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CHAPTER I: INTRODUCTION

A. Preamble In order to carry on its work of teaching, research, and public service, the University has an obligation to maintain conditions under which the work of the University can go forward freely, in accordance with the highest standards of quality, institutional integrity, and freedom of expression, with full recognition by all concerned of the rights and privileges, as well as the responsibilities, of those who compose the University community. These campus regulations address the rights and responsibilities of members of the University community and provide campus-wide standards for implementing regulations as a means of sustaining this community. Each member of this campus shares the responsibility of maintaining this unique community so that the University's mission of teaching, research, and public service can be achieved.

B. Purpose

The primary purposes of these regulations are:

1. To promote the effective use of the Santa Barbara campus facilities for educational and related purposes;
2. To clarify what is meant by "acceptable standards of conduct," and to enumerate the processes and sanctions that will be employed if a breach of these standards is alleged or determined to have occurred; and
3. To encourage opportunities for association among students, faculty and staff within the intellectual environment of the University.

C. Authority

The Regents of the University of California is a corporation that derives its authority from the California Constitution, Article IX, Section 9, which prescribes its powers of organization and governance. The Campus Regulations Applying to Campus Activities, Organizations, and Students are issued under this authority.

D. University-wide Policies

This document represents a revision of a former campus regulations and policy statement which was last published in November 2001. These campus regulations comply with the policies established by The Regents of the University of California. Copies of the original University-wide policies titled University of California Policies Applying to the Campus Activities, Organizations and Students are available for review at <http://www.ucop.edu/ucophome/coordrev/ucpolicies/aos/toc.html>.

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E. Distribution of Campus Regulations

These policies shall be made available to students, faculty and staff on the Web at

<http://www.sa.ucsb.edu/Regulations/>. **A hard copy shall be made available at: Associated Students,**

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F. Revision of Campus Regulations

1. University of California, Santa Barbara campus regulations shall be reviewed ~~every four years, or more frequently if needed,~~ by a committee composed of the following persons:

Chair:

Vice Chancellor, Student Affairs (or designee)

Members:

Office of Student Life Representative

~~Student~~ Office of Judicial Affairs ~~Officer~~ Representative

~~Ombuds~~

Associate Director, Housing and Residential Life Services

Four Representatives, Associated Students

Two Staff Representatives

Two Residence Hall Association Representatives

Two Faculty Representatives

Two Representatives, Graduate Students Association

Executive Director, Associated Students

Members shall be chosen by their respective nominating agencies.

Ex-officio member

Ombudsman

- ~~2. All proposed campus regulations, including modifications, shall be submitted first to the University Office of the General Counsel for review and approval, then to the Chancellor for review and approval.~~

2. Procedures for Reviewing Campus Regulations

A. The Chancellor of each campus of the University of California is entrusted with publishing campus regulations in compliance with policies established by The Regents of the University of California. University-wide policies are contained in *Policies Applying to Campus Activities, Organizations, and Students* (<http://www.ucop.edu/ucophome/coordrev/ucpolicies/aos/toc.html>).

B. The established procedures for the Regulations Review Committee are as follows:

1. Approximately every four years the Vice Chancellor Student Affairs shall call the committee to review the contents of the Campus Regulations for possible revision; or, the committee may be called to meet if the Vice Chancellor believes there are particular areas in need of immediate attention.
2. The committee is co-chaired by the Associate Deans of Students as appropriate for the Chapters of the regulations (see Section G).
3. The committee will propose areas for revision and consider any revisions suggested by campus community agents. Majority vote is required to accept a proposed revision for discussion. (A quorum is 50% students and 50% faculty/staff).
4. The committee shall call forth whatever evidence, testimony or other information is necessary for them to make an informed judgment on the proposed revision.
5. The committee shall take as long as it deems necessary to thoroughly discuss and analyze any proposed revisions to the *Campus Regulations*.
6. Any recent University-wide regulations enacted since the last revision of the *Campus Regulations* will be included in the revised *Campus Regulations*. The committee may chose to amend the wording of a University-wide regulation for campus application. The committee may also propose a campus regulation that is not included in the University-wide regulations. However, a particular campus regulation may not contradict the intent of a University-wide regulation.
7. The process for draft review:
  - a. The committee shall conduct public campus hearings on the first draft of the proposed revisions to ensure campus constituencies have an opportunity to express their opinions.
  - b. The first draft will be circulated to interested and affected campus agencies which include but are not limited to:

The Academic Senate or its appropriate agent

The Associated Students

The Graduate Students Association

The Deans and Provosts of the Colleges

The Residence Halls Association

The Chancellor's Staff Advisory Committee

Staff Assembly

c. The committee shall give the above agencies sufficient time to comment on the proposed revisions based on the academic calendar and a time limit established by the committee. The committee shall reconvene to review comments, deliberate their merits and make amendments to the first draft if agreed upon by majority vote.

d. The second draft shall be sent to the agencies in item 7B for further comment and review if there are significant changes to the first draft. The committee shall reconvene to review the merits of those comments.

8. The penultimate draft shall be sent to the Vice Chancellor Student Affairs who will forward it to the Regents counsel, the Chancellor, and the Executive Officers of the campus for review and comment.

9. The committee shall reconvene to review comments from counsel and the Executive Officers and prepare a final draft accordingly.

10. The final draft shall be sent to the Vice Chancellor Student Affairs for review and approval and forwarded to the Chancellor for approval.

11. The Chancellor's approved draft is sent to the Office of the President.

12. Once approved by the Chancellor and the Office of the President, the Regulations shall be published in accordance with the procedures for public notification of the revised Campus Regulations.

G. Responsibility for Administration of These Regulations

1. The Office of Student Life shall administer all regulations in Chapters I - V of this document;
2. **The Office of Judicial Affairs shall administer all regulations in Chapters VI – VII.**
3. The Chancellor (or his/her designee) shall administer all policies contained in Chapter VIII.

H. General Definitions

1. Registered Campus Organization: Any group composed of University of California, Santa Barbara students, faculty, and/or staff who register with the Office of Student Life in order to have access to University facilities and/or resources.
2. University Departments: Campus academic and administrative units that have as their purpose instruction, research, or the provision of services by the University.
3. Recognized Units: University of California, Santa Barbara organized research units and affiliated units as specified in the University of California, Santa Barbara General Catalog.
4. Campus-Affiliated Organizations: Organizations that occupy space on University property at the invitation of the Chancellor and by agreement with The Regents.
5. University-Sanctioned Event: Any activity of a campus organization, University department, recognized research unit, or campus-affiliated organization that involves the use of University facilities, resources, services or equipment. University-sanctioned events are subject to the provisions of these regulations, wherever applicable.
6. **Compulsory campus-based student fees are fees normally voted on by students through the Associated Students, Graduate Students Association, or Campus Election Commission process and levied at individual campuses which must be paid by all registered students to whom the fee applies. Such fees may be used to fund: (1) student-related services and programs, including, but not limited to, referenda-based student health insurance programs; (2) construction and renovation of student facilities such as student centers and recreation facilities; and (3) student governments, Registered Campus Organizations, and student government- and Registered Campus Organization-related programs and activities.**
7. Non-University Persons/Groups: Persons/groups that have no affiliation with the University. Such groups may be non-profit or commercial, private or public.

8. Fund-Raising: The collection of monies on University properties by means of sales, contributions, donations, solicitation, membership fees, tithing, and/or admission charges to events or meetings on a regular or occasional basis.
9. Commercial Activity: The sale of goods or services or the sponsorship of any program conducted primarily to generate personal or corporate profit.
10. Personal Gain: The sale of goods or services or the sponsorship of any fund-raising activity on University property by any individual or group that is intended to improve the personal financial status of any person or group of persons involved in the sponsorship of the program. Fundamental to this definition is the premise that funds raised on University properties are to be used to expand the educational and recreational opportunities for registered campus organizations that raise funds on the campus, and not to financially subsidize individual persons' interests, appetites, needs, or living expenses. If approved in advance by the Office of Student Life, exceptions may be granted.
11. Political Organization: For the purpose of these regulations, a political organization is defined as a group engaged in or sponsoring one or more of the following activities:
  - Either supporting or opposing (financially or by providing organizational volunteer support) a candidate or group of candidates formally running in primary or general elections for national, state, county, local or city office.
  - Either supporting or opposing (financially or by providing organizational volunteer support) a ballot measure or a drive to put an issue on the ballot.
  - Raising funds or sponsoring programs to provide on-going support for a federally or state registered political party.
12. Religious Organization: An organization is defined as "Religious" if it meets one or more of the following criteria:
  - If the organization views its activities as "Religious."
  - If the purpose of the organization is worship, devotion, or prayer.
  - If the organization is affiliated with a religious sect.
  - If membership in or affiliation with a group generally recognized as a religious sect is a criterion for membership.

The guiding principle used in determining whether or not an organization is to be classified as "Religious" is to ascertain if the practices, tenets, mode of meeting or use of literature are comparable to those of organized religions.
13. Academic Programs: All regularly scheduled classes, make-up or extra sessions for regularly scheduled classes, mid-terms, final exams, and UCSB Extension courses offered for credit.
14. Academically-Related Programs: Study, tutoring or review sessions; special faculty lectures that are not part of the quarter's regularly scheduled academic offerings; Orientation programs and Student Affirmative Action programs; non-credit Extension courses; departmental seminars and meetings; public events and ceremonies.
15. Co-Curricular Programs: All programs sponsored by registered campus organizations; all Graduate Students Association, Associated Students and Residence Hall Association sponsored educational and social programs; all programs sponsored by all other non-academic University departments (e.g., Arts and Lectures, Alumni); all programs sponsored by campus-affiliated organizations.
16. Extra-Curricular Programs: Programs sponsored by off-campus persons or organizations.
17. University Property: Any University-owned, -operated, or -maintained building and grounds.
18. Student: A person for whom the University maintains student records and who: (a) is enrolled in or registered with an academic program of the University (including summer session and concurrent enrollment through Extension); (b) has completed the immediately preceding term and is eligible for re-enrollment, including the recess periods between academic terms; or (c) is on an approved educational leave or other approved leave status, or is on filing-fee status.
19. Campus Policy: Policy number indicates where a specific policy or procedure may be located within the UCSB Policies and Procedures located on the Web at <http://www.policy.ucsb.edu/>.

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CHAPTER II: CAMPUS ORGANIZATIONS

A. Formation, Privileges and Responsibilities of Registered Campus Organizations

1. A Registered Campus Organization is any group composed of University of California, Santa Barbara students, faculty, and/or staff who register with the Office of Student Life in order to have access to University facilities and/or resources.

2. Membership in a Registered Campus Organization shall be open to any student, consistent with the [Nondiscrimination Policy Statement for University of California Publications Regarding Student-Related Matters](#), with the exception that membership in an officially recognized sorority or fraternity may be limited by gender. An authorized student government of a campus and its official entities shall not be eligible for registration also as a Registered Campus Organization.

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**3. All officers/representatives and voting members must be UCSB students, faculty, and staff.**

4. Initial Registration Procedures

Any group of University of California, Santa Barbara students, faculty, and/or staff may obtain campus organization status by filing the following information with the Office of Student Life.

- a. A copy of an organizational constitution or an equivalent document which shall include:
  - (1) Name of organization.
    - (a) The geographical designation "at UCSB" may be used by any campus organization as part of its name without obtaining special approval.
    - (b) ~~Permission for any other use of the name "University of California, Santa Barbara" or any abbreviation thereof as part of a registered organization's name may be granted only by the Chancellor or his/her designee. Permission, when granted, does not expressly or by implication involve any endorsement or sponsorship by the University; permission may be made conditional upon appropriate disclaimer of University endorsement or sponsorship.~~
    - (b) A campus organization cannot use the same name as another campus organization, department, or academic affiliated group.
    - (c) ~~The above applies to all forms of printed and electronic communication.~~
    - (d) ~~Permission to use the name of the University may be withdrawn by the Chancellor at any time.~~
  - (2) A clearly defined statement of purpose.
  - (3) All requirements for membership including dues or fees.
  - (4) Qualifications for holding office, if applicable.
  - (5) Methods of selecting and replacing officers, if applicable.
  - (6) Documents explaining the nature of any formal affiliations the campus organization has with external organizations/agencies.
- b. The names of at least three responsible officers/representatives, with their current addresses, e-mail addresses and phone numbers.
- c. The name of an organizational advisor.
  - (1) All registered organizations are required to have an advisor who is a member of the faculty or **non-student** staff, a resident assistant, or a graduate teaching or research assistant/associate **and whose employment may be verified by the Office of Student Life through the campus' employment data base.**
  - (2) Groups that are unable to locate an advisor may have a member of the Office of Student Life staff serve as their "temporary" advisor.
- d. Payment of a registration fee.
- e. A signed statement verifying that the organization agrees to comply with the following:
  - (1) Local, state and federal laws and University and campus policies and regulations applicable to such organizations.
  - (2) A non-hazing policy statement. (See Appendix A.)
  - (3) A non-discrimination statement. (See Appendix B.)
  - (4) Limitation of voting and office-holding privileges to University of California, Santa Barbara students, faculty, and staff.

2. Continuing Registration Procedures

In order to maintain its registered status, every organization must re-register with the Office of Student Life each fall quarter. Groups must fulfill the following obligations to be considered a registered campus organization:

- a. Complete the Campus Organization Registration Form by delineating an advisor and at least three responsible officers/representatives who sign the statements of compliance with campus regulations/policies, including non-hazing and non-discrimination, and state and federal laws.
- b. Review, update, and approve the constitution on file with the Office of Student Life.
- c. Pay the annual registration fee.

3. Privileges and Responsibilities

a. Privileges

Registered campus organizations have access to the following resources:

- (1) An on-campus accounting service;
- (2) Consultation services: program planning, publicity, fund-raising, leadership training, campus regulations, advisement, facilities scheduling, and film contracting;
- (3) Option to reserve campus facilities, the use of which must conform to applicable time, place and manner regulations;
- (4) Use of designated posting areas and the posting service;
- (5) Use of tables by the University Center to promote organizational activities/purposes; and
- (6) Use of campus services/resources to support organizational activities on a direct-cost basis.
- (7) On-campus funding, including funding from compulsory campus-based student fees. (See Chapter V, Section D and Chapter VI, Section A) Conditions for support from compulsory campus-based fees are:

a. A Registered Campus Organization that is preponderantly or exclusively funded by a student government or other campus entity from compulsory campus-based student fees shall primarily have University of California students as its members. (SW, 86.11)

b. Particular programs and activities of a Registered Campus Organization funded from compulsory campus-based student fees shall be open to participation by the entire campus community. (SW, 86.11)

c. All expenditures relating to particular programs and activities of a Registered Campus Organization (whether the program or activity takes place on- or off-campus) that are funded from such fees must be under the direct control of University of California students. (SW, 86.11)

- b. Compulsory campus-based student fees may be expended by a Registered Campus Organization to cover the expenses of direct participation by University students in a particular non-University-sponsored educational program or activity. Such fees may also be expended in payment of applicable dues necessary to sustain membership by a Registered Campus Organization in national and other regional non-University associations at the basic level established by such associations, so long as the level of any such assessment is in line with what is assessed similar student organizations at other institutions comparable in size and nature to the University as a requirement of basic membership. Except as provided immediately below, memberships at a preferential level that require the payment of higher periodic dues than what is required to sustain basic membership, or the assessment by such non-University associations of supplemental contributions from their members as an expectation but not a requirement of continued membership, may not be supported from compulsory campus-based student fees. (SW, 87.00)

Other than for considerations of basic membership as set forth above, additional transfers of funds from compulsory campus-based fees by a Registered Campus Organization to such non-University associations may be made only when they can be justified, in advance of the transfer, to the Chancellor (or other campus official designated by the Chancellor with administrative oversight over the Registered Campus Organization) as providing a direct educational benefit to University of California students commensurate with the proposed expenditure. (SW, 87.00)

Compulsory campus-based student fees may not otherwise be expended by a Registered Campus Organization in support of, or be otherwise transferred to, a non-University organization, program, or activity, except in payment for goods and services directly necessary to the operation of that student government, Registered Campus Organization, or other campus entity, its programs or activities. (SW, 87.00)

The referendum process set forth in Chapter VI of these regulations shall not be available either to establish a new compulsory campus-based student fee, or to lock in an increase to an existing such fee, for the purpose of supporting any non-University organization, program, or activity. (SW, 87.00)

c. Responsibilities

Registered campus organizations using University property or services must avoid any unauthorized implication that they are sponsored, endorsed, or favored by the University.

