



About This Policy

Effective Date:

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Date of Last Review/Update:

Date

Responsible University Office:

VP and General Counsel

Responsible University Administrator:

Board of Trustees

Policy Contact:

Vice President and General Counsel

vpgc@iu.edu

Scope

This Policy applies to all guests and visitors to Indiana University and to the following [Indiana University Community Members](#) ("IU Community Members"):

- A. Any employee of the University, including administrators, academic appointees, staff, temporary, and student employees;
- B. All students and student organizations;
- C. All University units;
- D. University contractors;
- E. Any individual using Indiana University resources or facilities or receiving funds administered by Indiana University; and
- F. Volunteers and other representatives when speaking or acting on behalf of Indiana University.

Policy Statement

In accordance with its responsibilities under the First Amendment of the U.S. Constitution and Indiana law, Indiana University affords and is committed to protecting the rights of students, academic appointees, staff, and invited guests and visitors to free speech and expressive activity, such as assembling and speaking in public areas of campus, as well as writing, publishing, and inviting speakers on any subject. Indiana University recognizes the historical importance of Dunn Meadow on the Bloomington campus and the decision in 1969 by the Board of Trustees to designate it as the Indiana University Assembly Ground. Dunn Meadow remains as an area in which Indiana University Community Members may engage in freedom of expression and peaceful demonstrations in accordance with applicable laws and Indiana University policies and procedures. This policy applies to all allowable areas on all Indiana University campuses.

Indiana University's responsibilities with respect to the First Amendment of the U.S. Constitution are outlined in University Policy UA-14 (<https://policies.iu.edu/policies/ua-14-first-amendment-indiana-university/index.html>). The University additionally implements the following time, place, and manner regulations applicable to all property owned or controlled by the University and consistent with UA-14 and Indiana Code 21-39-8.

To allow for freedom of expression and peaceful demonstration on campus while also respecting the University's operations, the following regulations for Expressive Activity are in place:

1. Rights of others: No guests, visitors, or community members may prevent or obstruct the Expressive Activity

of another guest, visitor, or community member, or use any item or part of their own body to visually obstruct or cover up speakers, their supporters, protesters, or signage of demonstrators or counterdemonstrators. University or law enforcement officials may act pursuant to this Policy to ensure public safety while allowing the expression to continue so long as the University's operations are not substantially disrupted.

2. University operations: Expressive Activity may not unreasonably interfere with or substantially disrupt official activities or the operations of the University and must not take place in areas that are used for instructional, administrative, or residential purposes, or are not otherwise open to the general public, such as classrooms, studios, laboratories, residential space, or office areas. Participants engaging in Expressive Activity are expected to be respectful to individuals involved in ensuring the safety of the community, the rights of others, and compliance with this policy.
3. Signs and structures: The temporary installation of structures at any time, must be approved and if approved, must adhere to the guidelines provided by the University. The request for temporary structures must be requested 10 days in advance of proposed installation. The following University departments are responsible for approval of temporary structures proposed to be installed by members of the identified groups:
 - Students and Student Organizations: Campus chief student affairs officer;
 - Faculty and Staff: Executive Vice Chancellor of Academic Affairs, Campus Chief Academic Officer, Campus Chief Human Resources Officer, and University Events; and
 - Guests and Visitors: University Events.

The University in its discretion may maintain policies otherwise governing the customary use of property and structures for University-sponsored events. Signs may not be affixed to or hung from any structure or property owned, leased, or managed by the University, including, but not limited to, buildings and flagpoles, without the prior permission of University Capital Planning and Facilities. Light projections may not be displayed on any University building or structure without the advanced written approval from University Capital Planning and Facilities. Unapproved signs and structures are subject to immediate removal by the University without notice.

