as other indoor or outdoor facilities. The authorized reserving organization or individual assumes responsibility for costs associated with the use of University property, and for any damage caused by group members and/or invited and/or ticketed guests.
- E. The University may charge for the use of its property in accordance with established fee schedules. Information concerning the fee schedules may be obtained from the office at which the reservation is made or from which the service is requested. Users of facilities and services must pay the University directly for the facilities or services provided (see CSU Executive Order 847 (<https://calstate.policystat.com/policy/6682279/latest/>)).
- F. Security, performance and/or liability bonds may be required. Consistent with CSU and University policy, and depending on the nature of the proposed event, the user may be required to provide its own liability and other insurance naming the Trustees of the California State University as additionally insured for any public event to be held on University property.
- G. Any agreements or contracts that non-departmental users enter into with third parties related to the event are signed at the risk and liability of the non-departmental user. Non-departmental users are liable for all costs related to the event. This includes, but is not limited to, facility fees, basic security costs (as described in the section on Security Procedures below), and any damages that may occur as a result of the event. Individual non-departmental users may be held personally liable for costs related to the event.
- H. All event attendees may be subject to search for contraband, weapons, drugs, alcohol, and other illegal or prohibited materials. Participants will be notified clearly through posted signs at or near the event entrance if they will be subject to search.
- I. The maximum room capacity for all University facilities is established by the State Fire Marshal. The University may reduce capacity further in accordance with staff availability and other considerations.
- J. The possession and/or consumption of alcohol at events is prohibited unless in compliance with the University's alcohol policy, see CAP 172 (</cap/100/cap-170#cap-172>).
- K. Smoking, including vaping and e-cigarettes, the use or sale of tobacco products, and the use of designated smoking areas are prohibited on all California State University properties, see CAP 171 (</cap/100/cap-170#cap-171>) and CSU Executive Order 1108 (<https://calstate.policystat.com/policy/6591951/latest/>).
- L. The use and/or possession of illegal drugs are prohibited at all University events.
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144.2 Recognized Student Organizations (RSOs)

Recognized Student Organizations wishing to use University property, facilities or services are required to complete an E-Plan. Use of the E-Plan facilitates campus coordination with other events and among potential campus service providers. Use of the E-Plan is required for all on-campus RSO events/meetings.

RSOs are required to comply with all University and ASI policies. Failure to adhere to policies may result in revocation of recognition, loss of privileges, or other sanctions for violation of such policies. Procedures for denying or revoking recognition are set forth in applicable provisions of the Code of Student Conduct governing individual and organization misconduct for students.

144.3 University Affiliated Individuals or Groups Sponsored by Academic or Administrative Departments and Instructionally Related Activities

The following persons wishing to use University property, facilities, or services are required to complete an online Facilities and Event Request form available through University Scheduling in the Office of the Registrar (<https://registrar.calpoly.edu/event-scheduling>). Use of the Facilities and Event Request form facilitates campus coordination with other events and among potential campus service providers.

- Faculty, staff, or students sponsored by Cal Poly affiliated academic departments, administrative departments, or auxiliary organizations
- Recognized employee organizations
- Recognized Instructionally Related Activity (IRA) programs (<https://academicprograms.calpoly.edu/content/IRA/programs>)

Major events (as defined by CAP 144.7) sponsored by Academic or Administrative Department(s) in conjunction with an off-campus entity wishing to use University property, facilities or services will be directed to Conference and Event Planning (<https://www.calpolyconferences.org/>).

144.4 Non-University Affiliated Individuals, Groups and Guests (Non-Departmental Users)

Non-departmental users (including off-campus entities and individuals not sponsored by an Academic or Administrative Department) wishing to use University property, facilities or services to conduct events or activities on campus consistent with this policy are required to contact Conference and Event Planning (<http://www.calpolyconferences.org/>) for coordination of their event/activity. Requests for use of University property by non-departmental users, groups or guests will be subject to evaluation in relation to potential competing University uses. Consistent with Section 142 "Approved and Priority Uses of University Property," University uses will ordinarily be given priority over those of non-departmental users.

Non-departmental users wishing to engage in freedom of expression activity should refer to CAP 145.5.

144.5 Events or Activities in University Residential Communities and Facilities

Any events or activities held in University residential communities and facilities are also subject to the policies of Cal Poly's University Housing Department. Questions about these policies may be directed to University Housing (<http://www.housing.calpoly.edu/content/university-housing-policies>).

144.6 Facilities Use during University-Wide Special Events

Due to the impact on campus facilities, personnel and services during campus-wide major events, the University reserves the right to limit additional events. Major campus-wide events include commencement ceremonies, campus housing move-in days, Fall Convocation, Week of Welcome (WOW), Mustang Family Weekend, Homecoming, and Open House. Additional events may be allowed with the approval of the University President's designee (the Vice President for Administration and Finance, in consultation with the Vice President for Student Affairs, in cases involving students; or in consultation with the Provost and Vice President for Academic Affairs, in cases involving non-students).

144.7 Major Events

This section of the policy applies to Major Events that are scheduled, organized, or supervised by RSOs or non-departmental users or over which those users have authority to decide whether to hold the event or to determine the scope of the event. For purposes of this policy, supervision is defined as direct, on-site responsibility for the event.

Major Events are events at which one or more of the following conditions apply:

1. Over 200 persons are anticipated to attend;
2. Authorized campus officials determine that the event requires ticketing or entry by invitation only;
3. Authorized campus officials determine that the complexity of the event requires the involvement of more than one campus administrative unit;
4. Authorized campus officials determine that the event is likely to significantly affect campus safety and security (based on assessment from the CPPD) or significantly affects campus services (including, but not limited to, kiosk attendants, parking, service roads, or vehicular or pedestrian traffic);
5. Authorized campus officials determine that the event has a substantial likelihood of interfering with other campus functions or activities;
6. The event is a concert or dance, regardless of how many attendees;
7. Alcohol is intended to be served or consumed; or
8. Outdoor amplified sound will be used.

Any determination by authorized campus officials that an event constitutes a Major Event under items 2, 3, or 4 above shall be based on the officials' assessment of information, other than the content or viewpoints anticipated to be expressed during the event. The University will use the Campus Event Risk Analysis to further determine the potential impact of an event and what permits, licenses, reviews, or other requirements are necessary. The University reserves the right to classify any proposed event a Major Event subject to this section of the policy, consistent with the definition set forth above. Event sponsors are encouraged to consult with the appropriate University contact at the earliest possible time if they have any question whether their event may be classified as a Major Event (see CAP 144.2 through 144.5).

Groups should schedule and register Major Events (excluding spontaneous events) at least eight weeks or more prior to the Major Event, including the following requirements:

1. Complete and submit a Campus Event Risk Analysis to CPPD regarding a security assessment for the event.
2. Meet with assigned administrator(s) to review event details at least six weeks prior to the Major Event.
3. Submit all publicity materials to the assigned administrators, including but not limited to University Communications, CPPD and the Dean of Students office, prior to publication and at least two weeks prior to the Major Event. The University will review publicity materials to verify that event details (such as date, time, and location) are accurate and will do so on a content and viewpoint neutral basis. Changes to publicity materials must be approved by at least one assigned administrator, defined above, if these changes are made within the two weeks prior to the event.

4. Secure insurance, if required by the University, for the Major Event at least two weeks prior to the event. (Contact University Risk Management for information regarding [insurance options](https://afd.calpoly.edu/riskmgmt/special_events) (https://afd.calpoly.edu/riskmgmt/special_events).
5. Participate in Major Event coordination meetings to exchange information about the event and discuss logistical expectations. The Major Event coordination meetings will usually occur at least four weeks prior to the event, if not earlier. University officials may request additional meetings to ensure that all instructions agreed to at the Major Event coordination meeting have been carried out.
6. Comply with event timelines on the day of the event.
7. Events must end at the time determined by University administration based on the CPPD security assessment, or as prescribed by University policies, and City of San Luis Obispo ordinances, if applicable. Additional charges may be applicable to extend events beyond specific building hours.
8. Failure to follow these timelines could result in the cancelation or rescheduling of the Major Event to properly accommodate safety and security.

Events scheduled, organized, and supervised by campus academic and administrative departments for instructionally related purposes are not subject to this section of the policy related to Major Events. Only University employees acting in the course and scope of their University employment may supervise a departmental event. To the extent an academic or administrative department co-sponsors a Major Event with a non-departmental user or authorizes use of facilities under its control for events sponsored by a non-departmental user, the requirements of this Major Events section of the policy will apply, including the requirement to reimburse security and other costs incurred by the University.

An academic or administrative department is required to work through Conference and Event Planning when co-sponsoring a Major Event with a non-departmental user or authorizing use of its facilities under its control for events sponsored by a non-departmental user. Per CAP 144.3, the requirements of this Major Events section of the policy will apply, including the requirement to reimburse security and other costs incurred by the University.

Spontaneous events, occasioned by news or issues coming into public knowledge, may be held on campus without advance permission so long as the event adheres to all University policies and the restrictions outlined herein.

Recognizing the University is a part of the community it serves, the University will attempt to accommodate and provide access to University space/facilities that are available and which do not interfere with scheduled events/programs.

144.8 Security Procedures

- A. If required pursuant to the criteria set forth in the Campus Event Risk Analysis, CPPD will assess security needs based on objective and credible evidence of specific risks, and not on assessment of the viewpoints, opinions, or anticipated expression of event speakers, sponsors, participants, community, or performers. CPPD is responsible for determining and providing the appropriate event security, not the event host. Permissible factors for consideration include, but are not limited to:
 1. The proposed location of the event;
 2. The estimated number of participants (including whether the event is open to the public, or by invitation or ticket);
 3. The time of the day that the event is to take place;
 4. The date and day of the week of the event;
 5. The proximity of the event to other activities or locations that may interfere, obstruct, or lessen the effectiveness of the security measures being implemented;
 6. The resources needed to secure the event;
 7. The anticipated weather conditions;
 8. The estimated duration of the event;

9. Parking and transportation needs;
 10. Any additional viewpoint and content neutral considerations relevant to assessment of security needs.
- B. CPPD will make security recommendations that, in CPPD's professional judgment, will address security threats identified as a result of the evaluation conducted pursuant to subpart A above. The goals of CPPD's security recommendations will be to:
1. Minimize risks to the health and safety of the event participants, audience, and campus community;
 2. Minimize risks and physical damage to the campus and surrounding community;
 3. Maximize the ability of the event sponsors to successfully hold the event; and
 4. Protect the exercise of First Amendment rights by all participants and the public.
- C. Recommended security measures may include, but are not limited to, adjusting the venue, date, and/or time of the event; providing additional law enforcement or security; imposing controls or security checkpoints; and creating buffer zones around the venue.
- D. If CPPD determines the event has substantial security needs, the host organization must schedule a security assessment meeting with CPPD no later than six weeks prior to the event date. The meeting may include, but is not limited to, the following: a staff member from Student Affairs; the facility manager or designee; and one or more student organization signatories and other representatives from the sponsoring organization. Individuals serving as first contacts or signatories will be made known to CPPD at this time and will be present at meetings and available for consultation throughout the event planning period. CPPD will discuss security concerns and recommendations at the security assessment meeting, and meeting participants will discuss options for addressing security needs that CPPD has identified.
- E. If CPPD determines that, because of new information it has received or changing circumstances, its security assessment must be modified, it will schedule additional meetings or communications with the event sponsors, University stakeholders, and other appropriate individuals to discuss its revised recommendations.
- F. Should the event sponsors and CPPD be unable to agree on implementation of security measures or recommendations, the event sponsor may submit an appeal to the University President's designee for final determination. The University President's designee may determine the security measures required for the event based on CPPD's security assessment. The goals of that determination will be to:
1. Minimize any identified threat to health and safety of the event participants, audience and campus community;
 2. Minimize risks and physical damage to the campus and surrounding community;
 3. Maximize the ability of the event sponsors to successfully hold the event; and
 4. Protect the exercise of rights of free expression by the event sponsors, participants, and community.
- G. Implemented security measures may include, but are not limited to, adjusting the venue, date, and time of the event; providing additional law enforcement or security presence at the event; imposing controls or security checkpoints at the event; and creating buffer zones around the event venue. The University President's designee will provide the event sponsor with a written explanation of the reasons for the final decision.
- H. If during an event an imminent threat to safety or property arises, avoidance or minimization of which requires termination of the event, authority to terminate the event rests with the most senior law enforcement operations personnel assigned to the event.
- I. The event sponsors must agree to reimburse costs of basic security provided by CPPD. Security fees will be based on standard, approved, and published recharge rates for CPPD or other security personnel and for any associated equipment costs or rentals. The number of personnel and amount and type of equipment charged will be based on assessment including, but not limited to, the following criteria:
1. Event venue, including venue size, location, number of entrances and exits to be staffed;
 2. Time of day;
 3. Number of expected attendees;
 4. Whether entrances will be controlled and whether tickets will be sold;
 5. Whether the event will be open and/or advertised to non-affiliates of the University;

6. Whether the event will be restricted to invited guests only and/or will be ticketed;
 7. Whether alcohol will be served;
 8. Whether there will be sales of food, beverages, or other items and whether cash handling will occur;
 9. Whether event performers come with personal security teams or details that require CPPD liaison;
 10. Whether event sponsors or event performers request additional security measures;
 11. Whether vehicles, equipment, or items of value will be brought onto campus requiring security;
 12. Whether parking and traffic control will be required for the event.
- J. Security fees will not be charged to event sponsors based on concerns that the subject matter of the event or viewpoints, opinions, or anticipated expression of the sponsors, event performers, or others participating in the event might provoke disturbances or incur costs to respond to such disturbances.
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145 Time, Place and Manner Restrictions For Events and Activities

All events and activities shall be conducted in a lawful manner, consistent with (1) federal and state laws; (2) existing University policies; (3) orderly conduct of University business; (4) preservation of the campus learning environment; (5) preservation of public safety; (6) maintenance of University property; (7) the free flow of pedestrian and vehicular traffic; and (8) the CSU Student Code of Conduct. Entrances, walkways and throughways to University facilities shall not be obstructed. No individual or group shall abridge, halt or disrupt the right of others to present their views. In addition, plans for outdoor events and activities should address potential impacts and disruption to residential communities, on and off campus.

Reasonable time, place and manner restrictions on the use of University property and public forums are permissible, provided that they are carefully designed to (1) coordinate the appropriate use of a particular location for speech activities, remain viewpoint neutral, and not to prohibit particular forms of expression; (2) serve a significant government interest and are not more extensive than necessary to serve that interest; and (3) leave open ample alternative channels for communication of the information. Restrictions must be clear, and specific enough to place the public on notice as to what is authorized and what is forbidden.

The University, like most other institutions, routinely sets forth regulations pertaining to the way activities and events may be conducted on University property. Three examples of such restrictions are: (1) Scheduled events take precedence over spur of the moment activities; (2) Because an event may interfere with classes in session and/or other University and academic activities, sound amplification is generally limited to times when classes are not in session, and it cannot occur outside of the hours of 7:00 AM – 10:00 PM without prior written approval of the University President's designee; (3) Activities that unreasonably restrict or disturb the routine business of the University are generally prohibited or closely monitored and as such, may be directed to cease or continue in a different location should it be determined that such activity is unreasonably restricting or disrupting the routine business of the University.

145.1 Violations

Violation of any of the provisions of this policy is subject to intervention by the University and/or law enforcement officials. In the event of an alleged or perceived violation, those in violation will be asked to comply with the applicable regulations by the appropriate campus authorities.

If a violation persists or is repeated, or if the activity or assembly poses an imminent danger to public safety, those involved in the activity may be required to disperse immediately. Continued violation may result in arrest, Code of Conduct violations for students, discipline for employees, and subsequent legal action by the University. If violation occurs at a scheduled event, the permission for the event may be summarily revoked, and future requests by those individuals or groups in violation may be canceled or denied.

145.2 Time

Allowable times are as follows, except for currently enrolled students, RSOs, staff and faculty, who may engage in freedom of expression activities at any time, in accordance with the requirements of this policy.

Outdoor events and activities that involve amplified sound are generally limited to times when classes are not in session and cannot occur outside of the hours of 7:00 AM – 10:00 PM without prior written approval of the University President's designee for all users, with the exception of approved academic programs and intercollegiate athletics. Scheduling protocols must be followed. (See Sections 142, 143 and 144)

Outdoor events and activities that do not require use of amplified sound may be held between 7:00 AM-12:00 AM (midnight) daily. University scheduling protocols must be followed to facilitate coordination with other events and among potential campus service providers.

Doerr Field: All onsite recreational and intramural sporting events, not including Intercollegiate Athletics activities, shall be limited to between the hours of 7:00 AM and 10:00 PM, Monday through Friday, and between the hours of 8:00 AM and 10:00 PM on weekends. All onsite Intercollegiate Athletics activities (i.e., football practices, soccer practices) shall be limited to between the hours of 6:00 AM and 10 PM, Monday through Friday, and between the hours of 8:00 AM and 10:00 PM on weekends. Use of the field for the proposed Intercollegiate Athletics and recreational and intramural sports activities outside of the hours specified in this measure, including practice/event setup and closing activities, shall be prohibited. Any increase or extension of other existing uses of the field currently occurring (i.e., limited band practices), including any increase in the frequency or duration or type of events, shall be prohibited. The use of amplified PA/sound systems shall be prohibited at all times ⁵([footnote-5](#)).

All indoor events and activities are subject to scheduling protocols. (See Sections 142, 143, 144, and 145)

Exceptions for activities taking place outside of these prescribed hours can be made on a case by case basis with the written approval of the University President's designee.

⁵ Reference "Final Initial Study and Mitigated Negative Declaration for the Cal Poly I Field Improvements Project" prepared by SWCA Environmental Consultants, April 18, 2017

145.3 Place

Freedom of expression activities may take place on campus with the following exceptions: Vehicular roadways (without the express permission and in coordination with the University Chief of Police); parking lots or parking structures; inside University buildings, residential housing and facilities; and within 30 feet of any location in which instructional, educational, residential, and/or official University business activities are being conducted.

Popular locations for freedom of expression activities have traditionally been designated as the “University Commons” which include the University Union (UU) Plaza, Dexter Lawn, Mustang Way, and Mott Lawn. It should be noted that on occasion all or some portion of these areas may have been reserved in advance. In such cases, the individuals or groups having initially reserved those spaces will be deemed to have priority, and other individuals or groups may be referred to another available outdoor space.

Other outdoor spaces on campus may be used as public gathering spaces for events and activities. Use of University Scheduling protocols is encouraged in all cases, to facilitate coordination with other events and among potential campus service providers. Where amplified sound, equipment or commercialism are involved, use of University Scheduling protocols is required.

All indoor facilities and certain campus outdoor spaces must be reserved in advance (see Section 144.1). Any questions about use of campus indoor or outdoor spaces may be referred to Associated Students, Inc. (ASI) (for RSOs), University Housing (for on-campus residential facilities) or University Scheduling in the Office of the Registrar (for academic and administrative departments, recognized employee organizations, and IRAs), or Conference and Event Planning for non-departmental users).

145.4 Manner

No person on University property or at a University function may:

1. block entrances to or otherwise interfere with the free flow pedestrian or vehicular traffic into and out of University buildings and facilities;
2. have unauthorized entry to, possession of, or use of any University services, equipment, resources, or properties, including the University's name, trademark, branding or logos;
3. unreasonably interfere with classes in session or other scheduled academic, educational, cultural/arts programs;
4. unreasonably obstruct or disrupt teaching, research, administration, disciplinary procedures, or other University activities or business;
5. promote an unlawful end, such as promoting actual violence or bodily or property harm, terrorist threats, defamation, and false advertising;
6. engage in physical abuse including but not limited to sexual assault, sex offenses, sexual misconduct, and other physical assault; threats of violence; or other conduct that threatens the physical health and safety of any person;
7. exhibit disorderly or lewd conduct;
8. participate in a disturbance of the peace or unlawful assembly;
9. unlawfully manufacture, distribute, dispense, possess, use, or sell, or attempt to unlawfully manufacture, distribute, dispense, possess, use, or sell controlled substances, identified in federal or state law or regulations;
10. manufacture, distribute, dispense, possess, use, or sell, or attempt to manufacture, distribute, dispense, possess, use, or sell alcohol that is unlawful or otherwise prohibited by, or not in compliance with, University policy or campus regulations;
11. possess, use, store, or manufacture explosives, including, but not limited to: smoke bombs, nerve agents /pepper spray, fireworks or other destructive devices;⁶
12. possess, use, store, or manufacture a firearm or weapon;⁷
13. possess, use, or carry an open flame of any kind, except as authorized by University officials;
14. possess, use, or carry equipment or supplies intended for war, war games, battle, and/or to inflict physical violence including, but not limited to, any length of lumber, sticks, rods, pipes, shields, helmets, body armor, or any object intended to be used as a weapon or shield.⁸

15. engage in the theft of, conversion of, destruction of, or damage to any property of the University, or any property of others while on University premises, or possession of any property when the individual had knowledge or reasonably should have had knowledge that it was stolen;
 16. fail to comply with the directions of a University official or other public official acting in the performance of his or her duties while on University property or at official University functions; or willfully resisting or obstructing such University or other public officials in the performance of or the attempt to perform their duties;
 17. unauthorized camping or lodging on University property other than in pre-approved housing facilities;
 18. climb up or rappel down any tree, building, or structure on University property;
 19. participate in indecent exposure or public nudity on University property, except for specifically designated “changing areas/locker rooms” of campus gymnasiums, Housing facilities and recreation facilities. This prohibition does not apply to visual or performing arts productions, or academic programs or classes scheduled or sponsored by campus academic units or departments as determined by the departmental chair or unit director;
 20. violate any federal, state or local laws or safety codes, such as regulations set by the State Fire Marshal or other authority.
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⁶ This restriction does not apply to members of law enforcement.

⁷ This restriction does not apply to members of law enforcement.

⁸ This restriction does not apply to members of law enforcement.

145.5 Assemblies, Marches and Demonstrations

Freedom of expression extends to the right to demonstrate, protest and advocate through public assemblies, marches and demonstrations. These activities must be consistent with the University's general requirements regarding preservation of campus order and public safety, as addressed in this policy.

To address public safety issues (routes of march, necessary public safety staffing, disruption of campus academic programs and other events etc.), groups contemplating holding public assemblies, marches or demonstrations are strongly encouraged to notify the CPPD at least 24 hours in advance of the event.

Where facilities or equipment are required or commercial activity is involved, University Scheduling protocols must be followed.

The University President has delegated oversight of campus demonstrations to the Vice President for Student Affairs and University Chief of Police, to ensure protection of freedom of expression and constitutional rights, participant safety, and if needed to implement dispersal procedures only when participants have exceeded their constitutional rights, engaged in unlawful assembly or conduct, or exceeded the general limitations of this policy.

145.6 Display or Distribution of Published Materials

The display or distribution of books, newspapers, magazines, pamphlets, or similar published materials is permitted on campus subject to the time, place, and manner regulations established below, provided that such published materials: (1) do not violate state or federal laws; (2) do not consist of term papers, theses, or other written materials submitted for academic credit that the displayer knows will be used to engage in academic dishonesty, including, but not limited to, plagiarism and cheating, or otherwise violate the Student Code of Conduct; or (3) are not available for sale at the campus bookstore. The published materials displayed shall not be in violation of the provisions of Chapter 7.5, Title 9, Part 1

(commencing with Section 311) of the Penal Code (relating to the sale and distribution of obscene matter), or of Chapter 6, Title 3 (commencing with Section 66400) of the Education Code (relating to the preparation, sale and distribution of term papers, theses and other materials to be submitted for academic credit).⁹ Selling or displaying for sale of published materials in violation of these requirements is prohibited.

Time: Distribution of material shall occur 7:00 AM-10:00 PM daily, except for current Cal Poly registered students, recognized student organizations RSOs, staff and faculty, who may display or publish at any time in conformity with this policy.

Place: (1) News publications other than leaflets, pamphlets, and/or flyers, but including news books, magazines, newspapers, journals, and periodicals, distributed on University property and made available for members of the University community must be placed in news racks provided by the publishing company or entity; (2) news racks at building locations shall be grouped in clusters; the precise placement of the racks shall be determined by the Vice President for Administration and Finance or designee.

Manner: Display or distribution of published materials must be conducted in a manner that (1) shall not unreasonably interfere with or obstruct the free flow of pedestrian or vehicular traffic, (2) shall not unduly interfere with campus pedestrian and vehicular circulation, (3) shall be carried out without amplification equipment, (4) shall be carried out without prolonged or repeated contact with persons who have declined the solicitation, (5) shall not violate state or federal laws, and (6) shall not occur during commencement time periods. Persons using areas generally available to students and the public are allowed to distribute petitions, circulars, leaflets, newspapers, and other printed matter. Individuals or groups distributing materials in these areas, other than material discarded or dropped in or around appropriate receptacles, shall make a reasonable effort to retrieve and remove such materials, prior to their departure from the area(s) that day.

⁹ 5 CCR section 42351.

145.7 Chalking, Posting and Signage

In general, the University does not encourage chalking as a method of communication, due to the negative environmental and resource impacts associated with it. Removal wastes water and runs the risk of introducing pollutants into the natural storm water removal network of campus streams. For these reasons, the University encourages members of the campus community to use other, more environmentally friendly modes of expression.

Requests to communicate via chalking will be considered only from RSOs, state-sponsored student programs and organizations, Cal Poly affiliated departments and auxiliary organizations, and those off-campus individuals or organizations that are co-sponsored by a recognized University organization. Facilities Management and Development maintains administrative responsibility for all posting and chalking on campus.

145.7.1 Chalking

Time: 7:00 AM-10:00 PM daily, except for current Cal Poly registered students, RSOs, staff, and faculty who may chalk at any time in conformity with this policy.

Place:

1. Chalking is permitted only on flat, horizontal, exterior surfaces, such as sidewalks and plazas. Chalking must be located at least 20 feet away from building entrances and may not be located under an overhang, canopy, or other cover.

2. Chalking is prohibited in all other locations, including but not limited to: stairs, structures, buildings, walls, fences, gates, steps, windows, posts, lawn areas, railings, trees, signs, traffic control signs, vehicular roadways, bike lanes, utility poles, construction fences, vehicles, in planted garden areas or flowerbeds, newspaper racks, campus directories, within ponds or fountains, or on trash or recycle bins.

Manner:

The form of chalk must be washable with water. Spray chalk is NOT allowed. Requests to chalk must conform to the following procedures:

1. A request to chalk, including date(s), location, the name of the responsible individual(s) or organization(s) and a commitment to clean and remove the chalking (following university guidelines) must be submitted via an approved E-plan (for RSOs) or via an online [Facilities and Event Request form \(https://registrar.calpoly.edu/event-scheduling\)](https://registrar.calpoly.edu/event-scheduling) to University Scheduling in the Office of the Registrar (for Cal Poly affiliated departments and auxiliary organizations).
2. Those who chalk, like those who post temporary signage, shall identify the organization(s), group(s) or individual(s) responsible for the chalking on the chalk-marked sign. Message content will not be considered in University or ASI reviews of requests to chalk.
3. Chalking must not unreasonably interfere with pedestrian traffic. A five-day maximum duration must be observed. Removal must be scheduled to avoid disruption of campus activities.
4. Should the responsible individual/organization chalk without permission or fail to adhere to the written removal plan, cleanup may be performed by the University and charged to sponsor(s).

145.7.2 Posting and Signage

Time: 7:00 AM-10:00 PM daily, except for current Cal Poly registered students, RSOs, staff and faculty, who may distribute at any time in conformity with this policy.

Place:

1. General Use Public Bulletin Boards – Posting is permitted on any “[General Use Public Bulletin Board \(https://afd.calpoly.edu/facilities/services/bulletin-boards\)](https://afd.calpoly.edu/facilities/services/bulletin-boards).” Such boards are located in the hallways and public areas of most campus buildings. Check with the appropriate Dean’s office, department or division for questions on posting procedures and locations of general use public bulletin boards. General use public bulletin boards will be completely cleared off once a quarter. Posters and signs must not exceed 11”x17” and only one poster or sign per group or individual may be placed on any one general use public bulletin board. Material may not overlap other posters and signs, and must be fastened with tacks or staples – NO TAPE may be used.
2. Staked temporary signs are not to exceed 8.5”x11” and may be placed on surveying stakes, not to exceed 36” in height. Staked temporary signs are to be placed in shrub areas. They are not allowed to be placed on lawn areas. Violations will result in the removal and disposal of the signs without notification.
3. Signs, posters and flyers may not be wrapped around or attached to trees or any campus structures without prior written approval by Facilities Management and Development at 805-756-5555.
4. Posters and signage may not be placed on the outside of buildings (walls, doors, windows, roofs or steps) or on interior doors, windows, walls, floors or ceilings. Posters and signage may not be placed on trees, utility poles, traffic control signs, trashcans, fences, in planted garden areas or flowerbeds, non-general/non-public use bulletin boards, newspaper racks or hillsides, e.g. “The P”. Posters and signage may not obstruct the entrances or exits of buildings or the line of vision to vehicular or pedestrian traffic. Posting of signage on vehicles without the owner’s permission is not permitted. No posting is permitted on campus directories, within ponds or fountains, trash or

recycle bins. Signs of any nature on any classroom chalkboard, bulletin board, dry-erase board, or any other surface are prohibited and violate this policy.

Approved locations for Sandwich Boards are: Dexter Area, Ag Circle, Via Carta Mall, and the University Union Plaza. Maximum size is 4'x4'; sandwich boards may not be placed on lawns or shrub areas; may not restrict access to sidewalks or building entrances; and signs may not be locked to buildings, handrails, or other fixtures or structures.

