

# FREEDOM OF EXPRESSION GUIDE

IU BLOOMINGTON

2024-2025



INDIANA UNIVERSITY  
**STUDENT GOVERNMENT**

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# What does the First Amendment say?

The First amendment states, Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

## **The First Amendment establishes five fundamental rights:**

- **Freedom of Religion**
  - Individuals have the right to practice their religion without interference from the government.
- **Freedom of Speech**
  - Individuals are free to express their thoughts and opinions without censorship or punishment by the government.
- **Freedom of Press**
  - The media has the right to publish news and opinions without government-imposed restrictions.
- **Freedom of Assembly**
  - Individuals have the right to gather peacefully for demonstrations, protests, and other group activities.
- **Freedom to Petition**
  - Individuals have the right to appeal to the government to address grievances or seek changes in policies.

## Limitations to the First Amendment:

- **Incitement to Imminent Lawless Action**
  - Speech that incites or encourages immediate illegal activity or violence is not protected. This was established in *Brandenburg v. Ohio* (1969), which set the "imminent lawless action" standard.
- **Obscenity**
  - Obscene material that lacks serious literary, artistic, political, or scientific value is not protected. *Miller v. California* (1973) established a test to determine what constitutes obscenity.
- **Defamation**
  - False statements that harm a person's reputation (libel if written, slander if spoken) are not protected under the First Amendment. There are protections, however, for opinions and certain types of satire.
- **True Threats and Intimidation**
  - Threats of violence that cause a person to fear for their safety are not protected. This includes direct threats that convey intent to harm.
- **Fighting Words**
  - Speech that is likely to provoke an immediate violent reaction from the listener—commonly called "fighting words"—is not protected. This was defined in *Chaplinsky v. New Hampshire* (1942).
- **Time, Place, and Manner Restrictions**
  - While individuals have the right to assemble and protest, the government can impose reasonable regulations on the time, place, and manner. This was defined in *Cox v. New Hampshire* (1941).
- **Commercial Speech**
  - Advertising and other forms of commercial speech are protected but are subject to regulation, especially when misleading or promoting illegal products or services.
- **Clear and Present Danger**
  - Speech that presents a "clear and present danger" to public safety is not protected. This was famously illustrated in *Schenck v. United States* (1919), which compared dangerous speech to falsely shouting "FIRE!" in a crowded theater.

# IU Policies, UA-14

## UA-14: The First Amendment at Indiana University

- **Scope:**

- UA-14 applies to all invited guests and visitors to Indiana University, along with anyone who falls under the "IU Community Members" scope. This includes but is not limited to employees, students, contractors, and volunteers.

- **Policy Statement:**

- Indiana University is committed to allowing all forms of free expression in accordance with the US Constitution and Indiana Law.
  - With this, an invitation by an internal sponsor or a space reservation by an external sponsor does not constitute the university's or the internal sponsor's endorsement of any or all of the speaker's views or opinions.
- Furthermore, consistent with Indiana Code 21-39-8, Indiana University reserves the right to regulate the time, place, and manner of free speech and expressive activities to protect the safety and welfare of Indiana University's operations.

- **Restrictions:**

- The following restrictions apply to all free speech and assembly activities on campus. Such activities must not:
  - Interfere with or substantially disrupts the normal or scheduled use of university property.
    - This includes classes, scheduled programs, events, and the overall functioning of the university.
  - Interfere with or obstruct the flow of pedestrian or vehicular traffic.
  - Employ unreasonable sound amplification or create unreasonable noise that disrupts normal university business or activities.
  - Constitute a genuine threat or harassment or other speech acts unprotected by the First Amendment.

## Frequently Asked Questions for UA-14:

**Q:** “Are these restrictions legally allowed?”

**A:** Yes. While the First Amendment provides freedoms of expression, certain regulations are permissible. *Cox v. New Hampshire* (312 U.S. 569) established that public spaces, including universities, can set reasonable restrictions to maintain order and safety.

**Q:** “Does this mean I can’t protest on campus?”

**A:** No. You are allowed to protest on campus, provided you follow IU’s Free Speech Policies (UA-10, UA-14, UA-19, and GR-01).

**Q:** “What does “substantially disrupt” mean in relation to free speech demonstrations?”

**A:** Demonstrations must first be approved by the university. Beyond that, as long as your demonstration doesn’t actively interfere with classes or scheduled events, you are permitted to protest as outlined by IU policies.



