

**EXCERPTS OF POLICIES AND REGULATIONS  
APPLYING TO COLLEGE ACTIVITIES,  
ORGANIZATIONS AND STUDENTS\***

ADOPTED BY THE BOARD OF DIRECTORS

6/22/1990

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**UNIVERSITY OF CALIFORNIA, SYSTEM-WIDE POLICIES AND REGULATIONS, AS MODIFIED BY THE UNIVERSITY OF CALIFORNIA, HASTINGS COLLEGE OF THE LAW, ARE SET FORTH IN ITALICS. UNIVERSITY OF CALIFORNIA, HASTINGS COLLEGE OF THE LAW, IMPLEMENTING REGULATIONS, WHERE USED, ARE SET FORTH IN REGULAR FONT.**

10.00 INTRODUCTION

*In order to carry on its work of teaching, research and public service, the College has an obligation to maintain conditions under which the work of the College can go forward freely, in accordance with the highest standards of quality, institutional integrity and freedom of expression, with full recognition by all concerned of the rights and privileges, as well as the responsibilities, of those who comprise the College community. Each member of the College shares the responsibility of maintaining conditions conducive to the achievement of the College's purposes.*

11.00 GENERAL PROVISIONS

*For the purposes of these policies and regulations adopted pursuant to them, College property is any College-owned, operated, or -maintained property, including all College grounds and structures.*

*The provisions of the Introduction and Sections 20.00, 30.00 and 80.00 of this document have general applicability to all individuals and activities on College properties.*

**AUTHORITIES AND DELEGATIONS**

University of California, Hastings College of the Law, and the Board of Directors of Hastings College of the Law are established and derive authority from the Serranus C. Hastings Trust and the California Constitution and statutes (Const. Art. IX, § 9; Education Code §§ 92201 et seq.). By virtue of such authority, the College is affiliated with the University of California and is governed by its own Board of Directors. The property of the College is held in the name of the Board of Directors and the Board is empowered to conduct all business of the College. The Standing Orders and Bylaws of the Board delegate specific authority to the Dean of the College, including the full authority and responsibility over the administration of academic and student affairs and business and fiscal operations of the College. These policies and regulations are promulgated pursuant to the foregoing Constitutional and statutory authorities and delegations.

*For the purposes of these policies and campus regulations made pursuant to them, a student is defined as one who is currently enrolled at Hastings College of the Law or, during the recess period between semesters or the summer period, one who has completed the immediately preceding term and is eligible for re-enrollment.*

12.00 CAMPUS REGULATIONS

*The Dean shall adopt, publish and make available, free of charge, campus regulations consistent with these policies.*

12.10 *The Dean may consult with students, including student governments where they exist, faculty and staff in the development and modification of campus regulations.*

30.00 POLICY ON USE OF COLLEGE PROPERTIES

31.00 GENERAL PROVISIONS

- 31.10 *College regulations shall provide procedures and criteria for use of College properties based upon benefit to the College. Non-College persons or organizations shall be eligible to use such properties only upon invitation of the student government, other College units or registered student organizations.*
- 31.11 *College properties shall be used only in accordance with Federal, State and local laws and shall not be used for the purposes of organizing or carrying out unlawful activity.*
- 31.12 *All persons on College property are required to abide by College policies and campus regulations and shall identify themselves upon request to College officials acting in the performance of their duties. Violation of college policies or campus regulations may subject a person to possible legal penalties; if the person is a student, faculty member or staff member of the College, that person may be subject to College discipline.*
- 31.13 *A request for use of college properties may be denied if the request is not in accordance with campus regulations implementing these policies and shall be denied if circumstances are such that the event will present a clear and present danger to the orderly operation of the College. The applicant shall be accorded a review of any denial of a request for use of College properties. If a request is denied on the basis of a clear and present danger to the orderly operation of the campus, the applicant shall be accorded a prompt appeal to the Dean, who shall recognize the College's heavy burden in justifying such a denial. The review process shall be set out in campus regulations.*

A. REVIEW OF DENIALS

The office of the Director of Student Relations and Services<sup>1</sup> shall administer all permits and issue all denials except those based on a clear and present danger.

- 31.14 *On College grounds open to the public generally, as may be defined in the campus regulations, all persons may exercise the constitutionally protected rights of free expression, speech, assembly, worship and distribution and sale of noncommercial literature incidental to the exercise of these freedoms; such activities shall not interfere with the orderly operations of the campus and must be conducted in accordance with campus time, place and manner regulations*

A. PUBLIC AREAS

Hastings' public areas are limited to the outdoor areas in front of 198 and 200 McAllister Street.

32.00 CAMPUS REGULATIONS

- 32.10 *Campus regulations and procedures shall be designed to protect and promote the rights of members of the campus, prevent interference with College functions or activities and comply with all pertinent laws and College policies.*

A. PRIORITIES FOR USE

1. Academic functions of the College have first priority in use of College facilities.
2. College-sponsored events have priority over non-College events.
3. Events sponsored by registered student organizations have priority over events sponsored by non-College groups.

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<sup>1</sup> Title changed to Director of Student Services.

4. Non-College groups (See §31.10) sponsoring events that are College-related may rent Hastings facilities on a space-available, first-come, first-served basis.

- 32.110 *All use of College properties and services by campus organizations must conform to applicable time, place and manner regulations. Those using College properties and services must avoid any implication that they are sponsored, endorsed or favored by the College unless they are specifically authorized by the College in writing.*
- 32.111 *As a State instrumentality, the College must remain neutral on religious and political matters. The College cannot sponsor or fund religious activities and cannot sponsor or fund political activities. Registered religious and political campus organizations shall have access to College properties on the same basis as all other campus organizations according to guidelines set forth in campus regulations.*
- 32.112 *The name, insignia, seal or address of the College or any of its offices or units shall not be used for or in connection with religious or political purposes or activities except as consistent with College policies and campus regulations.*
- 32.113 *In correspondence, statements or other material relating to religious or political activities or issues, the College title of a faculty or staff member shall be used only for identification; if such identification might reasonably be construed as implying the support, endorsement, or opposition of the College with regard to any religious or political activity or issue, the identification shall be accompanied by an explicit statement that the individual is speaking for himself or herself and not as a representative of the College or any of its offices or units.*
- 32.120 *Noncommercial fund raising by student government and by registered campus organizations shall be permitted pursuant to college policies and campus regulations; noncommercial fund raising by individuals or by other groups also may be permitted under regulations developed by the campus, consistent with College policy. Appropriate provisions may be made governing the collection of donations, sale of materials, admission charges and financial accountability.*
- A. In recognition of the College's public service responsibility, the Dean may approve a limited number of fund raising programs for charitable organizations and public service agencies.
  - B. A registered student organization using the College facilities to raise funds must keep adequate and accurate records showing the means by which funds were raised, the uses for which the funds have been or will be spent and the amounts thereof. These records must be kept current. They must be available for inspection and audit by the College. If an audit is required, it may be ordered at the organization's expense.
- 32.13 *Campus regulations shall permit College students, faculty, staff, registered campus organizations and College units to post and exhibit noncommercial materials at locations designated in campus regulations for that purpose; posting and exhibiting of noncommercial materials by others may be permitted by campus regulations. All such materials shall clearly indicate the name of the sponsoring campus organization, College unit, or other individuals or organizations permitted to post and exhibit pursuant to campus regulations.*

- 33.00 Speech and Advocacy
- 33.10 *The time, place and manner of exercising speech and advocacy on the campuses are subject to campus regulations that shall provide for non-interference with College functions and reasonable protection to persons against practices which would make them involuntary audiences.*
- 33.11 *It is the responsibility of the Dean to ensure an ongoing opportunity for the expression of a variety of viewpoints.*
- 33.12 *These policies and campus regulations in no way constitute prohibitions on the right to express political views by any individual in the College community. The college recognizes, supports and shall not abridge the constitutional rights of faculty, students or staff to participate, either as individuals or as members of groups, in the political process of supporting candidates for public office or any other political activity.*

34.00 Registered Campus organizations

34.10 Registration

*An organization whose membership is limited to students, faculty or staff of Hastings College of the Law may become a registered campus organization by complying with the requirements and procedures set forth in campus regulations, which shall include the furnishing of a statement of the name of the organization, its purposes, its officers or other authorized representatives and such other pertinent information as may be specified in campus regulations. Membership in registered campus organizations may be extended to other individuals, under conditions specified in campus regulations. Registration is subject to the condition and provision that Hastings College of the Law and the University of California neither sponsor nor endorse any such organization.*

A. Registration

A non-commercial organization whose membership is limited to Hastings students may become a registered student organization by complying with the following requirements and procedures:

1. At the time of registration, an organization shall file a copy of its constitution or an equivalent document (and if it has them, bylaws), which shall include the name of the organization, a statement of its purpose, its requirements for membership (including fees), the method of selecting officers and its organizational structure and procedural rules.
2. At the time of registration and at the beginning of each semester thereafter, the organization shall file the name of its College advisor, if any, the names, addresses and telephone numbers of members to whom inquires about the organization are to be referred and the name of the member of the organization who is designated as responsible for reserving rooms on behalf of the organization.
3. Amendments to any of the above must be filed when they occur.
4. Said documents and a registration form must be filed with and approved by the Director of Student Relations and Services<sup>2</sup> at the beginning of each academic year.

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<sup>2</sup> Title changed to Director of Student Services.

- a. Allocation of Student Fees to campus organizations shall be done only after written notice that the allocation is being considered and the organization is given a full opportunity to openly present its request to the Finance Committee and to the ASH Council<sup>3</sup>.
- B. **Advisors to Organizations**  
Registered student organizations are encouraged to have a College advisor to provide continuity in programming and to advise the organization in its operations. The advisor, to be chosen by the organization, should be a member of the faculty, a senior member of the administrative staff, a practicing attorney or other professional with expertise in the organizations field of interest.
- C. **Rights of Organizations**  
Subject to the policies and regulations set forth herein, registered student organizations are entitled to the following privileges:
  - 1. To use available Hastings facilities for meetings and other group activities.
  - 2. To use designated Hastings bulletin boards for announcement of interest to organization members and the student body.
  - 3. To use the Student Information Center (SIC) for distribution of organization materials to the Hastings community.
  - 4. To apply for funding to the Associated Students of Hastings (ASH)<sup>2</sup> or other funding sources.<sup>3</sup>
- D. **Liability of Organizations**  
Hastings does not sponsor student organizations and therefore does not accept liability for activities of student organizations. Organizations are responsible for their own contracts and for damages to persons or property resulting from activities sponsored by the organizations.
  - 1. Each organization must agree to comply with the requirement that it inform members and those doing business with the organization that it is not College-sponsored and that the College assumes no responsibility for its activities.
  - 2. The responsibility of officers for the activities of their organizations includes the individual responsibility of each officer for payment in full of debts incurred by the organization.
  - 3. The accounts of all organizations are subject to inspection and/or audit by the College.

34.11 Conduct and Discipline:

*Registered campus organizations are required to comply with college policies and campus regulations or they will be subject to revocation of registration, loss of privileges,*

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<sup>3</sup> Now called ASUCH – Associated Students of UC Hastings.

*or other sanctions for violation of such policies or regulations. In denying or revoking registration or applying sanctions, campus regulations shall provide an opportunity for a hearing, at the request of the registered campus organization, with basic standards of procedural due process, before the Director of Student Relations and Services<sup>4</sup>.*

34.12

College Name:

*A registered campus organization shall not use the name of the University of California, Hastings College of the Law or abbreviations thereof as a part of its own name except with the express written permission of the Director of Student Relations and Services<sup>4</sup>, approved by the Dean and the Board.*

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<sup>4</sup> Title changed to Director of Student Services.

On June 7, 2002, the Board of Directors amended the Policy on Nondiscrimination, Section 20 of the Policies and Regulations Applying to College Activities, Organizations and Students as follows.

20.00            POLICY ON NONDISCRIMINATION

The College is committed to a policy against legally impermissible, arbitrary or unreasonable discriminatory practices. All groups, including administration, faculty, student governments, College-owned student residence facilities and programs sponsored by the College, are governed by this policy of nondiscrimination. The College's policy on nondiscrimination is to comply fully with applicable law.

The University of California, Hastings College of the Law shall not discriminate unlawfully on the basis of race, color, religion, national origin, ancestry, disability, age, sex or sexual orientation. This nondiscrimination policy covers admissions, access and treatment in Hastings-sponsored programs and activities.



On March 6, 1998, the Board of Directors adopted regulations relating to student activity fees. As a result, Sections 34.13 through 35.10 of the Policies and Regulations Applying to College Activities, Organizations and Students are repealed and the following substituted in lieu thereof. On March 10, 2000, the Board of Directors amended paragraph 35.12C, as set forth herein.

35.10 Student Sponsored Activity Fees

The authority to impose, adjust or eliminate mandatory activity fees is vested in the Board of Directors. The Dean is authorized to approve voluntary activity fees, using the registration process to collect the fees from students to support registered student organizations.

35.11 Mandatory Activity Fees

- A. A mandatory activity fee is a fee which must be paid by all registered students. It must be germane to the educational mission of the College and it must benefit the student body as a whole by funding student-related services, events and programs, including, but not limited to, student organizations and student government, which make significant contributions to student life.
- B. Mandatory activity fees are of two types: 1) a fee imposed for an indefinite term, or 2) a fee imposed for no more than seven years after which period the fee must be resubmitted to a vote of the student body, as provided in Section 35.12, to be renewed. The first type involves fees which by their very nature benefit the student body as a whole and which provide services and programs which have a long-term horizon, such as the Fitness Center. The second type involves fees which support more focused services and programs which should be reevaluated by the students periodically.

The fee for the Associated Students of UC Hastings (ASUCH), University of California Student Association (UCSA)<sup>5</sup>, Fitness Center Equipment Fund, and Tower Gymnasium are indefinite term fees. The fees for the Child Development Center, Student Events and General Assistance Advocacy Program (GAAP) are for terms not to exceed seven years. All new fees (excluding increases to existing Type 1 fees) shall be classified as Type 2 fees.