5. Banners (not to exceed 3'x6') will require a [Building Permit request](https://afd.calpoly.edu/facilities/services/building-permits) (<https://afd.calpoly.edu/facilities/services/building-permits>) submitted no less than two weeks in advance to Facilities Management and Development, 805-756-5555. All banners will be approved by Vice President for Administration and Finance or designee.
6. Individual faculty and staff offices, including office doors and windows, are not subject to this policy.

Violations will result in the removal and disposal of the signs without notification.

Manner:

Signage (signs, posters, and flyers) may be posted on campus, subject to the following guidelines and limitations.

1. Temporary signage shall clearly identify the date of posting. To aid the University in maintaining an uncluttered and attractive campus, the organization or persons responsible for the posting of the signage shall identify themselves and provide contact information on the signage.
2. All posters, flyers, sandwich boards, and signs must include the name(s) of the organization or persons responsible for the posting and their contact information. All posters, flyers and signs without this information will be removed.
3. The organization or person responsible for placing signage shall be responsible for its removal no more than two weeks after its posting or, if it is advertising an event, when the event is over. In order to ensure maintenance of an uncluttered, attractive and safe campus, the University otherwise reserves the right to remove signage (non-commercial and commercial) if it is not in compliance with University policy, if it has been posted for more than two weeks, or if the event it advertises has taken place, whichever comes first. Signage may also be removed when damaged, displaced or weathered so that it is no longer legible. Organizations or persons who fail to remove signage in a timely manner may be held responsible for the cost of its removal.
4. Staked temporary signs may not advertise for longer than one week. Both stakes and signs must clearly identify the name of the organization sponsoring the activity. Violations will result in the removal and disposal of the signs without notification.
5. Sandwich boards for Rush Week and ASI Elections must be registered following University Scheduling protocols. No sandwich boards may be displayed longer than 7 days and must be picked up within one day after the related event ends. Sandwich boards must be maintained in good working condition by sponsoring group.
6. All sandwich boards must be registered following University Scheduling protocols. Maximum time limit for display is one quarter and signs must be maintained in good working condition by sponsoring group.
7. Posting of signage is subject to the following additional location-specific guidelines:
 - a. Residence Halls and Grounds – permission is granted consistent with on-campus Housing policies.
 - b. Library, inside bulletin boards – Dean of Library Services' approval needed, following review for compliance with Library policy.
 - c. University Union – permission granted consistent with University Union Facilities policies.
 - d. Employee Relations Bulletin Boards in Various Buildings – As agreed through collective bargaining agreements.
8. Placement of signage is subject to review by Facilities Management and Development (805-756-5555) for interference with or disruption of University operations, and safety regarding size, format and placement.

145.8 Distribution of Printed Materials

Distribution of non-commercial handbills, circulars or flyers not otherwise prohibited by law, and which do not contain false or misleading advertising, is permitted subject to the following time, place, and manner regulations.

Time: 7:00 AM-10:00 PM daily, except for current Cal Poly registered students, RSOs, staff and faculty, who may distribute at any time in conformity with this policy.

Place: Popular locations are the University Union Plaza, Dexter Lawn and Mott Lawn, but distribution is allowed in any area generally available to students and the community, subject to the following exceptions: (1) Distribution inside University buildings is prohibited, except for current Cal Poly registered students, RSOs, staff and faculty, who may distribute in University buildings in conformity with this policy; and (2) Distribution in campus parking lots and structures or placement of any written or printed materials on or in any motor vehicle parked on campus by any person or group is prohibited; (3) Distribution at an outdoor space that has been properly reserved under this policy and has identified event boundaries is prohibited; and (4) Distribution during class is prohibited without the permission of the instructor.

Manner: Distribution of handbills, circulars and flyers must be conducted in a manner that (1) shall not unreasonably interfere with classes or any other operations of the University, (2) shall not unreasonably interfere with or obstruct the free flow of pedestrian or vehicular traffic, (3) shall not unduly interfere with campus pedestrian and vehicular circulation, (4) shall be carried out without amplification equipment, and (5) shall be carried out without prolonged or repeated contact with persons who have declined the solicitation.

- Distribution of handbills, circulars and flyers on vehicles is prohibited.
- Individuals or groups distributing materials, other than material discarded or dropped in appropriate receptacles, shall make a reasonable effort to retrieve and remove such materials, prior to their departure from the areas that day.
- Where facilities or equipment are required, use of University Scheduling protocols is required. See section 144.

145.9 Amplified Sound

The following procedures are established for the use of amplified sound equipment. The following procedures both protect the delivery of instructional programs from intrusive sound, while still providing an opportunity and a forum for a variety of student development and support programs. Amplified sound is defined as any sound that is broadcasted through electronically amplified equipment or sound that is electronically enhanced. Additionally, amplified sound includes sound that is enhanced with the aid of a device (i.e. megaphone or bullhorn). Amplified sound may be used when observing the following conditions:

Time: Outdoor events and activities that involve amplified music or speech are permitted 7:00 AM to 10:00 PM. University scheduling protocols must be followed. Amplified sound at these times is allowed without prior approval. The use of amplified sound outside of these hours require prior written approval through the University President's designee. Regardless of the time they are held, events and activities must be conducted in a manner consistent with Section 142 and 143 of this policy and in conformity with any additional guidelines pertinent to a particular venue.

Place: Designated University Commons include but are not limited to the UU Plaza, Dexter Lawn, Mustang Way, and Mott Lawn. On occasion all or some portion of a University common may have been reserved in advance. In such cases, the individuals or groups having initially reserved the University common will be deemed to have priority and other

individuals or groups may be referred to another, available University common. Other outdoor spaces on campus may be used as public gathering spaces for events and activities. Use of University Scheduling protocols is encouraged in all cases, to facilitate coordination with other events and among potential campus service providers. Where amplified sound, equipment or commercialism are involved, use of University Scheduling protocols is required to ensure that the proposed volume does not interfere with instructional or previously scheduled programs and University business. Amplified sound is prohibited at all times on Doerr Field.

Manner: The sound level for any event may not exceed that which is unreasonably disruptive to instructional programs, scheduled events, University business operations, and/or Library or classroom study and research. Amplified sound is intended to be heard in the immediate area only. Amplified sound base decibel rates of 101 with spikes to 108 are permitted. Outdoor amplified sound events are subject to monitoring and regulation.

Enforcement:

1. The University retains the right to monitor and/or limit the sound level generated by amplification systems. Enforcement will be the responsibility of the (CPPD) and/or designated Student Affairs representatives (Dean of Students designee(s)). Failure to abide by this procedure may result in the sponsoring student organization and/or individual going through the Student Code of Conduct process for students or the applicable discipline process for employees.
 2. If the sound level is unreasonably disruptive to instructional programs, scheduled events, University business operations, and/or library or classroom study/research and a noise related complaint is received, a warning will be issued. No more than three minutes will be allowed to correct the volume to a level that conforms to this policy, as determined by CPPD and/or designated Student Affairs representatives.
 3. If additional complaints are received or the volume is not corrected, a second warning will be issued. The sponsoring organization and/or individual will be granted an additional minute to correct the volume to a level that conforms to this policy, as determined by CPPD and/or designated Student Affairs representatives.
 4. If the volume is exceeded for a third time, an additional warning will not be issued. The sponsoring organization and/or individual will be asked to shut off all amplified sound.
 5. Non-adherence to these guidelines may result in the activity being cancelled, notification to the appropriate governing entity, possible loss of future reservation privileges, and/or disciplinary action through the student judicial process.
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145.10 Solicitation (Non-Commercial and Commercial)

Non-commercial solicitation such as seeking donations or fundraising sales for non-commercial ventures shall be permitted on campus subject to the time, place and manner regulations set forth in this policy. Commercial solicitation (defined as "any direct and personal communication in the course of a trade or business reasonably intended to result in a sale") on campus is prohibited unless prior written authorization has been obtained from the University President's designee. Persons wishing to engage in authorized commercial solicitation may be granted permission (maximum of five (5) business days per academic quarter) if the proposed activity is conducted in accordance with the time, place, and manner regulations established below, unless such solicitation would be in violation of law. The time, place, and manner regulations and the permit approval process for commercial solicitations do not apply to authorized fundraising activities of RSOs. A RSO's on-campus advisor is responsible for oversight of the organization's fundraising activities and ensuring that appropriate University approvals are obtained.

