

May 22, 2008

Dear Student,

This letter is to follow up on the meeting held Friday, May 16, between Vice Chancellor for Student Affairs Fred Wood, Assistant Vice Chancellor Griselda Castro, Student Assistant to the Chancellor Alfredo Arredondo, and four organizers of the Epic Quad Battle IV. The Epic Quad Battle has been advertised to take place on June 5, 2008. For the reasons explained at the meeting and as further discussed below, the University is directing those persons responsible for organizing and publicizing Epic Quad Battle IV to **CANCEL THE EVENT, CEASE FURTHER ADVERTISEMENT AND PUBLICITY FOR THE EVENT, AND WITHDRAW ANY EXISTING ADVERTISEMENT AND PUBLICITY FOR THE EVENT.**

We understand that those who have been involved in planning and publicizing this event have nothing but the best of intentions. We appreciate that the original goal of Epic Battle organizers was to have a lighthearted, safe, and fun way for UC Davis students to celebrate the end of the academic year. Regrettably, despite these good intentions, the scale and conduct of the event has escalated far beyond the original goals. Based upon the experiences from the event conducted last year, and the far larger scale event anticipated for this year, the University has great concern for the safety of those involved, as well as concerns over breach of University policies concerning use of campus property, potential liability for organizers and participants in the event (both civil and criminal legal liability, as well as University discipline for student misconduct). As the event is currently organized there is simply no way to adequately ensure the safety of those involved. We wholeheartedly endorse the original goal of organizers of this event. We would be pleased to work with students to develop and implement an alternative means of marking the end of the academic year in a lighthearted, safe, and fun way that is consistent with University policies and ensures the safety of the campus community.

This letter confirms Friday's meeting in which University representatives advised that the Epic Quad Battle is not an authorized campus event and the University does not consent to or condone this event. The following summarizes the University's concerns:

1. Violation of University Policies Concerning Use of Campus Property

As explained during the meeting, the ability to reserve the use of campus property for events is limited to University departments and specified campus organizations; non-University organizations may use campus property only if appropriately sponsored by an authorized University department or campus organization. (See UC Davis Policy and Procedure Manual Section 270-20, "Use and Reservation of University Properties and Event Arrangements;" <http://manuals.ucdavis.edu/PPM/270/270-20.htm>) Further, there is no entitlement by such campus organizations to the use of University property. Instead, requests for reservations by such units are subject to approval at the discretion of the campus administration and may be denied if the event is not in compliance with University policies or it is determined that "circumstances are such that the event will present a clear and present danger to the orderly operation of UCD." The organizers of this event have not obtained a reservation for use of campus property for this event and so lack standing to organize and advertise such an event on University property.

Our understanding is that the student organizers of the proposed Epic Quad Battle IV have agreed to cancel the event because no authorized sponsor can be found and it cannot be

moved to a safe venue with adequate security. Some of the student organizers have expressed concerns about effectively informing those who may have planned to attend of the cancellation, and we have agreed to assist in drafting and publicizing a notice about the cancellation that can be posted on Facebook and elsewhere (please see the attached draft).

2. Safety and Security of the Campus Community

The University is concerned that by failing to comply with campus policies and procedures for scheduling and holding campus events, and in publicizing and advertising an unauthorized event on the UC Davis to an audience of thousands of prospective attendees, organizers of this event have created a potentially volatile and disruptive situation. This is especially true in light of the size and uncontrolled nature of the event. For example, at last count, over 800 individuals had signed on to the Epic Quad Battle IV webpage. Given that the estimated attendance last year was approximately double the number of individuals who indicated interest on-line, it is likely that more than 1,000 people may be planning to attend the event.

As you know, at last year's event, a Davis student was seriously injured by an individual who we believe was not part of the UC Davis student community.. Videos of last year's event, available on the internet, demonstrate that there is a great possibility of injury from participating in the event: students running full speed at each other swinging Styrofoam pool noodles that we understand are often reinforced with PVC pipe or other materials; students crashing bicycles into each other; aggressive swinging of these weapons at other individuals. While the intent may have been to conduct a safe event, as organized and conducted in the past, there is no way to assure safety. There appear to be no rules governing conduct of the event, safety equipment, or "weapon" limitations. Even if guidelines exist in some form, there is no effective means of checking compliance or enforcing non-compliance. Also, due to the indiscriminate advertising of the event, many persons unaffiliated with Davis campus have participated in the event, and would be expected to attend this years event; people over whom the University has less ability to control. Such external participants stray from the original intent of the event and may have motives for participating different from student participants.