- C. Interim Rules: Beginning with the 1998-99 academic year, limited-term fees which have been in effect for more than seven years must be resubmitted to the student body for a vote to renew these fees. Only one fee per year needs to be reconsidered. The ASUCH Governing Council shall determine in what order these fees shall be reconsidered by the students.

Fees which have been in effect for less than seven years must be scheduled for reconsideration at the expiration of seven years from the date of approval of the fee by the Board of Directors. If re-approved by the students in accordance with the requirements of Section 35.12 C and D, the fee must be submitted to the Board of Directors for its approval.

35.12 Procedures for Imposition, Adjustment or Elimination of Student Sponsored Mandatory Activity Fee

- A. A petition to impose, adjust or eliminate a mandatory activity fee must identify the sponsoring organization and describe in detail the use(s) for which the fee is being sought. The petition shall be submitted to the Office of the General

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<sup>5</sup> UCSA fee was eliminated per student vote, April, 2000.

Counsel for a determination as to whether the proposed fee falls within the definition of a "mandatory activity fee". General Counsel's decision shall be reported in the Hastings Weekly and may be appealed to the Board of Directors.

- B. The Office of Records will certify the number of registered students as of the date the petition is approved. A "registered" student is a student who has paid or made arrangements to pay enrollment and related fees to Hastings. The petition must be signed by the lesser of 250 registered students or one-fourth of the registered students in order to place the fee on the ballot. The petition must be submitted to the Office of Records for verification of each of the signatories.
- C. The Office of Records shall certify the number of registered students as of the first day of elections. Twenty-five percent (25%) of the registered students must vote on each proposed mandatory fee in order to constitute a valid election of any one fee. No student having any direct interest in the outcome of the election, including participating in the formulation of the ballot measure, may count ballots. No member or officer of the student organization sponsoring the fee may collect or count ballots. If ASUCH is the sponsoring organization, no member of the Governing Council may collect or count ballots. After having been counted, the ballots shall be deposited with the Office of Student Services where they shall be maintained together with the verified petition for four years.
- D. Two-thirds (2/3) of those voting is required to impose, adjust or eliminate a fee. The Director of Student Services shall certify the results of the elections to the Dean and General Counsel and publish them in the Hastings Weekly. General Counsel shall submit a fee which received a majority of those voting to the Board of Directors for its approval.

35.15 Voluntary Activity Fee - Pledge System

- A. A voluntary student fee is a fee in support of a specific program or activity sponsored by a registered student organization which serves the mission of the College.
- B. The pledge system requires the student to act affirmatively to contribute to a designated program or activity by signing a pledge form agreeing to pay a voluntary fee each academic semester for the duration of the student's attendance at Hastings. The pledge may be terminated by the student by the giving of a written notice of termination to the Office of Fiscal Services. The fee is collected using the College's general student fee billing procedures. A paid fee is non-refundable.

The Office of Fiscal Services shall institute procedures governing the implementation of the pledge program including but not limited to providing a sample of a pledge form and notice of termination.

35.16 Procedures for the Approval of a Voluntary Activity Fee

- A. A petition for the approval of a voluntary fee must identify the sponsoring student organization and describe the uses for which the fee is sought. The petition shall be submitted to the Office of the General Counsel for a determination as to whether the proposed fee falls within the definition of "voluntary fee". An adverse decision may be appealed to the Dean.
- B. The petition must be signed by no less than 250 registered students. The Office of Records will certify the number of registered students as of the date the

petition is approved. The petition must be submitted to the Office of Records for verification of the signatories. The Director of Student Services shall certify the results to the Dean who will authorize the collection of the pledges.

- C. No less than ten percent (10%) of the registered students must sign pledges on a form provided by the Office of Fiscal Services to pay the voluntary fee before the collection mechanism is implemented. All pledge forms shall be submitted to the Office of Records for verification of the signatories. The verified petition shall be maintained by the Office of Student Services for four years from the date of the Dean's authorization and the pledge forms for four years from the date they were signed. The Director of Student Services shall certify to the Office of Fiscal Services the names of the students who submitted the pledges. The collection of the pledges shall be integrated in the general fee collection process.
- D. In the event the number of pledges collected is less than ten percent (10%) of the student body, notice thereof shall be given to the student organization which shall have thirty (30) days to satisfy the ten percent (10%) requirement. Failure to meet and maintain the minimum participation requirement will result in the automatic termination of the program.
- E. The collected pledges shall be remitted or credited by the Office of Fiscal Services to the sponsoring student organization together with the names of the students who have paid the fees and those of pledgors who have not.