



CALIFORNIA STATE



Alvin M. Moislate

Rev March 25, 2016

Through this policy, the University seeks to foster and sustain a forum for the free, civil 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.

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. California State University, East Bay (herein after the University) accepts and embraces this obligation, recognizing that such expression may take a variety of forms, such as speeches, signs, written materials, public assemblies, parades, 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.

To ensure that exercise of the right of free expression does not interfere with University functions, imperil public safety, or obstruct or damage University facilities, the University will establish and enforce campus regulations regarding the time, place and manner of the exercise of free expression by individuals and groups.

The University recognizes that causing discomfort and even causing offense is not, of itself, a basis for limiting free speech. At the same time, all members of the University community should recognize that freedom of expression includes respecting the dignity of others and acknowledging the right of others to express differing opinions.

This policy is promulgated under the authority of Title 5 of the California Code of Regulations, the California Education Code, state and Federal law, and subsequent directives, resolutions,

Policy on Time, Place, and Manner of Free Expression

At California State University, East Bay, the time, place, and manner of expression are limited

scheduling protocols is encouraged to facilitate coordination with other events and among potential campus service providers.

Regardless of the time they are held, events and activities must be conducted in a manner consistent with General Limitations Section and in conformity with any additional guidelines pertinent to a particular venue.

Freedom of expression is an individual right, and therefore is not restricted to place. While freedom of expression is encouraged everywhere on campus, the Agora Stage area is the most common place where individuals and groups assemble to exercise the right of free expression unless the space has already been scheduled in advance. (See Scheduling of Campus Events and Activities section).

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

All indoor facilities and certain campus outdoor spaces must be reserved in advance, through the University Scheduling Office. (See Scheduling of Campus Events and Activities section).

Whether conducted indoors or out of doors, activities must be conducted in a manner consistent with General Limitations Section and in conformity with any additional guidelines pertinent to a particular venue

This document contains guidelines as to manner all throughout.

As defined in Title 5 of the California Code of Regulations (Section 42350), “‘Solicitation’ means to importune, or endeavor to persuade or obtain by asking, but does not include ‘commercial’ solicitation.” As further provided by Title 5, Section 42350.5:

“Solicitation shall be permitted on a campus subject, however, to a reasonable regulation by the campus president as to time, place and manner thereof. Solicitation in violation of established campus directives regarding time, place and manner is prohibited.”

Organizations or individuals wishing to engage in commercial solicitation at the University must contact Commercial Services. (See Appendix A – Reference List).

s

All use of University information technology resources for purposes of individual or collective free

Advertising may be permitted in faculty, staff, alumni and student publications subject to the policies of each publication. Restrictions regarding advertising of alcohol and tobacco products at the University are contained in the Policy on Alcohol and Other Drugs ([Alcohol Policy](#)). Publications in electronic format, utilizing campus information technology resources, are subject to the CSUEB Acceptable Computing Use Policy [Computing Use Policy](#)

See California Education Code, § 89030-31 Title 5, California Code of Regulations, Sections 41301 and 42350-42354 for specific references

Use of those University facilities that may be scheduled for activities or events is limited to the following purposes and is normally granted in the following order of precedence:
The Regular University Instructional Program:

Policy on Time, Place, and Manner of Free Expression

Individuals may, however, without prior scheduling, distribute non-commercial written and printed materials in any outdoor area of the University (excepting roadways) or in any University building.

Where facilities or equipment are required or commercial activity is involved, use of campus

Policy on Time, Place, and Manner of Free Expression

ASI University Union:

Phone: 510- 885-7245

Vice President, Student Affairs: