

EXHIBIT A

INTERIM UNIVERSITY GROUNDS AND FACILITIES POLICY

This regulation is issued by the President of the University, pursuant to California Code of Regulations, Title 5, Sections 42350-42353. It applies to students, student organizations, faculty, faculty organizations, staff, staff organizations, campus affiliated organizations, and other off campus groups or persons while on campus grounds.

The president of each campus is responsible for the general welfare of the campus over which he/she presides. Should the president or his/her designee determine that any program or appropriation is not consistent with the policy of the Board of Trustees and the campus, the program or appropriation shall not be implemented. Further, should a program or appropriation which had received approval, upon review, be determined by the president or a designee to be operating outside the acceptable policy of the Board of Trustees and the campus, then the program or appropriation shall be discontinued by the direction of the president or his/her designee until further review is accomplished and an appropriate adjustment is made (California Code of Regulations, Title 5, Section 42402).

DEFINITIONS *(As used in this article the following definitions apply)*

1. "Commercial transaction" means selling or purchasing or both selling and purchasing by any person in the course of employment in, or the carrying on of, a trade or business.
2. "Sale", "selling" or "purchasing" mean an activity creating an obligation to transfer property or services for a valuable consideration.
3. "Commercial solicitation" means any direct or personal communication in the course of a trade or business reasonably intended to result in a sale.
4. "Solicitation" means to request, or endeavor to persuade or obtain by asking, but does not include "commercial solicitation."
5. "Private sale" means occasional selling between persons who are campus students or employees.
6. "Campus President" means those persons referred to in Title 5, Section 422355 and includes their designees.

REFERENCE: Education Code, Sections 66600, 89030, 89031, and 89035.
California Code of Regulations, Title 5, Sections 42350-42353.

USE OF UNIVERSITY BUILDINGS, FACILITIES OR GROUNDS

The use of buildings, facilities or grounds by off campus groups and individuals is contingent upon the agreement of the officers of the group or individual to assume the responsibility for observing University policies regarding meetings, activities and programs, to include the following: (California Code of regulations, Title 5, Sections 42350-42353)

1. The events are orderly and lawful.
2. The programs or activities do not interfere with the instructional program.
3. The programs or events are consistent with the educational purposes of the

8/14/2003

1. Publications disseminated by hand may be distributed provided such distribution:

a. Does not unduly interfere with campus pedestrian and vehicular circulation. Placement of handbills on vehicles is prohibited.

b. Does not create a safety hazard.

c. Does not generate an unreasonable level of refuse from discarded publications.

2. Publications deposited on University property and made available for members of the general University community may be placed, on a first-come, first-served basis, only in appropriately designated publication racks provided by the University (as designated for general use) and under the conditions provided below:

a. Racks at each building location shall be grouped in a cluster and spaced no more than one foot apart.

b. The precise placement of the racks shall be determined by the Office of the Vice President of Administrative Affairs.

3. Publications disseminated on campus or deposited on University property are subject to University policies relating to the display of flyers, leaflets, posters, handbills, banners, printed or written materials. Circulation of such material via the University's internal mail system must be in compliance with University Manual Section 206.41

B. The Office of Student Life is responsible for the implementation of these guidelines.

II. SALE OF COMMERCIAL NEWS PUBLICATIONS

A. The sales of commercial news publications shall be permitted subject to the following guidelines:

1. News publications sold on University property and made available for members of the University community must be placed in news racks provided by the publishing company.

2. News racks at a building location shall be grouped in a cluster; the precise placement of the racks shall be determined by the Office of the Vice President for Administrative Affairs.

B. The Office of the Vice President for Administrative Affairs is responsible for approving the sales of commercial news publications on campus.

III. POSTING OF FLYERS, LEAFLETS, POSTERS, HANDBILLS, BANNERS AND SIMILAR MATERIALS RELATED TO EVENTS SPONSORED BY RECOGNIZED CAMPUS ORGANIZATIONS, COLLEGES AND DEPARTMENTS

A. The posting on campus of flyers, leaflets, posters, handbills, banners and similar materials shall be permitted subject to the University Posting Policy developed and published by the Office of Student Life. The Policy Review Committee is responsible for reviewing and amending posting rules and regulations as appropriate.

B. Use of University Marquees is reserved for major events of general interest to the campus community.

C. Special facilities (University Housing, University Union and Campus Centers) are subject to both University Posting Policy and any additional rules established within each of these facilities. Additional posting rules established within a special facility are subject to approval by the Posting Policy Review Committee.

D. Off-campus posting by campus organizations designed to represent the university and its programs to the public requires the approval of the Director of Public Affairs.

IV. PUBLIC MEETINGS, PERFORMANCES, RALLIES AND SIMILAR EVENTS

A. The president may permit the use of campus building and grounds for public meetings, performances, rallies and similar events held in accordance with reasonable directives issued by the president as to the time, place and manner thereof.

1. Any such event occurring on campus in violation of established campus directives is prohibited and if so determined, is a misdemeanor.

2. Activities may not interfere with classes in session, previously scheduled activities, or obstruct the free flow of pedestrian traffic, and must be carried out without provocation, harassment or disturbance of persons in the area or any breach of the peace; and are subject to the same manner in which they were found. premises being left in the

B. All public meetings, performances, rallies and similar events should be registered at least 24 hours in advance with the OSL Facilities Coordinator.

1. Registration forms are available in the Office of Student Life and are used solely for informational purposes. An executed registration form does not guarantee the availability of space.

2. An activity may be scheduled in advance through the campus Facilities Coordinator. Scheduling ensures the availability of space and is subject to policies and procedures related to scheduled events such as special and leases.

events

C. The Office of the Vice President for Student Affairs is responsible for the implementation of the guideline.

8/14/2003

EXHIBIT B

INTERIM FREEDOM OF EXPRESSION POLICY

Freedom of speech is one of the most important rights granted by the United States Constitution. However, no right is absolute. Since Cal Poly Pomona, or any university, is a “marketplace of ideas,” freedom of speech is a particularly important facet of university life. Cal Poly Pomona’s catalog notes that “the university is the primary social institution committed to the search for knowledge and the preservation of intellectual freedom. This commitment distinguishes the university from other institutions. Cal Poly is a community of learners who strive to promote, foster, and sustain academic freedom in its broadest context, with each individual free to pursue truth, knowledge, and meaning according to his or her own best judgment. All members of the university community are expected to practice self-discipline, fair and independent judgment, and responsibility for their treatment of others.” (1995-96, page 49)

To insure that communities are able to function efficiently, American courts have long held that, while the content of speech can rarely be controlled, some speech may be restricted with regard to time, place, and manner. Cal Poly Pomona, like most other institutions, routinely sets forth regulations pertaining to the way activities may be conducted. Three examples of such restrictions follow.

1. Scheduled events take precedence over spur of the moment activities.
2. Because it might interfere with classes in session, individual’s privacy, or other activities, sound amplification is generally limited to times when classes are not in session, weekends, or evenings.
3. Activities which restrict or disturb the routine business of the university are generally prohibited or closely monitored.

Cal Poly Pomona believes that the search for knowledge requires the freedom to speak openly about concerns and issues. However, abusive treatment of individuals based on a personal or stereotypical bias prevents the university from establishing and maintaining such an open environment. No member of the Cal Poly Pomona community should be subject to such treatment nor should anyone tolerate, encourage, or engage in such activities. As the Catalog notes, “It is expected that all students are enrolled for serious educational pursuits and that their conduct will preserve an atmosphere of learning. All students are expected to assume the responsibilities of citizenship in the campus community. Association in [this] community is purely voluntary, and students may withdraw from it at any time that they consider the obligations of membership disproportionate to the benefits.” (p. 47)

While students are subject to university authority, there are several sections of the California Penal Code which relate to activities which may occur on our campus. Inside this pamphlet is a condensed version of several of them. Please take time to become familiar with these prohibitions to prevent misunderstandings in the future.

California Penal Code

In the following, when the description appears in normal typeface, the section of the code is produced verbatim. When it is in *italics*, it is a re-phrasing of the legal wording. Interested parties are urged to consult the California Penal Code for further information (located in all public and university libraries). Each of the following is considered a misdemeanor, whose penalties are fines up to \$1000, imprisonment for up to one year, or a combination of both.

148 Resisting, delaying or obstructing officers or medical technicians in the discharge of their duty

Anyone who willfully resists, delays, or obstructs any public officer, peace officer or an emergency medical technician in the performance of their duties is in violation of the law.

407 Unlawful assembly defined

When two or more persons assemble together to do an unlawful act, or do a lawful act in a violent, boisterous or tumultuous manner, such assembly is *unlawful*.

409 Remaining present at place of riot, etc. after warning to disperse

Anyone remaining at any riot, or other unlawful assembly after being lawfully warned to disperse, is acting unlawfully.

415.5 Disturbance of peace; school, community college, university, or state university

Anybody who fights or challenges someone to a fight at any of these locations; who maliciously and willfully disturbs anyone by loud and unreasonable noise, or who uses offensive words which are inherently likely to provoke an immediate violent reaction is guilty of a misdemeanor.

602.1 Interfering with Lawful Business

Anyone who willfully enters an area with the intention of interfering with, obstructing, or injuring any lawful business or occupation carried on by the land owner or its agents or anyone who enters and occupies an area without the consent of the owner or the owner's agent, is guilty of a misdemeanor.

626.4 Notice of withdrawal of consent

The president of the university or designees may notify a person that consent to remain on the campus has been withdrawn whenever there is reasonable cause to believe that such a person has willfully disrupted the orderly operation of the campus.

