

NOTICE OF PROPOSED REGULATION AMENDMENT

Date: December 9, 2009

REGULATION TITLE:

Use of University Facilities; Campus Demonstrations
and Other Outdoor Events

REGULATION NO.:

UCF-4.0293

SUMMARY OF REGULATION: This regulation is amended to clarify the description of the “Free Assembly Area” by the Memory Mall. Amendments to the regulation also include technical changes, including renumbering of the regulation.

AUTHORITY: BOG Regulation 1.001

NAME OF PERSON WHO INITIATED PROPOSED REGULATION AMENDMENT:

Youndy Cook, Associate General Counsel

COMMENTS CONCERNING THE PROPOSED REGULATION AMENDMENT SHOULD BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO THE CONTACT PERSON IDENTIFIED BELOW. The comments must identify the regulation you are commenting on.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED REGULATION AMENDMENT IS:

Regulations Administrator
4000 Central Florida Blvd.
Millican Hall, Suite 360
Orlando, FL 32816-0015
Phone: (407) 823-2482
Fax: (407) 823-6155
e-mail: regulations@mail.ucf.edu

FULL TEXT OF THE PROPOSED REGULATION AMENDMENT:

~~UCF6C7~~-4.0293 Use of University Facilities; Campus Demonstrations and Other Outdoor Events.

(1) Subject to the limitations of this and related regulations, University grounds may be used for demonstrations and other exercises of free speech and assembly by University and University-

related organizations. Such use must be on a noninterference basis with the conduct of classes or other normal activities of the University and must not infringe on the rights of other members of the University community. All general requirements for use of University buildings and grounds set forth in University Regulations ~~6C7UCF~~-4.029, UCF-4.0292, and ~~6C7UCF~~-4.0294 apply to uses of University grounds under this Regulation.

(2) No campus buildings, other indoor facilities, or athletic or recreational facilities may be used for demonstrations or assemblies unless specifically permitted in writing by the campus authority specifically responsible for the building or facility.

(3) University organizations and University-related organizations may organize, conduct, or participate in demonstrations and other exercises of free speech and assembly on University grounds, except:

- (a) Grounds immediately adjacent to University residential facilities;
- (b) Grounds associated with the Burnett House;
- (c) Athletic and recreational fields, including any facilities operated by the Recreation and Wellness Center;
- (d) Grounds immediately adjacent to University buildings where such use could impair entrance to or exit from the building or interfere with activities within the buildings;
- (e) Grounds within 200 feet of the Creative School for Children.

(4) Non-university organizations may organize or conduct demonstrations and other exercises of free speech and assembly only as specifically permitted in this and related regulations. Non-university organizations and persons are limited to the locations identified in section (10) below for purposes of organizing and conducting demonstrations and other exercises of free speech and assembly on campus. Non-university organizations and persons may use other University facilities if specifically sponsored by a University organization or University-related organization. Such

sponsorship requires the University organization or University-related organization serving as sponsor to be a participant in the activity of the non-University organization, including being physically present throughout the activity.

(5) All organizations and persons that organize or conduct demonstrations and other exercises of free speech and assembly on University grounds, or otherwise conduct activities or events in University facilities, must abide by the general requirement that no such uses may interfere with, disrupt, or impede the normal operations of the University or otherwise interfere with or infringe on the rights of others. In order that demonstrations and other exercises of free speech and assembly not interfere with the operation of the University or the rights of others, any person or organization organizing, conducting, leading, or participating in a demonstration, assembly, or activity using University grounds or other facilities shall not:

- (a) obstruct vehicular, bicycle, pedestrian, or other traffic;
- (b) obstruct entrances or exits to buildings or driveways or impede entry to or exit from any building or parking lot or vehicular path;
- (c) interfere with educational or administrative activities inside or outside any building;
- (d) violate a law, rule, regulation, or ordinance;
- (e) threaten passersby or use fighting words, which are those words that by their mere utterance inflict violence or would tend to incite a reasonable person to violence or other breach of the peace;
- (f) obstruct, disrupt, or attempt to physically force the cancellation or continuance of a speaker;
- (g) interfere with scheduled University ceremonies or events;
- (h) interfere with or disrupt normal University operations;
- (i) damage property, including grass, shrubs, trees, or other landscaping; or
- (j) utilize sound amplification, including bullhorns, except as approved in advance and within sound limits that will not disrupt normal University operations.

