



2.2.10 Policy Governing Assembly on Campus

As an academic institution of higher education, the University of San Diego is committed to creating and maintaining an environment in which a variety of ideas can be reasonably expressed, discussed and critically examined. To that end, students and employees may engage in assembly on campus in a peaceful manner, in accordance with the requirements set forth in this policy. For the purpose of this policy, an “assembly” is a rally or demonstration for the purpose of exercising free speech or dissension.

Those who enjoy the ability to engage in assembly on campus also must be responsible for complying with applicable law, university policies, and appropriate standards of conduct. The standards set forth in this policy are intended to protect the rights of those participating in or observing the assembly, to protect the rights of other members of the university community, to protect the property of the university and members of the university community, and to safeguard the institution.

Approval of a request to schedule an assembly under this policy does not constitute express or implied endorsement by the university of the views expressed during the assembly.

Scheduling an Assembly

Assemblies must be scheduled to take place at a location and time that will not interfere with instruction, research, administration or other scheduled events at the university.

An employee or student wishing to schedule an assembly should contact Campus Scheduling at least three business days in advance of the planned assembly, or as soon as practicable under the circumstances. The employee or student must provide Campus Scheduling with the requested date, times, and location of the assembly and the purpose of the assembly. The employee or student also must provide Campus Scheduling with the name and contact information for the responsible student or employee organizer(s); an estimate of the number of individuals who will participate in the assembly; and the names of any visitors or members of outside organizations who have been or will be invited to participate in the assembly.

The designated location for requested assemblies is in front of the Hahn University Center, in the Student Life Pavilion’s Plaza Mayor or Plaza Menor, or in the fountain plaza area in front of the Kroc Institute for Peace and Justice. Assemblies normally will be scheduled to occur between the hours of 8 a.m. and 10 p.m. Exceptions to the

designated location and times for assemblies may be made only with the advance approval of the Vice President for Student Affairs or his/her designee (“Vice President for Student Affairs”).

Campus Scheduling will promptly notify the Vice President for Student Affairs about the request. The Vice President for Student Affairs will promptly notify Public Safety and any other relevant university officials about the request.

The Vice President for Student Affairs is responsible for approving or denying the request, and may approve the request in part and deny the request in part. The response to the request shall be made in a timely manner. Requests will be considered on a content-neutral basis and will be subject to limitations on space and other restrictions established by the university.

Occasionally, an event occurs that warrants a spontaneous and unplanned assembly in response. In those circumstances, the responsible organizer must promptly notify the Vice President for Student Affairs and Public Safety to ensure that the assembly is carried out with minimal threat to the safety and security of persons and facilities. Spontaneous or unplanned assemblies may not displace previously scheduled events.

The ability to conduct an assembly (whether planned or spontaneous) does not include the ability to engage in unlawful activity; the destruction of property; activity that endangers the safety or well-being of any person; activity that significantly impedes the ability of others to participate in an event (such as a lecture, ceremony, or interview); or activity that interferes with instruction, research, administration or other scheduled events at the university.

If a request for an assembly is denied by the Vice President’s designee, the decision may be appealed to the Vice President. If a request for an assembly is denied by the Vice President, the decision may be appealed to the Executive Council. The appeal should be made in writing within 10 calendar days of the decision. Decisions regarding scheduling, location, timing, security, or other logistics of an otherwise approved assembly are not appealable.

Enforcement

If an assembly becomes disruptive in violation of this policy, and if the circumstances permit, the participants will be notified that they must immediately cease the disruptive activities. If the disruption continues, appropriate action will be taken, including but not limited to ending the assembly and seeking the intervention of Public Safety or the police department. The Vice President for Student Affairs or Public Safety may conclude that a situation does not warrant a warning, and may take immediate action, as appropriate under the circumstances.

A violation of this policy may result in disciplinary action, in accordance with the policies and procedures applicable to the individual(s) involved.

Visitors and Off Campus Organizations

University property and facilities are available primarily for programs and activities offered by and intended for the campus community. As a private institution, the university does not permit visitors or members of outside organizations to participate in assemblies on university property, unless they were invited to do so in advance by the responsible student or employee organizer(s), and their participation was approved by the Vice President for Student Affairs. Visitors or members of off campus organizations who attempt to participate in on-campus assemblies without the appropriate advance approval will be considered to be trespassing, and may be asked to leave the campus.

(July 16, 2010)