



Policies Applying to Campus Activities, Organizations and Students (PACAOS)

40.00 POLICY ON USE OF UNIVERSITY PROPERTIES

Responsible Officer:	VP - Student Affairs
Responsible Office:	SA - Student Affairs
Issuance Date:	9/25/2006
Effective Date:	9/25/2006
Scope:	For all pertinent activities involving University students, employees, and properties, the <i>Policies Applying to Campus Activities, Organizations and Students</i> apply to the Division of Agriculture and Natural Resources and to the Department of Energy Laboratories operated by the University of California, subject to Laboratory implementing regulations and contractual obligations between The Regents and the Department of Energy.

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I. POLICY SUMMARY

The *Policies Applying to Campus Activities, Organizations and Students* are a compendium of University-wide policies relating to student life. Section 40.00 addresses the use of University properties.

II. DEFINITIONS

Definitions for the *Policies Applying to Campus Activities, Organizations and Students*, and the campus implementing regulations adopted pursuant to them, are provided in Section 14.00.

III. POLICY TEXT

40.00 POLICY ON USE OF UNIVERSITY PROPERTIES

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

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

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

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

41.00 University Support, Sponsorship, or Endorsement

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

41.10 University Neutrality on Religious and Political Matters

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

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

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In personal and other non-official correspondence, statements, or other material represented in a variety of media, including but not limited to printed matter, the Internet, and film or television relating to commercial, religious, or political activities or issues, the University title of a faculty or staff member or the title of a student government official shall be used only for identification. If such identification might reasonably be construed as implying the support, endorsement, or opposition of the University with regard to any commercial, religious or political activity or issue, the identification shall be accompanied by a disclaimer: an explicit statement that the individual is speaking for himself or herself and not as a representative of the University or any of its offices or units. Similarly, such correspondence, statements, or other material issued by a Registered Campus Organization shall be accompanied by a disclaimer to the same effect if it might reasonably be construed as implying the support, endorsement, or opposition of the University.

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

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

42.00 Campus Regulations

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

42.10 Denial of Requests for Use

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

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

The review processes shall be set out in campus regulations.

42.20 Posting of Noncommercial Materials

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

42.30 Noncommercial Fund Raising

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

42.40 Use of University Property for Commercial Purposes

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

42.50 Student Voter Registration Activities

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

IV. COMPLIANCE / RESPONSIBILITIES

Chancellors shall adopt campus implementing regulations consistent with these *Policies*. The University shall publish these *Policies* and make them widely available, and Chancellors shall do the same with respect to the implementing regulations for their campuses. This requirement may be satisfied through the on-line publication of these *Policies* and their respective campus implementing regulations. (See also Section 13.20 of these *Policies*.)

V. PROCEDURES

The President shall consult as appropriate with Chancellors, Vice Presidents, the Office of the General Counsel, and Universitywide advisory committees prior to amending these *Policies*. Chancellors shall consult with faculty, students, and staff prior to submitting to the President any campus recommendations related to proposed amendments to these *Policies*. Amendments that are specifically mandated by law, however, do not require consultation with campus representatives or Universitywide advisory committees to the extent that legal requirements do not permit such consultation. (See also Section 13.10 of these *Policies*.)

Chancellors shall consult with students (including student governments), faculty, and staff in the development or revision of campus implementing regulations except when the development or revision of such regulations results from changes to these *Policies* that have been specifically mandated by law. Campuses shall specify procedures, including consultation processes, by which campus implementing regulations may be developed or revised. (See also Section 13.30 of these *Policies*.)

Prior to their adoption, all proposed campus implementing regulations, including all substantive modifications to existing such regulations, shall be submitted to the Office of the President for review, in consultation with the Office of the General Counsel, for consistency with these *Policies* and the law. (See also Section 13.40 of these *Policies*.)

VI. RELATED INFORMATION

See also *Policies Applying to Campus Activities, Organizations and Students* sections:

- 10.00 Preamble and General Provisions
- 11.00 Authority
- 12.00 Applicability
- 13.00 Development and Review of Universitywide Policies and Campus Implementing Regulations
- 14.00 Definitions

VII. FREQUENTLY ASKED QUESTIONS

Not applicable

VIII. REVISION HISTORY

Original issuance September 1, 1970
Revised October 29, 1973
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Revised August 15, 1994
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