

Public Speaking, Leaflet Distribution, and Demonstrations

Scope: Who is Covered by this Policy?

Employees, Students and Visitors

Policy

In addition to the requirements of this Policy, there are special rules for events whose size or complexity requires additional planning and safeguards. The Campus Events Policy should be reviewed to determine whether these additional requirements apply.

Miami University embraces the rights of expression, affiliation, and peaceful assembly. Miami University faculty, staff, and students may express their views by demonstrating peacefully for ideas they wish to make known, and the University will protect these rights. The University has an equal and co-extensive obligation to protect the rights and freedoms of those who choose not to participate. Additionally, the University has a duty to protect its property and to assure the continuation of the University's teaching, research, administrative, and service functions.

The term "Demonstrations" as used in this policy includes, but is not limited to, picketing, petition circulation, public speech making, rallies, the appearance of public speakers in outdoor areas, mass protest meetings to display group feelings or sentiments. Demonstrations do not include University sponsored Campus Events. Any public speaking, leafletting or demonstration that meets the definition of a Campus Event must also comply with the Campus Event Policy.

Faculty, Staff, and Students

The following standards must be followed by those faculty, staff, and students who wish to demonstrate:

1. Demonstrations may not occur inside University buildings, on porches or porticos of University buildings, or in outdoor areas that are generally restricted to a majority of the campus community. These restrictions include porches, patios, and porticos of University buildings, and on lawns of University-owned single family residential facilities.
2. Demonstrations may not impede ingress or egress to the University, any University property, parking lot, building, facility, or event. Thus, demonstrators must stay at least twenty-five (25) feet from the entrance to any University building, property, parking lot, facility or event, including entrances to construction sites.
3. Demonstrations may not obstruct or disrupt, by auditory or other means, any University activities. Sound amplification devices may only be used at a volume which does not disrupt or distract from the normal use of classrooms, offices, or laboratories or any scheduled University event. Thus, use of amplification device(s) between 8:00 a.m. and 9:00 p.m. within 250 feet of an academic building is prohibited. The use of amplification device(s) between Midnight and 8:00 a.m. is prohibited. Sound amplification devices may not be used in Residential Quad spaces after 10:00 p.m. on weeknights and midnight on Friday and Saturday. Sound amplification devices may not be used in Residential Quad spaces during finals week.
4. Camping outdoors is prohibited except as part of a Student Organization activity in designated areas adjacent to the Shriver Center, on one of the Armstrong Student Center terraces and Phi Delta Theta Gates (corner of Campus Avenue and High Street) or students seeking admission to the Goggin Ice Center, Millett Hall or Yager Stadium.
5. Information that is obscene or libelous or that advocates unlawful conduct may not be disseminated.
6. All fire, safety, and sanitary laws and regulations must be obeyed.
7. Demonstrators may not obstruct vehicular, bicycle, pedestrian, or other traffic.
8. Demonstrators may not engage in any activity which constitutes a clear and present danger to persons, property, or the University's operations. Prohibited Items: No glass items are permitted. No projectiles or items intended for use as a projectile are permitted. No open fires or flames are permitted except from hand-held candles 8 inches in length or less. Banned items may be confiscated by University officials and law enforcement.
9. A demonstrator may not wear a ~~mask~~, head/face covering or other device that ~~conceals and~~ is intended to conceal the identity of the wearer when the person

knows or reasonably should know that the conduct provokes in another a reasonable apprehension of intimidation, threats or violence. This prohibition does not apply to personal protective or religious coverings (e.g. face coverings, habits ~~and~~, hijabs)

10. Demonstrations must comply with all applicable laws and University policies including those regarding Use of University of University Property.

11. The University may elect to establish reserved gates/entrances for vendors. Demonstrations at gates or entrances reserved for vendors will not be permitted.

Distribution of materials (including but not limited to distribution of flyers, leaflets or pamphlets, or the circulation of petitions) by faculty, staff, or students, other than as part of the University's teaching, research, administrative, and service functions, may occur ~~only on perimeter sidewalks, on other areas, if any, designated by the University, or on exterior areas of campus buildings.~~ on the outdoors areas of campus so long as the individual's conduct is lawful and does not materially and substantially disrupt the functioning of the institution. "Outdoor areas of campus" mean the generally accessible outside areas of campus where members of the campus community are commonly allowed, such as grassy areas, walkways, and other similar common areas. This does not include outdoor areas where access is restricted to a majority of the campus community. Employees may not distribute materials unrelated to their work duties in work areas during work time.

Visitors

Persons not employed or enrolled as students who wish to demonstrate, circulate petitions or distribute materials on University property may do so only on the perimeter sidewalks designated by the University and must comply with the rules applicable to faculty, staff and student demonstrations.

Those designated areas on the Oxford Campus consist of the perimeter sidewalks parallel to the following streets: High Street, Patterson Avenue, Chestnut Street, Spring Street, Tallawanda Street, Maple Street, Oak Street, and Campus Avenue. Such activities shall not pose a safety hazard nor interfere with the normal use of the sidewalks by others.

Those designated areas on the Hamilton Campus consist of the perimeter sidewalks parallel to the following streets:

- University Blvd. from Vora Dr. to Belle Ave.
- Neilan Blvd West border beginning and ending at the property line
- North Border from Vora Dr. to Neilan Blvd.

- The South border of Campus -property line Belle Ave to Neilan Blvd.
- University Blvd.from Knightsbridge Dr. to Belle Ave.
- Knightsbridge Dr from property line surrounding North Hall to University Blvd.

Those designated areas on the Middletown Campus consist of the perimeter sidewalks parallel to the following streets:

- Entrance/Exit of MUM Campus at N.University Ave
- Entrance/Exit of MUM Campus at N. Breiel Blvd

Those designated areas at the Voice of America Learning Center consist of the perimeter sidewalks parallel to the following streets:

- VOA Park Drive from campus to Cox Rd.
- Cox Road from VOA Park Drive to 7550 Cox Rd.
- VOA Park bordering campus on North & East Sides

Penalties for Violation

The President, a Miami University police officer, or any University official authorized by them, may restrict or deny any person's access to the campus if the person engages in conduct prohibited by this policy. The Miami University police officer or other authorized University official restricting or denying access shall, if feasible, issue a trespass warning (orally or in writing) to the person. The police officer or University official issuing the trespass notice should advise the person that he/she is on University property and that permission to be on University property is revoked; and inform him/her that if he/she does not leave immediately or if he/she returns, he/she will be arrested and prosecuted for criminal trespass to the full extent of the law. A copy of the written trespass warning should be filed with the Miami University Police. An oral trespass warning should be documented in writing and filed with the Miami University Police.

Any member of the faculty, staff member or student, who violates this policy is subject to University discipline. Disciplinary action may include discharge, suspension, or expulsion from the University. Such person may also be subject to criminal prosecution.

Visitors are subject to criminal prosecution. Any visitor who violates this policy may be immediately ejected from University property by Miami University Police.

Related Form(s)

Not applicable.

Additional Resources and Procedures

Not applicable.

FAQ

Not applicable.

Policy Administration

Next Review Date

7/1/2023

Responsible Officers

- General Counsel
- Sr. Vice President for Finance and Business Services

Legal Reference

First Amendment

Compliance Policy

Yes

Recent Revision History

Amended July 2018; Edited July 2019; Amended July 2021

Reference ID(s)

Reviewers

- General Counsel
- Sr. Vice President for Finance and Business Services