- (1) A campus organization lending its name, membership, property or support to a function shall be held responsible for the conduct of its members or guests attending that function.
  - (a) The organization's officers/representatives are responsible for the planning and organization of all group events.
  - (b) At least one officer/representative and one other responsible member must be in attendance at all functions sponsored or co-sponsored by the organization.
- (2) Organizational officers/representatives are responsible for making certain that members comply with all applicable local, state and federal laws, University of California and University of California, Santa Barbara policies and regulations while participating in University-sanctioned events. Failure to do so could lead to revocation of registration, loss of privileges or other sanctions for violations of such policies or regulations. If registration is denied or revoked or sanctions are applied, campus organizations shall have an opportunity for a hearing with the basic standards of procedural due process. (See Chapter VII.)
- (3) Organizational officers/representatives are responsible for ensuring that the name, insignia, seal or address of the University of California, Santa Barbara is not used ~~without approval from the Chancellor or her/his designee, or~~ in any manner that implies UCSB support or agreement with any of the activities, positions, purposes, ideals or goals of any individual, group or organization acting within these regulations. Campus organizations are encouraged to design their own letterhead for use in correspondence. ~~(For exceptions to the address prohibition, see Chapter V, C.)~~
- (4) Organizational officers/representatives are responsible for the financial obligations to the University incurred by their organization, and may be responsible for such obligations to others.

- (5) The Chancellor or designee may investigate through audits or other means and take action to ensure that fiscal activities of campus organizations occurring on University properties comply with legal requirements and University policies and procedures.
- (6) Organizational officers/representatives are responsible for any damage that occurs to University facilities as a result of use by their organizations.
- (7) Organizational officers/representatives who sign contracts with off-campus vendors or University agencies in return for services or goods are responsible for fulfilling the terms of those contracts. The University is in no way responsible for "making good" on such agreements. Organizational officers/representatives may not commit the University in any contractual arrangements or make any representations that might be construed in any way as a commitment without written approval of the University.
- (8) Organizational officers/representatives are responsible for updating and submitting organizational registration information.
- (9) Organizational officers/representatives are financially responsible for providing reasonable disability accommodations.

**d.** Conduct and Discipline

A Registered Campus Organization is required to comply with University policies and campus regulations as well as applicable laws or it will be subject to revocation of registration, loss of privileges, or other sanctions. In denying or revoking registration or applying sanctions, campus regulations shall provide an opportunity for a hearing with basic standards of procedural due process. **Such hearings may be conducted by the Office of Student Life, Student/Faculty Conduct Committee, or an individual hearing officer.**

**B.** Additional Requirements Applying to Political and Religious Organizations and Activities

As a state instrumentality, the University must remain neutral on religious and political matters. Religious and political organizations are eligible to apply for compulsory student fees as part of the University's support of a "public forum." However, students may request a pro-rata refund of such fees used to fund political, religious, or ideological activities and organizations.

1. Religious and political organizations shall have access to University properties on the same basis as all other campus organizations, according to the guidelines that follow. Special arrangements may be necessary to ensure that such activities/programs are produced at no cost to the campus.
2. The name or seal of the University or any of its officers or units shall not be used for or in connection with religious or political purposes or activities. In correspondence, statements, or other material relating to political or religious activities or issues, the individuals must clearly indicate that the disclosure of any title or affiliation with a group is used for identification purposes only and not as representation of the University or any of its offices or units.
3. Any member of the campus community or public who has concerns about the neutrality of the University in relation to political or religious activities is encouraged to bring his/her concerns to the attention of the Office of Student Life, which may initiate further investigation and request review and recommendation from the Student-Faculty Committee on Student Conduct and/or the Office of General Counsel, as appropriate.

**C.** Additional Requirements for Recognized Greek Letter Fraternal Organizations

The invitation and recognition of Greek letter fraternal organizations on the University of California, Santa Barbara campus is governed by the statement entitled "Statement of Relationship Between the University of California, Santa Barbara and Its Greek Letter Fraternities and Sororities." Copies of this document are available in the Office of Student Life.

1. Any organization or group of students wishing to establish a Greek letter fraternal organization must first meet with the Office of Student Life fraternity and sorority advisor.
2. Although recognized Greek letter fraternal organizations are obliged to fulfill additional requirements with regard to becoming established at the University of California, Santa Barbara, they are nonetheless bound by all regulations that apply to other registered campus organizations.
3. Recognized Greek letter fraternal organizations and their activities are monitored by the Greek Conduct Board and the **Greek Review Committee**. Any member of the University or the community may report concerns or complaints about these organizations by initiating the appropriate form available in the Office of Student Life.

**CHAPTER III: CAMPUS ACTIVITIES**

**A.** Speech and Advocacy

1. General Provisions

- a. On University grounds generally open to the public, all persons may exercise the constitutionally protected rights of free expression, speech, assembly, worship and distribution of literature incidental to the exercise of these freedoms; however, these activities must not interfere with the orderly operation of the campus and must be conducted in accordance with the campus time, place and manner regulations.
- b. It is the responsibility of the Chancellor to provide opportunities for the expression of a variety of viewpoints.

- (1) Persons on University property or attending an official University function assume an obligation to conduct themselves in a manner compatible with the University's function as an educational institution.
  - (2) University officials may intervene should any person or group of persons interfere with the rights of invited speakers to express their ideas and to have them heard in accordance with the program format established by the sponsoring organization.
  - (3) Persons who have concerns with policies governing speech and advocacy should present their point of view to the Office of Student Life. This Office will review the case and make a recommendation to the Vice Chancellor, Student Affairs for resolution.
- c. These policies and campus regulations in no way constitute prohibition of the right by any individual in the University community to hold or express political views. The University recognizes, supports and shall not abridge the constitutional rights of faculty, staff, or students to participate in the political process of supporting candidates for public office or any other political activity. If such support of candidates or issues is extended, the individual(s) must clearly indicate that the disclosure of any title or affiliation with a group is used for identification purposes only and not to represent the University or any of its offices or units.
2. Time, Place, and Manner Regulations

The time, place, and manner of exercising speech and advocacy on the campus are subject to the following regulations that provide for non-interference with University functions and reasonable protection to persons from practices that would make them involuntary audiences:

a. Grounds Open to the Public Generally

For the purpose of these regulations, "grounds open to the public generally" are defined as the outdoor areas of the campus (lawns, patios, plazas) that are adjacent to campus buildings and parking lots.

- (1) In the event that the architecture of a building includes entrances with stairs or landings, no distribution may take place on the stairs or landings. (This restriction applies to both landings in front of the main entrance to the Library.)
- (2) All activity in these areas must be conducted in such a way that traffic is not impeded and the normal activities in classrooms and offices are not disrupted.
- (3) Tables or moveable stands may not be placed in areas where passages to any entrance or walkways are blocked, where the free flow of pedestrian traffic is restricted, or where emergency fire lanes are blocked.
- (4) In order to facilitate ingress and egress, all activity must be conducted 25 feet or more from any entrance/exit, parking lot, staircase, landing or roadway.
- (5) Fixed tables in the area in front of the University Center are on a "first-come, first-served" basis.
- (6) Groups using moveable tables or stands at any location on the campus must have the prior approval of the Office of Student Life and comply with #3 above.
- (7) No flyers, announcements or literature of any kind may be placed on automobiles (e.g., under the windshield wipers) on University property.
- (8) Organizations/persons are prohibited from leaving flyers, announcements or literature of any kind unattended on campus grounds or in classrooms. That is, literature may be handed to interested persons or posted appropriately in designated areas for their information but it may not simply be left for others to pick up.
  - (a) Any person or organization wishing to regularly distribute publications must notify the Office of Student Life regarding distribution and litter control plans.
  - (b) All publications distributed within or in front of the on-campus residence halls and dining commons must be approved by the Residence Hall Association or its designee.
- (9) Flyers, announcements or literature of registered campus organizations may be distributed through departmental mail boxes as long as the method of distribution is in keeping with departmental policy or applicable University policies. All inquiries regarding the appropriateness of distribution will be referred to the department chairperson or manager for resolution.

b. Involuntary Audiences

Persons on University property have the right to be protected **against from** becoming part of an audience for an event or activity against their will. ~~Organized recruitment or proselytizing is not to be conducted inside University dining facilities.~~

- c. Established Free Speech Areas and Outdoor Gatherings  
Sound amplification equipment may not be used at any outdoor location without the written approval of the Office of Student Life except in those areas listed below. These areas are generally open to the public, however, and as such may be used for speech and advocacy without amplification.

Use of these areas by non-University persons, however, may not involve the use of amplified sound, and scheduled events by registered groups and University departments will have priority.

If complaints are received indicating that the amplification sound level is interfering with the operations of the campus, the responsible person(s) will be asked to lower the volume. If additional complaints occur, the person(s) in charge of the amplification equipment will be asked to turn off the sound completely. Persons refusing to comply with these time, place and manner regulations relating to the exercise of speech and advocacy shall be subject to University discipline and to law enforcement measures as appropriate.

Music regulated by these policies includes amplified music, whether live or recorded, and certain non-amplified musical instruments including, but not limited to, brass, drums, and other percussion instruments. Reference to amplified music includes all of these kinds of music and musical instruments.

To schedule areas 1-7, see Chapter IV, A.4.

- Area 1: University Center Lawn/Friendship Court. The lawn area between the University Center and the lagoon and the Friendship Court area adjacent to the Corwin Pavilion. The amplification of music shall be restricted to the hours between 12 noon and 1 p.m. (M-F), while voice amplification may occur from 9 a.m. - 9:30 p.m. (M-F).
- Requests for extension of hours (as well as approval for weekend use) must be submitted in writing at least 4 days in advance to the Office of Student Life. The sound volume will be regulated by the sponsoring organization to avoid disturbing those in the surrounding area.
- Area 2: Faculty Club Green. The lawn area between the Faculty Club and the lagoon. Voice amplification will be allowed between the hours of 11 a.m. and 3 p.m. (M-F). If amplification of music is to be provided in conjunction with a program, the musical portion of the program will be limited to the hour of 12 noon - 1 p.m. (M-F).
- Requests for extension of hours (as well as approval for weekend use) must be submitted in writing at least 10 days in advance to the Office of Student Life. The sound volume will be regulated by the sponsoring organization to avoid disturbing those in the surrounding area.
- Area 3: Storke Plaza. The use of sound amplification in Storke Plaza will be permitted within the following guidelines:
- Mid-Day Speakers: Voice amplification for events having speakers will be allowed only between the hours of 11 a.m. and 3 p.m. (M-F).
- Mid-Day Music: If amplification of music is to be provided in conjunction with a program, the musical portion of the program will be limited to the hour of 12 noon - 1 p.m. (M-F). There shall be no more than two days per week scheduled for amplified music events. These events shall be scheduled on a first come, first served basis by the Campus Scheduling Office in the Office of Student Life.
- Requests for extension of hours (as well as approval for weekend use) must be submitted in writing at least 4 days in advance to the Office of Student Life. The sound volume will be regulated by the sponsoring organization to avoid disturbing those in the surrounding area. Sound levels may not exceed 90 decibels at any time during the performance. Violation of the 90 decibels level can result in loss of Storke Plaza scheduling privileges for up to one academic year. Monitoring of the sound levels will be conducted by the Office of Student Life.
- Area 4: Student Affairs /Administrative Services Building  
Courtyard. All voice amplification of speakers is restricted to the hours between 11 a.m. and 2 p.m. (M-F); Music amplification is allowed no more than two times per week from 12 noon - 1 p.m. These dates will be scheduled on a first come,

first served basis with the Campus Scheduling Office in the Office of Student Life.

Requests for extension of hours (as well as approval for weekend use) must be submitted in writing at least 4 days in advance to the Office of Student Life. The sound volume will be regulated by the sponsoring organization to avoid disturbing those in the surrounding area. Sound levels may not exceed 90 decibels at any time during the performance. Violation of the 90 decibels level can result in loss of Student Affairs/Administrative Service building Courtyard scheduling privileges for up to one academic year. Monitoring of the sound levels will be conducted by the Office of Student Life.

- Area 5: Campbell Hall Plaza. The area between Campbell Hall and Cheadle Hall. All voice amplification of speakers is restricted to the hours between 11 a.m. and 2 p.m. (M-F); Music amplification is allowed no more than two times per week from 12 noon - 1 p.m. These dates will be scheduled on a first come, first served basis with the Campus Scheduling Office in the Office of Student Life. Requests for extension of hours (as well as the approval for weekend use) must be submitted in writing at least 4 days in advance to the Office of Student Life. The sound volume will be regulated by the sponsoring organization to avoid disturbing those in the surrounding areas. Sound levels may not exceed 90 decibels at any time during the performance. Violation of the 90 decibels level can result in loss of Campbell Hall Plaza scheduling privileges for up to one academic year. Monitoring of the sound levels will be conducted by the Office of Student Life.
- Area 6: Arbor Mall. The area between the Arbor and the Girvetz Hall breezeway. This area is available for speech and advocacy activities with one restriction: there is to be NO sound amplification in this area at any time.

**Area 7: Campus Green. The area between the Physical Sciences and Broida Hall. The use of sound amplification in the Campus Green will be permitted within the following guidelines:**

**Mid-Day Speakers:** Voice amplification for events having speakers will be allowed only between the hours of 11 a.m. and 3 p.m. (M-F).

**Mid-Day Music:** If amplification of music is to be provided in conjunction with a program, the musical portion of the program will be limited to the hour of 12 noon - 1 p.m. (M-F). There shall be no more than two days per week scheduled for amplified music events. These events shall be scheduled on a first come, first served basis by the Campus Scheduling Office in the Office of Student Life

Requests for extension of hours (as well as approval for weekend use) must be submitted in writing at least 4 days in advance to the Office of Student Life. The sound volume will be regulated by the sponsoring organization to avoid disturbing those in the surrounding area. Sound levels may not exceed 90 decibels at any time during the performance. Violation of the 90 decibels level can result in loss of Campus Green scheduling privileges for up to one academic year. Monitoring of the sound levels will be conducted by the Office of Student Life.

B.

#### Posting Regulations

These regulations permit University students, faculty, staff, registered campus organizations and University units to post and exhibit non-commercial materials at locations designated in these regulations for that purpose. Posting that may damage any University property is prohibited. Except as provided in Chapter III, B, 2.b., non-University organizations or persons are not permitted to post on campus.

These regulations apply to individual members of the campus community as well as registered campus organizations. Fines are also applicable to violations occurring during election campaigns.

All materials shall clearly indicate the name of the sponsoring campus organization(s) or individual(s). (Abbreviations of organizational names to be used in publicity must be specified at the time of organizational registration.)

1. Acceptable Materials
  - a. Announcements of campus activities, special events and fund-raising activities sponsored by campus organizations, departments, recognized campus units, and affiliated organizations.
  - b. Notices regarding the occasional/incidental sale of personal property belonging to students and employees of the University and those

offering educationally related services or information of interest to UCSB students, faculty and staff.

- c. Associated Students and Graduate Students Association campaign literature. All posting of these materials must comply with these regulations. Additional regulations governing election posting may be found in the Associated Students by-laws.

2. Restricted Materials

- a. Commercial advertisements, posters and literature, political campaign literature, flyers and posters not sponsored by registered campus organizations, and publicity for services that are not conducive to the educational purposes of the University (e.g., term paper services) are not acceptable for posting.
- b. Advertisements, posters, and literature related to events/services/goods of off-campus persons or organizations must be approved by the Office of Student Life prior to posting.
  - (1) The only area approved for the posting of non-sponsored literature is on the bus loop kiosk by North Hall. Because of space limitations only one poster per event is permitted.
  - (2) Any groups wishing to have the privilege of posting elsewhere on campus may contact the Office of Student Life for a list of potential campus organization sponsors and those sponsors must be clearly delineated on any posted material.

3. Posting Areas: Posters and Announcements

a. Kiosks

- (1) The kiosks in front of Campbell Hall, Snidecor Hall, and the Music Building are maintained and managed by Arts & Lectures, Dramatic Arts Department, and Music Department, respectively.
- (2) All other kiosks are maintained by the Office of Student Life posting service. Since space is limited, only one poster per event on each kiosk is permitted. **Flyers should be limited 8 ½ X 11 inches, and no larger than 11 X 17 inches.**
- (3) Temporary kiosks may be placed on campus for a maximum of one quarter. A written proposal outlining purpose, location **(maximum of 2 per organization)**, and construction material must be presented to the Office of Student Life **prior to placement of the kiosk. Kiosks may not be attached to any campus tree, light post, or other structure. They must be removed at the end of each quarter and approval for the following quarter requested from the Office of Student Life. Failure to remove may result in loss of privilege.**

b. University Bulletin Boards

All bulletin boards (including those in classrooms) designated as "general purpose" are for use by campus organizations, students, faculty and staff. Notices may be posted on boards outside of the classrooms and in the Graduate Tower area of South Hall. The following Fire Marshal restrictions apply: only a single layer of paper, and only one notice per event/item is permitted on each board, and no posting within one foot in any direction from another notice. No commercial flyer, literature, or advertisement may be posted.

c. Departmental Bulletin Boards

Departmental offices control the use of bulletin boards located within departmental areas. Permission must be obtained from the department before any non-departmental sponsored material is posted.

d. Residence Halls

All distribution and posting in the residence halls and dining commons are controlled by the Residence Halls Association; posting in these

areas must be approved by the Residence Halls Association or its designated agent(s).

e. Classroom Chalkboard Posting and Announcements

Written announcements of upcoming events on chalkboards in the Buchanan Complex (because of the rear projection screens), or any other instructional facility that has limited chalkboard space, is prohibited. Academic uses of chalkboards will always take precedence over other uses.

4. Posting Areas: Banners

- a. Banners (no more than eight feet in length and four feet in width) may be posted on Storke Plaza railings and the bike tunnels on Pardall Road and near Student Health Service and Rob Gym.
- b. Banners are prohibited from all other areas, especially bike path rails and fences.
- c. Only one banner per event per area is allowed.
- d. Staked banners/signs may be placed in ground cover (preferably) or lawn areas for a maximum of two weeks. The signs cannot be closer than five feet on either side of bike paths and may not be placed in roundabouts.

5. Removal of Poster Material

- a. All material referring to a specific event or deadline is to be removed within 48 hours after the event/deadline by the sponsoring organization.
- b. All material not referring to a specific event or deadline is to be removed by the end of the quarter.

6. Posting Violations

- a. Posting in or on campus buildings, sidewalks, trees, bike path railings, windows, traffic signs, fixed poles, lamp poles and all other areas not suitable for staples or tape and not specifically identified in these regulations is prohibited.
- b. Writing, posting or taping directly on sidewalks, paths or on the exterior or interior surfaces of buildings or walls with any material, including chalk, is a violation of these regulations.
- c. Posting on top of or removing announcements that are current is a violation of these regulations.
- d. Placing flyers, announcements or literature of any kind on automobiles (e.g., under the windshield wipers) on University property is prohibited.

7. Disposition of Reported Posting Violations

a. Reporting Violations

Any member of the campus community may register a written complaint or concern with the Office of Student Life regarding alleged posting violations and potential clean-up costs.

b. Investigating Charges and Recommending Sanctions

- (1) Once a written complaint is filed, the Office of Student Life will contact the alleged violators, inform them of the charges, and ask them for their explanation of the situation.

- (2) After reviewing all circumstances surrounding the allegation, the Office of Student Life will have the authority to impose sanctions.

c. Sanctions for Posting Violations

(1) Fund-Raising Events

First Offenses:

- (a) Forfeiture of the \$50.00 publicity bond; or the actual cost of clean-up, whichever is greater as stated on the Office of Student Life event planning guide.

Repeat Offenses\*:

- (a) Forfeiture of the publicity bond encumbered for the event or the actual cost of clean-up, whichever is greater.
- (b) Imposition of a fine up to 40% of the gross receipts of the fund-raiser in question.
- (c) Loss of any or all of the organizational privileges.

(2) Non-Fund-Raising Events

First Offenses:

- (a) Written warning
- (b) Imposition of a fine up to \$20.00.

Repeat Offenses\*:

- (a) A minimum fine of \$50.00 or the actual cost of clean-up, whichever is greater.
- (b) Loss of any or all organizational privileges.\*Definition of a Repeat Offense: A person or organization receiving a second notification within the current fiscal year of violating these posting regulations.

- (3) For posting violations committed by commercial organizations or groups, a \$10.00 fine per flyer/advertisement will be imposed.

C. Fund-Raising, Benefits and Donations

1. General Provisions

- a. University facilities are not to be used for commercial activities or for personal gain. (See General Definitions, Number 7 and Number 8.)
- b. The following University services and programs are exempt from the commercial activity restriction: University Center Bookstore; Campus Food Services; Recreation Department and University Extension programs and classes; University Residence Hall/Dining facilities; Associated Students/Graduate Students Association programs and services; University Parking Services; University Children's Center, and others as enumerated in the Policy on Fund Raising, which can be found at [http://ucsbuxa.ucsb.edu/policies/inst-advncmt/3005\\_fundraising.html](http://ucsbuxa.ucsb.edu/policies/inst-advncmt/3005_fundraising.html).

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- (1) "Vendor Row": Control over the vendor spaces adjacent to Storke Plaza shall be under the jurisdiction of the University Center Governance Board. After covering administrative overhead costs directly related to vendor row operations, monies generated shall be available for cultural and educational programming by campus organizations on the UCSB campus. More specific guidelines are available from the University Center Governance Board.
- (2) Credit card vendors are limited to the vendor spaces noted in (1) above and are required to abide by UCOP and UCSB guidelines regulating the on-campus marketing of credit cards to students. Refer to the University of California Policy and Supplemental Guidelines on the On-campus Marketing of Credit Cards to Students, which is available on the Web at <http://www.ucop.edu/ucophome/coordrev/ucpolicies/aos/ucappd.html>.

Field Code Changed

University Center guidelines are available at the University Center Administration Office, UCen 2264.

## 2. Fund-Raising

Registered campus organizations and student governments may use University facilities to raise funds on campus when they are in compliance with the following definitions and regulations:

- a. All fund-raising events must be approved by the Office of Student Life (in the case of the Graduate Students Association and registered campus organizations) or by the Executive Director, Associated Students (in the case of Associated Students programs). Residence Halls Association events held in housing facilities require only Director of Housing or designee approval.
- b. The funds raised using campus facilities may not be used for any illegal purposes and must be consistent with the stated purposes of the sponsoring organization.
- c. When a University facility or grounds is used for an event, the sponsoring organization shall pay and/or encumber beforehand all pre-established program costs (e.g., facility use, production costs, equipment rental fees).
- d. All sales activities must obtain a permit from the Office of Student Life.
- e. Organizations using University facilities to raise funds must be financially accountable and operate within the following guidelines:
  - (1) All funds raised must be deposited in an on-campus Office of Student Life, Associated Students or Residence Halls Association trustee account and may be withdrawn in accordance with the original fund-raising purpose only after all the bills incurred during the event have been paid.
  - (2) All contracts entered into with off-campus entertainment groups or agencies must be reviewed by an Office of Student Life advisor to assure that the facility is adequate and that the University is in no way obligated under the contract. Once reviewed, the contracts will be signed by one or more official representatives of the organization. Contracts for the Associated Students need only to be signed by the Executive Director, Associated Students. Contracts for Residence Halls Association events held in Housing facilities need only be signed by the Director of Housing or designee.
  - (3) All ticket sales must be coordinated through the Office of Student Life, or for Associated Students sponsored events, through the Associated Students Ticket Office.
  - (4) The University reserves the right to investigate financial records of a campus organization that has been allowed to raise funds on campus to determine if the funds are being used for the purpose for which they were raised.

- (5) In the event that a fund-raiser loses money, the sponsoring organization remains liable for covering all costs incurred by the activity.

f. Food Sales:

Food sales permitted on University properties must comply with the following stipulations:

- (1) No food sales may be conducted in front of the Library or set up adjacent to any building entrance in such a way as to impede free access into the building.
- (2) No commercial food vendor sales are permitted.
- (3) Low-risk foods are defined as non-perishable, low-water-activity foods not requiring refrigeration. Items must be individually wrapped or pre-packaged; ice may be used to store drinks but no ice may be dispensed to customers. A selling permit is required from the Office of Student Life and must be displayed on the seller's table at all times. Groups operating without an approved selling permit will be closed down by a representative of the Office of Student Life or Environmental Health & Safety. See the Office of Student Life for further details on approved food items. Only low-risk foods may be given away as part of a promotional event.
- (4) Non-low-risk food sales are allowed to take place only at the MultiCultural Center **and the Student Resource Building** on a limited basis. **Campus organizations may not sell non-low-risk foods more than three times within a 90-day period.** Campus organizations must submit a detailed description of foods, food preparation and service to the Office of Student Life for approval at least two weeks in advance of the event. A Student Life staff member will supervise the preparation and serving of food.

All food preparation must occur in **either** the MultiCultural Center **or Student Resource Center** kitchen (no home preparation allowed) and be served in the MultiCultural Center (though food is not required to be consumed inside the Center) **or the Student Resources Building (though food is not required to be consumed inside the building).**

Requests to schedule the MultiCultural Center kitchen and lounge must be submitted to the MultiCultural Center. A cleaning deposit will be required. Requests to schedule the Student Resource Building kitchen must be submitted to the Student Resource Building.

- (5) **Prior to the event, barbeques sponsored by registered campus organizations require permitting by the Office of Student Life and the UCSB Fire Marshall or his/her designee. Departments wishing to sponsor a barbeque are required to contact the UCSB Fire Marshal and his/her designee.**
- (6) A campus-wide food sales event is defined as one at which ten or more campus organizations prepare and serve non-low-risk foods.

Two such events are allowed each year. Exceptions may be granted under special circumstances. Preapproval for the event must be obtained from Environmental Health and Safety six weeks in advance with individual campus organizations' food plans submitted at least two weeks in advance. Training on food preparation and service is required and will be provided by Environmental Health & Safety or University Center Dining Services.

(7) Food which is served free of charge at potlucks, parties or meetings where the event is not open to the general public does not need a selling permit or prior approval. **A potluck is a gathering of people for a meal where the participants are expected to bring food ready to be shared among everyone at the gathering.**

(8) **Campus organizations may request to sell food on campus that is prepared by a non-campus vendor. There are nine steps for obtaining approval for use of a non-campus vendor. These are:**

1. **Select a licensed caterer. The caterer must have an appropriate county food license.**
2. **The campus organization must obtain approval from the Director of the University Center's Dining Services to make use of a proposed licensed caterer.**
3. **The campus organization must ensure that the licensed caterer has adequate insurance. Guidelines for the required insurance types and amounts are listed on UCSB's Risk Management's website located at: <http://www.riskmanagement.ucsb.edu>**
4. **The campus organization must ensure that Risk Management's *Request for Proof of Insurance From A Caterer* is filed with the Risk Management Office in Business Services. This form can be located at: <http://www.riskmanagement.ucsb.edu>**
5. **The campus organization must return the completed *Request for Proof of Insurance From Caterer* to Risk Management Office in Business Services at least two days in advance of the event.**
6. **The campus organization must complete a food application permit form located at the Office of Student Life at least 10 days prior to the event.**
7. **The campus organization must obtain approval from the Office of Student Life's Activities Advisor at least 7 days prior to the event.**
8. **The campus organization must display the permit when selling food.**
9. **The campus organization shall have monies in their Office of Student Life trustee account sufficient to cover all catering expenses. All expenses for the caterer must be paid from this account.**

**Additional campus food guidelines may be found on the Web at <http://www.policy.ucsb.edu/housing-svcs/newfoodpolv41.pdf> and <http://www.ehs.ucsb.edu/units/envhlth/ehrsccaterguide.htm>**

Field Code Changed

### 3. Benefits and Donations

Registered campus organizations may sponsor non-commercial activities, sales, and performances for the benefit of persons or off-campus organizations as long as the personal gain restriction (see General Definition Number 8) is not violated and the campus organization agrees to comply with the following stipulations:

- a. The registered campus organization must vote to sponsor the benefit at a publicized organizational meeting.
- b. Any contract between the on- and off-campus person or organization must specify the financial terms agreed to by both parties and the contract must be reviewed by an Office of Student Life advisor or signed by the Executive Director, Associated Students (for A.S. sponsored programs only). Contracts for Residence Halls Associations

events held in Housing facilities need be signed by the Director of Housing or designee only.

- (1) All Internal Revenue Service guidelines regarding benefits and donations must be followed.
- c. The publicity for the event must include the following information:
- (1) The name of the sponsoring campus organization(s).
  - (2) The name of the benefiting off-campus organization(s) or individual.
  - (3) The intended specific uses of funds collected at the event.
  - (4) A specific disclaimer of University sponsorship or endorsement.
  - (5) The amount of donation or percentage of net profit going to benefiting organizations.
- d. All funds collected must be deposited in the organization's on-campus Office of Student Life trustee account. Benefit income may be disbursed only from the account after all bills for the event expenses have been paid. All disbursements must be consistent with the original stated purpose of the event and in compliance with contractual agreements, including the amount of donation or percentage of net profit.
- e. Facility use fees related to benefit activities will be assessed as follows:
- (1) Events sponsored by registered campus organizations which are intended to benefit bona fide charitable organizations shall bear those facility use fees normally assessed for campus organization events (i.e., direct costs).
  - (2) Facility use costs assessed to campus organizations sponsoring benefits for persons or groups not identified as bona fide charitable organizations will be determined in the following manner:
    - (a) If the registered campus organization retains 50% or more of the net profit from the event, it will be charged only those facility use fees normally assessed for campus organization events (i.e., direct costs).
    - (b) If the registered campus organization retains less than 50% of the net profit from the event, it will be charged the same facility use rate assessed off-campus users.

#### D. Serving Alcohol at a Campus Event

The use of alcohol on University property and at University-sanctioned events must be in compliance with California law. More specific campus guidelines related to the use of alcohol and other drugs may be found in the UCSB campus policy entitled Substance Abuse Policy and Implementing Guidelines on the Web at <http://ucsbuxa.ucsb.edu/policies/vcas/personnel/SubstanceAbuse2004.pdf>. Specific implementing guidelines with information on serving and advertising alcohol may be found at the above site on pages 7 through 14. (See APPENDIX C for these guidelines.)

Field Code Changed

1. Campus organizations shall not use funds raised through University-sanctioned events for the purchase or distribution of alcohol.
2. The University cannot expend state funds on alcohol.

## CHAPTER IV: USE OF UNIVERSITY FACILITIES

### A. Use of University Facilities for Events and Activities Sponsored by Registered Campus Organizations, University Departments, Recognized Research Units, and Campus-Affiliated Organizations

#### 1. General Provisions

- a. All use of University facilities must be in accordance with federal and state laws, and with University policies and regulations.
- b. All persons on University property are required to abide by University policy 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 University discipline.
- c. Those using University properties and services must avoid any unauthorized implication that they are sponsored, endorsed or favored by the University.
- d. University facilities may be used to hold closed meetings or events.**
- e. Access to the exterior, roof, and sides of campus buildings is prohibited, except by authorized personnel only. Rappelling, climbing, and the dropping of objects from campus buildings are expressly prohibited.**
- f. Scheduling campus facilities for events to be held in classrooms, assembly rooms, and Storke Plaza is done through the Campus Scheduling Office, located in the Office of Student Life. The University Center schedules its meeting rooms and Events Center, and the Exercise and Sport Studies & Recreation Department schedules athletic facilities. Approval/non-approval of an event will be based on the following criteria:
  - (1) The relationship between the nature of the request (type of event) and the policies governing the use of campus facilities.
  - (2) Whether or not there are any known scheduling conflicts.
  - (3) Whether or not the proposed activity poses a clear and present danger of injury to persons, or damage to property and/or to the orderly operation of the University.
- g. In the event that the Office of Student Life denies a request for use of campus facilities based on any of the criteria listed in "d," the sponsoring organization may appeal the denial to the Vice Chancellor, Student Affairs.
- h. Once an event in University facilities has been scheduled by the Campus Scheduling Office, the event may be cancelled only by the organization requesting the facility or if the event poses a danger to people or property. The sponsoring organization may appeal to the Vice Chancellor, Student Affairs.