626.6 Power to Direct Person to Leave Campus

When it appears likely that a visitor to the campus is likely to interfere with the peaceful conduct of the activities of campus, the president or designees may direct the person to leave the campus. If they fail to do so or willingly and knowingly appear within seven days, they are guilty of a misdemeanor.

647.C Obstruction of street, sidewalk, or other public place.

Anyone who willfully and maliciously obstructs the free movement of anyone else on any street, sidewalk, or other public place is guilty of a misdemeanor

The Office of Student Life can provide further information about issues of free speech. They also maintain copies of the University's Posting and Vendor Policies. Please visit them in the University Union Plaza or telephone them at 909/869-2841.

10/25/2002

EXHIBIT C

C. Time, Place and Manner Restrictions

Universities do need to be able to ensure safety, security and order, prevent unlawful conduct, preserve architectural aesthetics, and limit the volume of commercial solicitations even in public forums.²³ Reasonable time, place and manner restrictions on the use of public forums are permissible, provided that they are carefully designed to (1) coordinate the appropriate use of a particular location for speech activities, and not to prohibit particular forms of expression; (2) “serve a significant government interest” and are not more extensive than necessary to serve that interest; and (3) “leave open ample alternative channels for communication of the information.”²⁴ They must be clear and specific enough to place the public on notice as to exactly what is authorized and what is forbidden. To be legally sustainable, time, place, and manner policies must consider all of the following:

- Is the campus interest sufficiently significant? Interests that have qualified include: prevention of crime; maintenance of safety to persons or property; avoidance of disruption of University functions; maintenance of an educational rather than a commercial atmosphere; preservation of residential tranquility; maintenance of personal privacy; and preventing commercial exploitation of students.²⁵

- Does the restriction directly and materially advance the significant campus interests which have been identified?

- Is the restriction sufficiently narrow and tailored to accomplish the goal without adversely affecting other forms of protected free speech?

Such restrictions must also be routinely and even-handedly enforced. A policy that is only enforced against “objectionable” speech will be struck down.

Trustee policy addresses which types of speech activity must be allowed to occur on CSU campuses, and which can be prohibited under what circumstances.²⁶ Campus policies must harmonize with Trustee policy, and must be posted:

“Notice shall be posted at or near the principal entrances of each campus calling attention to the existence of regulations relating to use of CSU buildings and grounds and designating the places where copies thereof and directives issued by the campus president pursuant thereto may be examined.”²⁷

California Education Code section 89031 provides that any violation of these regulations is a misdemeanor.

²¹ See, e.g., *Carreras v. City of Anaheim*, 768 F.2d 1039 (9th Cir. 1985) (abrogated in part by *Los Angeles Alliance for Survival v. City of Los Angeles*, 22 Cal.4th 352 (2000)); *In re Hoffman*, 67 Cal. 2d 845, 851 (1967).

²² *Carreras*, *supra*, 768 F.2d at 1046, citing *Wirta v. Alameda-Contra Costa Transit Dist.*, 68 Cal.2d 51 (1967).

²³ See, e.g., *Khademi v. S. Orange County Comm. Coll. Dist.*, 194 F.Supp. 2d 1011, 1026-1027 (C.D.Cal. 2002); *Students Against Apartheid Coalition v. O’Neil*, 838 F.2d 735 (4th Cir. 1988); *American Future Systems v. Pennsylvania State University*, 618 F.2d 252, 255 (3d Cir. 1980) and 688 F.2d 907, 912 (3d Cir. 1982).

²⁴ *Heffron v. International Society for Krishna Consciousness*, 452 U.S. 640, 648 (1981).

²⁵ Caution is advised in meeting these standards -- e.g., a court struck down Penn State’s policy limiting commercial solicitation in its dormitories, concluding that the content restrictions on the sale of cookware had nothing to do with maintaining a proper study atmosphere in the dormitories or protecting the privacy of the students. [*American Future Systems*, *supra*.] Similarly, the Ninth Circuit struck down an attempt by Santa Clara County to prohibit gun shows at its fair grounds, finding that the prohibition failed to directly advance the goal of reducing the possession

D. HANDBILLS AND CIRCULARS

Personal distribution of handbills or circulars, not otherwise prohibited by law, and which do not contain false or misleading advertising is permitted subject to the following time, place, and manner regulations.

TIME: Monday through Friday, 8 a.m. to 5 p.m.

PLACE: (1) In the University Park, northeast grassy area of the entrance to the Bronco Student Center, and (2) in areas so designated by the Office of Student Life and Cultural Centers. Distribution inside University buildings is prohibited. Distribution in campus parking lots or placement of any written or printed materials on or in any motor vehicle parked within the campus is prohibited.

MANNER: Distribution of handbills and circulars (1) shall not interfere with classes or any other operations of the University, (2) shall not interfere with or obstruct the free flow of pedestrian or vehicular traffic, (3) shall not unduly interfere with campus pedestrian and vehicular circulation, (4) shall be carried out without shouting or use of amplification equipment or other noise louder than normal conversation, (5) shall be carried out without deliberate provocation, harassment or disturbance of persons in the area (including prolonged or repeated contact with persons who have declined the handbills and circulars), and (6) shall not generate an unreasonable level of refuse from discarded handbills and circulars. Placement of handbills and circulars on vehicles is prohibited.

PERMIT: For approval to engage in distribution of handbill and circulars on campus grounds and to obtain the required permit contact the Office of Student Life and Cultural Centers at building 26-124 or 909-869-2841. The permit must be displayed at all times at the approved location. In addition, all parties must adhere to the guidelines outlined by the Office of Student Life and Cultural Centers.

REFERENCE: Education Code, Sections 66600, 66606, 89030, 89031, and 89035. California Code of Regulations, Title 5, Section 42352.

EXHIBIT D



Memorandum


Date: April 16, 2008

To: Dr. Ed Barnes
Vice President for Administrative Affairs

Copy: Cabinet
Deans
AVP's

Dr. Doug Freer
Vice President for Student Affairs

From:


J. Michael Ortiz, Ph.D.
President

Subject: Presidential Order - Use of University Buildings, Facilities or Grounds

Effective this date, the attached Presidential Order will serve as the campus policy on the Use of University Buildings, Facilities, or Grounds. This Presidential Order supersedes the former policies entitled:

- Presidential Order 7.4 of the Administrative Manual, currently entitled Commercial Sale, Solicitation, and Transactions Policy.
- Office of Student Life/Cultural Centers Policy on Solicitation
- University Grounds and Facilities Policy

This document establishes enforceable guidelines for on and off campus solicitors to help maintain a respectful and courteous environment at California State Polytechnic University, Pomona. Please work with the Office of Public Affairs to develop an appropriate notification strategy to the campus community.

I appreciate the work of Judicial Affairs and partnering departments around the campus for their coordination of this effort.

CALIFORNIA STATE POLYTECHNIC UNIVERSITY, POMONA
USE OF UNIVERSITY BUILDINGS, FACILITIES OR GROUNDS
Presidential Order

Subject: USE OF UNIVERSITY BUILDINGS, FACILITIES OR GROUNDS – PRESIDENTIAL ORDER

Number:

Date Issued: April 11, 2008

Effective Date: April 11, 2008

Initiating Entity: President

Affected Entities: Campus Community and Guest

Responsible Entity: Vice President for Student Affairs or designee

Revisions if any: Yes

This Presidential Order is issued by the University President, pursuant to California Code of Regulations, Title 5, sections 42350-42355 and concerns the use of university buildings and grounds for purposes of commercial transactions and commercial solicitation, non-commercial solicitation, and the distribution of handbills and circulars at California State Polytechnic University, Pomona (Cal Poly Pomona). It applies to students, student organizations, campus affiliated organizations, and other off campus groups or persons while on campus grounds, including commercial vendors or solicitors.

USE OF UNIVERSITY BUILDINGS, FACILITIES OR GROUNDS

The use of campus buildings, facilities or grounds for purposes of solicitations, commercial solicitations or transactions, and the distribution of handbills and circulars is contingent upon the agreement of those engaging in such activities to assume responsibility for observing the following:

1. The activities must be conducted in an orderly and lawful manner.
2. The activities must not unreasonably interfere with the instructional program or operation of the campus.
3. The activities must conform with the time, place and manner restrictions established by this order (copies of time, place, and manner restrictions are available at the Judicial Affairs and Office of Student Life and Cultural Centers).
4. The activities must be conducted in conformance with all applicable federal, state and university laws, policies and regulations.
5. Prior written authorization must be obtained and displayed at all times (authorization must be obtained from the Office of Student Life and Cultural Centers, Building 26-124).

AUTHORITY. Campus policies and regulations are adopted pursuant to the authority of the University President, who is responsible for the general welfare of the campus over which he/she presides. (Title 5, California Code of Regulations, Section 42402).

VIOLATIONS. Violations of this order constitute a violation of an order of the University President, Cal Poly Pomona and applicable statutes and regulations. Violations may result in removal of the offending party or parties from the campus, as

well as possible loss of further use of campus facilities and grounds and personal or corporate liability for any cost incurred by the campus due to the improper use. (California Education Code Section 89031). In addition, a violation of this order may constitute a crime under the Penal Code and the offending party may be found guilty of a misdemeanor pursuant to Education Code Section 89031, and also may subject the violator, if a student, to student disciplinary action pursuant to Title 5, California Code of Regulations, Section 41301-41303. Non-campus affiliated groups or individuals may also have their future privileges revoked under Section 626 et seq. of the Penal Code. Complaints and revoked privileges will be monitored through the Office of Student Life and Cultural Centers and Judicial Affairs Office.

CONSULTATION on the USE OF UNIVERSITY BUILDINGS, FACILITIES OR GROUNDS was conducted with the parties listed below:

President Ortiz

Sandi Davis, Executive Assistant, President's Office

Ed Barnes, Vice President for Administrative Affairs

Debra Brum, Vice President for I&IT

Herman Lujan, Provost

Ron Fremont, Associate Vice President for University Relations

Reyes Luna, Interim Director of Judicial Affairs

Eunice Chan, University Counsel

Sunny Lee, Director of Office of Student Life and Cultural Centers

Michael Guerin, Chief of Campus Police

Patricia Mucino, Administrative Assistant Dean of Students Office

Dr. Doug Freer, Vice President for Student Affairs

Dr. Rebecca Gutierrez Keeton, Associate Vice President & Dean of Students

Christi Chisler, Associate Vice President for Student Affairs Administration

Kathy Street, Associate Vice President for Enrollment Services

Pam Shedd, Division of Administrative Affairs

Ray Morrison, Director Facilities Planning, Design & Construction

DEFINITIONS. As used in this regulation the following definitions apply:

"Solicitation" means the request, or endeavor to persuade or obtain by asking but does not include "commercial solicitation".

"Commercial solicitation" means any direct and personal communication in the course of a trade or business reasonably intended to result in a sale or donation.

"Commercial transaction" means selling, purchasing or both selling and purchasing by any person in the course of employment in, or in the carrying on of, a trade or business.

"Sale," "selling" or "purchasing" means an activity creating an obligation to transfer property or services for a valuable consideration.

"Private sale" means occasional selling between persons who are campus students or employees.

"Campus President" means those persons referred to in Title 5, Section 42355 and includes their designees.

REFERENCE: Education Code, Sections 66600, 66606, 89030, 89031, and 89035. California Code of Regulations, Title 5, Section 42350 - 42352.

**CALIFORNIA STATE POLYTECHNIC UNIVERSITY, POMONA
USE OF UNIVERSITY BUILDINGS, FACILITIES OR GROUNDS
Presidential Order**

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Affected Entities: Campus Community and Guest

Responsible Entity: Vice President for Student Affairs or designee

Revisions if any: Yes

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USE OF UNIVERSITY BUILDINGS, FACILITIES OR GROUNDS

The use of campus buildings, facilities or grounds for purposes of solicitations, commercial solicitations or transactions, and the distribution of handbills and circulars is contingent upon the agreement of those engaging in such activities to assume responsibility for observing the following:

1. The activities must be conducted in an orderly and lawful manner.
2. The activities must not unreasonably interfere with the instructional program or operation of the campus.
3. The activities must conform with the time, place and manner restrictions established by this order (copies of time, place, and manner restrictions are available at the Judicial Affairs and Office of Student Life and Cultural Centers).
4. The activities must be conducted in conformance with all applicable federal, state and university laws, policies and regulations.
5. Prior written authorization must be obtained and displayed at all times (authorization must be obtained from the Office of Student Life and Cultural Centers, Building 26-124).

AUTHORITY. Campus policies and regulations are adopted pursuant to the authority of the University President, who is responsible for the general welfare of the campus over which he/she presides. (Title 5, California Code of Regulations, Section 42402).

VIOLATIONS. Violations of this order constitute a violation of an order of the University President, Cal Poly Pomona and applicable statutes and regulations. Violations may result in removal of the offending party or parties from the campus, as

well as possible loss of further use of campus facilities and grounds and personal or corporate liability for any cost incurred by the campus due to the improper use. (California Education Code Section 89031). In addition, a violation of this order may constitute a crime under the Penal Code and the offending party may be found guilty of a misdemeanor pursuant to Education Code Section 89031, and also may subject the violator, if a student, to student disciplinary action pursuant to Title 5, California Code of Regulations, Section 41301-41303. Non-campus affiliated groups or individuals may also have their future privileges revoked under Section 626 et seq. of the Penal Code. Complaints and revoked privileges will be monitored through the Office of Student Life and Cultural Centers and Judicial Affairs Office.

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Dr. Rebecca Gutierrez Keeton, Associate Vice President & Dean of Students

Christi Chisler, Associate Vice President for Student Affairs Administration

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Pam Shedd, Division of Administrative Affairs

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"Commercial transaction" means selling, purchasing or both selling and purchasing by any person in the course of employment in, or in the carrying on of, a trade or business.

"Sale," "selling" or "purchasing" means an activity creating an obligation to transfer property or services for a valuable consideration.

"Private sale" means occasional selling between persons who are campus students or employees.

"Campus President" means those persons referred to in Title 5, Section 42355 and includes their designees.

REFERENCE: Education Code, Sections 66600, 66606, 89030, 89031, and 89035. California Code of Regulations, Title 5, Section 42350 - 42352.

CALIFORNIA STATE POLYTECHNIC UNIVERSITY, POMONA
USE OF UNIVERSITY BUILDINGS, FACILITIES OR GROUNDS
Presidential Order Procedures

A. SELLING OR DISPLAY OF PUBLISHED MATERIALS

The selling or display of books, newspapers, magazines, pamphlets, or similar published materials is permitted on campus subject to the time, place, and manner regulations established below, provided that such published materials are not available for sale at the campus bookstore and do not: (1) contain false, misleading, or illegal claims; (2) violate applicable laws pertaining to obscene matters; or (3) consist of term papers, theses, or other written materials submitted for academic credit.

The time, place, and manner regulations and permit approval process for selling or display of published materials do not apply to on-campus student clubs and organizations and Bronco Bookstore and/or Cal Poly Pomona Foundation.

TIME: Monday through Friday, 8 a.m. to 5 p.m.

PLACE: (1) Non news publications must be sold or displayed in the University Park, northeast of the entrance to the Bronco Student Center, (2) news publications distributed on University property and made available for members of the University community must be placed in news racks provided by the publishing company, (3) news racks at a building location shall be grouped in a cluster in front of Building 1 or the Marketplace; the precise placement of the racks shall be determined by the Office of the Vice President for Administrative Affairs, except for news racks in the Bronco Student Center, (4) news rack placement within the Bronco Student Center will be determined by the Director of Programs and Marketing of the Associated Students, Inc., and (5) all other published material must be displayed in approved locations by the Office of Student Life and Cultural Centers.

MANNER: The sale or display of published materials (1) shall not interfere with classes or any other operations of the University, (2) shall not interfere with or obstruct the free flow of pedestrian or vehicular traffic, (3) shall not unduly interfere with campus pedestrian and vehicular circulation, (4) shall be carried out without shouting or use of amplification equipment or other noise louder than normal conversation, (5) shall be required to bring and set up a table no greater than eight feet long with selling limited to the eight feet circumference parameter of this table, (6) shall be carried out without deliberate provocation, harassment or disturbance of persons in the area (including prolonged or repeated contact with persons who have declined the commercial transaction), (7) shall not generate an unreasonable level of refuse from discarded publications, and (8) will be removed on the last day of every month. In addition, all individuals wanting to disseminate publications by hand must register with the Office of Student Life and Cultural Centers prior to such activity.

PERMIT: For approval to sell or display published materials on campus grounds and to obtain the required permit contact the Office of Student Life and Cultural Centers at building 26-124 or 909-869-2841. The permit must be displayed at all times at the approved location. In addition, all parties must adhere to the guidelines outlined by the Office of Student Life and Cultural Centers.

REFERENCE: Education Code, Sections 66600, 66606, 89030, 89031, and 89035. California Code of Regulations, Title 5, Section 42351.

B. COMMERCIAL TRANSACTIONS AND COMMERCIAL SOLICITATION

1. Commercial transactions and the display of property or services for sale on campus are prohibited unless proper written authorization has been obtained from the Campus President or designee. Persons or organizations wishing to engage in commercial transactions, or display goods or services for sale on campus grounds may be granted permission (maximum of 5 business days per academic quarter) to do so if the proposed activity aids achievement of the educational objectives of the campus and is conducted in accordance with the time, place and manner regulations established at the end of document unless such commercial transactions are in violation of law. Private sales and sales sponsored by the Bronco Bookstore and/or Cal Poly Pomona Foundation are excluded from this section. For clarification contact the Office of Student Life and Cultural Centers, building 26-124, 909-869-2841.

2. Commercial solicitation on a campus is prohibited unless prior written authorization has been obtained from the Campus President or designee. Persons wishing to engage in commercial solicitation on campus grounds may be granted permission (maximum of 5 business days per academic quarter) if the proposed activity is conducted in accordance with the time, place and manner regulations established below, unless such solicitation would be in violation of law. For clarification contact the Office of Student Life and Cultural Centers, building 26-124, 909-869-2841.

The time, place, and manner regulations and permit approval process for commercial solicitations do not apply to the fundraising activities of on-campus student clubs and organizations, with the exception of fundraising activities that take place in the University Park, northeast of the entrance to the Bronco Student Center, or in areas so designated by the Office of Student Life and Cultural Centers.

On-campus student clubs and organizations shall obtain the appropriate approval for the fundraising activities, other than the fundraising activities that take place in the University Park, northeast of the entrance to the Bronco Student Center, or in areas so designated by the Office of Student Life and Cultural Centers, the department head or the registered on-campus advisor who is responsible for monitoring the fundraising activities.

TIME: Monday through Friday, 8 a.m. to 5 p.m.

PLACE: (1) In the University Park, northeast grassy area of the entrance to the Bronco Student Center, and (2) in areas so designated by the Office of Student Life and Cultural Centers. Distribution inside University buildings is prohibited. Distribution in campus parking lots or placement of any written or printed materials on or in any motor vehicle parked within the campus is prohibited. Posting paper solicitations on designated campus "general use" bulletin boards is permitted, provided that the paper solicitation shall not exceed 11x17 and be limited to one page per "general use" bulletin board, the paper solicitation shall be posted for a maximum duration of one month from the permit approval date, and the sponsor is clearly identified on the face of the paper solicitation. The location of these "general use" bulletin boards is available in the Office of Student Life and Cultural Centers. Personal solicitation inside campus buildings is prohibited.

MANNER: Commercial transactions and commercial solicitation must be conducted in a manner that (1) shall not interfere with or obstruct the free flow of pedestrian or vehicular traffic, (2) shall not unduly interfere with campus pedestrian and vehicular circulation, (3) shall be carried out without shouting or use of amplification equipment or other noise louder than normal conversation, (4) shall be required to bring and set up a table no greater than eight feet long with selling limited to the eight feet circumference parameter of this table, (5) shall be carried out without deliberate provocation, harassment or disturbance of persons in the area (including prolonged or repeated contact with persons who have declined the commercial transaction), and (6) shall not generate an unreasonable level of refuse from discarded paper solicitations.

Marketers of credit cards are prohibited from offering gifts to students for their filling out credit card applications (California Code of Regulations, Title 5, Section 42350.6).

PERMIT: For approval to engage in commercial transactions or commercial solicitation on campus grounds and to obtain the required permit contact the Office of Student Life and Cultural Centers at building 26-124 or 909-869-2841. This permit must be displayed at all times at the approved location. In addition, all parties must adhere to the guidelines outlined by the Office of Student Life and Cultural Centers.

REFERENCE: Education Code, Sections 66600, 66606, 89030, 89031, and 89035. California Code of Regulations, Title 5, Sections 42350.1 and 42350.6.

C. NON-COMMERCIAL SOLICITATION

Non-commercial solicitation on a campus is prohibited unless prior written authorization has been obtained from the Campus President or designee. Persons wishing to engage in solicitation on campus grounds may be granted permission (maximum of 5 business days per academic quarter) if the proposed activity is conducted in accordance with the time, place, and manner regulations established below, unless such solicitation is in violation of law. For clarification contact the Office of Student Life and Cultural Centers, building 26-124, 909-869-2841. Request for donations is also considered a form of solicitation. Solicitations not otherwise prohibited by law and which are not false or misleading are permitted subject to the following time, place, and manner regulations.

TIME: Monday through Friday, 8 a.m. to 5 p.m.

PLACE: (1) In the University Park, northeast grassy area of the entrance to the Bronco Student Center, and (2) in areas so designated by the Office of Student Life and Cultural Centers. Distribution inside University buildings is prohibited. Distribution in campus parking lots or placement of any written or printed materials on or in any motor vehicle parked within the campus is prohibited. Posting paper solicitations on designated campus "general use" bulletin boards is permitted, provided that the paper solicitation shall not exceed 11x17 and be limited to one page per "general use" bulletin board, the paper solicitation shall be posted for a maximum duration of one month from the permit approval date, and the sponsor is clearly identified on the face of the paper solicitation. The location of these "general use" bulletin boards is available in the Office of Student Life and Cultural Centers. Personal solicitation inside campus buildings is prohibited.

MANNER: Solicitation must be conducted in a manner (1) shall not interfere with or obstruct the free flow of pedestrian or vehicular traffic, (2) shall not unduly interfere with campus pedestrian and vehicular circulation, (3) shall be required to bring and set up a table no greater than eight feet long

with selling limited to the eight feet circumference parameter of this table, (4) shall be carried out without shouting or use of amplification equipment or other noise louder than normal conversation, (5) shall be carried out without deliberate provocation, harassment or disturbance of persons in the area (including prolonged or repeated contact with persons who have declined the solicitation), and (6) shall not generate an unreasonable level of refuse from discarded paper solicitations.

PERMIT: For approval to engage in solicitation on campus grounds and to obtain the required permit contact the Office of Student Life and Cultural Centers at building 26-124 or 909-869-2841. The permit must be displayed at all times at the approved location. In addition, all parties must adhere to the guidelines outlined by the Office of Student Life and Cultural Centers.

REFERENCE: Education Code, Sections 66600, 66606, 89030, 89031, and 89035. California Code of Regulations, Title 5, Section 42350.5.

D. HANDBILLS AND CIRCULARS

Personal distribution of handbills or circulars, not otherwise prohibited by law, and which do not contain false or misleading advertising is permitted subject to the following time, place, and manner regulations.

TIME: Monday through Friday, 8 a.m. to 5 p.m.

PLACE: (1) In the University Park, northeast grassy area of the entrance to the Bronco Student Center, and (2) in areas so designated by the Office of Student Life and Cultural Centers. Distribution inside University buildings is prohibited. Distribution in campus parking lots or placement of any written or printed materials on or in any motor vehicle parked within the campus is prohibited.

MANNER: Distribution of handbills and circulars (1) shall not interfere with classes or any other operations of the University, (2) shall not interfere with or obstruct the free flow of pedestrian or vehicular traffic, (3) shall not unduly interfere with campus pedestrian and vehicular circulation, (4) shall be carried out without shouting or use of amplification equipment or other noise louder than normal conversation, (5) shall be carried out without deliberate provocation, harassment or disturbance of persons in the area (including prolonged or repeated contact with persons who have declined the handbills and circulars), and (6) shall not generate an unreasonable level of refuse from discarded handbills and circulars. Placement of handbills and circulars on vehicles is prohibited.

PERMIT: For approval to engage in distribution of handbill and circulars on campus grounds and to obtain the required permit contact the Office of Student Life and Cultural Centers at building 26-124 or 909-869-2841. The permit must be displayed at all times at the approved location. In addition, all parties must adhere to the guidelines outlined by the Office of Student Life and Cultural Centers.

REFERENCE: Education Code, Sections 66600, 66606, 89030, 89031, and 89035. California Code of Regulations, Title 5, Section 42352.

EXHIBIT E

CALIFORNIA STATE POLYTECHNIC UNIVERSITY, POMONA

Presidential Order

Subject: USE OF UNIVERSITY BUILDINGS, FACILITIES OR GROUNDS

Number:

Date Issued: December 1, 2014

Effective Date: December 1, 2014

Initiating Entity: President

Affected Entities: Campus Community and Guests

Responsible Entity: Vice President for Student Affairs or designee

Revisions if any: Yes

This Presidential Order is issued by the University President, pursuant to California Code of Regulations, Title 5, sections 42350-42353, and concerns the use of university buildings and grounds for purposes of commercial transactions and solicitation, non-commercial transactions and solicitation, freedom of expression activities, amplified sound, and posting or chalking, including the distribution of handbills and circulars at California State Polytechnic University, Pomona (Cal Poly Pomona). It applies to students, student organizations, campus affiliated organizations, faculty, staff, and other off campus groups or persons while on campus grounds, including commercial vendors or solicitors.

Commercial transactions and solicitation, non-commercial transactions and solicitation, freedom of expression activities, and posting and chalking serve an important purpose at Cal Poly Pomona. They communicate upcoming events and activities and disseminate information and opinions on important issues. Sometimes, however, freedom of expression activities and posted materials, have appeared to direct hurtful and/or hateful messages toward an individual or group. While there will always be disagreements over what may constitute good taste or appropriate comment, there can be no question, particularly in a university, that freedom of expression as guaranteed by the First Amendment of the Constitution is a cherished and protected right.

Accordingly, the campus community is asked to be tolerant of differing points of view and to respect the rights of others to express themselves. While one may find certain expressions or materials to be quite offensive or even insulting, the appropriate way to counteract such materials is through discourse, criticism, and the expression of contrary points of view. Free speech is allowed and supported as long as it does not violate other laws or university orders, policies or procedures. Printed materials that include slanderous/libelous statements are not permitted. Any member of the campus community who finds freedom of expression activities or posted materials to be offensive or disrespectful is encouraged to contact the responsible organization or individual to address their objections. For further information, contact the Office of Student Life & Cultural Centers at osl@cpp.edu or (909) 869-2841.

USE OF UNIVERSITY BUILDINGS, FACILITIES OR GROUNDS

The use of campus buildings, facilities or grounds for purposes of non-commercial solicitations, commercial solicitations or transactions, freedom of expression activities, amplified sound and posting or chalking, including the distribution of handbills and circulars is contingent upon the agreement of those engaging in such activities to assume responsibility for observing the following:

1. The activities must be conducted in a lawful manner.
2. The activities must not unreasonably interfere with instructional programs or the operation of the campus.
3. The activities must conform to the time, place, and manner restrictions established by this order (copies of the time, place, and manner restrictions are available at the Office of Student Life and Cultural Centers).
4. The activities must be conducted in conformance with all applicable federal, state, and local laws, as well as university policies, procedures, and regulations.
5. The activities must abide by the university's alcohol and other drugs (AOD) policy.
6. No events will be scheduled or allowed during commencement weekend.
7. The activities must be registered with the Office of Student Life and Cultural Centers prior to the start of the activities and should reasonably conform to all Office of Student Life & Cultural Centers procedures
8. In order to facilitate safety and floor maintenance, individuals with bare feet are prohibited from entering University buildings, with the exception of appropriate areas of University housing facilities and physical education facilities. **(Refer to Presidential Orders 7.1 b, Notice of Orders Issued Pursuant to Title 5, Calif. Code of Regulation 41301 (1) s)**
9. Camping on university property or living in privately owned, temporary lodging parked or erected on university property is prohibited without written permission from the university. **(Refer to Presidential Orders 7.1 c, Notice of Orders Issued Pursuant to Title 5, Calif. Code of Regulation 41301 (1)s)**
10. Erection of any temporary structure on campus must be approved by Facilities Management for the safety of all participants and by-standers. **Call (909) 869-3030 to speak to a facilities representative for permission (Refer to the Use of Campus Facilities Procedure).**
11. Pets will be allowed on campus only when on a leash and accompanied by their owner. No animals, except when being used for official University instructional purposes, and/or service animals, will be permitted inside campus buildings without prior approval of the University. **(Refer to Presidential Orders 7.1 d, Notice of Orders Issued Pursuant to Title 5, Calif. Code of Regulation 41301 (1)s)**
12. Without specific permission from the President or designee, it shall be prohibited on property or areas under the control of the University, for any person to fire,

USE OF UNIVERSITY BUILDINGS, FACILITIES OR GROUNDS

discharge, shoot, or operate, or to assist or participate in the firing, discharging, shooting or operating, or have in his or her possession, care, custody or control, any gun, revolver, pistol, firearm, pellet gun, paint gun, spring gun, air gun, sling, sling shot, or device designed, or intended, to discharge, or capable of discharging any dangerous missile, or any cartridge, shell ammunition, or device, designed or intended to be used in or fired from, any gun, revolver, pistol, or firearm, or other device intended to project a missile. (Refer to Presidential Orders 7.1 i., Notice of Orders Issued Pursuant to Title 5, Calif. Code of Regulation 41301 (1) s)

Without specific permission from the President or designee, it shall be prohibited to engage in, participate in, or assist participants in any game which involves the ambushing, lying-in-wait for, or following another person by means of stealth; or to participate or assist in the participation in any game which would involve the firing of any device as defined in the preceding paragraph.

A person shall not shoot any arrow or similar missile, and a person shall not cause or permit any arrow or similar missile to be shot on University property, except as a part of a University course of study or official sponsored activity. **(Refer to Presidential Orders 7.1 i, Notice of Orders Issued Pursuant to Title 5, Calif. Code of Regulation 41301 (1) s)**

AUTHORITY. Campus regulations and procedures are adopted pursuant to the authority of the University President, who is responsible for the general welfare of the campus over which he/she presides. (See Title 5, California Code of Regulations, Sections 42350-53 and 42402).

VIOLATIONS. Violations of this Order constitute a violation of an order of the University President, Cal Poly Pomona and applicable statutes and regulations. Violations may result in removal of the offending party or parties from the campus, as well as possible loss of further use of campus facilities and grounds. Personal or corporate liability for any cost incurred by the campus due to the improper use may be imposed upon the responsible party(s). In addition, a violation of this Order may constitute a crime under the Penal Code and the offending party may be found guilty of a misdemeanor pursuant to Education Code Section 89031, and also may subject the violator, if a student, to student disciplinary action pursuant to Title 5, California Code of Regulations, Section 41301-41303. Non-campus affiliated groups or individuals may also have their future privileges revoked under Section 626 et seq. of the Penal Code. Complaints and revoked privileges will be monitored through the Office of Student Life and Cultural Centers and the Judicial Affairs Office.

CONSULTATION on the USE OF UNIVERSITY BUILDINGS, FACILITIES OR GROUNDS was conducted with the parties listed below:

President J. Michael Ortiz
Dr. Marten den Boer, Provost
Dr. Rebecca Gutierrez Keeton, Acting Vice President for Student Affairs
Dr. Steve Garcia, Vice President for Administrative Affairs
John McGuthry, Vice President for Informational Technology and Chief Information Officer
Dr. Byron Howlett, Acting Associate Vice President and Dean of Students

USE OF UNIVERSITY BUILDINGS, FACILITIES OR GROUNDS

Christi Chisler, Associate Vice President for Student Affairs Administration

Kathy Street, Associate Vice President for Enrollment Services

Dr. Kevin Colaner, Associate Vice President for Student Services

Andrea Gunn Eaton, University Counsel

Bruce Wilson, Chief of Police

Sharon Reiter, Associate Vice President for Human Resources

La'Keisha Beard, Acting Director of the Office of Student Life and Cultural Centers

Dr. Susan Ashe, Director of Judicial Affairs

Walter Marquez, Associate Vice President for Facilities Planning and Management

Mark Miller, Director Facilities Management Services

Bob Hutchinson, Coordinator, Licensing of Facilities

USE OF UNIVERSITY BUILDINGS, FACILITIES OR GROUNDS

1 Summary of Procedures

In support of the Presidential Order regarding the use of university buildings, facilities or grounds, the following procedures have been enacted and can be referenced on the pages listed below:

FREEDOM OF EXPRESSION PROCEDURES	6
SELLING OR DISPLAY OF PUBLISHED MATERIALS	8
COMMERCIAL TRANSACTIONS AND COMMERCIAL SOLICITATION	9
NON-COMMERCIAL SOLICITATION	10
HANDBILLS AND CIRCULARS	11
AMPLIFIED SOUND PROCEDURE	12
POSTING AND CHALKING	13

USE OF UNIVERSITY BUILDINGS, FACILITIES OR GROUNDS

FREEDOM OF EXPRESSION PROCEDURES

Cal Poly Pomona believes that the search for knowledge requires the freedom to speak openly about concerns and issues. All students and employees of Cal Poly Pomona and members of the public are free to lawfully exercise their constitutional right to freedom of expression on university property. Freedom of expression activity includes, but is not limited to, pure or symbolic speech, assembly, meeting, demonstrations or rallies, picketing, petitioning, mime and theater, music and singing, survey research, and religious or political activity. The university may establish reasonable time, place, and manner regulations regarding the use of its public facilities to ensure that individuals and groups exercising their legitimate rights do not infringe on the rights of others or disrupt the educational process or other operations of the university.

The exercise of freedom of expression and assembly rights must comply with all applicable federal, state, and local laws. Illegal speech activity not protected by the First Amendment to the U.S. Constitution or by this policy includes defamation, obscenity, terrorist threats, false advertising, and the promotion of actual or imminent violence or harm.

Freedom of expression activity is subject to Cal Poly Pomona's **time, place, and manner restrictions**. To ensure that the orderly and peaceful flow of campus business and activities will not be disrupted, all organizations or individuals wishing to engage in freedom of expression activity should schedule the time and location of such an event in advance with the Office of Student Life and Cultural Centers, thereby avoiding a conflict with a special campus or student event that may already be scheduled.

Time, Place and Manner Restrictions

Reasonable time, place and manner restrictions on the use of public forums are permissible, provided that they are carefully designed to (1) coordinate the appropriate use of a particular location for speech activities, and not to prohibit particular forms of expression; (2)

“serve a significant government interest” and are not more extensive than necessary to serve that interest; and (3) “leave open ample alternative channels for communication of the information.”²⁴ They must be clear and specific enough to place the public on notice as to exactly what is authorized and what is forbidden.

Cal Poly Pomona, like most other institutions, routinely sets forth regulations pertaining to the way activities may be conducted. Three examples of such restrictions follow.

1. Scheduled events take precedence over spur of the moment activities.
2. Because an event may interfere with classes in session and/or other activities, sound amplification is generally limited to times when classes are not in session. *See* Amplified Sound Procedures beginning on page 13.
3. Activities that restrict or disturb the routine business of the university are generally prohibited or closely monitored and as such, may be directed to cease should it be

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determined that such activity is restricting or disturbing the routine business of the university.

TIME: Monday through Friday, 8 a.m. to 10 p.m.

PLACE: Approved freedom of expression activities may take place on campus with the following exceptions: inside parking lots and university buildings and within 50 feet of any location in which instructional, educational and/or official business activities are being conducted. Preferred locations are University Park and University Quad.

MANNER: Freedom of expression must be conducted in a manner that (1) shall not interfere with or obstruct the free flow of pedestrian or vehicular traffic, (2) shall not interfere with or disrupt the conduct of university business, (3) shall be carried without creating excessive noise by use of a device, (4) shall not interfere with classes in session or other scheduled academic, educational, cultural/arts programs, (5) shall not promote an unlawful end, such as promoting actual violence or harm, terrorist threats, defamation, obscenity, and false advertising, and (6) shall not violate any federal, state or local safety code, such as regulations set by the State Fire Marshal. Organizations and individuals engaging in freedom of expression activity are responsible for cleaning up all discarded handouts or refuse resulting from their activity. Organizations and/or individuals may be held financially liable for cost incurred for cleaning up after an event due the activities of that event. These procedures will be administered by the Vice President for Student Affairs, and will be enforced by the University Police Department, and, when appropriate, Judicial Affairs. Enforcement will be in compliance with existing state and federal laws.

VIOLATIONS: Behavior in violation of any of these regulations is subject to intervention by university and/or law enforcement officials. In the event of an alleged or perceived violation, those in violation will be asked to comply with the applicable regulations by the appropriate campus authorities.

If a violation persists or is repeated, or if the assembly poses an imminent danger to public safety, those assembled may be required to disperse immediately. Continued violation may result in arrest and subsequent legal action by the university. If the violation occurs at a scheduled event, the permission for the event may be summarily revoked, and future requests by those in violation may be canceled or denied.

University disciplinary action against Cal Poly Pomona community members alleged to have violated this policy and procedure shall be in conformity with the Code of Student Conduct, and/or applicable collective bargaining agreements and established university guidelines.

The Office of Student Life can provide further information about issues of free speech. They also maintain copies of the University's Posting and Vendor Policies. Please visit them in the University Plaza or telephone them at 909-869-2841.

REFERENCE: Education Code, Sections 66600, 66606, 89030, 89031, and 89035. California Code of Regulations, Title 5, Sections 42350 - 42353. Penal Code Sections, 148, 407, 409, 415.5, 602.1, 626.4, 626.6, and 647c.

USE OF UNIVERSITY BUILDINGS, FACILITIES OR GROUNDS

SELLING OR DISPLAY OF PUBLISHED MATERIALS

The selling or display of books, newspapers, magazines, pamphlets, or similar published materials is permitted on campus subject to the time, place, and manner regulations established below, provided that such published materials are not available for sale at the campus bookstore and do not: (1) contain false, misleading, or illegal claims; (2) violate applicable laws pertaining to obscene matters; or (3) consist of term papers, theses, or other written materials submitted for academic credit.

The time, place, and manner regulations and permit approval process for selling or display of published materials do not apply to on-campus student clubs and organizations and Bronco Bookstore and/or Cal Poly Pomona Foundation. Designated locations on campus to sell or display materials may be reserved through the OSLCC.

TIME: Monday through Friday, 8 a.m. to 10 p.m.

PLACE: (1) Non-news publications must be sold or displayed in the University Park, northeast of the entrance to the Bronco Student Center, (2) news publications distributed on University property and made available for members of the university community must be placed in news racks provided by the publishing company, (3) news racks at a building location shall be grouped in a cluster in front of Building 1 or the Marketplace; the precise placement of the racks shall be determined by the Office of the Vice President for Administrative Affairs, except for news racks in the Bronco Student Center, (4) news rack placement within the Bronco Student Center will be determined by the Director of the Bronco Student Center of the Associated Students, Inc., and (5) all other published material must be displayed in approved locations by the Office of Student Life and Cultural Centers.

MANNER: The sale or display of published materials (1) shall not interfere with classes or any other operations of the university, (2) shall not interfere with or obstruct the free flow of pedestrian or vehicular traffic, (3) shall not unduly interfere with campus pedestrian and vehicular circulation, (4) shall be carried out without shouting or use of amplification equipment or other noise louder than normal conversation, (5) shall be carried out without deliberate provocation, harassment or disturbance of persons in the area (including prolonged or repeated contact with persons who have declined the commercial transaction), (6) shall not generate an unreasonable level of refuse from discarded publications, (7) will be removed on the last day of every month, and shall not occur during commencement. Organizations and/or individuals found responsible for generating an unreasonable level of refuse from discarded handbills and circulars may be liable for clean up cost incurred. Those wishing to sell or display published materials shall be required to bring and set up a table no greater than eight feet long with selling limited to the eight feet circumference parameter of this table. In addition, all individuals wanting to disseminate publications by hand must register with the Office of Student Life and Cultural Centers prior to such activity.

PERMIT: Off-campus entities must obtain approval to sell or display published materials on campus grounds. To obtain the required permit, contact the Office of Student Life and Cultural Centers at Building 26-124 or 909-869-2841. The permit must be displayed at all times at the

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approved location. In addition, all parties must adhere to the guidelines outlined by the Office of Student Life and Cultural Centers.

REFERENCE: Education Code, Sections 66600, 66606, 89030, 89031, and 89035. California Code of Regulations, Title 5, Section 42351.

COMMERCIAL TRANSACTIONS AND COMMERCIAL SOLICITATION

1. Commercial transactions and the display of property or services for sale on campus are prohibited unless proper written authorization has been obtained from the Campus President or designee. Persons or organizations wishing to engage in commercial transactions or display goods or services for sale on campus grounds may be granted permission (maximum of 5 business days per academic quarter) to do so if the proposed activity aids achievement of the educational objectives of the campus and is conducted in accordance with the time, place, and manner regulations established below, unless such commercial transactions are in violation of law. Private sales and sales sponsored by the Bronco Bookstore and/or Cal Poly Pomona Foundation are excluded from this section. For clarification, contact the Office of Student Life and Cultural Centers, Building 26-124, 909-869-2841.
2. Commercial solicitation on a campus is prohibited unless prior written authorization has been obtained from the Campus President or designee. Persons wishing to engage in commercial solicitation on campus grounds may be granted permission (maximum of 5 business days per academic quarter) if the proposed activity is conducted in accordance with the time, place, and manner regulations established below, unless such solicitation would be in violation of law. For clarification, contact the Office of Student Life and Cultural Centers, Building 26-124, 909-869-2841.

The time, place, and manner regulations and the permit approval process for commercial solicitations do not apply to the fundraising activities of on-campus student clubs and organizations. Fundraising activities conducted by chartered Cal Poly Pomona clubs/organizations, departments, faculty, and/or staff shall obtain the appropriate approvals from the Office of Student Life and Cultural Centers. A chartered club/organization's on-campus advisor is responsible for monitoring the club/organization's fundraising activities.

TIME: Monday through Friday, 8 a.m. to 10 p.m.

PLACE: (1) In the University Park, northeast grassy area of the entrance to the Bronco Student Center, and (2) in areas so designated by the Office of Student Life and Cultural Centers. Distribution inside university buildings is prohibited. Distribution in campus parking lots or placement of any written or printed materials on or in any motor vehicle parked on the campus is prohibited. Posting paper solicitations on designated campus "general use" bulletin boards is permitted, provided that the paper solicitation shall not exceed 11x17 and be limited to one page per "general use" bulletin board, and the paper solicitation shall be posted for a maximum duration of one month from the permit approval date, with the sponsor clearly identified on the face of the paper solicitation. The location of these "general use" bulletin boards is available in the Office of Student Life and Cultural Centers (*See Posting and Chalking Procedures*). Personal solicitation inside campus buildings is prohibited.

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MANNER: Commercial transactions and commercial solicitation must be conducted in a manner that (1) shall not interfere with or obstruct the free flow of pedestrian or vehicular traffic, (2) shall not unduly interfere with campus pedestrian and vehicular circulation, (3) shall be carried out without shouting or use of amplification equipment or other noise louder than normal conversation, (4) shall be carried out without deliberate provocation, harassment or disturbance of persons in the area (including prolonged or repeated contact with persons who have declined the commercial transaction), (5) shall not generate an unreasonable level of refuse from discarded paper solicitations, and shall not occur during commencement time periods. Organizations and/or individuals found responsible for generating an unreasonable level of refuse from discarded handbills and circulars may be liable for clean up cost incurred. In addition, those wishing to engage in commercial transactions and commercial solicitation shall be required to bring and set up a table no greater than eight feet long with selling and solicitation limited to the eight feet circumference parameter of this table.

Marketers of credit cards are prohibited from offering gifts to students for their filling out credit card applications (California Code of Regulations, Title 5, Section 42350.6).

PERMIT: For approval to engage in commercial transactions or commercial solicitation on campus grounds and to obtain the required permit, contact the Office of Student Life and Cultural Centers at Building 26-124 or 909-869-2841. This permit must be displayed at all times at the approved location. In addition, all parties must adhere to the guidelines outlined by the Office of Student Life and Cultural Centers which can be found by contacting the Office of Student Life and Cultural Centers.

REFERENCE: Education Code, Sections 66600, 66606, 89030, 89031, and 89035. California Code of Regulations, Title 5, Sections 42350.1 and 42350.6.

NON-COMMERCIAL SOLICITATION

Non-commercial solicitation on campus is prohibited unless prior written authorization has been obtained from the Campus President or designee. Persons wishing to engage in solicitation on campus grounds may be granted permission (maximum of 5 business days per academic quarter) if the proposed activity is conducted in accordance with the time, place, and manner regulations established below, unless such solicitation is in violation of law. For clarification, contact the Office of Student Life and Cultural Centers, Building 26-124, 909-869-2841. Requests for donations are also considered a form of solicitation. Solicitations not otherwise prohibited by law and which are not false or misleading are permitted subject to the following time, place, and manner regulations.

TIME: Monday through Friday, 8 a.m. to 10 p.m.

PLACE: (1) In the University Park, northeast grassy area of the entrance to the Bronco Student Center, and (2) in areas so designated by the Office of Student Life and Cultural Centers. Distribution inside university buildings is prohibited. Distribution in campus parking lots or placement of any written or printed materials on or in any motor vehicle parked within the campus is prohibited. Posting paper solicitations on designated campus "general use" bulletin boards is permitted, provided that the paper solicitation shall not exceed 11x17 and be limited to

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one page per "general use" bulletin board, and the paper solicitation shall be posted for a maximum duration of one month from the permit approval date, with the sponsor clearly identified on the face of the paper solicitation. The location of these "general use" bulletin boards is available in the Office of Student Life and Cultural Centers (See Posting and Chalking Procedures). Personal solicitation inside campus buildings is prohibited.

MANNER: Solicitation must be conducted in a manner that (1) shall not interfere with or obstruct the free flow of pedestrian or vehicular traffic, (2) shall not unduly interfere with campus pedestrian and vehicular circulation, (3) shall be carried out without shouting or use of amplification equipment or other noise louder than normal conversation, (4) shall be carried out without deliberate provocation, harassment or disturbance of persons in the area (including prolonged or repeated contact with persons who have declined the solicitation), (5) shall not generate an unreasonable level of refuse from discarded paper solicitations, and shall not occur during commencement time periods. Organizations and/or individuals found responsible for generating an unreasonable level of refuse from discarded handbills and circulars may be liable for clean up cost incurred. In addition, anyone engaging in solicitation shall be required to bring and set up a table no greater than eight feet long with solicitation limited to the eight feet circumference parameter of this table.

PERMIT: For approval to engage in solicitation on campus grounds and to obtain the required permit, contact the Office of Student Life and Cultural Centers at Building 26-124 or 909-869-2841. The permit must be displayed at all times at the approved location. In addition, all parties must adhere to the guidelines outlined by the Office of Student Life and Cultural Centers which can be found by contacting the Office of Student Life and Cultural Centers.

REFERENCE: Education Code, Sections 66600, 66606, 89030, 89031, and 89035. California Code of Regulations, Title 5, Section 42350.5.

HANDBILLS AND CIRCULARS

Distribution of handbills or circulars not otherwise prohibited by law, and which do not contain false or misleading advertising is permitted subject to the following time, place, and manner regulations.

TIME: Monday through Friday, 8 a.m. to 10 p.m.

PLACE: (1) In the University Park, northeast grassy area of the entrance to the Bronco Student Center, and (2) in areas so designated by the Office of Student Life and Cultural Centers. Distribution inside University buildings is prohibited. Distribution in campus parking lots or placement of any written or printed materials on or in any motor vehicle parked on the campus by any person or group, campus-affiliated or otherwise, is prohibited.

MANNER: Distribution of handbills and circulars (1) shall not interfere with classes or any other operations of the University, (2) shall not interfere with or obstruct the free flow of pedestrian or vehicular traffic, (3) shall not unduly interfere with campus pedestrian and vehicular circulation, (4) shall be carried out without shouting or use of amplification equipment or other noise louder than normal conversation, (5) shall be carried out without deliberate

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provocation, harassment or disturbance of persons in the area (including prolonged or repeated contact with persons who have declined the handbills and circulars), (6) shall not generate an unreasonable level of refuse from discarded handbills and circulars. Placement of handbills and circulars on vehicles is prohibited, and shall not occur during commencement time periods. Organizations and/or individuals found responsible for generating an unreasonable level of refuse from discarded handbills and circulars may be liable for clean up cost incurred.

PERMIT: For approval to engage in distribution of handbill and circulars on campus grounds and to obtain the required permit, contact the Office of Student Life and Cultural Centers at Building 26-124 or 909-869-2841. The permit must be displayed at all times at the approved location. In addition, all parties must adhere to the guidelines outlined by the Office of Student Life and Cultural Centers.

REFERENCE: Education Code, Sections 66600, 66606, 89030, 89031, and 89035. California Code of Regulations, Title 5, Section 42352.

AMPLIFIED SOUND PROCEDURE

The following procedural guidelines are established for the use of amplified sound equipment when classes are in session. The following procedures both protect the delivery of instructional programs from intrusive sound and yet still provide an opportunity and a forum for a variety of student development and support programs. An appropriate balance of these two goals may be achieved by observing the following conditions:

Amplified sound is defined as any sound that is broadcasted through electronically amplified equipment or sound that is electronically enhanced. Additionally, amplified sound may include yelling, shouting, screaming, or sound that is enhanced with the aid of a device such as a megaphone, and the like.

TIME: Tuesdays and Thursdays from 12 p.m. to 1 p.m. are the designated "University Hour" where classes are not in session. Amplified sound at these times is allowed without prior approval. The use of amplified sound outside of "University Hours" requires prior approval through the Office of Student Life and Cultural Centers. With prior approval from the Office of Student Life and Cultural Centers, a one hour grace period may be granted prior to the start of an event to provide for necessary sound checks.

PLACE: Amplified sound is permitted in the University Quad, the Engineering Meadow (the grassy area next to Building 17), the Bronco Commons, the University Park, and the University Plaza during University Hour, 12 p.m. - 1 p.m. Tuesdays and Thursdays. If other campus locations are desired for the use of amplified sound, advance approval must be sought from the OSLCC. The campus community recognizes the importance of student development and support activities where amplified sound is necessary. Events may be scheduled on other days, as long as the sound is not disruptive to the campus community. Exceptions will be considered on a case-by-case basis and will require the approval of the Director of the Office of Student Life and Cultural Centers.

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MANNER: The sound level for any event may not exceed that which is disruptive to the learning environment of our institution. Amplified sound is intended to be heard in the immediate area only. Outdoor amplified sound events are subject to monitoring and regulation.

PERMIT: To request approval for amplified sound, groups/individuals must complete an Application for Schedule Event Form. This form is due at least one week prior to the event. All requests for amplified sound must be approved by the Director of Office of Student Life and Cultural Centers.

ENFORCEMENT:

1. The Office of Student Life and Cultural Centers retains the right to monitor and/or limit the sound level generated by amplification systems. Enforcement will be the responsibility of the Office of Student Life and Cultural Centers. Failure to abide by this procedure will result in the sponsoring club/organization going through the judicial process through the Office of Student Life and Cultural Centers.
2. The performing group(s) and/or sponsoring club/organization must provide a signed acknowledgement of their awareness and willingness to abide by the Amplified Sound Procedure by signing a copy of an agreement which can be found in the OS�.CC.
 - a. A warning will be issued if it is brought to the attention of the Office of Student Life and Cultural Centers staff that the sound level is disruptive to the learning environment. No more than three minutes will be allowed to correct the volume to the acceptable level determined by the Office of Student Life and Cultural Centers.
 - b. If a second warning must be issued, an additional minute will be allowed to correct the volume at the acceptable level.
 - c. A third warning will not be issued. If the volume is exceeded for a third time, the sponsoring club/organization will be asked to shut off all amplified sound.
 - d. Non-adherence to these guidelines will result in the approval of the activity being revoked, notification to the club/organization advisor, and possible loss of future activity reservation privileges in addition to the organization going through the club/organization judicial process.

POSTING AND CHALKING

The Office of Student Life and Cultural Centers maintains administrative responsibility for all posting on campus. Posting by off-campus groups is limited to non-profit organizations only – commercial advertising is not permitted. Non-profit organizations must present proper non-profit status identification, such as a tax identification number.

Chalking Procedures

TIME: Monday through Friday, 8 a.m. to 10 p.m.

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PLACE: Chalking is permitted only in the University Park on the sidewalks. Chalking must be at least 20 feet away from the entrances to the Bronco Student Center and Building 66 (Bookstore). Chalking on the stairs outside the Bronco Bookstore is permitted only on the top portion of the steps.

No chalking is permitted on buildings, steps, windows, posts, lawn areas, railings, trees, traffic control signs, utility poles, and construction fences, vehicles, in newly planted garden areas, flowerbeds, or newspaper racks. In addition, no chalking is permitted on campus directories, within ponds or fountains, trash or recycle bins, the Calla Lily walkway between the Bronco Student Center and the Bookstore, the Rose Garden, the Japanese Garden, University Drive from the residence hall area west to the Health Center and in the vicinity of the two major entrances to campus (where the marquees are located).

Please visit OSLCC at building 26-124 to see a list of approved chalking locations.

MANNER: The form or chalk must be washable with water. Spray chalk is NOT allowed.

Posting Procedures

TIME: All posters, flyers, banners and signs must have a contact email and/or phone number, and the name of the sponsoring organization to receive an approved stamp at OSLCC. For special dated events, an expiration date of 48 hours following the event will be noted on the poster/flyer/banner. For general information (club meetings, department announcements, etc.), an **expiration date of one month** from the time of stamping will be noted on the poster/flyer/banner. The stamp does not regulate the content of the flier nor the actions and opinions of the entity seeking approval and does NOT necessarily reflect those of the students, faculty or administration of Cal Poly Pomona.



PLACE:

General Use Bulletin Boards: Posting is permitted on any "General Use Bulletin Board." Such boards are located in the hallways of most campus buildings. Check with the appropriate Dean's office or department for questions on posting procedures and locations of their respective general use bulletin boards. General use bulletin boards may be completely cleared off once a quarter by representatives of the college or school where the bulletin board is located. The following criteria apply to all materials posted on general use bulletin boards: Posters/flyers must not exceed 11" x 17" and only one poster per group/individual may be placed on general use bulletin boards. Material may not overlap other approved posters/flyers and must be fastened with tacks or staples - NO TAPE may be used.

Grounds: Staked signs (not to exceed 11" x 17") and banners (not to exceed 3' x 6') are only permitted on non-lawn and non-flowering areas. Actual stakes may not exceed 36" in height. The only lawn area where staked signs and banners are permitted on the lawn is the stretch of lawn in front of the Bronco Student Center (BSC), beginning at the corner of the Kellogg Art Gallery to Round Table Pizza. Staked signs and banners may not be placed in flowerbeds, lawn areas, or blocking sprinklers, walkways, driveways or streets. Marketing material may not be

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wrapped around trees or any campus structures without prior approval by the campus Facilities Department. Call (909) 869-3030 to speak to a Facilities representative for permission (Refer to the Use of Campus Facilities Procedure). Violations will result in the removal and disposal of the signs and banners without notification.

No posting on buildings, steps, windows, posts, lawn areas, railings, trees, traffic control signs, utility poles, construction fences, vehicles, in newly planted garden areas, flower beds, or newspaper racks. In addition, no posting on campus directories, within ponds or fountains, trash or recycle bins, the Calla Lily walkway between the Bronco Student Center and the Bookstore, the Rose Garden, the Japanese Garden, University Drive from the residence hall area west to the Health Center and in the vicinity of the two major entrances to campus (where the marquees are located). Writing signs, ads, promotions or placing drawings of a non-instructional nature on any classroom chalkboard or dry-erase board is prohibited and is a violation of this Posting Procedure and subject to club/organization sanctions. To gain special approval for posting, please contact Facilities at (909) 869-3030.