Time: 7:00 AM-10:00 PM daily, except for current Cal Poly RSOs, staff, and faculty, who may display or publish at any time in conformity with this policy.

Place: Popular locations are the University Union Plaza, Dexter Lawn and Mott Lawn, but solicitation is allowed in any area generally available to students and the community, subject to the following exceptions: (a) Distribution inside University buildings with the exception of one-off, interpersonal exchanges, is prohibited; and (b) Distribution in campus parking lots and structures or placement of any written or printed materials on or in any motor vehicle parked on campus is prohibited. Posting paper solicitations on designated campus “general use” public bulletin boards is permitted, provided that the paper solicitation shall not exceed 11”x17” and be limited to one page per public “general use bulletin board”, and the paper solicitation shall be posted for a maximum duration of one month from the permit approval date, with the sponsor clearly identified on the face of the paper solicitation. A list of locations of these “general use bulletin boards” is available from [Facilities Management & Development \(https://afd.calpoly.edu/facilities/services/bulletin-boards\)](https://afd.calpoly.edu/facilities/services/bulletin-boards) (See also Posting and Chalking). Personal solicitation inside campus buildings, with the exception of one-off, interpersonal exchanges, is prohibited.

Manner: Non-commercial and commercial solicitation must be conducted in a manner that (1) shall not unreasonably interfere with or obstruct the free flow of pedestrian or vehicular traffic, (2) shall not unduly interfere with campus pedestrian and vehicular circulation, (3) shall be carried out without amplification equipment, (4) shall be carried out without prolonged or repeated contact with persons who have declined the solicitation, (5) shall not violate applicable laws pertaining to obscene matters, and (6) shall not occur during commencement time periods. Persons using areas generally available to students and the community are allowed to distribute petitions, circulars, leaflets, newspapers, and other printed matter. Individuals or groups distributing materials in these areas, other than material discarded or dropped in or around appropriate receptacles, shall make a reasonable effort to retrieve and remove such materials, prior to their departure from the areas that day. Marketers of credit cards are prohibited from offering gifts to students for their completion of student credit card applications (California Code of Regulations, Title 5, Section 42350.6).

145.11 Commercial Transactions

Commercial transactions, including, but not limited to, the selling of books, newspapers, magazines, pamphlets, or similar published materials, and the display of property or services for sale on campus are prohibited unless proper written authorization has been obtained from the University President or designee. Such permission shall be granted if:

- The proposed activity aids achievement of the educational objectives of the campus, does not unreasonably interfere with the operation of the campus, and is not prohibited by law; or
- The prospective buyer has agreed in writing in advance to an appointment, and the prospective seller makes no more than one appointment for any day, and such appointment does not interfere with the operation of the campus. ¹⁰

Persons or organizations wishing to engage in commercial transactions or display of goods or services for sale on campus grounds may be granted permission (maximum of five (5) business days per academic quarter) to do so if the proposed activity aids achievement of the educational objectives of the campus and is conducted in accordance with the time, place, and manner regulations established below, unless such commercial transactions are in violation of law. Private sales and sales sponsored by The University Store and/or Cal Poly Corporation are excluded from this section, as are the fundraising activities of recognized student or employee organizations.

Time: 7:00 AM-10:00 PM daily, except for current Cal Poly students, RSOs, staff, and faculty, who may display or publish at any time in conformity with this policy.

Place: Popular locations are the University Union Plaza, Dexter Lawn and Mott Lawn, but solicitation is allowed in any area generally available to students and the community, subject to the following exceptions: (a) Distribution inside University buildings with the exception of one-off, interpersonal exchanges, is prohibited; and (b) Distribution in campus

parking lots and structures or placement of any written or printed materials on or in any motor vehicle parked on campus is prohibited. Posting paper solicitations on designated campus “general use” public bulletin boards is permitted, provided that the paper solicitation shall not exceed 11” x 17” and be limited to one page per “general use” public bulletin board, and the paper solicitation shall be posted for a maximum duration of one month from the permit approval date, with the sponsor clearly identified on the face of the paper solicitation. A list of locations of these “general use” bulletin boards is available from [Facilities Management & Development \(https://afd.calpoly.edu/facilities/services/bulletin-boards\)](https://afd.calpoly.edu/facilities/services/bulletin-boards) (See also Posting and Chalking). Personal solicitation inside campus buildings, with the exception of one-off, interpersonal exchanges, is prohibited.

Manner: Commercial transactions must be conducted in a manner that (1) shall not unreasonably interfere with or obstruct the free flow of pedestrian or vehicular traffic, (2) shall not unduly interfere with campus pedestrian and vehicular circulation, (3) shall be carried out without amplification equipment, (4) shall be carried out without prolonged or repeated contact with persons who have declined the solicitation, (5) shall not violate applicable laws pertaining to obscene matters, (6) shall not consist of term papers, theses, or other written materials submitted for academic credit that the seller knows will be used to engage in academic dishonesty, including, but not limited to, plagiarism and cheating, or otherwise violate the Student Code of Conduct, and (7) shall not occur during commencement time periods. Persons using areas generally available to students and the community are allowed to distribute petitions, circulars, leaflets, newspapers, and other printed matter. Individuals or groups distributing materials in these areas, other than material discarded or dropped in or around appropriate receptacles, shall make a reasonable effort to retrieve and remove such materials, prior to their departure from the areas that day.

Marketers of credit cards are prohibited from offering gifts to students for their completion of student credit card applications (California Code of Regulations, Title 5, Section 42350.6). Sites available to marketers of student credit cards shall be limited to the UU Plaza. Marketers of student credit cards shall register with and receive approval from The University Store or they must be pre-approved via contract with the University. As used in this section, “student credit cards” shall have the meaning in Cal. Civil Code section 1747.02 (m). (See 5 CCR section 42350.6.)

⁹ 5 CCR section 42350.1.

145.12 Electronic Communications

All use of University information technology resources for purposes of individual or collective free expression must adhere to the provisions of the campus [Electronic Email Policy \(/cap/1200/cap-1220#cap-1222\)](http://cap/1200/cap-1220#cap-1222) and other policies governing use of University information technology resources.

145.13 Commercial Filming and Still Photography

Cal Poly allows for commercial filming and still photography on campus, subject to approval by the Communications office. Requests must be submitted in writing to [comms@calpoly.edu \(mailto:comms@calpoly.edu\)](mailto:comms@calpoly.edu).

All commercial film and photography requires a permit and certification of insurance. Commercial film and photography projects will be charged a permitting and location management fee, to be determined by the University's Strategic Business Services office depending on the size and scope of the project.

145.14 Off-Campus Speech by State Employees

In publicly expressing opinions on off-campus issues, state employees have an obligation to take every reasonable precaution to make it clear that they are expressing their personal views and not purporting to represent the University.

145.15 Political Activity in Election Campaigns by State Employees

Generally, under state law, state employees have the same rights as other citizens to engage in political activities, except that state law places the following limits on state employees' participation in election campaigns:

Employees shall not solicit political funds or contributions from co-workers (other than requests for political contributions sent to a significant segment of the public that may include employees).

An employee who holds or is seeking election or appointment to any political office shall not use that position to influence any University-related personnel matter.

University employees or consultants may not use or permit others to use state resources to support or oppose a ballot proposition or a political candidate, or personal or other purposes which are not authorized by law. Examples of prohibited activity include making telephone calls, writing letters, and sending e-mail messages using University resources or during working hours. (A more detailed explanation concerning this prohibition can be found in Cal Poly's Information Technology [Electronic Email \(/cap/1200/cap-1220#cap-1222\)](/cap/1200/cap-1220#cap-1222) and [Responsible Use \(/cap/1200/cap-1200#cap-1203\)](/cap/1200/cap-1200#cap-1203) policies.)

146 Withholding Or Withdrawal Of Approval

Approval for events or activities encompassed by this policy may be withheld or withdrawn where determined by the University President's designee (the Vice President for Administration and Finance, in consultation with the Vice President for Student Affairs, in cases involving students; or in consultation with the Provost and Vice President for Academic Affairs, in cases involving non-students) to be inconsistent with federal, state or local law, with existing University policies, with the orderly conduct of University business, with the preservation of public safety, with maintenance of University property, and/or with the free flow of pedestrian and vehicular traffic.

147 Responsible Administrators and Departments

This policy will be administered by the Vice President for Administration and Finance (University President's designee) and the Vice President for Student Affairs (or designee), and will be enforced by the CPPD, and other appropriate campus divisions, as warranted. Enforcement will be in compliance with existing state and federal laws.

University President's Designee:

1. Makes the final decision on appeal in the event CPPD and user cannot agree on implementation of security measures or recommendations.

Student Affairs and Associated Students, Inc. (ASI):

1. Takes primary responsibility for working with RSO holding events on campus.
2. Reviews event registration forms submitted by RSOs.
3. Reviews event details with RSOs as necessary.
4. Review publicity materials with RSOs as necessary.
5. Presents/hosts events on behalf of students.

University Scheduling/Registrar's Office:

1. University Scheduling oversees the scheduling of state-supported academic courses,
2. University Scheduling maintains and manages the campus master calendar application, which is used by campus entities for scheduling activities, events, facilities, and/or related support services and provides information about campus events to both the local and campus communities.

Conference and Event Planning:

1. Offers a wide variety of facilities and conference services to University departments and external businesses and organizations.

Facilities Management & Development:

1. Reviews space reservation requests of state supported indoor and outdoor locations.
2. Reviews event related permitting to meet federal and state ADA, fire, and safety laws.
3. Reviews and approves sandwich board and chalking requests for state support outdoor locations.
4. Provides support services at University events.

Cal Poly Police Department (CPPD):

1. CPPD coordinates and/or provides safety and security services for all University events and activities.
2. Reviews Campus Event Risk Analysis submitted by non-departmental users.
3. Conducts security assessments for events held by non-departmental and departmental users.
4. Informs City partners of impending major events.
5. Searches event participants for weapons and other contraband as necessary, or authorizes a security team to perform those services on its behalf.
6. Enforces state and federal laws.

Risk Management:

1. Determines appropriate insurance requirements for events held by non-departmental users.
2. Advises users about available insurance coverage.
3. Assists campus units whose property has been damaged.

148 Definitions For This Policy

- A. **Academic Department:** A college, school, division of a college or school, or a department within a college or school of the University. For purposes of this policy, the term "academic department" includes organized research units and academic centers.
- B. **Administrative Department:** A non-academic campus unit dedicated to the operational, financial, and/or strategic functions of the University, including all University auxiliaries.

- C. **Commercial transaction, solicitation, and sale:** See definitions set forth at California Code of Regulations section 42350, et seq.
- D. **Events:**
- i. A "University event" is defined as University activity authorized by the University President's designee that furthers the educational mission of the University wherein the University is partly or wholly responsible and the event is under control and supervision of an authorized University host.
 - ii. A "public event" is defined as one in which the University advertises the event as open to anyone who would like to attend (e.g., the general public).
 - iii. A "private event" is defined as one in which the University utilizes invitations to the event and thus the event is closed to the general public.
 - iv. A "ticketed event" is defined as one in which the University or host utilizes tickets as a requirement for entry to the event.
 - v. An "event" in general is any planned gathering including but not limited to celebrations, dances, lectures, forums, performances, rallies, social gatherings, concerts, speaker presentations, and conferences.
 - vi. A "major event" is defined at Section 144.7.
- E. **Freedom of Expression Activity:** Freedom of expression activity includes, but is not limited to, pure or symbolic speech, assembly, meeting, demonstrations, marches or rallies, picketing, petitioning, distributing flyers, mime and theater, music and singing, survey research, and personal religious or political activity.
- F. **Guest or non-affiliate:** A "guest or non-affiliate" refers to a member of the public that is not affiliated with the University at the time of action or contact associated with this policy. If the guest/non-affiliate engages in unlawful conduct or violation of this policy and refuses to stop or leave University property, upon request, the person may be subject to immediate exclusion and/or criminal prosecution.
- G. **Instructionally Related Activities:** Programs/activities officially recognized by the University that are partially sponsored by an academic dean or department and are "integrally related" to a formal instructional program, per California Education Code Section 89230. For a list, see the Academic Programs and Planning website.
- H. **Non-Departmental User:** (1) An individual not currently employed by the University, or an employee acting outside the course and scope of employment; or (2) A group, association, corporation, or other combination of individuals that is neither an academic nor administrative department of the University.
- I. **Open to the Public:** A term used to describe campus events that anyone may attend, including individuals who are not University faculty, staff, students, or auxiliary employees.
- J. **Property:** All land, buildings, facilities, or other grounds or structures, or any item in possession of or owned, used, maintained or controlled by the Board of Trustees of the California State University on behalf of its campus, California Polytechnic State University, San Luis Obispo. Property also includes University services, resources, names, branding, trademarks, logos, computers, computing devices, and network systems owned, maintained or controlled by the University, funded by University funds, or University auxiliary funds, or designated by the University as subject to this policy.
- K. **Recognized Employee organization** Any organization of any kind in which higher education employees participate and that exists for the purpose, in whole or in part, of dealing with higher education employers concerning grievances, labor disputes, wages, hours, and other terms and conditions of employment of employees. Recognized Employee organization shall also include any person that an employee organization authorizes to act on its behalf.
- L. **Recognized Student Organization:** Recognized Student Organization (RSO) means a student organization officially recognized by the University pursuant to CSU Executive Order 1068, or superseding executive order.
- M. **Sponsored Departmental Organization:** A "sponsored departmental organization" refers to any group of students, faculty, and/or staff from a college, school, department, division, or other unit or combination of units of the University who organize to become involved in a common academic or instructionally related activity not involving the representation of employees, and who obtain formal approval from the unit in compliance. Individuals and

organizations may not in any way represent that their activities are endorsed, sponsored, or sanctioned by the University without the express written consent of an authorized University official.

