



Resolution on the CSU Interim Time, Place, and Manner Policy

RES 242514

EC

Preamble: Recognizing the foundational role of academic freedom, free speech, and free expression in the pursuit of knowledge, the California State University, Bakersfield Academic Senate affirms the intrinsic value of these principles in fostering a rigorous, vibrant academic community. As a public institution dedicated to inquiry, innovation, and the free exchange of ideas, it is the duty of this University to ensure that its policies reflect and uphold the highest standards of the First Amendment, without imposing undue restrictions that undermine these values.

Whereas academic freedom is essential for advancing knowledge and fostering an environment where diverse perspectives can be explored without fear of censorship, retaliation, or restriction; and

Whereas the First Amendment protects free speech, free expression, and inquiry, serving as a vital safeguard for intellectual exploration in a democratic society; and

Whereas the First Amendment guarantees the right to peaceful protest, a fundamental component of free expression that allows individuals to advocate for change, voice dissent, and contribute to societal discourse in ways that are both lawful and essential to democracy; and

Whereas restricting the manner of use and availability of public spaces on campus, including paved pedestrian walkways and lawns on University property, the Administration Quad, the Administration Lawn, Alumni Park, the Antelope Valley Building 100 Lawn, the Don Hart East Lawn, the Harvey Hall Plaza, the Icardo Center Lawn, the Red Brick Road, the SCI III Lawn Area, the Student Recreation Center Lawn, The Student Union Park, and other public spaces, to certain available times is often restrictive to free speech and free expression; and

Whereas new restrictions on academic freedom or freedom of speech on California State University campuses must be negotiated through shared governance before they may be implemented in keeping with the recognition of all parties of the importance of Section 3561(b) of HEERA, which states:

“The Legislature recognizes that joint decision-making and consultation between administration and faculty or academic employees is the long-accepted manner of governing institutions of higher learning and is essential to the performance of the educational missions of such institutions;” and

Whereas The CSU [Interim Time, Place, and Manner Policy](#) is not effective for Union represented employees until after the meet and confer process is completed; and

Whereas time, place, and manner policies, while sometimes intended to maintain campus order, often place excessive limitations on academic and intellectual freedoms, stifling spontaneous discourse, restricting access to diverse perspectives, and fostering an environment that is inconsistent with the ideals of higher learning and free expression; and

Whereas time, place, and manner policies are often restrictive on free speech, creating an environment that is often perceived as censorious, which conflicts with the University's mission to promote open dialogue and intellectual exploration; and

Whereas vague policies, along with broad interpretations that can criminalize otherwise lawful behaviors, create an environment that poses risks to students, faculty, and staff—particularly those from minoritized backgrounds, who may experience heightened vulnerability and exposure to misinterpretation or punitive action; and

Whereas an open, engaged University community, accessible to all, including students, faculty, staff, and the public, is essential to the mission of a public institution, fostering a culture of openness that mirrors the society it serves;

Resolved that the California State University, Bakersfield Academic Senate affirms the University's commitment to uphold the principles of the First Amendment, ensuring that policies, practices, and regulations prioritize the broadest possible freedoms of speech, expression, and inquiry, as fundamental to the mission of higher education; and

Resolved that any University policies that impose time, place, and manner restrictions on speech, expression, or public assembly be re-evaluated to ensure they do not infringe upon the rights protected by the First Amendment, nor inhibit the spirit of academic freedom; and

Resolved that the California State University, Bakersfield Academic Senate rejects any policy that seeks to restrict speech, expression, or inquiry beyond the protections guaranteed under the First Amendment, and commit instead to fostering open dialogue and intellectual diversity on campus; and

Resolved that the California State University, Bakersfield Academic Senate reaffirms its commitment to creating an environment that is inclusive, open, and accessible to all members of the campus and wider community, rejecting vague or restrictive policies that deter free expression, lawful assembly, or peaceful dissent; and

Resolved that this resolution be widely disseminated across campus to reaffirm the University's commitment to these guiding principles and to educate all members of the CSUB community on the essential importance of free speech, academic freedom, and the values of open and engaged dialogue.

Distribution List:

President
Provost and VP for Academic Affairs
VP Student Affairs
AVP Faculty Affairs
AVP Academic Affairs and Dean of Academic Programs

Approved by the Academic Senate: January 30, 2025

Sent to the President:

President Approved: