



1 Expressive Activity Policy
2 Policy Number [UCPO can assist with numbering]

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About This Policy

Effective Date:

August 1, 2024

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

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Scope

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

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

Policy Statement

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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.

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31 Indiana University's responsibilities with respect to the First Amendment of the U.S. Constitution
32 are outlined in University Policy UA-14 ([https://policies.iu.edu/policies/ua-14-first-amendment-](https://policies.iu.edu/policies/ua-14-first-amendment-indiana-university/index.html)
33 [indiana-university/index.html](https://policies.iu.edu/policies/ua-14-first-amendment-indiana-university/index.html)). The University additionally implements the following time, place,
34 and manner regulations applicable to all property owned or controlled by the University and
35 consistent with UA-14 and Indiana Code 21-39-8.
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37 To allow for freedom of expression and peaceful demonstration on campus while also respecting
38 the University's operations, the following regulations for Expressive Activity are in place:
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- 40 1. Rights of others: No guests, visitors, or community members may prevent or obstruct the
41 Expressive Activity of another guest, visitor, or community member, or use any item or
42 part of their own body to visually obstruct or cover up speakers, their supporters,
43 protesters, or signage of demonstrators or counterdemonstrators. University or law
44 enforcement officials may act pursuant to this Policy to ensure public safety while
45 allowing the expression to continue so long as the University's operations are not
46 substantially disrupted.
- 47 2. University operations: Expressive Activity may not unreasonably interfere with or
48 substantially disrupt official activities or the operations of the University and must not take
49 place in areas that are used for instructional, administrative, or residential purposes, or
50 are not otherwise open to the general public, such as classrooms, studios, laboratories,
51 residential space, or office areas. Participants engaging in Expressive Activity are
52 expected to be respectful to individuals involved in ensuring the safety of the community,
53 the rights of others, and compliance with this policy.
- 54 3. Signs and structures: The temporary installation of structures at any time, must be
55 approved and if approved, must adhere to the guidelines provided by the University. The
56 request for temporary structures must be requested 10 days in advance of proposed
57 installation. The following University departments are responsible for approval of
58 temporary structures proposed to be installed by members of the identified groups:
 - 59 Students and Student Organizations: Campus chief student affairs officer;
 - 60 Faculty and Staff: Executive Vice Chancellor of Academic Affairs, Campus Chief
61 Academic Officer, Campus Chief Human Resources Officer, and University
62 Events; and
 - 63 Guests and Visitors: University Events.

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

- 72 4. Non-water soluble, semi-permanent, and permanent substances: These items, including,
73 but not limited to, spray chalk, are not permitted on any University surface, including
74 vertical surfaces, lampposts, signs, public art, and sculptures. No markings of any kind
75 are permitted on vertical surfaces. University Capital Planning and Facilities may remove
76 markings and determine if markings are compliant with these requirements.
- 77 5. Overnight camping: Overnight camping, which includes the use of any item to create a
78 shelter, is not a form of Expressive Activity. Overnight camping, including cooking and
79 the use of portable electric heaters, heating devices, generators, and other similar

80 appliances and devices, and all portable toilets are not permitted on University property.
81 Encampments and overnight Expressive Activity are not permitted in any indoor or
82 outdoor location. Unauthorized overnight activities are subject to trespass enforcement
83 and will be addressed in accordance with University policy and all applicable state, local,
84 and federal laws, rules, ordinances, and regulations.

- 85 6. Ingress and egress: Expressive Activity may not block ingress or egress to any building,
86 facility, driveway, parking lot, or parking ramp, and must take place a minimum of twenty-
87 five feet, or whatever space is necessary for public safety as determined by Public Safety
88 personnel, from the entrance to any University building. Expressive Activity shall not
89 impede or interfere with vehicular or pedestrian traffic.
- 90 7. Amplified Sound: Outdoor amplified sound is permitted so long as it does not disrupt the
91 academic, living, or working environment of the University or its neighbors. Refer also to
92 the policy on Event Management (UA-19), below.
- 93 8. Time Restrictions: Expressive Activity must take place between the hours of 6:00 a.m.
94 and 11:00 p.m. Expressive Activity taking place outside of these hours is a violation of
95 this policy.
- 96 9. Expressive Activity must comply with all federal, state, local, and municipal laws,
97 ordinances, rules, and regulations.

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99 In the event of a conflict between the terms of this Policy and any other policy or procedure, the
100 terms of this enterprise-wide Policy shall control and supersede any such conflict, ambiguity, or
101 inconsistency.
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103 **Reason for the Policy**

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

110 A. Internal or external sponsors of an event that includes an invitation to a political candidate
111 or candidates to speak at an event on University property, including classroom visits and debates,
112 must contact the Office of the Vice President for University Relations to ensure that the event is
113 conducted in a manner consistent with Indiana University's status as a public institution and
114 University policy. See [GR-01, Contact with State Officials, Federal Officials, and Political](#)
115 [Campaigns, and Other Political Activities](#).

116 B. Events that may implicate the rights guaranteed under the First Amendment for speakers
117 to speak, audiences to hear, and protesters to protest often require advance logistical planning
118 and coordination with [authorized university officials](#) to provide for a safe and successful event.
119 Internal and external sponsors of events must consult [UA-19, Event Management](#) to determine
120 whether their event requires such logistical support and if so, also comply with UA-19.

121 C. Many events will require compliance with both [GR-01, Contact with State Officials, Federal](#)
122 [Officials, and Political Campaigns, and Other Political Activities](#) and [UA-19, Event Management](#).

123 124 **Definitions**

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

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

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

152 **Sanctions**

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

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

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