(6) If a demonstration is disrupting normal University operations or infringing on the rights of other members of the University community contrary to the requirements of this and related regulations, the President or his/her representative may:

(a) identify him/herself to the demonstrators, giving name and official position;

(b) inform the demonstrators that they are in violation of the University policy and/or in violation of the law and specify the nature of the violation;

(c) request that the violation cease (which could include relocation of the activity to avoid the disruption); and

(d) in the event of non-compliance with this request, enlist the assistance of the University Police in restoring order and enforcing the law.

(7) In the event of a disruption, the University Police have a responsibility to:

(a) declare a demonstration or assembly to be disruptive, disorderly, or in violation of law and request all participants to cease and desist and to disperse and clear the area or be subject to arrest and/or University disciplinary action;

(b) arrest any participants observed to be in violation of the law; and

(c) enlist the assistance of outside law enforcement agencies, if necessary.

(8) In the event of disruptive action, University employees and students involved in the demonstration or activity shall identify themselves by presenting appropriate documents such as ID cards when requested to do so by the police or by the President or his/her designated representative. When requesting that persons identify themselves, the University representative making the request will identify him/herself verbally. Demonstrators not officially related to the University will be directed to leave the campus immediately or be subject to arrest for a violation of the law forbidding the disruption or interference with the administration or functions of an educational institution.

(9) The areas designated in paragraph (10) below may be used by University students and employees, University organizations, University-related organizations, or non-university organizations and persons on a space-available basis.

(10) Subject to requirements of the University regarding the assembly of large numbers of people, the use of sound amplification equipment, and maintenance of access to University facilities, eight areas shall be deemed “Free Assembly Areas” for the conduct of political activity and other exercises of free speech:

(a) The open grass area between the kiosk near Millican Hall and the Math and Physics Building as bounded by Apollo Circle and the sidewalks leading to the southwest entrance of the Math and Physics Building.

(b) The ~~brick mall~~grass area between the John T. Washington Center and the Student Union sidewalk as bounded on the west side by the Student Union loading dock and east side by the sidewalk crossing the brick mall near the entrance to the Student Union.

(c) The triangle formed by the sidewalks bordering Colbourn Hall, the John T. Washington Center, and the sidewalk bisecting diagonally the grass area between John T. Washington Center and Howard Phillips Hall.

(d) The area behind the Health and Public Affairs 2 building bordering the sidewalks and road adjacent to the Engineering 2 building.

(e) ~~The open area southwest of the Fairwinds Alumni Center building between the Fairwinds Alumni Center parking area and the Psychology Building.~~The triangular grass area between the Memory Mall and Classroom I Building as bounded on the east side by the Memory Mall sidewalk and the north and south sides by the sidewalk that leads from the Memory Mall to the northeast entrance to Classroom Building I.

(f) The open area southwest of the Convocation Center entrance bound by West Plaza Drive on the west and Gemini Boulevard to the south.

(g) At the Rosen College of Hospitality Management, the grass area north of, and adjacent to, the Rosen College Library bounded by the sidewalks on the north, east, and west, and by the Library on the south.

(h) At the Rosen College of Hospitality Management, a portion of the great lawn directly adjacent to the UCF Rosen College shuttle stop bounded on two sides by the sidewalk of the shuttle stop and the sidewalk running north/south from the campus entrance gate.

(11) Non-university organizations and persons who intend to use the areas identified in paragraph (10) above must notify the university at least twenty-four hours in advance of the assembly. Notification must be provided in writing to the Office of Student Involvement. Notification must include: name of the non-university organization or person, date and time of intended use of university assembly area, general nature of use, and expected attendance at event. If the event qualifies as a potentially hazardous event, the documents provided to meet the requirements of ~~University~~ Regulation ~~6C7UCF~~-4.0292 will suffice to notify the university of intent to use the identified assembly area.

(12) Campus demonstrations or organized activities that will take the form of or involve a parade or march on campus must follow the requirements of University Regulation 6C7-4.0292, "Potentially Hazardous Events." This is required so that necessary safety precautions can be taken, particularly where the parade or march route will cross lanes of vehicular or pedestrian traffic.

Authority: BOG ~~Resolution dated January 7, 2003~~ Regulation 1.001. History—New 10-19-86, Amended 3-16-03, 8-15-07, 06-09-08, Formerly 6C7-4.0293; Amended 2010.