4. Non-water soluble, semi-permanent, and permanent substances: These items, including, but not limited to, spray chalk, are not permitted on any University surface, including vertical surfaces, lampposts, signs, public art, and sculptures. No markings of any kind are permitted on vertical surfaces. University Capital Planning and Facilities may remove markings and determine if markings are compliant with these requirements.
5. Overnight camping: Overnight camping, which includes the use of any item to create a shelter, is not a form of Expressive Activity. Overnight camping, including cooking and the use of portable electric heaters, heating devices, generators, and other similar appliances and devices, and all portable toilets are not permitted on University property. Encampments and overnight Expressive Activity are not permitted in any indoor or outdoor location. Unauthorized overnight activities are subject to trespass enforcement and will be addressed in accordance with University policy and all applicable state, local, and federal laws, rules, ordinances, and regulations.
6. Ingress and egress: Expressive Activity may not block ingress or egress to any building, facility, driveway, parking lot, or parking ramp, and must take place a minimum of twenty-five feet, or whatever space is necessary for public safety as determined by Public Safety personnel, from the entrance to any University building. Expressive Activity shall not impede or interfere with vehicular or pedestrian traffic.
7. Amplified Sound: Outdoor amplified sound is permitted so long as it does not disrupt the academic, living, or working environment of the University or its neighbors. Refer also to the policy on Event Management (UA-19), below.
8. Time Restrictions: Expressive Activity must take place between the hours of 6:00 a.m. and 11:00 p.m. Expressive Activity taking place outside of these hours is a violation of this policy.
9. Expressive Activity must comply with all federal, state, local, and municipal laws, ordinances, rules, and regulations.

In the event of a conflict between the terms of this Policy and any other policy or procedure, the terms of this enterprise-wide Policy shall control and supersede any such conflict, ambiguity, or inconsistency.

Reason for the Policy

This Policy provides the time, place, and manner guidelines for Expressive Activity on property owned or controlled by the University. It ensures the University's educational mission is actualized while preserving the rights guaranteed to Indiana University Community Members under the U.S. Constitution and IC 21-39-8.

Procedures

- A. Internal or external sponsors of an event that includes an invitation to a political candidate or candidates to speak at an event on University property, including classroom visits and debates, must contact the Office of the Vice President for University Relations to ensure that the event is conducted in a manner consistent with Indiana University's status as a public institution and University policy. See [GR-01, Contact with State Officials, Federal Officials, and Political Campaigns, and Other Political Activities](#).
- B. Events that may implicate the rights guaranteed under the First Amendment for speakers to speak, audiences to hear, and protesters to protest often require advance logistical planning and coordination with [authorized university officials](#) to provide for a safe and successful event. Internal and external sponsors of events must consult [UA-19, Event Management](#) to determine whether their event requires such logistical support and if so, also comply with UA-19.
- C. Many events will require compliance with both [GR-01, Contact with State Officials, Federal Officials, and Political Campaigns, and Other Political Activities](#) and [UA-19, Event Management](#).

Definitions

Indiana University Community Members: Any employee of the University, including administrators, academic appointees, staff, temporary, and student employees; all students and student organizations; all University units; contractors; any individual using Indiana University resources or facilities or receiving funds administered by Indiana University; and volunteers and other representatives when speaking or acting on behalf of Indiana University.

Expressive Activity: For purposes of this Policy, any public display of individual or group speech or other expression occurring on property owned or controlled by Indiana University or at University-sponsored events. Examples of Expressive Activity may include but are not limited to assemblies, speech, distribution of written material, carrying of signs, picketing, protests, counter-protests, or sit-ins. Commercial activities such as marketing or selling produces are not Expressive Activities and are generally prohibited.

Substantial Disruption: Behavior by an individual or group that prevents the University from conducting its educational, research, outreach and business functions, and normal or scheduled uses of University property by the campus community or that prevents a speaker, performer or event from proceeding, or that prevents others from hearing, seeing, or engaging with an invited speaker, performer, or event. The term also includes behavior that significantly hinders the protected Expressive Activity of another individual or group, prevents the communication of a message of another individual or group, or prevents the transaction of the business of a lawful meeting, gathering, or procession. The term does not include conduct that is protected under the First Amendment to the Constitution of the United States, Article 1, Section 9 of the Constitution of the State of Indiana, or any applicable Indiana law. Except when an outdoor area of campus has been reserved in advance, protected conduct under the applicable Indiana law includes lawfully protesting in an outdoor area of campus that is generally accessible to the public.

Sanctions

General sanctions are outlined in [UA-14, The First Amendment at Indiana University](#): Violations of this policy can result in health, safety, and security concerns, and damage to University property and University operations. Violations of this policy will result in immediate citation, trespass, and/or suspension from campus; suspension or termination of University employment; and responsibility for any costs incurred due to damages caused by violations of this policy.

Students have the right to appeal the sanction by following the process described in [STU-00, Code of Student Rights, Responsibility, and Conduct](#). Similarly, faculty and staff found to be in violation of this policy may seek appeal of the sanction(s) through the processes described in the policy regarding [ACA-33, Academic Appointee Responsibilities and Conduct](#), the applicable [Corrective Action Policy](#), and/or the [HR-10-40, Voluntary/Involuntary Separation Policy](#).

In addition, the University has available to it all other legal remedies as provided under state law.