

Principles Guiding Speech and Assembly University of California, Riverside

A core value of the University of California, Riverside, is to provide a safe, nurturing, and enabling environment for faculty, students, and staff to freely pursue the academic mission of teaching and learning, research and creative activity, and engagement with the broader community through outreach and service. Of equal importance are the business and operational activities that enable the academic mission to be executed.

In embracing its diversity of people, programs, and ideas, UC Riverside has developed two documents that affirm the campus' commitment to the open exchange of ideas while maintaining an environment of respect. These are:

- Principles of Community (<http://diversity.ucr.edu/toolkit/community.pdf>)
- Chancellor's Statement on UCR as a Campus of Respect
http://chancellor.ucr.edu/messages/scottmail_11102009.html)

UC Riverside is committed to the belief that free speech, expression, and peaceful and lawful assembly are rights that must be protected, valued, and encouraged. Peaceful protest, while assuring an ongoing opportunity for the expression of a variety of viewpoints, is one form of the rich debate and dialogue that are at the heart of a university community. The campus is equally committed to the responsibility and accountability that must accompany the exercise of these rights. Indeed, the entire UC Riverside community is called upon to support the following principles:

For Campus Administration:

- To uphold and protect individuals' rights to freedom of speech and expression in accordance with the law and university policies.
- To uphold and protect individuals' rights to freedom of assembly, allowing them to engage in peaceful protest in accordance with the law and university policies.
- To require that the campus community respect and protect the rights of those participating in peaceful assemblies.
- To create and promote a safe environment that encourages community members to engage in their rights to freedom of speech and assembly, and that actively supports the free and respectful exchange of opinions and ideas.
- To develop university policies with the purpose of creating and promoting such a safe and open environment and to clearly communicate any lawful restrictions placed on the rights of speech and assembly in regard to time, place, and manner.

- To clearly communicate to those assembled when a gathering becomes an “unlawful assembly,” so that those who wish to heed warnings of arrest may do so, and to provide a written report on the basis for such a declaration in a timely manner.
- To identify a range of options, commensurate with the situation at hand, for dealing with rallies, protests, and other gatherings that become disorderly or unlawful based on university policy or law, including engaging in dialogue with participants, use of alternative dispute resolution techniques, and other approaches that do not require the use of police force.
- To require UC police officers to engage in strategies for de-escalation and to use only reasonable and necessary force given the circumstances and the facts available at the time.
- To be accountable for actions taken by the UC Police Department.
- To clearly articulate criteria for determining if and when mutual aid from other law enforcement agencies will be called, and have a clearly established chain of command and protocols for when mutual aid is deployed.

For Individuals Participating in Peaceful Assembly:

- To exercise the right to freedom of speech and expression in a way that is nonviolent and does not result in harm to people or damage to property.
- To honor the right of other members of the campus community to go about the mission and business of the university without interference.
- To exercise the right to assemble in a manner consistent with university policies as well as state and federal law, understanding that, while free speech is protected by the First Amendment, civil disobedience is not protected speech and may have consequences for those who engage in it.
- To promote a safe, non-violent, and constructive environment in which community members may engage their right to free speech and assembly, and where the exchange of opinions and ideas from all community members is encouraged.
- To hold the campus leadership accountable for choices made involving use of force.
- To hold themselves accountable for respecting the rights of every member of the campus community.
- To file a complaint with the UC Police Department, Dean of Students, or other appropriate body if individual rights are believed to have been violated by a police officer, university official, or other member of the University community. Individuals or groups may also consult confidentially and informally with the Ombuds Office regarding these issues.

Many forms of peaceful assembly or protest occur spontaneously. For events that can be planned in advance, however, UC Riverside has developed procedures to ensure their success.

These protocols are available at:

<http://hub.ucr.edu/EventScheduling/Pages/SchedulingPolicies.aspx> .

The UC Board of Regents has also issued regulations governing the conduct of visitors who are not affiliated with the university. They may be found at:

<http://www.ucr.edu/about/visitors.html>.

While the First Amendment protects the right to free speech and assembly, it does not provide an unlimited right to speak at any time, in any place, or in any manner. The University may impose restrictions on “time, place, and manner” of speeches as long as these restrictions apply uniformly without regard to the viewpoint being expressed. The University of California has developed a systemwide Policy on Speech and Advocacy:

30.10 The University is committed to assuring that all persons may exercise the constitutionally protected rights of free expression, speech, assembly, and worship.

30.20 It is the responsibility of the Chancellor to assure an ongoing opportunity for the expression of a variety of viewpoints.

30.30 The time, place, and manner of exercising the constitutionally protected rights of free expression, speech, assembly, and worship are subject to campus regulations that shall provide for non-interference with University functions and reasonable protection to persons against practices that would make them involuntary audiences or place them in reasonable fear, as determined by the University, for their personal safety.

30.40 The University recognizes, supports, and shall not abridge the constitutional rights of faculty, students, or staff to participate, either as individuals or as members of a group, in the political process of supporting candidates for public office or any other political activity.

(see <http://www.ucop.edu/ucophome/coordrev/ucpolicies/aos/uc30.html>)