Further, the Epic Quad Battle IV website has invited and encouraged individuals to bring "weapons" to campus. This invitation to bring weapons is reinforced by numerous pictures on the website showing individuals wielding implements that could cause injury, some of which are clearly illegal. Moreover, the website definitions of permissible equipment are so broad as to include many kinds of makeshift illegal and dangerous weapons.

3. Student Conduct Standards and Discipline

UC Davis students who continue to organize, plan, advertise, or engage in an unauthorized event on University property would result in violation of University *Standards of Conduct for Students* and subject such students to disciplinary action. UC Davis students are required to comply with University policies and standards. University policies regulate activities, conduct, and use of facilities on campus to ensure safety, prevent disruption, and promote our educational, research, and service functions.

Enclosed are copies of University *Standards of Conduct for Students* which prohibit, among other violations, the following:

- * authorized entry to or use of, or misuse of, University property and facilities;
- * assault and conduct that threatens health and safety;
- * possession, use, or manufacture of prohibited weapons;
- * disorderly or lewd conduct;
- * disruption or obstruction of University functions or activities;
- * failure to follow directions of University or other public officials; and
- * disturbing the peace.

See <http://sja.ucdavis.edu/scs.html>

Students found in violation of conduct standards are subject to disciplinary sanctions including Probation, Suspension, and Dismissal.

As discussed at Friday's meeting, student organizers have been directed to cancel this event, cease all publicity of the event, and provide documentation that you have taken such steps. Student organizers are free to seek a reservation to hold an appropriate event at an alternative campus location in compliance with University policy (see UC Davis Policy and Procedure Manual section 270-20, discussed above). Be aware that in order for such a reservation request to be considered, sponsorship by an authorized campus organization would need to be obtained, and likely additional requirements would include adequate insurance coverage and safety and security measure. Please also be aware that the University does not support or endorse the emphasis of past Epic Battle events on use of weapons and physical attack on individuals.

4. Potential Legal Liability

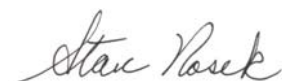
In addition to your responsibilities as a student, please recognize that as an organizer, officer, or administrator of this event, you may subject to personal liability for injuries that may occur. Your parents and any homeowners' insurance that they may carry could also be brought into any civil suit. If you are found liable, then you may be ordered to pay money damages to any injured individuals. Depending upon the circumstances, there could even be criminal charges.

Both students and non-students are required to obey the law. See Penal Code Section 626, which defines weapons and restricts what may be brought onto University property; Penal Code Section 12020, which defines dirk or dagger to include "an instrument ... capable of ready use as a stabbing weapon that may inflict great bodily injury;" and Penal Code 245, which defines assault with a deadly weapon. Having reviewed pictures and movies of the 2007 event, it is the opinion of UC Davis police that several of the implements used at the 2007 event could constitute illegal weapons. For example, PVC pipe can be categorized as an illegal weapon if the insulating foam comes off and it is used to stab at or hit another. Several individuals shown in the pictures from last year's event are using the PVC pipe in an illegal manner. The spear shown in the pictures appears to violate 12020 and is illegal even without being used. In addition, if the group's activity goes from playful to causing injury, such activity may be found to constitute assault with a deadly weapon.

Again, we recognize your good intentions and regret that this event has evolved to the point where we feel compelled to take these actions to protect the interests of the campus community. Candidly, we believe the actions we are directing are also in your best interests. As noted above, we would be pleased to work with students to develop an alternative means of marking the end of the academic year in a lighthearted, safe, and fun way that is consistent with University policies and ensures the safety of the campus community.

If you have questions, please contact us. We look forward to meeting with you and others involved in plans for this event to further discuss campus policies and applicable laws. The meeting has been scheduled for Thursday, May 22, from 8:30 to 10:00 a.m. in Room 203, Mrak Hall.

Sincerely,



Stan Nosek
Vice Chancellor-Administration



Fred Wood
Vice Chancellor-Student Affairs