

# REGULATION I

## TIME, PLACE AND MANNER

### FREE SPEECH AND EXPRESSION, COMMERCIAL ACTIVITY AND USE OF UNIVERSITY BUILDINGS AND GROUNDS

This regulation is issued by the University President pursuant to California Code of Regulations, Title 5, Sections 42350-42354, and CSU Executive Order 669, and concerns the use of University buildings and grounds for purposes of commercial transactions and commercial solicitation, non-commercial solicitation, the distribution of handbills and circulars, public meetings, performances, rallies, and similar campus events. This regulation applies to all members of the CSULB community including, but not limited to, students, student organizations, faculty, faculty organizations, staff, staff organizations, campus-affiliated organizations, and other off-campus groups or persons while on campus grounds, including commercial vendors or solicitors. This regulation controls CSULB's time, place, and manner restrictions on commercial transactions and solicitation, non-commercial transactions and solicitation, freedom of expression activities, amplified sound, and posting or chalking, including the distribution of handbills and circulars.

CSULB supports creative, thoughtful, and respectful discourse where conflicting perspectives are vigorously debated and thoroughly discussed. CSULB is dedicated to affording all members of the CSULB community the protections for free speech, expression, assembly, religion, and press available under the U.S. and California constitutions and all applicable federal and state laws, in accordance with the University's purpose and function except insofar as limitations on those freedoms are necessary to CSULB's functioning. It is not the proper role of the University to attempt to shield persons from ideas and opinions they find unwelcome, disagreeable, or even deeply offensive. Although CSULB greatly values civility, and although all members of the CSULB community share in the responsibility for maintaining a climate of mutual respect, concerns about civility and mutual respect are not a justification for closing discussions of ideas, however offensive or disagreeable those ideas may be. Yet, the University also has the duty to restrict expression that violates the law, falsely defames a specific individual, constitutes a genuine threat or harassment, unjustifiably invades substantial privacy and confidentiality interests, or is otherwise directly incompatible with the University's functioning. Additionally, CSULB may reasonably regulate the time, place and manner of expression on University property and over its communication systems to ensure the expression does not disrupt ordinary University functions and activities.

Although the CSULB community is free to criticize and contest views expressed on University property and over its communication systems, and to criticize and contest speakers invited to campus to express their views, they may not obstruct or otherwise interfere with the freedom of others to express their views, even if they

reject or even loathe those views. Further, each member of the CSULB community shares the responsibility of maintaining conditions conducive to achieving CSULB's mission of teaching, research, and public service. The time, place and manner policy exists to protect and promote the rights of the CSULB community, prevent interference with CSULB's operations, functions and activities, and assure compliance with all applicable laws and CSULB policies and regulation.

## A. Use of University Buildings, Facilities and Grounds

The use of campus buildings, facilities, and grounds for any purpose is subject to the following:

1. All persons on University property are required to abide by University policies and regulations. Violation of University policies or regulations may subject a person to legal penalties. If the person is a CSULB student, faculty member or staff member, that person may also be subject to University discipline. Individuals on University property or in attendance at an official University function assume the obligation of conducting themselves in a manner compatible with the University's responsibilities as an educational institution. This includes, but is not limited to, complying with the following prohibitions.

No person on University property or at official University functions may:

- Block entrances to or otherwise interfere with the free flow of traffic into and out of campus buildings
- Block any street, roadway, crosswalk, driveway, parking structure or parking lot and its entrance and exit, or otherwise obstruct the free flow of pedestrian or vehicular traffic unless authorized to do so
- Knowingly and willfully interfere with the peaceful conduct of campus activities or any campus facility by intimidating, harassing, or obstructing any University employee, student, or any other person having lawful business with the University
- Delay or linger without lawful purpose for being on University property while, or for the purpose of committing, a crime or violation of this regulation or any other University policies or regulations
- Engage in the production of amplified or non-amplified sound that disrupts or interferes with campus business or activities
- Camp or lodge on University property, except in facilities or locations specifically authorized by the University
- Engage in physically abusive, threatening, or intimidating conduct toward any person
- Exhibit disorderly or lewd conduct
- Urinate or defecate in any place on University property other than a designated restroom or other facility designated for the sanitary disposal of human waste
- Participate in a disturbance of the peace or unlawful assembly
- Use, possess, sell, or manufacture narcotics, illegal drugs, tobacco

or any products containing tobacco, and marijuana or any products containing marijuana or any of its byproducts

