

Open Expression Policy

Policy Number: DOS-8100-002.R01

Policy Title: Open Expression Policy

Vice Chancellor/Associate Chancellor: Vice Chancellor for Student Affairs and Vice Chancellor for Finance

Unit Responsible for Policy: Dean of Students and Human Resources

Effective Date: 10/3/2024

Contacts: Dean of Students and Associate Vice Chancellor for Human Resources

Policy Statement:

The University of Illinois Chicago, in its role as an academic institution, is committed to an environment in which a variety of ideas can be reasonably proposed and critically examined. We encourage the free exchange of ideas and the expression of dissent within the university community, while remaining committed to creating and nurturing an environment that balances our respect for individual freedom with our beliefs in responsibility towards community. These are indications of intellectual vitality and social awareness. Freedom of speech in this context will include all forms of communication and artistic expression as well as the freedom to listen, watch, protest, or otherwise participate in such communication (“open expression”).

Individuals are encouraged to engage in dialogue, debate, and deliberation; and to hear diverse points of view – including controversial and, at times, contentious speech – all of which is critical to the development of active and analytical thinking skills. This environment helps all UIC community members to be engaged and responsible citizens in support of our university’s guiding principles:

https://www.uillinois.edu/about/guiding_principles
[https://www.uillinois.edu/about/guiding_principles].
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Included in these freedoms is the right to demonstrate in a peaceful and non-disruptive manner. The university affirms the right of members of the university community to assemble and demonstrate peaceably and expects that those who enjoy these freedoms must also accept responsibility to adhere to the policy for their open expression activities. The University of Illinois Chicago acknowledges the rights of members of the university community to distribute visual communications and to speak publicly on campus. As such, the university is responsible for maintaining the conditions that permit its mission to continue by determining the reasonable time, place, and manner restrictions for open expression activities.

set forth in this policy. Members of the university community who intend to participate in an open expression activity have the responsibility to adhere to this policy.

The university affirms that the substance or the nature of the views expressed is not an appropriate basis for any restriction of an assembly or a demonstration. As such, the viewpoint neutral rules set forth in this policy are intended to protect the rights of those involved in these activities, the rights of others in the university community, and the institution from unreasonable disruption. The policy is not intended, nor shall it be used by the university, for prior review of any communication. The use of the university grounds and/or facilities does not imply acceptance or endorsement by the university of the views expressed as part of any open expression activity.

This policy is not intended – and shall not be construed – to impair any right or activity, including speech, protest, or assembly, protected by the U.S. Constitution, by the Constitution of the State of Illinois and by other federal or state law, such as the Illinois Labor Dispute Act, the Illinois Public Demonstrations Law, and the Illinois Educational Labor Relations Act. Further, this policy is not intended – and shall not be construed – to supersede, nullify, modify or impair any faculty member’s exercise of academic freedom as set forth in *University of Illinois Statutes*.

Policy Application:

This policy applies to all members of the university community. Scheduling of events and time, place, and manner restrictions in this policy apply to the Chicago campus. Regional sites will develop procedures that shall include scheduling requirements and time, place, and manner restrictions unique to each site.

Individuals/groups that are not members of the university community may only participate in an open expression activity on campus if they are sponsored by a university department or organization and approved in advance of the event. The university sponsor of an outside individual or group is responsible and may be held accountable for any non-compliance by those they sponsor.

This policy does not apply to the rental of university facilities by individuals or groups that are not members of the university community as such rentals are considered private events and are governed by the university’s facility use policies.

Visual communications used in connection with university programs and services are the responsibility of the appropriate university colleges, departments, or originating units and are not covered by this policy. Other visual communications used or circulated at the university are subject to this policy.

All members of the university community are expected to know and follow the Policy on Open Expression. The university reserves the right to withdraw the permission granted to any person or organization that violates this policy; any member of the university community who violates this policy may be subject to the enforcement actions set forth in this policy.

Scheduling Events:

University facilities, both indoor and outdoor, exist for the primary purpose of university-related education, research, and patient care. Priority for the use of facilities is given first to academic and patient care activities and then to programs of university-recognized groups.

Those wishing to hold an open expression event must [apply for a reservation to schedule the event](https://cm.maxient.com/reportingform.php?UnivofIllinoisChicago&layout_id=25) [https://cm.maxient.com/reportingform.php?UnivofIllinoisChicago&layout_id=25].
[https://cm.maxient.com/reportingform.php?UnivofIllinoisChicago&layout_id=25]

Reservations will be granted on a viewpoint neutral basis subject to availability of the space. The individual(s) with the tentative reservation shall have priority over others who attempt to use the space at the same time to the extent the events cannot be conducted simultaneously. Reservations for space in the

Student Centers and outdoor space are made through the Office of Meetings and Conferences. **Space should be reserved at least 48 hours in advance of the event.** Failure to reserve space in accordance with this policy may result in denial of the use of the requested space. Scheduling is important to allow planning, coordination with other campus events, and community safety. As the event is being planned, as part of the reservation process, organizers must provide notice about their space needs and requests.

Time, Place and Manner Restrictions:

Given the multiple pressures that our location in Chicago places on our campus, to ensure public safety and to protect the health and property of individuals, **encampments or overnight demonstrations are not permitted in any University location**, regardless of space (indoor or outdoor). Unauthorized overnight activities will be considered a violation of this policy.

1. Time – Open expression activities in outdoor locations may only occur between 10:00 a.m. and 6:00 p.m. Indoor open expression activities are limited to the Student Centers subject to the normal schedule (days/hours of operation) for each location. Student Center building schedules are posted in the Student Centers and are available upon request from the building director. An indoor or outdoor open expression activity may be held outside of these hours if said activity is specifically related to an event being held on campus and if the request is made through the standard reservation process.
2. Place – Open expression activities, including those that include the distribution of visual communications, may be scheduled in the following locations:
 - a) Outdoor locations, including, but not limited to, the Lecture Center Plaza, University Hall Plaza, Harrison Field, and Student Center West Plaza.
 - b) *Student Center East* - In the first-floor concourse just to the west of the north bookstore entrance doors. Areas in front of the entrance/exit doors and at the base and top of the first to second floor escalator/stairs are to remain clear.
 - c) *Student Center West* - In the first-floor lobby except in areas in front of entrance/exit doors, the bookstore, or the coffee shop.Open expression activities may not occur in the following locations:
 - a) Reserved meeting rooms and/or ancillary space within areas where university-administered functions or activities occur (e.g. cafeterias/dining rooms, athletic facilities, sales offices, lounges and reception areas, etc.);
 - b) On or in stairways, classrooms, hallways, corridors, doorways, ramps, elevators, escalators or general use areas or any other location that would block lawful entry or exit to any campus location.
- 3 Manner – Distribution of the following materials is prohibited: material that violates applicable law or the Student Disciplinary Policy; or material that is directed to inciting or producing imminent lawless action and is likely to incite or produce such imminent lawless action. The University reserves the right to confiscate materials that are prohibited by this policy.

Posting (including personal postings) may only be displayed on designated bulletin boards and kiosks. Any materials posted on walls, doors, windows, pillars, garbage cans, or any other unauthorized area will be removed.

Chalking of outdoor sidewalks exposed to the weather is permitted. Only water-soluble chalk may be used. Chalking is not permitted indoors, on sidewalks protected by overhangs, overhead walkways, balconies, or other structures. Chalking is prohibited on all other surfaces including, but not limited to walls, outdoor furniture, posts, columns, seating walls, and trash containers.

Individuals who engage in open expressions events on the university's campus must not:

- a. Attempt, by repeated demands, threats, or otherwise, to coerce individuals into accepting or paying for materials.
- b. Interfere with, impede, or cause blockage of the normal flow of traffic.
- c. Commit any act likely to create an imminent safety or health hazard.
- d. Substantially interfere with or disrupt any other lawful activity by anyone else lawfully in the same general location at the same time or otherwise substantially disrupt any University operations.
- e. Display visual communication on any type of stick or other material that might cause injury, harm to a person, or destroy University property.
- f. Erect structures without prior written authorization via the registration process.
- g. Possess or use weapons, ammunition, fireworks, explosives, or dangerous chemicals.
- h. Restrict or impede individuals from conducting normal university operations including attending or entering classes and other learning activities.

The University reserves the right to restrict or terminate any open expression activities if the activities substantially disrupt university operations.

The University reserves the right to impose a minimum of 50 feet separation distance between those individuals and/or organizations expressing opposing views.

Policy Violations and Enforcement:

A primary objective of this policy is voluntary compliance with laws and university policies. Any violations of this policy will be addressed by the Dean of Students for students or appropriate university unit for faculty or staff, which may employ a range of measures, including mediation, corrective counseling, discipline, and/or criminal action.

Violations of this policy include, but are not limited to the following:

1. Conduct or behavior that:
 - a) Causes bodily harm to an individual
 - b) Shows reckless disregard for the physical safety of any person
 - c) Amounts to a threat, i.e., physically threatening behavior that creates a reasonable fear for a person's safety
 - d) Is so persistent, pervasive, or severe as to knowingly deny a person's ability to participate in the university community.
2. The use of force or violence, actual or threatened, to willfully deny, impede, obstruct, impair, or interfere with the freedom of movement of any person.
3. Knowingly occupying or remaining in or at any property or facility owned or controlled by the university after receiving due notice to depart.
4. Any conduct that substantially threatens or interferes with the maintenance of appropriate order and discipline in the operation of the university. Without excluding other situations, examples include shouting, noise making, obstruction, and other disruptive actions designed or intended to interfere with or prevent meetings, assemblies, classes, or other scheduled or routine university operations or activities.
5. Knowingly participating in an open expression event that takes place at unauthorized times or in unauthorized locations.
6. Continuing to engage in misconduct after notification has been made that the conduct violates this policy or Illinois Criminal Code.

Policy violations should be reported to UIC Police at (312) 355-5555. UIC Police will respond and contact a representative of the Dean of Students or Human Resources to address the violations.

Reason for Policy:

The Policy on Open Expression establishes guidelines for the university community regarding the free exchange of ideas and the expression of dissent within the University of Illinois Chicago.

Minority Impact Statement:

Because this policy is written and will be applied in a viewpoint-neutral manner, it does not have any disproportionate or unique impact on UIC's minority students, staff, or faculty.

Who Should Read the Policy:

All faculty, staff, students, and visitors to UIC.

Definitions:

1. "Demonstration" shall mean a form of organized public speech related to issues of interest to the organizers and participants.
2. "Encampments" includes any of the following:
 - a) setting up or pitching, or attempting to pitch or set up, a camping tent or shelter;
 - b) establishing or maintaining, or attempting to establish or maintain, an outdoor site on University Property for the purpose of overnight stays or sleeping;
 - c) establishing or maintaining, or attempting to establish or maintain, temporary or permanent living quarters at any location on University Property other than residence halls, apartments, or other university managed housing; and
 - d) the overnight use of sleeping bags, blankets, makeshift shelters, motor homes, campers or camp trailers.
3. "Open Expression" includes all forms of communication and artistic expression as well as the freedom to listen, watch, protest, demonstrate, or otherwise participate in such communication.
4. Open Expression Activity means any public display of individual or group speech occurring on or near the university campus.
5. "Organized Public Speech" shall mean the organized effort of two or more individuals or a group to convey a specific message(s) and shall not encompass general conversation between or among individuals or groups.
6. "Policy" shall mean "UIC Policy on Open Expression."
7. "Staff" shall mean currently employed university personnel: academic and support staff, student employees, volunteers, and the university officers.
8. "Structures" include event tents, camping tents, tables, walls, outdoor displays, inflatables, freestanding signs, huts, sculptures, booths, facilities, flashing or rotating lights, illuminated signs, or similar objects and structures.
9. "Student" shall mean students currently enrolled at UIC.
10. "University" shall mean the University of Illinois Chicago.



11. "University Community" includes all students, faculty, staff, administrators, and Trustees of the University.
12. "Unreasonable disruption" shall include, but not be limited to, blocking access to buildings or university activities, creating excessive noise that interferes with university business, or obstructing university operations.
13. "Visual Communication" shall mean communicative or expressive material, whether written, typed or printed, or displayed in an electronic format.

Related Laws, Regulations, Statutes, and Policies

UIC Student Disciplinary Policy <https://dos.uic.edu/wp-content/uploads/sites/262/2018/10/DOS-Student-Disciplinary-Policy-2018-2019-FINAL.pdf>
[<https://dos.uic.edu/wp-content/uploads/sites/262/2018/10/DOS-Student-Disciplinary-Policy-2018-2019-FINAL.pdf>]

UICHR Policies and Procedures

<https://www.hr.uic.edu/policies/>

UIC Faculty Handbook

<https://facultyhandbook.uic.edu/>

University of Illinois Statutes

<https://www.bot.uillinois.edu/governance/statutes/>

State University Civil Service System Statutes and Rules

<https://www.sucss.illinois.gov/sar.aspx?osm=c43>

National Fire Protection Association (NFPA), Life Safety Code, 2000 Edition <https://www.nfpa.org/codes-and-standards/all-codes-and-standards/list-of-codes-and-standards/detail?code=101>
[<https://www.nfpa.org/codes-and-standards/all-codes-and-standards/list-of-codes-and-standards/detail?code=101>]

Illinois Criminal Code, Interference with a Public Institution of Education (720 ILCS 5/21.2-2)
<http://www.ilga.gov/legislation/ilcs/fulltext.asp?DocName=072000050K21.2-2>
[<http://www.ilga.gov/legislation/ilcs/fulltext.asp?DocName=072000050K21.2-2>]



Illinois Criminal Code, Interference with a Public Institution (720 ILCS 5/21.2-2)

A person commits interference with a public institution of education when he or she, on the campus of a public institution of education, or at or in any building or other facility owned, operated or controlled by the institution, without authority from the institution he or she, through force or violence, actual or threatened:

(1) Knowingly denies to a trustee, school board member, superintendent, principal, employee, student, or invitee of the institution: freedom of movement at that place; or use of the property or facilities of the institution; or the right of ingress or egress to the property or facilities of the institution; or

(2) Knowingly impedes, obstructs, interferes with or disrupts: the performance of institutional duties by a trustee, school board member, superintendent, principal, or employee of the institution; or the pursuit of educational activities, as determined or prescribed by the institution, by a trustee, school board member, superintendent, principal, employee, student, or invitee of the institution; or

(3) Knowingly occupies or remains in or at any building, property or other facility owned, operated or controlled by the institution after due notice to depart.

Document History:

- DOS-8100-002 approved by the Committee on Policy on May 21, 2018. This policy revised the 2018 version of the UIC Policy on Open Expression

Approved date: 10/3/2024

Approved as: Revised Policy