#### 2. Scheduling Facilities

- a. Facility Requests:
  - (1) All facility use requests for non-course-related purposes should be submitted to the Campus Scheduling Office.

All facility use requests by academic departments for classes should be submitted to the Office of the Registrar. See Campus Policy on Facilities Scheduling, Policy 5548, for additional information on priorities.
  - (2) Assembly/lecture halls, i.e., fixed seating facilities with a seating capacity of over 75, shall not be scheduled by any campus organization more than four times in one week in any one quarter and two weekends per quarter. All additional requests may be scheduled no more than three weeks prior to the event if space permits. Requests for exception to these limitations must be submitted in writing to the Office of Student Life.

- (3) Request for space should not be considered a firm reservation until the computer-generated scheduling confirmation is sent to the originating group.

b. Reservation Cancellation:

- (1) In the event that a scheduled space will not be used, it is imperative that the Campus Scheduling Office be notified immediately by the sponsoring organization. Cancellation notice must be given a minimum of two working days prior to the event. A loss of privileges may result if the lack of notice negatively impacts another organization.
- (2) For events in Campbell Hall, Isla Vista Theater, and Lotte Lehmann Concert Hall, cancellation notification must be received by the Campus Scheduling Office 15 working days prior to the event. Failure to do so by any campus organization, including Associated Students Program Board, may result in the loss of the use privileges for the remainder of the quarter in which the cancellation occurred and for all of the next quarter.

3. Special/Major Events Approval

Certain campus units have been designated by their mission to sponsor special program events. These units are: Associated Students Program Board, Arts & Lectures, and the Departments of Music, Dramatic Arts, Dance, Public Events, Athletics, and Exercise and Sport Studies and Recreation. Events sponsored by these groups are generally complex in terms of the size and scope of their planning, production and the resulting demands made on University resources. Other groups must first contact the Office of Student Life

Any group wishing to sponsor campus events that are of a size and scope defined as a major event (see following definition) should gain approval from the Major Events Committee and the Vice Chancellor, Student Affairs.

A major event is defined as any activity sponsored by a registered campus organization, University department, or non-University group that anticipates a total attendance (both participants and spectators) of more than 2,500 and/or an activity occurring on campus or in Isla Vista that has a potential of being disruptive to the normal process of the greater community.

**All scheduled non-class-related events planned for Halloween and the weekend preceding or following Halloween must receive prior review by the Major Events Committee.**

4. Free Speech Areas

For any additional information on Speech and Advocacy rights and responsibilities, see Chapter III. B.

- a. University Center Lawn: All requests will be submitted to the University Center Scheduling Office.
- b. Faculty Club Green, Student Affairs/Administrative Services Building Courtyard, and the Campbell Hall Plaza: All requests will be submitted to the Campus Scheduling Office. All space assignments will be processed on a "first-come, first-served" basis.
- c. Storke Plaza: All requests will be submitted to the Campus Scheduling Office. All space assignments will be processed on a "first-come, first-served" basis. Each campus organization/department may request the plaza for three special events (i.e., speaker, cultural week, one-day rally, performing artist) each quarter as far in advance as desired. A series (related events throughout the quarter) is not defined as a special event. Thereafter, all additional requests may be scheduled no more than three weeks prior to the event.

**d. Arbor Mall: Two types of activities can occur in the Arbor Mall.**

**Individual students, faculty, and staff and recognized campus organizations may use the tables in the Arbor Mall on a first-come, first served basis for display and distribution of information and informal gatherings. The displays must fit on the table(s) provided. Free-standing displays must be approved by the Office of Student Life. Such approval will be based on safety issues, such as size of the sign, ability of the stand to withstand wind, location in relation to the fire lane, etc. Non-campus-affiliated individuals and groups may also exercise the constitutionally protected rights of free expression, speech, assembly, worship and distribution of literature incidental to the exercise of these freedoms. Use by campus-affiliated individuals and groups will be given priority. Additionally, any non-campus-affiliated individual or group wishing to place a free-standing display must have that**

**display approved in advance by the Office of Student Life and will be judged on the same criteria as stated above.**

**The second type of activity allowed in this area is scheduled events. These events will be limited to information fairs that can include booths, tables, or large displays. All requests for such events will be submitted to the Campus Scheduling Office. All space assignments will be processed on a first-come, first served basis. These events may NOT include any form of sound amplification or drumming.**

e. Campus Green: All requests will be submitted to the Campus Scheduling Office. All space assignments will be processed on a "first-come, first served" basis.

5. Dead Week and Finals Week

It is intended that during "Dead Week" (the last week of instruction in any quarter) and during finals week, major activities and/or mandatory meetings (e.g., administrative, ad hoc, or search committees) are not scheduled in order to maintain a campus climate conducive to study. For administrative, ad hoc, or search committees, agreement from all committee members to meet during this time period must be obtained.

A request from a registered campus organization for an exception to this regulation for an activity must be submitted in writing to the Office of Student Life.

6. Commencement Weekend

Because of the scope, nature and timing of commencement activities, the non-academic scheduling of University facilities during commencement weekend requires the additional approval of the chair of the Commencement Committee. Requests for activities during this period of time should be submitted to the Campus Scheduling Office, but reservations will not be confirmed until they are approved by the Commencement Committee chair based upon his/her determination that the proposed activity will not interfere with commencement activities.

7. Fund-Raising Events

a. Campus Organizations sponsoring fund-raising events must meet additional requirements. Please refer to Chapter III, C. of these regulations.

b. Fund-raising by University administrative/academic units outside their normal responsibilities is not permitted without the approval of the appropriate Vice Chancellor. See Campus Policy 3005 for additional information and clarification at the Office of Student Life.

B. Use of University Facilities for Events and Activities Sponsored by Non-University Persons/Groups

1. Scheduling

- a. All use of campus facilities by off-campus persons/groups shall be coordinated and approved by the Business Services office or the Office of Residential Services (only when use of the residence halls is requested).
- b. Individual University faculty, staff and students will be considered to be "non-University users" when requesting facilities for events not related to or approved by a department, unit or campus organization, or when they wish to use facilities for commercial purposes.
- c. Non-University persons and organizations may also be eligible to use University facilities upon invitation of the student governments, other University departments and units, or registered campus organizations. These requests shall have lower priority in securing facilities than those events which are solely associated with the sponsoring organization.

2. Speech and Advocacy

- a. Non-University speakers may not schedule facilities or collect funds therein unless sponsored by a University department, official unit, or registered campus organization.

It is the expectation of the University that all speakers will recognize that the essence of the University is to provide for the free exchange of ideas and the expression of a variety of intellectual perspectives. On-campus programs should be designed in the best interests of the educational process, allowing appropriate opportunities for audience interaction.

- b. The only facilities exempt from this sponsorship provision are the outdoor areas of the campus open to the public generally (see especially those open discussion areas listed in Chapter III, A.2.g., where non-University persons are welcome to present their views without sponsorship). Use of these areas by non-University persons, however, may not involve the use of amplified sound, and scheduled events by registered groups and University departments will have priority.

3. Fund-Raising

Reservations to use campus facilities for fund-raising or otherwise by off-campus persons or groups must first be approved by either the Business Services office or the Office of Residential Services and are subject to the fund-raising guidelines and facility use rates established by those departments.

#### CHAPTER V: STUDENT GOVERNMENT

A. Chancellor's Authorization

The Associated Students and Graduate Students Association are the authorized student governments of the University of California, Santa Barbara. The Chancellor may authorize or discontinue student governments as official units of the University of California, responsible for representing student constituencies comprising either the student body as a whole or particular segments of it. The Chancellor may also assign to such student governments specified powers and other responsibilities concerning student affairs. (SW, 61.00)

B. Authority, Responsibility, and Purposes

The Associated Students and Graduate Students Association shall have authority and responsibility over matters that are consistent with their enabling documents such as constitutions and by-laws, and with the University's purposes for such governments as defined below. It shall be the responsibility of student governments, in consultation with the Chancellor or the Chancellor's designee, to ensure that their enabling documents, as well as all their programs and activities, are consistent with the status of such governments as official units of the University, and with the University's purposes for such governments as set forth below, as well as with all other provisions of these campus regulations. (SW, 61.10)

The University's purposes for student governments are:

- To provide students with the educational benefits of participation in student government: (SW, 61.11)
- To provide a forum for the discussion of issues and ideas of interest, importance, and/or of concern to students; (SW, 61.12)
- To provide financial and other tangible support for student activities and organizations on a viewpoint-neutral basis, consistent with the provisions of Chapter V, Section E, in order to foster a sense of community and to further discussion among students of the broadest range of ideas; (SW, 61.13)
- To communicate student views to audiences, including external governmental offices and agencies, consistent with the provisions of Chapter V, Sections G, H, I, J, K; (SW, 61.14) and
- To provide such additional services to students as may be determined by the Chancellor or Chancellor's designee to be consistent with the status of student governments as official units of the University and with the other provisions of these regulations. (SW, 61.15)

C. Support by Campus-Based Student Fees

Student governments may be supported by compulsory campus-based student fees as specified in Chapter V, Section Q of these regulations and/or by voluntary student contributions as specified in Chapter V, Section Q of these regulations. (SW, 81.00)

D. Student Government Support for Registered Campus Organizations and Related Programs and Activities from Compulsory Campus-Based Student Fees

Compulsory campus-based student fees allocated to student government may be reallocated to support Registered Campus Organizations and Registered Campus Organization-related programs and activities consistent with the University's educational purposes in providing such support. (SW, 86.10)

The University's educational purposes are served when reallocations by a student government of compulsory campus-based student fees to support Registered Campus Organizations and Registered Campus Organization-related programs and activities are made: (1) to provide opportunities for the educational benefits and personal

and social enrichment that derive from participation in extracurricular programs and activities; and (2) to stimulate on-campus discussion and debate on a wide range of issues from a variety of viewpoints. (SW, 86.20)

Consistent with the above purposes, such reallocations shall only be made to support either the general organizational expenses of Registered Campus Organizations and Registered Campus Organization-related programs and activities or their associated communicative purposes. (SW, 86.20)

In addition, allocation decisions to provide such support must be made without regard to the viewpoint of a particular Registered Campus Organization or Registered Campus Organization-related program or activity, and must be balanced in relation to the support provided to other Registered Campus Organizations or Registered Campus Organization-related programs and activities in similar circumstances. (SW, 86.20)

E. Campus Procedures and Criteria to Assure Viewpoint Neutrality (SW, 86.30)

The campus shall have responsibility for ensuring that student governments and, as applicable, other campus reallocation entities, maintain procedures and criteria for making specific reallocation decisions for the support of Registered Campus Organizations and Registered Campus Organization-related programs and activities from compulsory campus-based student fees. Such procedures and criteria must be viewpoint-neutral in their nature; that is, they must be based upon considerations which do not include approval or disapproval of the viewpoint of the Registered Campus Organization or any of its related programs or activities.

Criteria appropriate to be given balanced consideration in the making of viewpoint-neutral reallocation decisions include, but are not limited to: the objectively documented organizational needs of the Registered Campus Organization based on membership size; its office or equipment requirements; the extent of financial support the Registered Campus Organization receives from other sources; or the production costs associated with a particular event or series of events the Registered Campus Organization typically sponsors. Such sponsored events supported in whole or in part by compulsory campus-based student fees need not avoid controversial political, religious, or ideological content, subject to the understanding that under current University policy, campuses have a responsibility to assure an ongoing opportunity for the expression of a variety of viewpoints (see *Policy on Speech and Advocacy* at <http://www.ucop.edu/ucophome/coordrev/ucpolicies/aos/uc30.html>). (SW, 86.31)

Campus procedures and criteria shall provide: (a) that student governments or other campus entities responsible for reallocating compulsory campus-based student fees must publicize widely and regularly to Registered Campus Organizations the availability of such funds to support Registered Campus Organizations on a viewpoint-neutral basis, as well as the viewpoint-neutral criteria on the basis of which such funds will be reallocated; and (b) that communications to Registered Campus Organizations on the availability of such funds must be made in a timely fashion, and be reiterated periodically during the year as long as such funds remain available, to ensure sufficient time for the preparation of funding proposals in advance of funding decisions. (SW, 86.32)

Campus criteria and procedures shall also provide for: (a) documentation of all funding processes available to Registered Campus Organizations, including notice of the opportunity to apply for funding and the criteria upon which funding requests will be judged; (b) documentation of all funding requests by Registered Campus Organizations and actions taken by the student government or other campus entity with reference to the published funding criteria in response to such requests; and (c) a formal process that allows Registered Campus Organizations or individual students to appeal, in a reasonable and timely manner, funding decisions regarding particular Registered Campus Organizations or Registered Campus Organization-related programs and activities made by the student government or other campus reallocating entity. (SW, 86.33)

Compulsory campus-based student fees may be reallocated to pay for speakers sponsored by Registered Campus Organizations. Over time, such events should stimulate on-campus discussion and debate from a wide range of viewpoints on a variety of issues. (SW, 86.34)

F. Legal Review of Campus Procedures and Criteria (SW, 86.40)

Campus procedures and criteria for reallocation of compulsory campus-based student fees to support Registered Campus Organizations and Registered Campus Organization-related programs and activities on a viewpoint-neutral basis must be reviewed by the Office of the General Counsel to ensure that the procedures and criteria are consistent with the law and these Policies. In addition, campus units are advised to consult with the Office of the General Counsel should a question arise about whether a particular reallocation is viewpoint-neutral in nature and meets the University's educational purposes.

- G. Right to Take Positions on Public Issues  
Student governments shall have the right to address and take positions on public issues. Positions on issues taken by student governments shall not be represented as or deemed to be official positions of the University. Compulsory student fees shall not be expended in support of such positions except for University-related purposes. Any expenditure in support of such positions must avoid any implication that the positions taken are sponsored, endorsed or favored by the University. This does not affect the right of any student, as an individual, to petition governmental officials or bodies.
- H. Lobbying and Other Public Policy-Oriented Activities (SW, 64.00)

Consistent with the University's purposes for student governments as set forth in Chapter VII, Section B of these regulations, Associated Students and Graduate Students Association may undertake lobbying and other public policy-oriented activities on student-related matters, as defined in Chapter V, Section I and J of these regulations, supported by compulsory campus-based student fees and/or by voluntary student contributions.

The lobbying and other public policy-oriented activities of student governments serve the University's purposes for such governments when such activities provide students with educational experiences in developing, discussing, and resolving positions on student-related matters, and articulating these positions through public and private discussions, meetings, and other forms of communication.

In furtherance of the University's purposes for student governments, the educational benefit provided to students by such activities must outweigh any purpose of furthering a particular ideological or political viewpoint. Consistent with this requirement, all such activities must be established by and under the direct and exclusive control of student governments and their democratic processes, and offer opportunities for participation by University of California students in meaningful learning experiences.

I. Definition of Lobbying Activities (SW, 64.01)

The term "lobbying activities" as used in these regulations means the funding or sponsorship by student governments of any program or activity of such governments that involves direct contact (whether face-to-face, by telephone, or in writing) with non-University legislative or other governmental officials in order to communicate a student government position (including the supporting rationale for that position) on a student-related matter.

J. Definition of Public Policy-Oriented Activities Other Than Lobbying (SW, 64.02)

The term "other public policy-oriented activities" as used in these regulations means the funding or sponsorship by student governments of any program or activity of such governments (other than "lobbying activities" as defined in Chapter V, Section I of these regulations) that involves the communication to a University audience of a student government position (including the supporting rationale for that position) on a student-related matter.

K. Pro Rata Refund Requirement for Lobbying Activities (SW, 64.10)

Any student objecting to a particular lobbying activity of student government (as defined in Chapter V, Section I and J of these regulations) supported by compulsory campus-based student fees is entitled to a pro rata refund of that portion of his or her fees that went to support the activity. Criteria and procedures for particular campus-based refund mechanisms shall be developed by campuses in consultation with their student governments, and with the Office of the President and the Office of the General Counsel as required, to ensure the compliance of such mechanisms with both these regulations and the law. Such criteria and procedures must provide that the availability of pro rata refunds be widely and frequently publicized among students, and that all requests for such refunds by objecting students be processed equitably and expeditiously.

L. Sponsorship of Speakers (SW, 65.00)

Compulsory campus-based student fees allocated to student governments and/or voluntary contributions made to student governments may be expended to support speakers sponsored by those governments. The purpose of such support must be to stimulate on-campus discussion and debate on a wide range of issues. Student governments may bring in speakers as part of their public policy-oriented activities consistent with Chapter 5, Sections D and E. In the event that an allocation is made by a student government to sponsor a forum with speakers advocating for or against a candidate for a non-student-government office, or for or against an off-campus ballot proposition, the student government must make a good faith effort to invite a representative of

the opposing campaign or campaigns to appear at the same time or, if this opportunity is declined, to appear at another time. (See also Sections Chapter V, Section E of these regulations.)

M. Participation in Non-University Political Campaigns (SW, 66.00)

Consistent with the University's Policy On Use Of University Properties (on the Web at <http://www.ucop.edu/ucophome/coordrev/ucpolicies/aos/uc4110> and with the [University's Legal Guidelines for UC Participating in Ballot Campaigns](#) (on the Web at <http://www.ucop.edu/state/advocacy/ballotguidelines.html>), student governments may not use University resources to support or oppose a particular candidate or ballot proposition in a non-University political campaign. This is not intended to preclude the use of such resources by student governments for legitimate educational purposes related to such non-University campaigns, in which information about competing candidates for government office and/or information about competing viewpoints with respect to particular ballot propositions is provided in a fair and balanced way. (See also Chapter V, Section E and L of these regulations.)

Field Code Changed

N. Transfer of Compulsory Campus-Based Student Fees to Non-University Entities (SW, 87.00)

Compulsory campus-based student fees may be expended by a student government, Registered Campus Organization, or other campus entity to cover the expenses of direct participation by University students in a particular non-University-sponsored educational program or activity. Such fees may also be expended in payment of applicable dues necessary to sustain student government membership in national and other regional non-University associations at the basic level established by such associations, so long as the level of any such assessment is in line with what is assessed similar student organizations at other institutions comparable in size and nature to the University as a requirement of basic membership. Except as provided immediately below, memberships at a preferential level that require the payment of higher periodic dues than what is required to sustain basic membership, or the assessment by such non-University associations of supplemental contributions from their members as an expectation but not a requirement of continued membership, may not be supported from compulsory campus-based student fees.

Other than for considerations of basic membership as set forth above, additional transfers of funds from compulsory campus-based fees by a student government to such non-University associations may be made only when they can be justified, in advance of the transfer, to the Chancellor (or other campus official designated by the Chancellor with administrative oversight over student government) as providing a direct educational benefit to University of California students commensurate with the proposed expenditure.

Compulsory campus-based fees may not otherwise be expended by a student government in support of, or be otherwise transferred to, a non-University organization, program, or activity, except in payment for goods and services directly necessary to the operation of that student government, its programs or activities.

The referendum process set forth in Chapter VI of these regulations shall not be available either to establish a new compulsory campus-based student fee, or to lock in an increase to an existing such fee, that is earmarked for the purpose of providing direct support to any non-University organization, program, or activity. (See also Chapter V, Section H of these regulations.)

O. Right to Use University Name and Unofficial Seal

The Associated Students and Graduate Students Association are official units of the University, and while they may not use the official seal of the University, they may use their designations (A.S.U.C.S.B. and G.S.A.U.C.S.B.), the unofficial seal, and their on-campus addresses in connection with official correspondence and programs.

P. Chancellor's Fiscal Oversight

The Chancellor is responsible for the fiscal soundness of student governments. The Chancellor may make audits of the finances of student governments, exercise control over expenditures of their funds when and to the extent necessary to maintain financial solvency of student governments, and ensure they are in accordance with sound business practices consonant with University policies and procedures applicable to such practices. (SW, 76.00)

Q. Funding for Student Governments

1. Student governments may be supported by either compulsory or voluntary fees. Fees established to support a student government must be approved by the Chancellor, except that no compulsory fee shall be effective until approved by The Regents.

2. Compulsory student government fees may be used for educational purposes germane to the University's mission, including support for registered campus organizations and student activities. A student may request a refund of that portion of her or his fee which supports a particular lobbying activity of student government. (See Chapter V, Section J of these regulations.)

## CHAPTER VI: STUDENT ELECTIONS

Student elections may be conducted by the Associated Students, Graduate Students Association, or Campus Elections Commission. For campus-based voluntary and compulsory student fee elections in which the voting pool is all registered students, the Campus Elections Commission will conduct the election, and the Chancellor will review and approve the ballot wording and election parameters.

The Chancellor shall certify all student government and fee elections results before they can be considered official. All campus-based student fees must be approved by the Chancellor and compulsory student fees must also receive Presidential approval.

### A. Campus-Based Compulsory Student Fees

Compulsory campus-based student fees are fees levied at individual campuses which must be paid by all registered students to whom the fee applies. Such fees may be used to fund: (1) student-related services and programs, including, but not limited to, referenda-based student health insurance programs; (2) construction and renovation of student facilities such as student centers and recreation facilities; and (3) student governments, Registered Campus Organizations, and student government- and Registered Campus Organization-related programs and activities. These regulations do not apply to Universitywide fees, to campus-based health insurance fees except those that have been approved by The Regents, to fees related to instruction, or to campus-based miscellaneous fees that require either the Chancellor's or the President's approval. (SW, 81.00 and 81.10))

1. Compulsory fees may be established, adjusted, or eliminated upon approval by an election in which:
  - a. Procedures are delineated for student consultation before the election, and in the case of student fee-funded facilities, procedures are delineated for continuing student consultation once the facility is constructed.
  - b. A minimum of 20% of the voting pool, as specified prior to the election, cast ballots, and
  - c. The criteria for level of fee approval, as specified prior to the election, if the election parameters are met.
2. Any reduction or elimination of a compulsory fee must consider any contractual agreements. The sponsoring organization may negotiate with the University to use the registration process (or other University means) to collect the compulsory fee.
3. If authorized by students as part of the original referendum, a portion of the revenue from these fees may be set aside for financial aid purposes. (SW, 82.00)
4. The referendum process set forth in this section shall not be accessible to a Registered Campus Organization or any student group other than a student government. The foregoing is not intended to preclude access to the referendum process by any administrative unit of the University, subject to appropriate student consultation. Support for a Registered Campus Organization or any student group other than a student government from compulsory campus-based student fees must be in the form of a reallocation from student government or other appropriate campus entity to the Registered Campus Organization or other student group. All such reallocations must be made consistent with the requirements for viewpoint-neutral funding set forth in Chapter V, Section E.

### B. Voluntary Fees

1. Students may initiate, adjust, or eliminate the collection of a voluntary fee by an election in which:
  - a. 20% of the students composing the designated voting pool cast ballots, and
  - b. 50% plus one of those voting vote in favor of the fee being collected.

2. A voluntary fee can be collected only using procedures that ensure the students are not assessed the fee unless they indicate via a positive check-off method to pay the fee. (SW, 90.11)
3. The sponsoring organization may negotiate with the University to use the registration process (or other University means) to collect the voluntary fee. To ensure that the University will be able to collect and process voluntary fees within the campus registration and collection systems, the Chancellor retains the right to approve the ballot wording and implementation plans for voluntary fees prior to their being put before the voters.
4. The costs of collection of the fee shall be borne by the sponsoring organization. (SW, 90.13)
5. Any election publicity or fee-collection procedure shall not imply University sponsorship or endorsement of the organization sponsoring a voluntary fee. (SW, 90.14)
6. These regulations shall apply only to voluntary contributions collected from students as part of the student registration process or other formal campus assessment process and shall not apply to voluntary contributions solicited from students as part of the more general fund-raising activities of any University or University-affiliated entity. Student governments and Registered Campus Organizations engaged in more general fund-raising activities are subject to all other applicable University policies relating to the fund-raising activities of University and University-affiliated entities. (See Chapter III, Section C.) (SW, 90.20)

C. Exceptions to the referendum requirement: (SW, 83.00)

An increase in compulsory campus-based student fees may be approved either by The Regents or by the President under the President's delegated authority as appropriate, subject to the Chancellor's recommendation, and does not require a student referendum, under any of the following circumstances: (SW, 83.10)

1. When a student referendum was not specifically required for increases in a compulsory campus-based student fee, as established in the original ballot measure language approved by students in a student election. (SW, 83.11)
2. When the Chancellor determines that an increase is necessary for the health and safety of students, such as for the maintenance of the safety of a building or facility that is funded wholly or in part by compulsory campus-based student fees. Safety issues are those that are potentially dangerous such as risk of fire, asbestos, earthquakes, or structural deficits. (See the [University Policy on Seismic Safety](#) and the [University Policy on Environmental Health and Safety](#).)

Field Code Changed

Field Code Changed

For buildings or facilities with multiple uses, whenever possible the costs to students for funding safety-related or health-related maintenance should be based on the proportion of current non-academic student use of the facility. A portion of the revenue from these fees may be set aside for financial aid purposes. (SW, 83.12)

3. When the fee increase is necessary to meet legal requirements (such as new code requirements) or contractual obligations (such as income projections) specified in the funding covenants of a building or facility that is funded wholly or in part by student fees. For buildings or facilities with multiple uses, whenever possible the costs to students for such increases should be based on the proportion of current non-academic student use of the facility. (SW, 83.13)

D. Student Government

Election procedures for making changes in the student government constitutions of the Associated Students and the Graduate Students Association or election of officers are specified within their respective constitutions.

**CHAPTER VII STUDENT ORGANIZATION CONDUCT AND DISCIPLINE**

**A. Student organizations subject to University discipline shall be afforded procedural due process, a basic principle underpinning the enforcement of University policies and campus regulations. The primary purpose of any University disciplinary proceeding is to determine the guilt or innocence of the accused student organization. Deviations from established procedures shall not invalidate a hearing body's finding unless the deviation significantly affected the result. It is recognized that University faculty, staff, and students are principally engaged in the business and the pursuit of education, and are not trained in the legal system. As such they should be guided more by principles of fairness and common sense than by formal rules of evidence or procedure. The Vice Chancellor of Student Affairs (VCSA), or designee, is**

responsible for determining whether a student organization accused of violating campus policies or regulations has been treated in a fair and equitable manner and whether the fundamental precepts of due process were followed. Through publication of these regulations the VCSA has established procedures appropriate for adjudicating charges against student organizations, providing a range of sanctions to ensure appropriate penalties.

#### B. Filing a Complaint

Allegations of misconduct by registered student organizations must be made in writing to the Office of Student Life.

#### C. Process for Notification of Charge

Officers of the student organization shall be served written notice of the specific charges, the time and place of the hearing, and a copy of the procedures that will govern the hearing, at least five (5) calendar days prior to the hearing. Notice may be made by U.S. mail, which shall be deemed to be completed upon deposit at a United States Post Office of the notification letter addressed to the student at the address listed in University records. Students will also be reminded by email that notice was sent by U.S. mail to the address listed in University records.

#### D. Pre-hearing Conference

The purpose of the pre-hearing conference is to determine how the formal charges against the organization are to be considered. The pre-hearing conference provides an opportunity for the organization to discuss the charges with the Dean of Students or designee. The organization must be represented by one or more of its officers. An advisor may attend the pre-hearing conference in an advisory capacity. One of the student officers must be designated as the official spokesperson for the organization, however.

The procedures available for formal consideration of the charges are:

1. An administrative action
2. Referral to a hearing panel
3. No action taken

If the official spokesperson of the student organization waives the organization's right to a formal hearing, and admits to the veracity of the charges, the representative of the Office of Student Life may act on the charge administratively. In this event, a form requesting that the charge against the organization be considered administratively must be signed by the official spokesperson of the organization. The Office of Student Life then has the authority to administratively impose a sanction consistent with the provisions of this policy statement.

#### E. Hearing Procedure

If an organization decides against resolving a case through administrative action, the Dean will refer the matter to a hearing for resolution.

The hearing panel shall include: The Dean of Students, Associate Dean of Students, one director from the Office of Student Life, one undergraduate and one graduate student selected from the student members of the Student-Faculty Committee on Student Conduct or the Residential Review Boards. All five members (or a designee) of a hearing panel must be present to constitute a quorum. Hearings are closed to the public.

A representative from the Office of Student Life will present the University's reasons for bringing charges against the organization. Witnesses may be called by the University to testify in support of the charges.

An officer must be chosen by the organization to serve as its spokesperson for hearing. Up to three members of the organization may attend the hearing. With the exception of the spokesperson, organization members who are to be witnesses shall not be present during other witnesses' testimony. The spokesperson may have up to three advisors, including the organizational advisor, the organization's president, and one other advisor to assist him or her during the hearing. The spokesperson shall have the right to: be present at all phases of the hearing, except during the panel's deliberation on procedural and evidentiary matters, findings of fact and potential sanctions; to present evidence and witnesses on behalf of the organization; and to have reasonable cross-examination of witnesses.

Hearing panel decisions shall be based solely upon evidence introduced during the hearing. Legal rules of evidence do not apply to hearings under this policy; the hearing panel may hear and weigh evidence of probative value. The hearing panel will exclude irrelevant, immaterial, and unduly repetitious evidence.

A hearing panel member shall decide that a violation was committed only if the member finds that the greater weight of the credible evidence supports that finding. Decisions shall be made by majority vote.

If the organization is found in violation, the hearing panel shall, by majority vote, arrive at a sanction commensurate with the seriousness of the violation. In arriving at a sanction, the panel may consider evidence of past violations by the organization as well as recommendations from the Dean of Students (or designee).

#### F. Sanctions

Sanctions imposed on student organizations by the University will be administered through the Office of Student Life. The following sanctions may be assessed singly or in combination (e.g. a group may have their registration rescinded and then be placed thereafter on probation.) Sanctions will list the length of the probation and/ or rescission (unless indefinite), the specific privileges forfeited, and any other conditions.

1. A Letter of University Reprimand – does not include forfeiture of privileges.
2. University Probation – may stipulate the forfeiture of indicated social and/ or other privileges for a period of three to thirty-six months and may also include additional requirements (e.g., community service).
3. Suspension – shall be for a period of three to twelve months and prohibits the organization from: sponsoring, co-sponsoring, or participating in any and all social, intramural, athletic, or other similar activities on or off campus; the solicitation of any new members or pledges; and the initiation of any new members. A suspension may also include the forfeiture of other specifically listed privileges. It may also include additional requirements (e.g., community service).
4. Rescission of University Registration – involves revoking the University's registration of the organization for a stated or indeterminate period of time. If the organization holds a charter from a national organization or association, the University may also request that the national organization or association revoke the organization's charter. Organizations that maintain a meeting facility on university property may not use that facility until the organization returns as a registered student organization in good standing.

The Office of Student Life will determine whether the sanction should be implemented immediately or deferred pending the outcome of an appeal.

#### G. Appeals

1. Disciplinary action taken by the Dean of Students or designee may be appealed only to the Vice Chancellor of Student Affairs. There are no other further appeals. Appeals must be made in writing and must be submitted within ten (10) working days of the date appearing on the notification of the imposition of sanction(s) mailed to the organization.
2. The organization's appeal may request that the sanctions be reduced or eliminated, or that the case be reheard. Any such appeal must specify in detail one or more of the following alleged conditions:
  - a. lack of a basis in fact in support of the sanction
  - b. disproportion of sanction with the offense
  - c. unfairness of the proceedings
  - d. significant evidence discovered subsequent to the hearing.
3. Appeal Review: The Vice Chancellor of Student Affairs will make the final determination as to the outcome of the appeal. Only written materials pertaining to the case, including any additional written material supplied by the accused, will be reviewed. Using the four criteria established for the consideration of appeals, the Vice Chancellor will determine whether:
  - a. the finding and recommended sanction of the original hearing body is upheld;
  - b. the finding of the original hearing body is upheld but the sanction reduced or eliminated;
  - c. the case should be referred back to the original body or to a different body for further hearing;
  - d. the case should be dropped and the charges dismissed.It is expected that appeals will be considered and final decisions made within fifteen (15) working days following receipt of the organization's written request.

## CHAPTER VIII

### Student Conduct and Discipline (\*SW, 100.00)

\*SW = Systemwide, or University-wide regulations applying to all UC campuses. The numbers cited refer to corresponding sections of that document available for review on-line at <http://www.ucop.edu/ucophone/coordrev/ucpolicies/aos/toc.html>.

#### A. General Standards of Conduct (SW, 101.00)

##### 1. Non-Academic Conduct

Persons on University property or attending any official University function assume an obligation to conduct themselves in a manner compatible with the University's function as an educational institution. Students and registered campus organizations are subject to University discipline for conduct that interferes with University teaching, research, or administrative activities and for conduct that adversely affects either themselves or other members of the academic community. Students are expected to comply with all local, state, and federal laws. Most cases of misconduct for which students are subject to disciplinary sanctions fall into the types of misconduct enumerated in Section 102.00 of the University of California Policies Applying to Campus Activities Organizations, and Students, Section 100.00. The Regents of the University of California have delegated authority to the Chancellors to implement processes for the administration of discipline on the campuses. The procedures to be followed at UCSB are outlined below.

##### 2. Academic Conduct

It is expected that students attending the University of California understand and subscribe to the ideal of academic integrity, and are willing to bear individual responsibility for their work. Any work (written or otherwise) submitted to fulfill an academic requirement must represent a student's original work. Any act of academic dishonesty, such as cheating or plagiarism, will subject a person to University disciplinary action. ~~Using or attempting to use materials, information, study aids, or commercial "research" services not authorized by the instructor of the course constitutes cheating.~~ **Cheating includes, but is not limited to, looking at another student's examination, referring to unauthorized notes during an exam, providing answers, having another person take an exam for you, etc.** Representing the words, ideas, or concepts of another person without appropriate attribution is plagiarism. Whenever another person's written work is utilized, whether it be a single phrase or longer, quotation marks must be used and sources cited. Paraphrasing another's work, i.e., borrowing the ideas or concepts and putting them into one's "own" words, must also be acknowledged. Although a person's state of mind and intention will be considered in determining the University response to an act of academic dishonesty, this in no way lessens the responsibility of the student.

##### 3. University Jurisdiction

- a. **University Affiliated Residence Halls** The University reserves the right to exercise jurisdiction over student conduct that violates campus regulations and occurs in University-affiliated residence halls (i.e., privately owned off-campus). Jurisdiction will extend only to University-affiliated residence halls that request to have University jurisdiction apply to UCSB students living in their building/s. Students must be advised at the time they enter into their housing contracts of any such University jurisdiction. To qualify for jurisdiction, residence halls must have in place policies and an internal judicial structure that parallel closely the current policies and judicial structure of University-owned, on-campus housing. The Vice Chancellor for Student Affairs, in consultation with the UCSB Director of Housing, will determine which off-campus entities seeking to be included in campus jurisdiction qualify based on the above criteria. The status of these residence halls will be reviewed by the Vice Chancellor and Director of Housing every four years, or more frequently if needed, to assess their adherence to the criteria for inclusion in jurisdiction; jurisdiction may be revoked at any time.
- b. **Other Areas of University Jurisdiction** In addition to University-affiliated residence halls, the University may exercise jurisdiction over student conduct that occurs off University property. In considering whether to exercise off-campus jurisdiction in an individual case, the following may be considered: the seriousness of the alleged misconduct, whether the alleged victim is a member of the campus community, whether a crime has been reported to the criminal authorities, the risk of future harm involved, whether the off-campus conduct is part of a series of actions that occurred both on and off campus, and the ability of the University to gather evidence including the testimony of witnesses. Any request to extend jurisdiction will be reviewed by the Associate Dean for Judicial Affairs, the Dean of Students, and the Vice Chancellor Student Affairs, in consultation with a committee composed of faculty and students. **All these parties must be in agreement before a case can be formally adjudicated.**

Campus regulations applying to off-campus behavior are limited to: Section 102.08 (physical abuse and threats of violence, **arson related offenses**, and ~~including~~ sexual assault), Section 102.09 (sexual harassment), Section 102.10 (stalking), and Section 102.12 (hazing). For a full description, refer to G in this Chapter.

#### B. Student Rights: Procedural Due Process (SW, 103.10)

Students who are subject to University discipline shall be afforded procedural due process, which is a basic principle underpinning the proper enforcement of University policies and campus regulations. The primary purpose of any University disciplinary proceeding is to determine the guilt or innocence of the accused student. Deviations from established procedures shall not invalidate a finding of a hearing body unless the deviation significantly affected the result. It is recognized that University faculty, staff, and students are principally engaged in the business and the pursuit of education, and are not legally trained personnel. As such they should be guided more by principles of fairness and common sense than by formal rules of evidence or procedure. The Chancellor, or designee, is responsible for determining whether a student accused of violating campus policies or regulations has been treated in a fair and equitable manner and whether the fundamental precepts of due process were followed. Through the publication of these regulations, the Chancellor has established procedures that are appropriate for adjudicating charges against students while providing a full range of sanctions to ensure appropriate options in response to each case.

### C. Where to Report Violations

1. Theft, vandalism, assault and any other offenses believed to constitute a crime may be reported directly to the campus police department or to the Office of Judicial Affairs. Any situation of this type which occurs in University-owned residence halls or apartments may also be reported to the Associate Director, Housing-Residential Life, or designee. Such violations may lead to criminal prosecution, student disciplinary processes, or both. Such violations may be heard by the Student-Faculty Committee on Student Conduct or the Residential Review Boards as outlined in Section D.2. of this chapter. (Note: In cases where criminal prosecution is involved, the campus disciplinary process may be deferred until the completion of the criminal justice process. In instances when the health and safety of the individual or members of the University community are involved, the campus disciplinary process will be implemented immediately upon notification of the charges.)
2. Violations of regulations concerning the time, place and manner of the use of University grounds, buildings, or other facilities by individuals and campus groups ~~shall~~ **may** be reported to the Judicial Affairs Office, which may refer the case to the Student-Faculty Committee on Student Conduct.
3. Violations of campus regulations within the residential community as well as violations of conditions contained in the housing contract shall be reported to the Associate Director, Housing (Apartment Living or Residential Life), or designee.
4. All other alleged violations of University regulations including cheating, plagiarism or other clearly inappropriate behavior by a student should be reported to the Office of Judicial Affairs for investigation and determination of further action.

### D. Disciplinary Hearing Bodies:

1. **Student-Faculty Committee on Student Conduct**
  - a. Jurisdiction

The Student-Faculty Committee on Student Conduct shall be responsible for hearing cases arising out of acts of student misconduct as outlined in Section 102.00 of the University of California Policies Applying to Campus Activities, Organizations and Students, and of the general conduct provisions applying to students and campus organizations outlined in all pertinent chapters of these regulations.
  - b. Membership
    - (1) Four faculty members appointed annually by the Chancellor. These members shall normally serve consecutively for no less than two, and no more than four years.
    - (2) Four students, three undergraduates and one graduate student, appointed by the Chancellor. These students shall normally serve consecutively for a minimum of two and a maximum of four years.
      - (a) Because of the extraordinary time commitment, it is suggested that student members of the committee hold no other elective or appointive office while serving as members of the committee.
      - (b) If appointed as an undergraduate member, a student will not automatically continue as a graduate student.
    - ~~(3) Members of this committee will be selected in a manner consistent with campus policy P-8800.~~
    - (4) The Chancellor or designee shall annually appoint one faculty member of the committee to act as the committee chair. This person will preside at all committee meetings and will rule on all questions of order and procedure, although his/her rulings are subject to appeal. ~~by any member of the committee. Such an appeal will be upheld by~~ **If appealed**, a majority vote of the committee members present **may override the chair's decision**. In the absence of the chair, the longest-standing faculty member of the committee shall serve as acting chair.

- (5) Staff to the Committee: the Associate Dean of Students, or other staff from the Office of Judicial Affairs, will serve as staff to the committee. In this capacity s/he will schedule hearings, provide appropriate evidentiary materials, ensure that all involved have been notified of the hearing, ensure that necessary recording equipment is in place and operating, read the charges, and summarize the relevant information for the record as the first step in the hearing process.

c. Quorum

A quorum shall consist of two faculty members and two students, unless the accused agrees to proceed without a quorum.

d. Procedures:

**(1) Review of Charges:**

The investigation of all alleged violations of University policies will be coordinated by the Associate Dean of Students or other staff from the Office of Judicial Affairs who will determine the disposition of these matters. The review of the charges will consist of the following:

- (a) Interviews with the reporting party, witnesses, and the person alleged to have violated a regulation or standard of conduct. When the person alleged to have violated a regulation or standard of conduct is interviewed, s/he will be informed of the nature of the allegation, the campus regulation or University policy allegedly violated, his/her rights and the procedures to be followed.
- (b) In cases not involving alleged academic misconduct, if the Office of Judicial Affairs believes that the incident can best be handled informally, the student may be asked to participate in counseling, advising, mediation, educational programs or community service projects related to the incident in question, or other educational support services as needed. If the student does not agree, then the matter may be referred to the Student-Faculty Committee on Student Conduct. A report of cases that are handled informally must be included in a yearly report to the Vice Chancellor, Student Affairs.
- (c) In cases where a student is pleading guilty, the facts of the case are undisputed, and the usual sanction would be two quarters suspension or fewer, the student may request waiving the right to a formal hearing and submit for disposition his/her case to the appropriate official in the Office of Judicial Affairs (e.g., an Associate Dean). The Associate Dean in charge of judicial matters may refuse the request if s/he feels a formal hearing is in the best interests of all parties concerned. If the hearing is waived, resolution of the case shall include sanctions that are consistent with similar cases resolved by a formal hearing before a committee or hearing officer. A waiver of the formal hearing shall not be construed as a waiver of any other rights granted by this document. The accused student, however, may request waiving any of the rights enumerated below regardless of the method of resolution. A student who waives a formal hearing may change his/her mind and request a hearing at any time up to the imposition of a sanction.
- (d) In those cases reviewed by either a hearing body or officer, the student must be informed in writing of the following at least five (5) days prior to the hearing:
  - (1) The specific charges and a brief statement about the factual basis for the charges **including a listing of campus resources (e.g., Ombuds, Office of Student Advocate, A.S. Legal Counsel, etc.)**;
  - (2) Time and place of the hearing;
  - (3) The student's rights at the hearing regarding presenting documents, inviting witnesses, ~~and confronting~~ and questioning any other witnesses present.

**(2) Hearing Process:**

Formal hearings may be conducted by a committee or by a hearing officer. The Office of Judicial Affairs will make the determination, considering the student's preference, regarding the method to be utilized in each specific case. In cases where the student disputes the charges or specifically requests a committee, the committee will be considered the preferred body for the hearing, unless circumstances (such as when the Student-Faculty Committee on Student Conduct is not in session) preclude a timely hearing. The procedures for both types of hearing shall be conducted as described below, and all references to a committee or hearing body shall be construed to also apply to a hearing officer.

The rights and responsibilities of the student, the witnesses, the Office of Judicial Affairs or an appropriate designated University official, and the hearing body are delineated below and must be followed in all cases.

(a) The Student:

- (1) Shall be served with a written notice of the specific charges, the time and place of the hearing, and ~~a copy of a~~ **reference to the website containing** the procedures that will govern the hearing at least five (5) calendar days prior to the hearing. By written request a student may elect to waive the five-day notification period and to request that the hearing be held at an earlier date. Service of the notice may be made by ~~registered or certified~~ U.S. mail ~~either of which~~ and shall be deemed to be completed upon deposit in a United States Post Office. **Students will be reminded by email** of the notification letter addressed to the student at the address listed in University records.
- (2) May be accompanied by an advisor or an attorney, if the student so chooses. The Office of Judicial Affairs must be notified that an advisor or attorney will be present at least three (3) working days prior to the hearing. The University reserves the right to postpone the hearing for a reasonable period of time to allow consultation with University General Counsel. Students are to represent themselves. The role of the attorney or advisor is therefore limited to assistance and support of the student in making his/her own case.
- (2) Shall be entitled to be present throughout the hearing while evidence is being presented and may remain until the committee or hearing officer begins deliberations. If the student does not attend the hearing or voluntarily leaves during the hearing, the case may be heard in his/her absence.
- (3) Shall have the right to produce witnesses and evidence pertaining to the alleged violations.
- (4) Shall have the right to confront and question all witnesses.
- (5) Shall not be required to give self-incriminating evidence. The student's failure to testify on these grounds shall not be used to draw an inference of guilt.
- (6) Shall not make arguments concerning or produce witnesses or evidence having to do with the legality or constitutionality of the University-wide policies and regulations at any time during the hearing process. These arguments must be directed to the UC General Counsel or to the civil courts.
- (7) Shall not be present during deliberations.

(b) Witnesses

- (1) May exercise the privilege against self-incrimination.
- (2) Shall restrict testimony to that relevant to the charges specified in the written notice and shall not make arguments about the constitutionality or legality of the University-wide policies or campus regulations.

- (3) May be asked to remain for the entire hearing to be available to answer questions as they arise.
- (4) Shall not be present during deliberations.
- (5) Faculty members or other members of the University community who initiate charges of misconduct and who also serve as witnesses shall be entitled to be present while evidence is being presented and remain until the committee or hearing officer begins deliberations.

(c) The Office of Judicial Affairs, ~~the Judicial Affairs Coordinator (Housing)~~, or other appropriate designated University officials, and/or University General Counsel (in cases in which the student is advised by a legal advisor) shall:

- (1) Coordinate the appearance of witnesses and all evidence relevant to the charges.
- (2) Be entitled to be present during the entire hearing and during deliberations.
- (3) Monitor the process to ensure the maintenance of procedural due process.
- (2) Shall keep summary minutes of the hearing and shall ~~tape~~ **audio**-record the proceedings. At his/her own expense, the student may obtain the services of a stenographic reporter. No person other than an appropriate University official or member of the hearing body may ~~tape~~ **audio**-record the hearing.
- (3) Upon request, minutes of the hearing will be available to the student within seven (7) working days following the hearing. The student may then have the opportunity to submit written comments which, when submitted prior to the final decision (within 15 working days following the hearing), will be considered and incorporated as part of the record. **This is not the appeal; see (f) Appeals below.**

(d) The Hearing Body

- (1) Shall not consist of any members having prior knowledge of or involvement in the case which might bias their judgment.
- (2) Shall ensure, through the chair, that discussion is restricted to the issue defined in the written notice of the charges of alleged misconduct. Members may entertain the discussion of second-hand information if it corroborates other testimony or establishes a pattern of behavior. **Second-hand information may not be used as the sole basis for a finding of guilt.**
- (3) May produce witnesses and evidence at the hearing. May question any witness produced by the student or by the Office of Judicial Affairs.
- (4) Shall receive verbal and documentary evidence of the kind on which reasonable persons are accustomed to rely in serious matters and may exclude irrelevant or unduly repetitious evidence.
- (5) Shall deliberate in closed session with only appropriate University staff present and shall base its findings upon the preponderance of evidence.
- (6) Shall make all decisions by majority vote.
- (7) Shall submit its findings and recommendations within five (5) working days following the conclusion of the hearing to the Dean of Students or Vice Chancellor, Student Affairs, as appropriate, with a copy to the student. This report shall set forth its findings with regard to each of

the charges separately as well as include its recommendation for disposition of the case. Findings of violations of University policies or campus regulations shall reflect a preponderance of the evidence produced at the hearing.

- b. Decisions: The student shall be mailed a written notice within five (5) working days following the hearing informing him/her of any recommendations made as a result of hearing body deliberations, including recommended sanctions, if applicable. Letters of sanction, if applicable, will be mailed to the student within fifteen (15) working days following the hearing. The decision and implementation of such sanctions shall be the responsibility of the following University officials:
- (1) The implementation of decision regarding all University sanctions other than suspension, dismissal, or sanctions that affect the contract status of the student in the residential community will be made by the Dean of Students.
  - (2) The implementation of decision regarding sanctions that affect the contract status or presence of a student in the residential community will be made by the Director, Housing and Residential Services, or designee.
  - (3) The implementation of decision regarding a recommendation to suspend or dismiss rests with the Vice Chancellor, Student Affairs.

- c. Appeals
- (1) Appeals must be made in writing and must be submitted within ten (10) working days of the date appearing on the notification of the imposition of sanction(s) mailed to the student.
  - (2) The student may request an opportunity to study the minutes of the hearing body before submitting an appeal.
  - (3) The student's appeal may request that the sanctions be reduced or eliminated or that the case be referred back to a committee for further hearing. Any such appeal must specify in detail one or more of the following alleged conditions:
    1. lack of substantial bases of fact to support the sanction (invoked or proposed)
    2. incongruity of sanction with the offense
    3. unfairness in the proceedings
    4. newly discovered important evidence not known at the time of the hearing.
  - (4) In all disciplinary cases there shall be only one appropriate level of appeal.
    1. Disciplinary action taken by the Dean of Students or the Director, Housing and Residential Services (or designee), may be appealed only to the Vice Chancellor, Student Affairs.
    2. Disciplinary action taken by the Vice Chancellor, Student Affairs, ~~to suspend or dismiss a student~~ may be appealed only to the Chancellor.

The Vice Chancellor, Student Affairs, or Chancellor, depending on who is the appropriate appeal point, will make the final determination as to the outcome of the appeal. Only written materials pertaining to the case, including any additional written material supplied by the accused, will be reviewed. Using the four criteria established for the consideration of appeals, the Vice Chancellor or Chancellor will determine whether:

1. the finding and recommended sanction of the original hearing body should be upheld;
  2. the finding of the original hearing body should be upheld but the sanction reduced or eliminated;
  3. the case should be referred back to the original body or to a different body for further hearing;
  4. the case should be dropped and the charges dismissed.
- It is expected that appeals will be considered and final decisions made within fifteen (15) working days following receipt of the student's written request. The Office of Judicial Affairs will determine whether the sanction should be implemented immediately or deferred pending the outcome of an appeal.

## 2. Residential Review Boards

a. Jurisdiction: The Residential Review Boards/**Hearing Officers** shall hear all cases (have original jurisdiction) arising from violations of Section 102.07 (all policies, rules and regulations contained in the Residential Handbooks) with the following exceptions:

- (1) Cases that involve violations of Section 102.07 and another section in the 102.00 series and are serious enough to invoke a penalty of suspension or dismissal from the University shall go directly to the Student-Faculty Committee on Student Conduct unless otherwise determined by the Office of Judicial Affairs in consultation with the Director, Housing and Residential Services (or designee). If a case is heard by the Student-Faculty Committee on Student Conduct, Housing and Residential Services staff may be invited to the hearing to present their perspective of the merits of the case. If a case is heard by a Residential Review Board, the Office of Judicial Affairs shall assist with the conduct of the hearing.
- ~~(2) Cases which involve violations of Section 102.11 ("fighting words" policy on discriminatory harassment) shall be reported directly to the Dean of Students. The Dean shall determine disposition of the case and the appropriate hearing body.~~

b. Procedures:

- (1) The rights and responsibilities of the student, his/her advisor, the provision for and restrictions on witnesses, and the decision and appeal processes for the Residential Review Boards/**Hearing Officers** are identical to those enumerated in D.1.d(2) with the following exception: The Executive Director, Housing and Residential Services (or designee), may take ~~summary~~ **interim** administrative action in cases where a student is determined to present an immediate and serious disruption to the residential community before a formal hearing can be scheduled. Unlike the provision for interim suspension (Section 105.08), this process is limited to ~~summary~~ **interim** action on housing contracts, relocation to other living arrangements, and access to residential facilities. **The Vice Chancellor Student Affairs shall review all interim actions within 24 hours. There is no appeal of an interim action;** ~~if violations of campus regulations apply, a hearing will be conducted in a timely fashion.~~ **If a student is found to have been**

unjustifiably subjected to an interim action, the University is committed to a policy whereby that student shall not be disadvantaged in employment or housing status.

- (2) Any proposed changes to policies contained in the Residential Life Handbooks must be approved by the Associate Vice Chancellor, Housing and Auxiliary Administrative Services, and the Vice Chancellor, Student Affairs.

### 3. Admissions Review Committee

The committee will review cases where currently enrolled students are found to have omitted or falsified information on their application for admission, and/or failed to meet admissions requirements. (Prospective students who have committed any of these acts prior to matriculation are subject to cancellation by the Admissions Office).

The committee will be chaired by the Associate Director of Admissions and include at least one other Admissions staff and the Associate Dean of Students, Office of Judicial Affairs or designee. The student will have the opportunity to present his/her case to the committee which shall decide the course of action. The committee may decide remedial action, refer the case to the Student Faculty Committee on Student Conduct for adjudication, or recommend to the Director of Admissions that the student's admission be revoked. The student shall be notified of the committee's recommendation within 3 working days of the hearing. If the Director of Admissions revokes admission, s/he shall inform the student within 5 working days. The student may appeal the action of the Director of Admissions to the Vice Chancellor of Student Affairs within 5 working days. The Vice Chancellor has 10 working days to respond to the appeal.

### E. Disciplinary Authority of the Faculty

1. In addition to any other disciplinary action specified herein, any instructor in charge of a course with information that a student in his/her class has cheated or plagiarized may, after providing notice to the student of the conduct involved and giving the student opportunity to respond, take any of the following actions: reprimand the student (verbally or in writing), change a grade affected by the cheating or plagiarism, assign additional coursework, or administer another examination covering the material involved in the cheating or plagiarism.
2. After providing notice to the student of the conduct involved and giving him/her the opportunity to respond (which may be giving him/her the opportunity to correct the behavior) an instructor in charge of a course may exclude from his/her class, either temporarily or permanently, any student who demonstrates offensive or disruptive conduct toward the instructor or other members of the class.
3. When an instructor decides to take any of the disciplinary actions listed in 1 or 2 above, s/he shall:
  - a. Provide notice orally or in writing to the student of the reason the student is being disciplined.
  - b. Notify his/her department chairperson so that the department chair can review the matter and, in cases where the student is being permanently excluded from the class, inform the Dean or Provost of the College.
  - c. Report the misconduct and disciplinary steps taken in writing to the Student Judicial Affairs Office. When the misconduct is academically related, the "Faculty Report Form for Academically Related Misconduct" (available from the department or the Student Judicial Affairs Office) shall be filed with the Student Judicial Affairs Office.
  - d. Faculty are encouraged to report violations in a timely manner once the violation is suspected.
4. If the Faculty Report Form for Academically Related Misconduct indicates that the matter should not be referred to the Student Faculty Committee on Student Conduct, the Student Judicial Affairs Office shall inform the student that the accusation has been made, that the incident will be kept on file in the office of Student Judicial Affairs for the duration of his/her enrollment at UCSB, but that the file does not constitute a "disciplinary record."
5. An instructor may request assistance or an investigation of the matter by the Student Judicial Affairs Office in order to determine whether University disciplinary procedures should be invoked. In such cases, s/he will write a description of the incident in sufficient detail to permit the Student Judicial Affairs Office to investigate, interview witnesses, and, if necessary, prepare the case for a hearing.
6. ~~Appeal of Faculty Implemented Discipline:~~
  - a. A student may appeal the action taken by an instructor by submitting a written appeal to the department chairperson with a copy to the Dean or Provost of the College. The chairperson may either respond to the appeal or refer the matter to the Student Faculty Committee on Student Conduct for an advisory opinion. (If the department chairperson is the instructor involved in the case, the letter of appeal should be forwarded to the Provost or Dean of the College. If the Provost or Dean is the instructor, the appeal is made to the Executive Vice Chancellor.) If the case is referred to the Student Faculty Committee on Student Conduct it will

review the evidence and either concur with the sanction imposed by the instructor or recommend a change, listing the reasons for its recommendation.

- b. If, after appeal to the appropriate official, the student is not satisfied with the decision, or the official does not respond within 15 working days, the student may bring his/her complaint to the next level of authority. That authority may also request a review and an advisory opinion rendered by the Student-Faculty Committee on Student Conduct in the manner outlined in 6.a. above.

**In suspected instances of student conduct violations (behavioral or academic) an instructor may request assistance or an investigation of the matter by the Office of Judicial Affairs. In academic violations, faculty have discretion in whether to request a letter of admonishment or a formal review by the Student-Faculty Committee on Student Conduct. The response to classroom-related misconduct will be resolved as noted below.**

Please refer to <http://judicialaffairs.sa.ucsb.edu/> for further information and assistance.

#### **1. Classroom Behavior**

After notifying the student of the questionable/offending conduct and giving him/her the opportunity to respond and/or the opportunity to correct the behavior an instructor may exclude from class, either temporarily or permanently, any student whose conduct is disruptive toward the instructor or other members of the class. Unless a teaching assistant is the instructor of record for the class, the faculty member in charge of the class will take the following action.

**An instructor deciding to take disciplinary action shall:**

- a. Provide oral or written notice to the student indicating the reason the student is being disciplined and the possible consequences.
- b. Notify his/her department Chair for review of the matter and, in cases where the student is being permanently excluded from the class, inform the Dean of the College.
- c. Report on-line the misconduct and disciplinary steps taken to the Office of Judicial Affairs Office (<http://judicialaffairs.sa.ucsb.edu/>).
- d. If the Office of Judicial Affairs determines that formal University disciplinary action should be taken (in lieu of, or in addition to, exclusion from the class), the instructor will provide a description of the incident in sufficient detail to permit the Office to investigate, interview witnesses, and, if necessary, prepare the case for a hearing.

#### **2. Academically Related Misconduct**

Faculty are guided by the Academic Senate policy on reporting academic misconduct (90. Student Academic Integrity) available here ([http://senate.ucsb.edu/about/Bylaws\\_and\\_Regulations/Part\\_II/Chapter\\_I/Section\\_10/](http://senate.ucsb.edu/about/Bylaws_and_Regulations/Part_II/Chapter_I/Section_10/)). In summary, faculty

- a. must inform the student(s) of their concern either in writing or in person and provide the student(s) an opportunity to respond.
- b. shall notify the Office of Judicial Affairs and recommend any further action or disposition of the case (e.g., letter of reprimand, conduct hearing).
- c. shall withhold the student's grade until the committee has rendered a decision and the instructor has been notified of the outcome (if a conduct hearing is requested). The instructor shall report the student's grade in the course, after considering the committee's findings.

**3. Appeal of faculty-implemented discipline which does not result in a formal hearing before the Student-Faculty Committee on Student Conduct (e.g., exclusion from class or letter of reprimand for academic misconduct). The following does not apply to grade appeals. See Section A25 in the campus catalogue to appeal grades:**

- a. A student may appeal the action taken by the faculty by submitting a written appeal to the department Chair with a copy to the Dean of the College. The Chair may either make a decision on the appeal or refer the matter to the Student-Faculty Committee on Student Conduct for an advisory opinion. (If the department Chair is the instructor involved in the case, the letter of appeal should be forwarded to the Dean of the College. If the Dean or other administrator is the instructor, the appeal is made to the Executive Vice Chancellor.) If the case is referred to the Student-Faculty Committee on Student Conduct it will review the evidence and either concur with the sanction imposed by the instructor or recommend a change to the department Chair and the instructor, listing the

**reasons for its recommendation.**

- b. If referred to the Student-Faculty Committee on Student Conduct for an advisory opinion, the Committee shall report its findings to the Chair, within five working days of its review of the matter, with a copy to the Dean of the College. The final decision rests with the department Chair.**

**F. Confidentiality and Maintenance of Disciplinary Records and Files**

1. The official record of all UCSB students is the University transcript. Disciplinary actions resulting in suspension or dismissal are noted on the student's University transcript for the duration of the suspension or dismissal (SW, 106.00). Official disciplinary files are maintained in the Student Judicial Affairs Office.
2. Student conduct hearings are closed to the public, and records and files related to any student conduct matter are confidential and protected by applicable federal and state laws. Information from these files/records may not be released without the student's written permission, court order, or as provided by Section 5 below. Other exceptions include University officials on a "need to know" basis and victims of violent acts (SW,102.08) who are entitled to know the results of a disciplinary action by the University (SW, 104.70). The Student Judicial Affairs Office may release data and information relating to conduct hearings as long as the subject of the hearing cannot be personally identified by the information disclosed (SW, 130.00).
3. Whenever information is included in any student record/file concerning any disciplinary action taken by campus personnel in connection with the student, the student shall be allowed to include in the record/file a written statement or response concerning the disciplinary action (SW, 131.40).
4. Disciplinary files will be maintained in the Student Judicial Affairs Office for five years and then destroyed unless the office determines there is good reason to retain the file beyond that date. If a student who is dismissed has his/her file destroyed after five years, the Registrar will be notified to remove the dismissal notation from the transcript.
5. When potential employers, governmental agencies, or other institutions of higher education solicit information about a student's conduct while attending UCSB and if the student has signed a release form accompanying the solicitation, the Student Judicial Affairs Office will review the disciplinary files to determine if the student has been found guilty of misconduct. In those cases where the student has such a file, the information will be provided to the requesting party.
6. In order to ensure that minor and non-recurring infractions do not negatively impact the student's academic career beyond UCSB, disciplinary files will be reviewed by the committee of jurisdiction in order to determine whether the student's file should be expunged. A student may petition for such review at approximately two years from the date of the offense or upon graduation from the University, whichever comes first.

**G. Violations and Sanctions (Section numbers correspond to SW)**

- 102.00** The Chancellor may impose discipline for violation of University policies or campus regulations. Such violations either by active involvement or by aiding and abetting, attempted or accomplished, include the following types of misconduct:
- 102.01** Dishonesty, such as cheating, plagiarism, altering graded examinations for additional credit, or having another person take an examination for you.
- 102.02** Knowingly furnishing false information to the University either on official University forms or to University officials acting in the performance of their duties.
- 102.03** Forgery, alteration, or misuse of University documents, records, keys, identifications or other devices.
- 102.04** Theft of, conversion of, ~~or~~ damage to or destruction of any property of the (University or property of others) while on University premises or possession of any **stolen** property of the University or ~~others stolen while on University premises.~~
- 102.05** Theft or other abuse of computing facilities or computer time, including but not limited to: unauthorized entry into a file to use, read, or change the contents or for any other purpose; unauthorized transfer of a file; unauthorized use of another individual's identification or password; use of computing facilities to interfere with the work of another student, faculty member, or other University official; use of computing facilities to interfere with a University computing system.
- 102.06** Unauthorized entry to, possession of, receipt of, duplication of, or use of the University's name, insignia, or seal. Unauthorized entry to, possession of, receipt of, or use of any University properties, equipment, resources, or services.

- 102.07 Violations of policies, regulations, contracts, or rules governing residence in University-owned or -operated housing facilities or leased housing facilities located on University property. (See Residential Handbooks.)
- 102.08 Physical abuse, **sexual assault**, threats of violence, or other conduct that threatens the health or safety of any persons. Such abuse, threats, or conduct may include **arson (and other penal or health code violations such as setting public fires)**, ~~sexual assault perpetrated either by a stranger or an acquaintance.~~ (See [Policies/Procedures on Sexual Assault](#).) Policies/procedures on sexual assault **are described in a separate brochure (<http://judicialaffairs.sa.ucsb.edu/pdf/sapp.doc>).**
- 102.09 Sexual harassment as defined in University policy (see SW Section 160.00), reads in part: Sexual harassment is unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when submission to or rejection of this conduct explicitly or implicitly affect a person's employment or education, unreasonably interferes with a person's work or educational performance, or creates an intimidating, hostile or offensive working or learning environment. In the interest of preventing sexual harassment, the University will respond to reports of any such conduct. Please refer to the Policy of Sexual Harassment and Complaint Resolution Procedures (see SW Section 160.00) for the entire definition. The Policy on Sexual Harassment and Complaint Resolution Procedures is incorporated into the Policy on Student Conduct and Discipline. In determining whether the alleged conduct constitutes sexual harassment, consideration shall be given to the record of the incident as a whole and to the totality of the circumstances, including the context in which the alleged incidents occurred.
- 102.10 Stalking behavior in which an individual willfully, maliciously, and repeatedly engages in a knowing course of conduct directed at a specified person which reasonably and seriously alarms, torments, or terrorizes the person, and which serves no legitimate purpose.
- 102.11 Harassment by a student of any person. For the purposes of these Policies, 'harassment': a) is the use, display, or other demonstration of words, gestures, imagery, or physical materials, or the engagement in any form of bodily conduct, on the basis of race, color, national or ethnic origin, alienage, sex, religion, age, sexual orientation, or physical or mental disability, that has the effect of creating a hostile and intimidating environment sufficiently severe or pervasive to substantially impair a reasonable person's participation in University programs or activities, or use of University facilities; b) must target a specific person or persons; and c) must be addressed directly to that person or persons. Prior to applying this provision of policy to any student conduct, the campus is required to consult with the Office of General Counsel regarding its proper interpretation and application in light of the specific circumstances.
- 102.12 Participation in hazing or any method of initiation or pre-initiation into a campus organization or any activity engaged in by the organization or members of the organization or any pastime or amusement engaged in with respect to such a organization at any time which causes, or is likely to cause, bodily danger, physical harm, or personal degradation or disgrace resulting in physical or mental harm to any student or other person.
- 102.13a Obstruction or disruption of teaching, research, administration, disciplinary procedures, or other University activities.
- 102.13b Intimidation or harassment directed toward any person on University property or in connection with official functions or University-sponsored programs (UCSB only).
- 102.14 Disorderly and/or lewd conduct on University property or at official University functions.
- 102.15 Participation in a disturbance of the peace or unlawful assembly on University property or at official University functions.
- 102.16 Failure to comply with directions of a University official or other public officials acting in the performance of their duties while on University property or at official University functions, including failure to provide identification when requested, or resisting or obstructing such University or other public officials in the performance of or the attempt to perform their duties.
- 102.17 Use, possession, sale, manufacture or attempted manufacture of controlled substances (e.g., narcotic or illegal drugs on University property or at official University functions, except as expressly permitted by law.