- Possess, conceal, carry, use, store or manufacture any firearm (including those subject to a concealed carry permit, and replicas), weapon, knife (kitchen knives are permitted in Housing and Residential Life Facilities for the purpose of cooking), or other device or instrument capable of causing or inflicting bodily injury or property damage including, but not limited to, any explosive, flammable liquid, and incendiary device, unless expressly and specifically permitted by University policy or regulation
- Fail to comply with the directions of a University official acting in the performance of their duties
- Rummage through or remove any discarded item from any waste can, trash can, dumpster, recycling container, or any designated University waste or recycling center without authorization
- Engage in the theft, destruction or other misuse of University property or equipment
- Possess or ignite any Torch
- Have any Open Fire or Torch anywhere on University property, unless, and only to the extent, specifically authorized and limited by another University policy or regulation (such as the University Policy on Smudging)
- Climb or stand on elevated surfaces
- Use University facilities not generally open to the public including, but not limited to, showers, storage lockers, study lounges, or recreational facilities, without authorization of a Designated University Official
- Disturb plants and wildlife in any way, including climbing or placing objects in trees or bushes or attaching items to them

2. All persons on University property are required, for reasonable cause, to identify themselves to, and comply with instructions and directives of, Designated University Officials and University Police acting in the performance of their duties.

3. CSULB prohibits all non-University commercial activity on University property unless specifically approved by the University President or designee. This includes the distribution of commercial literature and other such products and services. No non-affiliate of the University may solicit, sell, or rent any goods, wares, merchandise, liquids, or edibles for human consumption or services on University property, operate any commercial enterprise, or give any lessons, classes or instruction on University property, whether for profit or otherwise, unless specifically authorized by the University President or designee. For purposes of this regulation, soliciting and selling includes the leafleting or distribution of

advertisements or other promotional devices and products.

4. Scheduling of campus facilities by non-affiliate organizations or individuals requires the completion of a Facility Use Agreement form available through the Event Services Office or venue coordinators. An application for use of facilities must be filed at least 60 business days in advance if the event requires a threat assessment, as determined by University Police. The Event Services Office or venue coordinators will inform clients of all charges necessary for police, insurance, parking, clean- up, and other costs attributed to the event. Payment is accepted by money order, cashier's check, cash, or credit card (in person).
5. All facilities on campus are managed by venue coordinators. The Events Services Office or venue coordinators will inform all clients of applicable insurance requirements. Events exclusive of the USU also require approvals from Facilities Management, University Police, Parking and Transportation Services, and Risk Management before scheduling is confirmed. Additional clearances may be required depending on the services requested. These approvals are facilitated for the client by the venue coordinator or the Events Services Office.
6. A request for use of University property may be denied if the request is not in accordance with University policies and these regulations, and shall be denied if circumstances are such that the use may cause an unreasonable disruption to the orderly operation of the University or create a threat to the safety of persons or property, as determined by the University.
7. Commercial support of student programs and activities organized or coordinated by recognized student organizations, as defined and governed by Title 5, California Code of Regulations sec. 41400-41505, is not considered a commercial activity under these guidelines and may therefore, be permitted, provided the primary purpose of such support is to underwrite a student program or activity, as opposed to the promotion or endorsement of a commercial product. Such activity must go through the Event Approval Process. Recognized student organizations contact the Office of Student Life and Development for assistance.
8. Voter registration activity is permitted on University property generally open to the public, as defined in this regulation.
9. No sign, poster, paint, chalk or ink messages of any type or kind may be placed, affixed or applied to the walls, windows, floors or other surfaces of campus buildings or structures, streets, walkways, utility poles, construction fences, trees or shrubbery, unless specifically approved in writing and in advance by the appropriate Designated University Official. All non- commercial signs, posters, fliers and other messages may be posted only in areas on University property specifically designated by the

University for such posting.

10. Dogs, cats, and other animals may not enter campus buildings, including all residence and non-residence buildings. This paragraph does not apply to guide dogs, or service dogs, as defined by California Civil Code Sections 54.1, and 54.2, accompanying a disabled person, or an approved Emotional Support Animals (ESAs) or signal dog. This paragraph does not apply to police service dogs as defined Penal Code section 600. Violation of this prohibition is a misdemeanor pursuant to Education Code Section 89031. Animals brought to University property must be under the control of a responsible person and restrained so as not to pose a danger to others. All dogs must at all times be on a chain or leash not to exceed six feet in length. Animals on University property may not be tied or otherwise secured or restrained to any building, facility, fence, shrub, or other object or structure. Animals on University property may not be left unattended; unattended animals may be removed from University property. Person(s) bringing any animal to University property must remove and properly dispose of all animal waste in appropriate waste receptacles.

## **B. Free speech, expression, demonstrations, protests, rallies and other public assemblies on university property**

CSULB supports and is committed to open, free and robust discussion, debate and exchange of ideas as an indispensable part of its educational mission, especially when the ideas expressed are controversial and unpopular. However, CSULB also has the obligation to ensure the safety and security of persons and property, and that University operations, functions and events are not disrupted. The time, place, and manner of persons exercising their rights of free expression, speech, assembly, and religious worship is subject to this regulation, and applies to all members of the University community, including students, faculty, staff, administrators, volunteers, and non-affiliated members of the public, while on University property:

1. Individuals and groups may assemble on University property generally open to the public (as specified in this regulation) to engage in non-amplified speech and expression, including the solicitation of signatures on non-commercial petitions, provided such activity does not disrupt the functions, operations and events of the University or interfere with the free speech rights of others, as previously addressed in this regulation, including, but not limited to, compelling persons to be an involuntary audience or jeopardize the safety of persons and property. The exercise of free speech and assembly rights shall not:
  - Interfere with class instruction or other scheduled academic, educational, or cultural/arts program or with the use of the University Library
  - Obstruct pedestrian or vehicular traffic, or otherwise endanger persons

- or property
  - Be conducted in or on campus parking lots, parking structures, driveways, crosswalks, streets, roadways, and paths of pedestrian travel
  - Employ sound amplification or create noise that disrupts University activities or interferes with the exercise of free speech by others (please refer to amplification regulation)
  - Harass, intimidate, or impede the movement of persons
  - Create or cause unsafe congestion around stairs and escalators
2. Recognized student organizations, student body organizations, individual students, faculty and staff, and other entities of the University may reserve specified areas of University property and facilities for meetings, programs, and events consistent with this regulation. To reserve space, contact the Events Services Office or the Campus Events Office (CEO).
  3. No person or persons may picket, rally, protest, parade, patrol, or otherwise demonstrate within 100 feet of the University President's residence, when it is serving as the private residence of the University President and no public event is taking place.
  4. No person, while in or on any University property or facility may wear a personal disguise or otherwise conceal one's identity to evade or escape discovery, recognition, or identification associated with committing violations of University policy, University regulations, or state, municipal, or federal laws.
  5. Any non-affiliate of the University holding or conducting any demonstration, gathering or rally in or upon University property or facility is subject to time, place, and manner restrictions as the Events Services and Student Life and Development offices may impose to ensure University functions, operations and events are not interrupted or prevented by the demonstration, gathering or rally due to, among other things, scheduling conflicts. Criteria for approval of demonstrations, gatherings and rallies shall be neutral of the content of speech or purpose of the demonstration, gathering or rally.
  6. Signs, posters, placards and banners on University property may not be of a size, shape, or type that will interfere with University functions, operations or events, cause damage to university property, or pose a danger to the safety of persons or property. Signs exceeding 24" by 36" dimensions may be made only of foam core, cardboard or paper. No sign of any size or shape shall be made of metal. No person, while participating in any demonstration, rally, picket line, public assembly, or protest, shall carry or possess a signpost, pole, pipe or stake fabricated of metal or composite material, regardless of width or diameter.
  7. Additional prohibited items include

- Any bag exceeding the size of 18” by 14” by 7”
- Any Weapons
- Mace, pepper spray, or similar chemical spray
- Helmets
- Gas masks
- Shields and body armor
- Glass, thermal and metal containers
- Flammable liquids and gases
- Torches and other open flames
- Aerosol and other pressurized canisters and sprays
- Balloons filled with any substance other than air and any non-flammable and non-hazardous gas
- Liquids, other than water in factory sealed clear plastic bottles
- Paint in whatever form
- Drones and other unmanned aircraft systems
- Laser pointers
- Selfie sticks
- Toy and replica guns
- Bicycles, skateboards, roller skates and scooters
- Wagons and carts capable to be pushed or pulled

One table and two chairs are permitted, provided their use complies with the time, place, and manner limitations. However, the erection of temporary or permanent structures, including, but not limited to, booths and canopies is not permitted. If a recognized student organization requires more tables and chairs, they should seek guidance from the Office of Student Life and Development. Any employee or non-affiliate activity should contact the Events Services Office.