# IU Policies, UA-10

## UA-10: Expressive Activity Policy

- **Scope:**
  - UA-10 applies to all invited guests and visitors to Indiana University along with anyone who falls under the “IU Community Members” scope. This includes but is not limited to employees, students, contractors, and volunteers.
- **Policy Statement:**
  - The University recognizes the historical importance of Dunn Meadow on the Bloomington campus and the 1969 decision to designate it as the Indiana University Assembly Ground.
    - Dunn Meadow remains as an area in which IU Community Members may engage in freedom of expression in accordance with applicable laws and University policies and procedures.
  - The University’s responsibilities with respect to the First Amendment of the U.S. Constitution are outlined in University Policy UA-14.
    - The University additionally implements the following time, place, and manner regulations consistent with UA-14 and Indiana Code 21-39-8.
- **Regulations:**
  - To support freedom of expression and peaceful demonstrations on campus while maintaining respect for university operations, the following regulations for Expressive Activity are in effect:
    - **University Operations:** Expressive Activity may not materially and substantially disrupt official activities, business, or operations of the University.
    - **Structures:** The temporary installation of structures and/or mass physical objects at any time must be approved, and if approved, must adhere to the guidelines provided by the University.
      - Temporary structures must be requested 10 calendar days in advance of the proposed installation.

- **Signs and Symbols:** Signs, symbols, and light projections may not be affixed to, inserted into the ground, or hung from the exterior of any University structure or property without the prior permission of University Capital Planning and Facilities.
  - Unapproved affixed or hanging signs and symbols are subject to immediate removal by the University without notice.
- **Damaging and Defacing University Property:** Use of non-water soluble, semi-permanent, and permanent substances shall not be used to mark any University property.
  - This includes but is not limited to stickers, sprayable chalk, markers, spray paint or other forms of paint, fixative, or oil-based products.
- **Camping:** Camping includes the use of any item to create a shelter.
  - This includes cooking and the use of portable electric heaters, heating devices, generators, portable toilets, and other similar appliances and devices not approved for a university event.
- **Ingress and Egress:** Expressive Activity may not block ingress or egress to any building, facility, driveway, parking lot, or parking ramp.
  - Expressive Activity must take place a minimum of twenty-five feet, or whatever space is necessary to preserve public health, safety, and welfare 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.
- **Amplified Sound:** Outdoor amplified sound is permitted so long as it does not materially and substantially disrupt the academic, living, or working environment of the University or its neighbors.
- **Time Restrictions:** Expressive Activity must take place between the hours of 6:00 a.m. and 11:00 p.m.
- **Compliance:** Expressive Activity must comply with all federal, state, local, and municipal laws, ordinances, rules, and regulations, as well as University policies.



# IU Policies, UA-19

## UA-19: Event Management

- **Scope:**
  - This policy applies to events that are planned to be staged on Indiana University property by entities, whether internal or external to the university.
- **Policy Statement:**
  - IU's mission is to advance education and research. Hence, university property is the site of promoting events related to their mission, and they are committed to that exchange of ideas.



- **Procedures:**

- SILC's Space Reservation staff will assist you in event planning and help you meet the following campus requirements.
- Some events require various approvals in addition to a space reservation. Many of these approvals are incorporated into the beInvolved event request/space reservation process. All space and event approval requests must be submitted at least 10 days before the event date.
- All events on or off campus with 50 or more planned attendees also require submission to the University Event Registration Committee (UERC) as outlined [here](#).
- Large-scale events and those requiring extensive logistical, safety, and security planning should generally be made no less than 45 days before the event's proposed date to allow ample time for planning, coordination, review, and approval by relevant campus stakeholders.
- By reserving any indoor or outdoor space for an event, the student reserving the space and the affiliated organization both accept responsibility for the event, including policy compliance, conduct, or damages and agree to cooperate with Indiana University and/or University officials.
- Greek Organizations may also be required to provide notice of certain events to the Office of Sorority and Fraternity Life as outlined in the [\*\*Indiana University Office of Sorority and Fraternity Life Social Events Policy\*\*](#).
  - Events with High Profile Performers planned at Housed Greek Organization locations require additional review and documentation as outlined by OSFL.
- All student organization events that are open to the public and include food for public consumption are subject to approval by the Department of Environmental Health and Safety (EHS). These events can use a food truck, IU approved caterer, pre-made and pre-packaged food items, or a restaurant. If the event is open to the public, you cannot give out homemade food items. No food is allowed in classroom spaces.

# IU Policies, GR-01

## **GR-01: Contact with State Officials, Federal Officials, and Political Campaigns, and Other Political Activities**

- **Scope:**

- UA-14 applies to all invited guests and visitors to Indiana University along with anyone who falls under the “IU Community Members” scope. This includes but is not limited to employees, students, contractors, and volunteers.

- **Policy Statement:**

- As a public institution, Indiana University receives tax-exempt status under the Internal Revenue Code (IRS). In order to maintain this status, the university cannot engage in any political campaign and must prevent its resources from being used in any way that could appear to support a political candidate.
  - University trademarks may not be used by candidates for elected office or by IU Community Members in a way that would create a perception of Indiana University support for a particular candidate or political party.
- Any personal contact with government officials or agencies should only be done in an individual capacity or on behalf of a professional society.
  - Indiana University resources must not be used when engaging in personal political activity.

- **Procedures:**
  - **Interpretation and Implementation**
    - The Office of the Vice President for University Relations holds the authority for the interpretation and implementation of this policy.
    - All events that involve candidate appearances must be planned and executed in accordance with UA-19.
    - The Office of the Vice President for University Relations and the campus Vice Provost/Chancellor for external affairs shall be notified by IU Community Members of all requests for political campaign invitations.
  - **Communication and Contact with Government Officials**
    - The Office of the Vice President for University Relations is the sole office with the responsibility of providing leadership for Indiana University's governmental relations activities.
    - Contacts requiring coordination with the Office of the Vice President for University Relations may include, but are not limited to:
      - Individual or group meetings
      - Testimony before executive or legislative bodies
      - Presentation of written materials or electronic transmissions
      - Invitations to visit campuses
      - Campus events that include government officials, candidates for office, and state and federal political appointee
      - Responses to requests for information
      - Contracts with state entities
  - **Special Considerations for Contact with Federal Officials**
    - In order to ensure compliance with federal law and regulations, any proposed outreach on behalf of a university interest to covered federal officials must be coordinated with the IU Office of Federal Relations before the contact is made.
  - Only IU personnel are authorized by the Office of the Vice President for University Relations to lobby on behalf of or represent Indiana University's interests with the above federal officials.

- **Events and Invitations in General**
  - If an event includes an appearance or invite by a government official, candidate, or political party, the sponsor of the event must notify the Office of the Vice President for University Relations.
- **Voter Education Activities and Events**
  - IU Community Members are permitted to conduct certain voter education activities as long as they are carried out in a non-partisan manner.
- **Appearances by Government Officials, Candidates, and Political Parties**
  - Invitations and Events: University Sponsored
    - Elected officials, state and federal government appointees, and political candidates may be invited to speak on campus as long as these events are educational in nature.
    - For candidate events, if one candidate is invited to speak at an event, the university must provide all legally-qualified candidates or their representatives an opportunity to appear at the university as well within a reasonable time period.
      - An exception may be made for an elected official who is simultaneously a candidate for office, so long as the remarks are limited to official business related to the duties of the elected office.
  - The introduction of a candidate, government official, or political party at a university-sponsored event must be neutral.
  - The university may not co-sponsor, fundraise, or share the cost of a campaign event with an external entity.

- **Invitations and Events: Student Organization Sponsored**
  - A student organization may hold a single-candidate or single-party event under this section; however, if any Indiana University funding is used for the event, the organization must extend an invitation to all legally qualified candidates.
  - Student organizations may also conduct meetings or events that are closed to the general public and limited to their members. If the event is open to the public, a university sponsor is required, and facility rental and usage fees must be applied.
  - Organizations must take appropriate measures to prevent any appearance of university endorsement or opposition to any candidate or political party.
  
- **Invitations and Events: Sponsored by External Entities**
  - External entities may rent or reserve space on university property to host political events, whether for limited audiences or open to the general public.
  - Events sponsored by external entities are subject to standard rental fees, with no discounts, preferential scheduling, or other special considerations.
    - If third-party vendors are utilized for a political event on campus, external entities must handle all payments directly with the vendors.
  - Political fundraising at events hosted by external entities is strictly prohibited.

# Resources, Student Legal Services

- **What is Student Legal Services?**

- Student Legal Services provides free, confidential legal advice and services for IU Bloomington students. They'll even represent you in court for civil (non-criminal) cases. Your student activity fee covers these services, so let them help. Their licensed attorneys and legal interns are experienced in handling various legal matters. Stay focused on your studies, and let them be your safety net.

- **How do I access Student Legal Services?**

- To book an appointment with SLS, students can complete an intake form on the [SLS website](#). Once the form is submitted, SLS will respond within one business day to arrange an appointment.
- Students may also call SLS at 812-855-7867 between 8 am and 5 pm, Monday through Friday, for any questions or to book an appointment directly.

### **How does Student Legal Services work?**

- Students first share their legal issue with SLS. After scheduling an appointment, they'll be assigned an IU intern as their primary contact, who will work under the full supervision of one of SLS's four full-time licensed attorneys.

- **What can Student Legal Services help with?**

- SLS offers assistance with a wide range of legal issues, including adoption, insurance, financial matters, traffic violations, gender marker changes, minor criminal charges, and more. The licensed attorneys have extensive experience across diverse case types, so students are encouraged to reach out with any legal concerns.
  - While SLS can assist with many forms of legal review, if there's an issue they cannot address, they will refer students to a suitable resource for further assistance.

# Resources, SILC

- **What is the Student Involvement Leadership Center?**
  - The Student Involvement & Leadership Center at IU serves as a resource to help students engage in campus life. The Center designs and supports inclusive experiences and meaningful opportunities for students to get involved.
  - Advisors at the Student Involvement & Leadership Center are eager to help students discover activities that align with their interests and passions.
- **Planning an event or labeling**
  - Student Involvement and Leadership Center (SILC) Space Reservations is the entry point for securing student organization events and meeting space and for departments and registered student groups scheduling outdoor space on campus.
  - Visit [here](#) to learn more about reserving space on campus and to review on-campus event policies and guidelines.

## **How do I connect with the Student Involvement Leadership Center?**

- Phone: 812-855-4682
- Email: [sil@iu.edu](mailto:sil@iu.edu)
- Location: Indiana Memorial Union (900 E. 7th Street, Bloomington, IN 47405)
  - Student Involvement Tower, IMU Suite 270
- You can schedule an appointment by completing the form under the "Schedule an Appointment" tab, available, [here](#).
- Drop-in office hours:
  - Monday: 10:30 am - 12 pm
  - Wednesday: 1 pm - 4 pm
  - Friday: 1 pm - 4 pm



# Resources, University Relations

- **What is IU's Office of University Relations?**
  - The Office of the Vice President for University Relations connects Indiana University's resources and expertise with key constituencies in business, industry and government, raising awareness of IU's critical role in directly contributing to the vitality of the state and nation.
- **What do the Government Relations in the Office Look Like?**
  - The offices of both State Relations and Federal Relations serve as the primary liaison between IU and the legislative and executive branches of government and other relevant units of government.
- **When Does Someone Need to Use the University Relations Office In Regards to Expression?**
  - In accordance with GR-01 described above, the University Relations Office should be the first stop for any politically-centered event among other special circumstance events listed on pages 12-15.
- **How do I connect with the University Relations Office?**
  - Phone: 812-855-0850
  - Email: [gree@iu.edu](mailto:gree@iu.edu)
  - Location: 201 N. Indiana Avenue, Bloomington, IN 47408

# Resources, Office of Student Conduct

- **Who is the Office of Student Conduct?**
  - The Office of Student Conduct's job is to make sure all students are following the university's trust, respect, and honesty policies. Although students always maintain certain rights and freedoms, they still have responsibilities that must be followed. The Office of Student Conduct offer conflict coaching and mediation services to help students solve issues and stay ahead of future problems
- **What do these student responsibilities consist of?**
  - The rules of being an IU student include the following:
    - Read and understand the Student Code
    - Read and understand the syllabus for each of your courses
    - Read and understand all policies, details are provided [here](#)
  - The IU Code of Student Rights, Responsibilities, and Conduct can be found [here](#)
- **How can the Office of Student Conduct help?**
  - The Office of Student Conduct acts as a primary resource for students to use if they feel they need to report an issue that violates misconduct.
- **How do I report to the Office of Student Conduct?**
  - There are 4 types of misconduct that can be reported. These include:
    - Academic
    - Personal
    - Sexual
    - Organizational
  - Forms to fill out to report these conducts can be found [here](#)

# Resources, Office of Student Conduct

- **What are the Student's Rights when facing misconduct charges?**

- As a student, you are entitled to these rights during the campus judicial process:

- You may read all written reports regarding the circumstances and allegations of your case
- You may give your reaction to the reports and offer any additional information, including information that may not resolve the case.
- You are not required to answer questions that may be asked during your judicial conference. The choice to remain silent will not be taken as an admission of responsibility.
- More information can be found [here](#)

- **How do I connect with the Office of Student Conduct?**

- Phone: 812-855-5419
- Email: [osc@iu.edu](mailto:osc@iu.edu)
- Location: Alice McDonald Nelson Building, 801 N. Eagleson Avenue  
Bloomington, IN 47405



# *Empowering your voice*

Understanding the first amendment rights you have can be difficult. With changing policy, growing polarization, and political unrest it is important for all students, staff, faculty, and citizens as a whole to understand how to express themselves effectively. The purpose of this guide is to show individuals and organizations how to operate within Indiana University policy while on IU's campus in order to avoid conflict when trying to express themselves.

*Fuse team*

IUSG 2024-2025 Administration



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