- 102.18 Unlawful or otherwise prohibited use, possession, sale, distribution, manufacture of, or the attempted sale, distribution, or manufacture of alcohol on University property or at official University functions.
- 102.19 Possession, use, storage, or manufacture of explosives, firebombs, or other destructive devices.
- 102.20 Use, possession, sale, or manufacture of dangerous weapons on University properties or at official University functions, except as expressly permitted by law.
- 102.21 Violation of the conditions contained in the terms of a disciplinary action imposed under these campus regulations or University policies.
- 102.22 Violations of orders issued pursuant to Section 52.00 (SW), during a declared state of emergency. Violation of the conditions contained in a written Notice of Emergency Suspension issued pursuant to Section 53.00 (SW) et seq. of these policies.

Sanctions:

- 105.00 Individuals found guilty of violating University policies and/or campus regulations may receive the following sanctions:
- 105.01 Warning: Written reprimand for violations of specified University policies or campus regulations, including notice to the student that continued or repeated violations of specified University policies or campus regulations may be cause for further disciplinary action, normally in the form of Loss of Privileges and Exclusion from Activities, Suspension, or Dismissal.
- 105.02 Censure: Not applicable at UCSB
- 105.03 Disciplinary Probation: Suspension of a recommended sanction for a stated period of time during which any other violation of campus regulations resulting in a finding of guilt would be cause for immediate implementation of the previously suspended sanction in addition to sanctions arising from the new charges.
- 105.04 Loss of Privileges and Exclusion from Activities: Exclusion from participation in designated privileges and extracurricular activities for a specified academic term or terms. Violation of any conditions in the written Notice of Loss and Exclusion from Activities, or violations of University policies or campus regulations during the period of the sanction may be cause for further disciplinary action, normally in the form of Suspension or Dismissal.
- 105.05 Suspension: Termination of student status from UCSB for a specified academic term or terms with reinstatement thereafter usually certain. Violations of the conditions of Suspension or of University policies or campus regulations during the period of Suspension may be cause for further disciplinary action normally in the form of Dismissal.
- 105.06 Dismissal: Termination of student status from UCSB for an indefinite period. Re-admission to UCSB shall require the specific approval of the Chancellor. Admission to another campus of the University requires the permission of that Chancellor.
- 105.07 Exclusion from Areas of the Campus: Exclusion of a student from specified areas of the campus when there is reasonable cause to believe that the student's presence there will lead to physical abuse, threats of violence, or conduct that threatens the health or safety of any person on University property or at official University functions, or other disruptive activity incompatible with the orderly operation of the campus.
- 105.08 Interim Suspension: Exclusion from classes, or from other specified activities or areas of the campus, as set forth in the Notice of Interim Suspension, before final determination of an alleged violation. A student shall be restricted only to the minimum extent necessary when there is reasonable cause to believe that the student's participation in University activities or presence at specified areas of the campus will lead to physical abuse, threats of violence, or conduct that threatens the health or safety of any person on University property or at official University functions, or other disruptive activity incompatible with the orderly operation of the campus. A student placed on Interim Suspension shall be given prompt notice of the charges and the opportunity for a prompt hearing on the Interim Suspension. Interim Suspension shall be reviewed by the Chancellor within

twenty-four hours. If a student is found to have been unjustifiably placed on Interim Suspension, the University is committed to a policy whereby that student shall not be disadvantaged in employment or academic status.

**105.09** Restitution: Reimbursement for damage to or misappropriation of University property may be imposed either exclusively or in combination with other disciplinary action. Such reimbursement may take the form of monetary payment or appropriate service to repair or otherwise compensate for damages. Restitution may be imposed on any student acting alone or through group or concerted activities, or on any campus organization that participates in causing the damages or costs.

**105.10** Other disciplinary sanctions:  
The following additional disciplinary sanctions may be imposed instead of or in addition to the sanctions enumerated above:

1. a. In cases where a determination of academic misconduct has been made and where close supervision of a student's academic conduct seems appropriate, course instructors may be requested to specifically monitor or separately test that student for a specified period of time.
2. b. Work, research projects, counseling, mediation, educational or awareness programs, treatment programs, or community service projects may be assigned.
3. c. In cases involving drug or alcohol abuse the student may be referred to the student alcohol and drug awareness program (or other appropriate program).
4. d. Holds may be placed on requests for transcripts, diplomas, or other student records to be sent to third parties.

**105.11** An administrative fee may be imposed on students and campus organizations in conjunction with sanctions for any violations. Funds collected shall be used to cover costs related to education about and prevention and adjudication of conduct issues. The amount of the fee will be \$50 and may be waived for hardship cases.

## APPENDIX A

### University of California Nondiscrimination Policy Statement

The University is committed to a policy against legally impermissible, arbitrary, or unreasonable discriminatory practices, including discrimination on the basis of race, color, national origin, religion, sex, gender identity, pregnancy, disability, age, medical condition (cancer-related), ancestry, marital status, citizenship, sexual orientation, or status as a Vietnam-era veteran or special disabled veteran. This nondiscrimination policy covers admission, access, and treatment in University programs and activities, and application for treatment in University employment. All groups operating under the authority of The Regents, including administration, faculty, student governments, University-owned residence halls and apartments, and programs sponsored by the University or any campus, are governed by the policy. The intent of the University's policy on nondiscrimination is to reflect fully the spirit of the law. In carrying out this Policy, the University also shall be sensitive to the existence of past and continuing societal discrimination. (See also: Policy 4105-Student Grievance Procedures; and Policy 1035-Sexual Harassment Policy and Procedures which are available at the Office of Student Life.)

## APPENDIX B

### CAMPUS IMPLEMENTING GUIDELINES FOR THE SUBSTANCE ABUSE POLICY

#### A. Introduction

The fundamental purpose of this university community is a dedication to excellence in teaching, research, and public service. It is acknowledged that substance abuse and the resulting consequences negatively impact campus life and impair individual clarity of thinking, verbal and perceptual acuity and mental alertness.

The university affirms its support for campus programs leading to wider understanding of the use and abuse of alcohol and other drugs. In terms of alcohol, choosing not to drink is as socially acceptable as choosing to drink. Unlawful drinking or drug use, excessive drinking, and drunkenness are not condoned. Intoxication is no excuse for misconduct or infringing on the rights of others.

The Implementing Guidelines for the Substance Abuse Policy of the University of California, Santa Barbara, are intended to serve the entire university community while taking into account the variety of roles occupied by students, staff, academic employees, and visitors. This document endeavors to provide clear, consistent, and constructive guidelines for the application of policy.

These implementing guidelines are minimum requirements. Campus units may propose unit policy that is more restrictive than these requirements. Nevertheless, units shall consult with Academic Personnel and Labor Relations in Human Resources to ensure the proposed unit policy is consistent with personnel policies and contracts. For unit policies that affect students, consultation shall include the Office of Student Life.

## B. Scope

These guidelines apply to:

### 1. Events including:

University sponsored events - events, which are official university functions, held on or off campus. Such events include scheduled academic classes, research, and activities; normal daily operations of university departments; and programs or activities sponsored by university departments in the course of fulfilling their university mission.

Non-university sponsored Events - all other functions that take place on university premises.

### 2. Campus Entities including:

Campus-Affiliated Organizations: organizations that occupy space on university property at the invitation of the chancellor and by agreement with The Regents.

Recognized Units: University of California, Santa Barbara organized research units and affiliated units as specified in the University of California, Santa Barbara General Catalog.

Registered Campus Organizations: any group composed of University of California, Santa Barbara students, academic employees, and/or staff who register with the Office of Student Life in order to have access to university facilities and/or resources.

University Departments: campus academic and administrative units that have as their purpose instruction, research, or the provision of services by the university.

### 3. Non-university Persons/Groups including:

Persons/groups who have no affiliation with the university: Such groups may be non-profit or commercial, private or public.

## C. Disciplinary Actions for Violations of the Implementing Guidelines

1. Individual students or student organizations will be referred to the Office of Student Life/dean of students or designee.

2. Staff employees will be referred to their immediate supervisors. Supervisors may obtain assistance from Human Resources – Labor Relations, or Academic and Staff Assistance Program (ASAP) as appropriate.

3. Academic employees will be referred to Academic Personnel or the Academic Senate, as appropriate.

4. Visitors will be referred as appropriate.

## D. Sale and Service of Alcohol Guidelines

(Note: The university cannot expend state funds for the purchase of alcohol.)

### 1. Sale of Alcohol

a. It is a misdemeanor to sell or expose for sale any intoxicating liquor within one mile of the UCSB campus. Exceptions include bona fide eating-places licensees, off-sale licensees and club licensees (California Penal Code 172, 172e, 172f, 172h).

b. All food service providers licensed to sell alcoholic beverages in a university facility shall have a system of server training.

c. The price of alcoholic beverages sold on campus shall not be at a level to encourage excessive consumption (e.g., progressive drink pricing).

d. It is unlawful to issue a license to fraternities, sororities or other student organizations to sell alcoholic beverages (California Penal Code, Section 172e).

### 2. Service of Alcohol

a. All individuals, groups or organizations responsible for an event at which alcoholic beverages are served must ensure compliance with applicable laws and university policies and regulations.

b. The consumption of beer, wine, or distilled spirits shall not be the primary purpose of any event.

c. At all events where alcoholic beverages are served, suitable non-alcoholic beverages and food shall be made available for the duration of the event. Non-alcoholic beverages shall be of comparable quality and shall be featured as prominently as the alcoholic beverages.

d. No event shall include any form of "drinking contest" in its activities or promotion.

- e. No person under 21 years of age and no obviously intoxicated person shall be furnished, served, or given an alcoholic beverage (California Business and Professions Code 25602a, 26558a).
- f. At events where some attendees are under 21 years of age, designated servers shall restrict access to alcoholic beverages in order to avoid service to those under 21.
- g. A person may be a server of alcoholic beverages at 18 years of age if his or her primary duty is the service of food, with the service of alcohol being incidental. S/he may not, however, mix drinks or serve from the bar until s/he is 21 years of age or older (California Business and Professions Code, Section 25667).
- h. Servers and event assistants are prohibited from consuming any alcoholic beverages at the event.
- i. It is recommended that the consumption of alcoholic beverages be discontinued 30 minutes before the scheduled ending of the event.
- j. All campus entities that sponsor events at which alcoholic beverages are served, whether on or off campus, should review this policy and implementing guidelines prior to the event and ensure compliance.
- k. If an event is likely to draw in excess of 2,500 guests, the event sponsor must first evaluate its feasibility in consultation with affected groups and departments and receive approval from the Major Events Committee.

## E. Advertising, Marketing and Sponsorship Guidelines

### 1. Definitions

For the purposes of this section, the following definitions will be used:

- a. Advertising - any print or electronic media (e.g., brochures, flyers, banners, radio, newspaper, etc.) that promotes a product, service or event.
- b. Beverage alcohol manufacturer or distributor - any company or individual whose principal business is the manufacture, distribution, or retailing of alcoholic beverages.
- c. Sponsor/Support/Contribution/Donation - any contribution given to a campus entity or event sponsor including but not limited to money, printing, products or staff support.

### 2. General

- a. Promotion of alcoholic beverages shall not encourage any form of alcohol abuse nor shall it place emphasis on quantity and frequency of use.
- b. When beverage alcohol manufacturers or distributors support campus programs or events, they should encourage informed and responsible decisions about the use of products they represent.
- c. Beverage alcohol manufacturers and distributors are encouraged to promote the use of non-alcoholic beverages as an alternative to promoting alcoholic beverages.

### 3. Advertising University-Sponsored Events

- a. Alcoholic beverage advertising, including that which promotes events as well as products, shall not portray drinking as a way to cope with personal or academic problems of students, staff, and academic employees or as an enhancement to social, sexual, or academic success. See section XE4.
- b. Event advertising shall not associate alcoholic beverage consumption with the performance of tasks that require skilled reactions such as the operation of motor vehicles or machinery.
- c. Alcoholic beverages shall not be used as an inducement to participate in an event. Advertisements for any event where alcoholic beverages are served shall mention the availability of non-alcoholic beverages as prominently as alcohol.
- d. Advertising for any event shall not make reference to the amount of alcoholic beverages (such as the number of beer kegs) available.
- e. If used, the alcoholic beverage trademark, logo, company name, or symbols/pictures implying the presence of alcoholic beverages at an event must be subordinate to the message concerning the event itself (not to exceed 25% of the total space in the advertisement poster or imprinted item).

f. To post advertising for University-sponsored events, see Campus Regulations for Campus Activities, Organizations, and Students, section B Posting Regulations.

g. Advertising that isn't associated with University-sponsored events is governed by other policies, including Use of the University's Name. Contact the campus policy coordinator for more information.

4. Marketing and Sponsorship

Support of events by beverage alcohol manufacturers and distributors is only permitted within these guidelines:

a. The name of an alcoholic beverage, manufacturer or distributor shall be listed as simply a sponsor of the event itself. (See examples below.)

Preferred Acknowledgement	Allowed Acknowledgement	Precluded Acknowledgement
UCSB Concert Series, sponsored by Non-Alcoholic Beer Product	UCSB Concert Series, sponsored by XYZ Beer	UCSB XYZ Beer
The UCSB Concert Series, brought to you by Non-Alcoholic Beer Product	The UCSB Concert Series, brought to you by XYZ Beer Concert	Presenting:
Non-Alcoholic Beer Product brings you the UCSB	XYZ Beer brings the UCSB Concert Series	

b. The name of an alcoholic beverage, manufacturer, or distributor shall not be prominently displayed on a product, structure, or piece of equipment donated to the campus entity (subject to approval by chancellor or Chancellor's designee and not to exceed 25% of total space).

c. Alcoholic beverages shall not be provided as free incentives to individual students or campus entities. Where controlled sampling is allowed by law and campus policies, it should be limited as to time and quantity.

d. Campus entities that accept support from beverage alcohol manufacturers or distributors shall not distribute promotional clothing, specialty items, or other consumer items that utilize the university name, seal, or mascot in combination with an alcoholic beverage name, trademark, logo, or company name, or that imply university endorsement of their products or companies in any way, regardless of whether such promotional items are free or for sale. (See examples that follow.)

Preferred Acknowledgement	Allowed Acknowledgement	Precluded Acknowledgement
Non-Alcoholic Beer Product Loves Tennis	XYZ Beer Loves Tennis UCSB Tennis	XYZ Beer Loves
IFC Tournament-Non-Alcoholic Beer Product	IFC Tournament - XYZ Beer Tournament -	UCSB IFC Tournament -XYZ Beer
ABC Corporation Tennis Tournament - Non-Alcoholic Beer Product	ABC Corporation Tennis Tournament - XYZ Beer	Gauchos Drink XYZ Beer

F. Additional Information

Office of Student Life  
2201 Student Affairs/Administrative Services Building (SAASB)  
(805) 893-4569

Labor and Employee Relations  
Human Resources  
3101 Student Affairs/Administrative Services Building  
(805) 893-4119

Academic Personnel

4105 Cheadle Hall  
(805) 893-2010