### **C. Distribution of Printed Non-Commercial Material**

Non-commercial printed material may be distributed on University property or at official University functions subject to the following provisions:

1. On University grounds that are generally open to the public (as specified in this regulation), literature may be distributed as follows:
  - The free flow of pedestrian and vehicular traffic is not obstructed or impeded
  - Printed material is not forced upon others
  - Printed material shall not be placed on or in vehicles parked on University property
  - Persons distributing printed material shall be responsible to ensure the printed material does not litter the area of distribution
  - Tables and portable (i.e., hand carried) displays used to facilitate distribution may be placed on only paved pedestrian walkways and may not block walkways or entrances to buildings or otherwise impede the

free flow of traffic. Tables or portable displays must be attended at all times by the individuals or groups sponsoring the distribution, and such individuals or groups must ensure the printed material they are distributing does not litter the area

2. Printed material may not be distributed in University buildings or parking lots.
3. Distribution must not interfere with classes and other University functions, operations and events or obstruct the free flow of pedestrian and vehicular traffic and may not be conducted at the top or bottom of escalators and stairs.

#### **D. Commercial Transactions, Commercial Solicitation and Solicitation for Donations**

Commercial transactions 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. Marketing and promotion of credit cards on University property to students shall be limited and registered with the Forty-Niner Shops of CSULB. Marketers shall be prohibited from offering gifts to students for filling out student credit cards applications. As used in this section, “student credit cards” shall have the meaning in Civil Code section 1747.02(m).

Solicitation for monetary donations must be carried out in the same manner as commercial solicitation.

#### **E. Posting of Signs**

All posting on the campus, use of general announcement boards, banners, stakes, and bulletin boards is governed by the authority of the University president. See Regulation IV, Campus Publicity and Posting.

All publicity is limited to the interior of the campus. Posters may not be placed on the Bellflower, 7th Street, Palo Verde, or Atherton boundaries of the campus.

#### **F. Use of University Facilities for Fundraising Events**

Recognized student, faculty, staff, or affiliate organizations may be granted use of the University facilities for functions at which admission is charged or donations solicited when facilities are available and providing the event sponsors observe University policies and regulations.

The Event Approval Process, Facility Use Agreement form, or Department confirmation process, depending on the status of the event sponsor, must be completed and filed prior to the event.

#### **G. Filming on Campus**

Film students are required to comply with the terms and conditions of the Motion Picture/Photography Filming Permit and must obtain a “Request to Film on Campus” form from the Department of Film and Electronic Arts. The



completed form must then be submitted to the Campus Events Office (CEO) for review and issuance of permit. Student film project proposals are coordinated by the Department of Film and Electronic Arts and approved by a Campus Events Office representative prior to confirming the use of campus facilities and/or space.

CSULB students who are not film and electronic arts majors may apply for use of campus facilities for filming by contacting the Office of Student Life and Development, USU-215, [studentlife@csulb.edu](mailto:studentlife@csulb.edu). The Office of Student Life and Development will coordinate the project with the CEO and secure final approval.

For more information about student or commercial filming, contact the Event Services Office.

**Definitions.** As used in this Regulation I, the following definitions apply:

**“Commercial solicitation”** means any direct and personal communication in the course of a trade or business reasonably intended to result in a sale.

**“Commercial transaction”** means selling or purchasing or both selling and purchasing by any person in the course of employment in, or in the carrying on of, a trade or business.

**“Designated University Official”** means the CSULB official delegated authority by the President over the relevant operation or facility.

**“Employee”** means any person listed in the CSULB payroll system, or volunteer, and employed by any academic or nonacademic department or division or other official CSULB entity including campus auxiliaries (Research Foundation, ASI/Union, 49er Shops, the CSULB 49er Foundation). **“Employee Organization”** means an independent organization organized and existing for the purpose, in whole or in part, of dealing with University management concerning grievances, labor disputes, wages, hours and other terms and conditions of employment of employees, as defined by Section 3562(f) of the Higher Education Employer-Employee Relations Act (HEERA).

**“Grounds open to the Public”** means:

- Between the hours of 6:00 a.m. and 10:00 p.m., paved pedestrian walkways and lawns on University property are generally open to the public, except those:
  - a. Within areas reserved for classes, public performances, Official University Functions, or CSULB sponsored events
  - b. On vehicular driveways, streets and parking lots.
- Paved pedestrian walkways within designated food service or eating areas are generally open to the public for the purpose of food service or eating only
- Between the hours of 10:00 p.m. and 6:00 a.m., paved pedestrian walkways and lawns on University property are generally closed to the

public except for coming and going to a University building, Official University Function, or crossing the campus

- No non-affiliate of the University shall enter or otherwise remain on the campus or other University property between the hours of 10:00 p.m. and 6:00 a.m. This curfew shall not apply to University housing residents or their authorized guests, or people possessing valid written authorization, or to those on legitimate University-related business or attending a specific University-sponsored event or other Official University Function. Those persons possessing a valid written authorization or attending a specific event shall be allowed to remain and use the facilities as specified in their authorization or through the duration of the specific event, after which time they shall leave the property forthwith and without delay. This time restriction shall not apply to people proceeding directly across a roadway or path that has been designated as open to the public during curfew hours
- If a non-affiliate enters the CSULB campus or one of its facilities, and it reasonably appears to the Designated University Official to maintain order on the campus or facility, that the person is committing any act likely to interfere with the peaceful conduct of campus activities or facility, or has entered the campus or facility for the purpose of committing any such act, the Designated University Official may direct the person to leave the campus or facility
- Any person on the campus or other University property may be required to present identification to verify their affiliation with the campus if it reasonably appears to the Designated University Official that the person is committing any act likely to interfere with the peaceful conduct of campus activities or facility, or has entered the campus or facility for the purpose of committing any such act

**“Non-Affiliate”** means any person who is not a student, officer, official volunteer, employee, or emeritus faculty or staff of CSULB, nor a member of a household authorized to reside in University Property.

**“Official University Functions”** means scheduled academic classes, research and activities; normal daily operations of CSULB units; and programs or activities sponsored by CSULB units in the course of fulfilling CSULB’s educational function and mission.

**“Open Fire”** means any fire, controlled or uncontrolled, including a campfire.

**“Private sale”** means occasional selling between persons who are Students or Employees.

**“Sale,” “selling ,” or “purchasing”** means an activity creating an obligation to transfer property or services for a valuable consideration.

**“Solicitation”** means to request or endeavor to persuade or obtain by asking.

- “Student”** means an individual for whom the CSULB maintains student records and whom as used in Regulation I is:
- Enrolled in or registered with an academic program at CSULB
  - Has completed the immediately preceding term and is eligible for reenrollment, including the intersession periods between academic terms
  - Is on an approved educational leave or other approved leave status
  - The term “student” includes individuals registered with a program of CSULB’s College of Continuing and Professional Education
- “Torch”** means any object consisting of combustible or flammable material that is ignited and produces a flame.
- “University”** means the California State University and the California State University, Long Beach (CSULB) campus and all property under its control.
- “University President”** means those persons referred to as “Campus President” in California Code of Regulations, Title 5, Section 42355, and includes their designees.
- “University Property”** means any University owned, operated, leased, or maintained property, including all of the buildings and grounds of the CSULB campus and any building and ground otherwise within CSULB’s direction and control, including property owned and operated by campus auxiliaries. This policy does not include off campus leased space or facilities, nor the facilities and property leased to other entities at the Research Foundation Technology Park.
- “Volunteer”** means any person who is formally registered with CSULB Human Resource Management or any campus auxiliary organization (Research Foundation, ASI/Union, 49er Shops, the CSULB 49er Foundation) and authorized to provide volunteer services on behalf of CSULB in campus facilities.
- “Weapon”** includes, but is not limited to, any firearm (including with a concealed carry permit), any knife with a metal blade of any length, any ice pick or similar sharp object that may be used as a stabbing implement capable of inflicting serious bodily harm, any razor with an unguarded blade, any cutting, stabbing or bludgeoning weapon or device capable of inflicting serious bodily harm, any dirk or dagger, any “Taser,” stun gun, or other similar electronic device; any torch – whether or not lit, and any instrument or device capable of expelling a metallic projectile, such as a BB or a pellet, through the force of air pressure, CO2 pressure, or spring action, or any spot marker gun.