University Housing Services (UHS) and University Village Property: In addition to the above, University Housing Services and the University Village have additional posting procedures and must be contacted before materials may be posted in these areas.

University Housing Services: Go to Building 59 to have your postings approved. UHS property includes all the residence halls and land west of University Drive, Los Olivos Dining Commons, Residence at the Lyle Center for Regenerative Studies, the Suites and surrounding property. Check out the UHS website for the UHS posting procedure:
http://dsa.cpp.edu/uhs/files/UHSPostingPolicy2006_1683.pdf

University Village: Go to Foundation Housing Service, 3400 Poly Vista Building 300 to have your posting approved.

MANNER: Organizations currently chartered with the OSLCC, committees, colleges and departments are allowed to publicize on campus providing they comply with the procedures established by the OSLCC.

All printed advertisements, announcements, and signs must be identified with the following for the material to be stamped by the OSLCC:

1. The sponsoring campus group, organization, committee, department, faculty, or staff name AND contact information (telephone number, email or website) must be pre-printed on front of the flyer.
2. Bronco ID card, along with the telephone and/or email of the contact person responsible for posted material by any group.
3. Two original copies of the flyer. For banners, only the original is needed. If written in a language other than English, a copy of the English translation must be presented as well.
4. Only the original copy of the flyer will be stamped by an OSLCC staff member. Multiple copies of the flyer will not be stamped.

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5. For any flyers advertising research studies on human subjects, a copy of the IRB approval will need to be submitted.
6. No more than 50 flyers or publicity materials are allowed per event.

Off-campus individuals or groups may not publicize on campus with the exception of non-profit organizations as stated above and employers with approval. Off-campus employers must first receive approval for their postings from the Career Center and then be approved by OSLCC with the posting stamp.

OSLCC will provide a stamp for an approved flyer on an index card for scanning upon request.

VIOLATIONS: Unauthorized removal of properly approved and posted materials is an act of vandalism and subject to appropriate disciplinary action. Violators to this procedure will be referred to the Director of Judicial Affairs.

Approved by:



J. Michael Ortiz, Ph.D.
President



11/26/14

Date

EXHIBIT F

Name: Nicolas Tomas

Org/Company: independent student

I have read and will abide by the Use of Grounds Residential Order

Representative X: [Signature]

OSLCC Staff: BENAZAR B. TOSE ☺

Date Approved: 11/25/2014




Non-Commercial Permit

Name: Nicolas Walter Tomas

Org/Company: independent

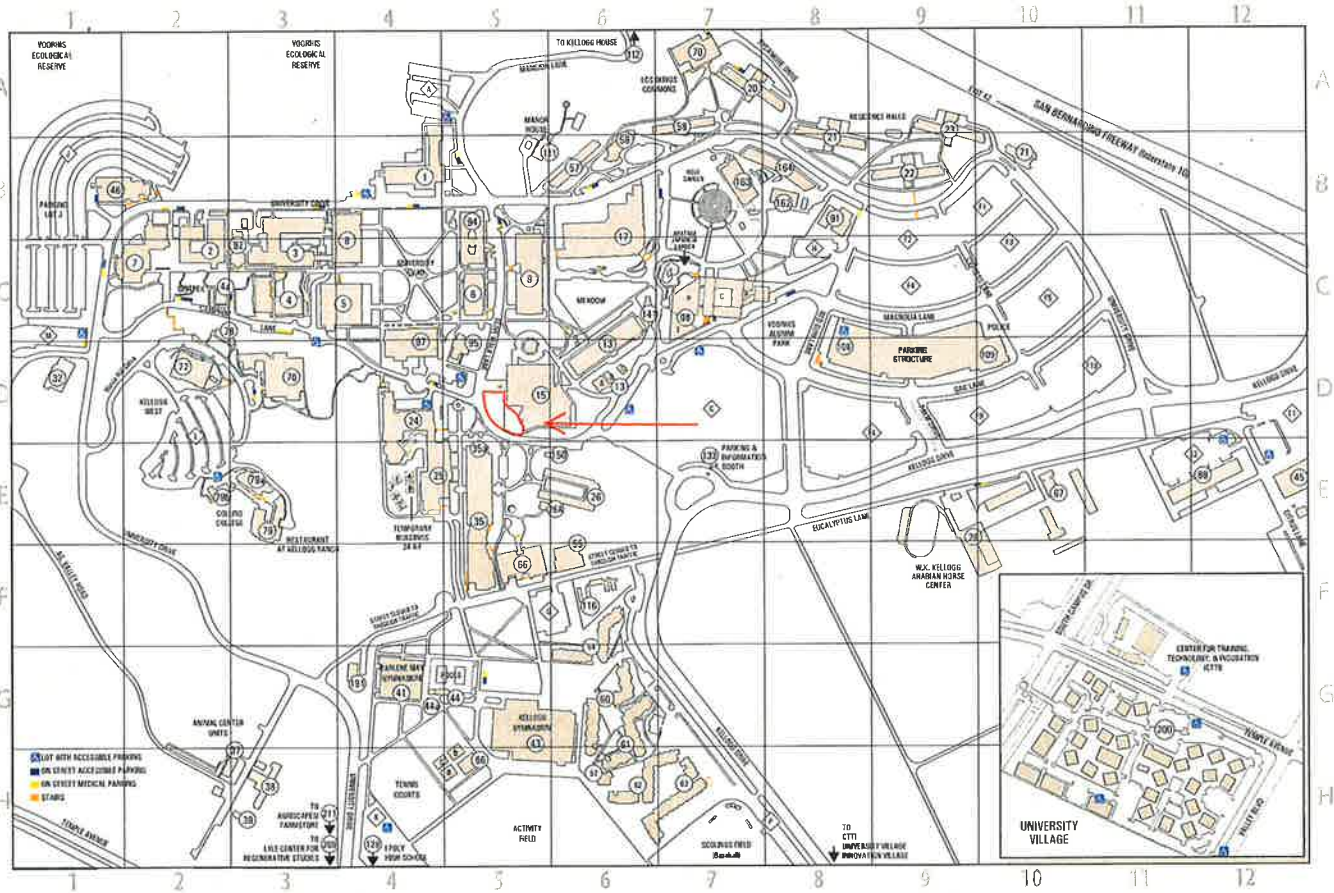
*I have read and will abide by the Use of Grounds Residential Order

Representative X: 

OSLCC Staff: 

Date Approved: 3/6/15

EXHIBIT G



Building Number	Building Name	Locator	Building Number	Building Name	Locator
1	Building One	B-4	55	Foundation Administration Offices	F-6
2	College of Agriculture	C-2	57	Residence Hall, Palmitas	G-6
3	Science Laboratory	C-3	58	Residence Hall, Cedritas	A-7
4	Biotechnology Building	C-3	59	La Cienega Center (University Housing Services)	B-6
4A	BioTrek Learning Center	C-2	60	Residence Suites	G-6
5	College of Education & Integrative Studies	C-4,D-5,C-7	61	Residence Suites	G-6
5	College of Letters, Arts & Social Sciences	C-4	66	Bronco Bookstore	F-5
6	Classrooms (Formerly CBA)	C-5	67	Equine Research Facility	E-10
7	College of Environmental Design	C-2	70	Los Olivos Commons	A-7
8	College of Science	C-4	71	Recreation/Maintenance	B-10
9	College of Engineering	C-5	76	Kellogg West Education / Dining	D-3
13	Art Department/Engineering Annex	D-6	77	Kellogg West Main Lodge	D-2
13	LRG; ASI Tutoring; McNair Scholars	D-6	78	Kellogg West Addition	C-3
15	Library	D-5	79, 79A, 79B	Collins College of Hospitality Management	E-3
17	Engineering Laboratories	B-6	86	English Language Institute	H-5
20	Residence Hall, Encinitas	A-7	89	Interim Design Center	E-12
21	Residence Hall, Montecito	B-8	91	Student Affairs Information Technology Services	B-9
22	Residence Hall, Alamitos	B-9	92	Laboratory Facility	C-3
23	Residence Hall, Aliso	A-9	94	University Office Building	B-5
24	Music	D-4	95	Cultural Centers	D-5
24A-F	Temporary Classrooms	E-4	97	Campus Center	D-4
25	Drama Department / Theatre	E-4	98	Classroom / Laboratory / Administration	C-7
26	Union Plaza	E-6	106	Parking Structure	D-8
26A	Orientation Services	E-6	109	Police and Parking Services	D-10
29	W.K. Kellogg Arabian Horse Center	E-8	111	Manor House	B-5
32	Beef Unit/Feed Shed	D-1	112	Kellogg House Pomona	A-6
35	Bronco Student Center	E-5	116	Child Care Center	F-6
35A	W. Keith and Janet Kellogg University Art Gallery	E-5	128	1 Poly High School	H-4
37	Swine Unit/Shehlers	H-3	162, 163, 164	College of Business Administration	B-7,D
38	Sheep/Wool Unit	H-3	200	University Village	See inset
41	Darlene May Gymnasium	G-4	211	Agriscapes and Farmstore	H-3
43	Kellogg Gymnasium	G-5	209	Lyle Center for Regenerative Studies	H-3
44	Swimming Pool	G-5	220A, 220B, 220C	Center for Training, Technology and Incubation	See inset
45	Agricultural Engineering	E-12			
46	Health Services	C-2			