

---

SECTION: **REGULATION STATEMENT- DEMONSTRATIONS PROCEDURE**

SUBJECT:

---

PURPOSE: To support the rights of free speech and demonstration related to the Otter Student Union (OSU) at California State University Monterey Bay.

EFFECTIVE DATE: April 4th, 2019

HISTORICAL

---

## **DEMONSTRATIONS PROCEDURE**

### **I. PURPOSE**

- a. The Otter Student Union (OSU) supports the rights to free expression and peaceful demonstration by Community Members of California State University Monterey Bay and the surrounding community, including faculty, staff, students, and invited guests. For purposes of this policy, the term *demonstration* has the meaning stated in definitions below.

### **II. PROCEDURE**

- a. General Guidelines

- i. Rights.

1. No staff of the OSU or Community Member at an OSU event or in an OSU facility may prevent or obstruct the speech of a Community Member (student, faculty, staff, or invited guest), except under the lawful direction of the California State University Monterey Bay Police or University Officials.
    2. No staff of the OSU or Community Member at an OSU event or in an OSU facility may deprive or attempt to deprive others of participation in an OSU or University activity, threaten use of force against any community member, or interfere with the function of others.

- ii. Otter Student Union Operations

1. No staff of the OSU or Community Member at an OSU event or in an OSU facility may prevent or obstruct the regularly scheduled activities of the University, such as meetings, interviews, ceremonies, University business, etc. No community member may use or occupy Otter Student Union facilities so as to impede the carrying forward of such events or activities.
    2. Groups may occupy space but not in a manner that blocks movements around OSU events or facilities or surrounding campus (including but not limited to entrance to or from the OSU facilities, or University-owned and/or University-maintained roadway or pathway) unless authorized by the OSU and/or University Official.

- iii. Signs

1. Placards, banners, and signs may not obstruct the view of those assembled or endanger other community standards and must abide by OSU Operating Hours, Posting, and Use of Space After Hours Policy.

iv. Facilities

1. All events are subject to the requirement and limitation of the event's location in/at the OSU, including room occupancy, etc. All events must comply with the Otter Student Union Risk and Emergency Management Policy [forthcoming].

v. Other laws and policies

1. Participants in demonstrations or protests are subject to other California State University Monterey Bay policies, city ordinances, and state and federal law in addition to this Procedure.

vi. Consequences

1. If faculty, staff, students, or student organizations are suspected for violating any of the listed requirements, the matter will be referred to the appropriate office or department for follow up under University policies and procedures (including the handbook for student code of conduct and any Time, Place, and Manner Policy or Interim policy).
2. There is no typical sanction associated with violations of this procedure. Each case is context specific; in determining whether a sanction is warranted, considerations include the severity of the violation of this and any other relevant policies and procedures as well as any prior misconduct.

vii. As an entity created to support California State University Monterey Bay, the OSU follows California State University Monterey Bay policies regarding demonstrations.

### **III. DEFINITIONS**

- a. Demonstration- for purposes of this procedure, is any public display of individual or group speech or other expression occurring on or near the California State University Monterey Bay campus or at University-sponsored events.
- b. Community Member- for purpose of this procedure, any student, faculty, staff, or invited guests.

### **IV. REFERENCES**

- a. California State University Monterey Bay Interim Time, Place and Manner Policy
  - i. <https://csumb.edu/policy/time-place-and-manner-policy-interim>
- b. California State University Handbook of Free Speech
  - i. <https://www.calstate.edu/gc/Docs/FreeSpeechHandbook.pdf>
- c. Operating Hours, Posting, and Use of Space After Hours Policy.
  - i. [https://docs.google.com/document/d/1SC00DdxpsDdGj8tQga1tNmPCezztNL5\\_cmTPDrGCxJM/edit](https://docs.google.com/document/d/1SC00DdxpsDdGj8tQga1tNmPCezztNL5_cmTPDrGCxJM/edit)
- d. Student Code of Conduct
  - i. <https://csumb.edu/studentconduct>