- N. **Staff and Faculty:** All individuals employed at Cal Poly (with the exception of student employees), to include those employed by Associated Students, Inc., Cal Poly Corporation and those members of recognized employee organizations.
- O. **Student:** An admitted Cal Poly student, an enrolled Cal Poly student, a Cal Poly Extended Education student, a Cal Poly student between academic terms, a Cal Poly graduate awaiting a degree, and a Cal Poly student who withdraws from the University while a disciplinary matter (including investigation) is pending.
- P. **Supervision:** Direct, on-site responsibility for an event.
- Q. **University:** California Polytechnic State University, San Luis Obispo, one of 23 campuses in the California State University system, and the Trustees of the California State University.
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Related Documents and Policies

- [CSU Executive Order 1068 \(https://calstate.policystat.com/policy/6591312/latest/\)](https://calstate.policystat.com/policy/6591312/latest/)
- [CSU Executive Order 1097 \(https://calstate.policystat.com/policy/6742744/latest/\)](https://calstate.policystat.com/policy/6742744/latest/)
- [CSU Executive Order 1098 \(https://calstate.policystat.com/policy/6742449/latest/\)](https://calstate.policystat.com/policy/6742449/latest/)
- [California Penal Code Section 21310 \(https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=PEN§ionNum=21310\)](https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=PEN§ionNum=21310)
- [California Code of Regulations, Title 5, Section 42350.6 \(https://govt.westlaw.com/calregs/Document/I80152FD0D48311DEBC02831C6D6C108E?viewType=FullText&originationContext=documenttoc&transitionType=DocumentItem&contextData=\(sc.Default\)\)](https://govt.westlaw.com/calregs/Document/I80152FD0D48311DEBC02831C6D6C108E?viewType=FullText&originationContext=documenttoc&transitionType=DocumentItem&contextData=(sc.Default))
- [California Education Code Section 89230 \(https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=89230&lawCode=EDC\)](https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=89230&lawCode=EDC)
- [Higher Education Employer-Employee Relations Act \(HEERA\), California Government Code section 3560 \(https://www.perb.ca.gov/laws/statutes.aspx#ST3560\)](https://www.perb.ca.gov/laws/statutes.aspx#ST3560)
- [Cal Poly Information Technology Services Policy \(http://cap/1200/\)](http://cap/1200/)
- [Commercial Filming and Still Photography on Campus \(http://calpolynews.calpoly.edu/filming-and-photography/filming.html\)](http://calpolynews.calpoly.edu/filming-and-photography/filming.html)
- [Code of Student Conduct](#)
- [Event Risk Analysis Matrix \(https://afd.calpoly.edu/risk-management/events\)](https://afd.calpoly.edu/risk-management/events)
- [Campus Event Planning Resource Guide](#)
- [Scheduling Entities and Campus Locations \(https://registrar.calpoly.edu/event-scheduling\)](https://registrar.calpoly.edu/event-scheduling)
- [Cal Poly Conference & Event Planning \(http://www.calpolyconferences.org/\)](http://www.calpolyconferences.org/)
- [Facilities Management & Development event related forms \(https://afd.calpoly.edu/facilities/forms.asp\)](https://afd.calpoly.edu/facilities/forms.asp)

DATE ADOPTED AND APPROVAL:

1. Date approved by the President: June 18, 2020
2. Effective Date: June 18, 2020
3. Responsible Department/Office(s): Vice President for Administration and Finance and the Vice President for Student Affairs
4. Revision History: May 9, 2007; May 17, 2016; March 15, 2017 (editorial change only), June 18, 2020

149 Policy on Use of University Names and Marks

149.1 Policy Objective

The name California Polytechnic State University (Cal Poly) and the generally recognized abbreviations or short forms of the University names, symbols, logos and other identifying marks (Marks) are a significant asset of the institution. If properly managed, these Marks provide a unified look and visual presence that is associated with the University and its quality programs. The University has the responsibility to protect the Marks against misuse and infringement. This policy seeks to communicate the appropriate use of the University Marks.

149.2 Legal Protections

The University name refers to California Polytechnic State University, San Luis Obispo as well as any generally recognized abbreviation or short form of the University name or symbol. The University name is protected by state law, violation of which is criminally punishable as a misdemeanor. The University name and Marks are further protected by state and federal trademark law, and University policy.

149.3 Use of University Name or Marks

Use of the University's name is a privilege reserved by law to the CSU and organizations officially related to and authorized by the University and may not be used to imply, either directly or indirectly, the University's endorsement, support, favor, association with, or opposition to an organization, product or service without the permission of the University.

This includes but is not limited to use of the University name or Marks in printed, electronic, or other such media. Unauthorized uses may constitute a violation of state law, trademark and/or copyright infringement.

149.4 Official Use

The Marketing and Communications office is responsible for overseeing the consistent use of the Cal Poly name and Marks. The official University logo should be used by all internal departments of the University with the exception of Athletics which is authorized to use the approved Athletic Marks. The University name or Marks may not be used for personal purposes.

149.4.1 University Print or Electronic Publications

All proposed non-scholarly publications intended for distribution outside Cal Poly, whether print or electronic, are official communications and must conform to University standards and be approved by the Communications staff prior to dissemination

149.4.2 Authorized Use of Letterhead and Business Cards

The official letterhead stationery of the University is authorized for state business only. Business cards may be used only by current, emeriti, or volunteer employees of the University and are not authorized to be used by others affiliated with the campus. The University Style Guide & Identification Standards Manual identifies approved layout, colors, etc., for official use.

149.5 Advertising

Approval shall not be given to advertising which lists the University as a user of any product or service on which a commercial program or publication is based, except that approval may be granted by the vice president for Administration and Finance for institutional or goodwill advertising clearly regarded as being in the best interests of the University.

149.6 Trademark Licensing Program

The Cal Poly Corporation is responsible for the management of the University's Trademark Licensing program. The Trademark Licensing program ensures through the licensing process that all authorized uses of the University Marks are professional and of a quality that reflects positively on the institution. The Cal Poly Corporation is authorized by the President to protect the use of the University's Marks.

All products (e.g., clothing, mugs, scarves, pennants, etc.) for manufacture and distribution bearing the name, trademarks, or other identifier of the University shall be permitted only under a license granted by the Cal Poly Corporation. Commercial retailers and distributors must receive their merchandise from a licensed manufacturer. The campus licensing requirement applies to all products using the University names and Marks whether the products produced are for resale, promotional, give-away, or for internal consumption. Products imprinted with the University's name or Marks are subject to royalty fees with few exceptions. Royalty rates and exemptions are approved by the vice president for Administration and Finance. The licensing program ensures product quality associated with the Marks and appropriateness of products, promotions, and advertising upon which the Marks are used. Sale of commercial merchandise on campus is the exclusive right of the University Store.

References for CAP 149:

1. Date approved by the President: May 22, 2014
2. Effective Date: May 22, 2014
3. Responsible Department/Office: Marketing and Communications and the Cal Poly Corporation
4. Revision History: Formerly CAP 145. Renumbered with publication of new CAP 140 June 18, 2020.
5. Related University Policies, Procedures, Manuals and/or Documents:
 - a. [Trademark Licensing Program \(https://afd.calpoly.edu/tm_licensing/\)](https://afd.calpoly.edu/tm_licensing/)
 - b. [University Style Guide & Identification Standards Manual \(https://universitymarketing.calpoly.edu/the-cal-poly-brand/\)](https://universitymarketing.calpoly.edu/the-cal-poly-brand/)
 - c. [Cal Poly Athletics Brand and Graphics Guidelines \(https://gopoly.com/sports/2020/6/4/insideathletics-branding-guidelines.aspx\)](https://gopoly.com/sports/2020/6/4/insideathletics-branding-guidelines.aspx)
 - d. [Cal Poly Web Authoring Resource Center \(https://writingandlearning.calpoly.edu/\)](https://writingandlearning.calpoly.edu/)
6. Laws, Regulations and/or Codes of practice referred to herein or related to this policy:
 - a. California Education Code, Section 89005.5

Administration & Finance



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[Non-Discrimination\(https://crco.calpoly.edu/Notice_of_Non-Discrimination\)](https://crco.calpoly.edu/Notice_of_Non-Discrimination)