

FIU-110 Expressive Activities in Outdoor Areas on Campus.

1. Definitions: For purposes of this regulation, the following definitions shall apply:
 - a. Expressive Activities: Expressive activities are activities such as assemblies, exercises of free speech, protests, parades, marches, and picketing protected under the First Amendment to the United States Constitution and Article 1 of the Florida Constitution. Expressive activity does not, for purposes of this regulation, include commercial speech.
 - b. Outdoor areas of campus: Outdoor areas of campus are generally accessible areas of the University's Modesto A. Maidique Campus and Biscayne Bay Campus in which members of the campus community are commonly allowed, including grassy areas, walkways, or other similar common areas.

to communicate regarding the event(s), the University may designate specific areas situated in close proximity to the event for the expressive activity. On these occasions, expressive activities related to the event(s) must be conducted in the areas specified by the University.

5. All persons and organizations conducting expressive activities in outdoor areas of campus

8. If expressive activity is materially and substantially disrupting normal University operations or infringing on the rights of others contrary to the requirements of this regulation, the President or the President's designee has authority to:
 - a. identify himself or herself to the persons engaging in expressive activity in an outdoor area of campus, providing the person's name and official position;
 - b. inform the persons engaging in expressive activity in an outdoor area of campus that they are in violation of the University regulation(s), policies and/or procedures, Board of Governors regulations or applicable law and specify the nature of the violation;
 - c. request that the violation cease (which could include relocation of the activity to avoid the disruption); and/or
 - d. in the event of non-compliance with this request, enlist the assistance of the Florida International University Police Department and/or law enforcement personnel in restoring order and enforcing the law.

9. In the event of a material and substantial disruption, the Florida International University Police Department or other law enforcement personnel has authority to:
 - a. require that any individual identify himself or herself by presenting appropriate documentation such as identification cards;
 - b. declare expressive activity to be disruptive, disorderly, or in violation of the University regulation or law and request all participants to cease and desist and to disperse and clear the area, including leaving the University grounds immediately, or be subject to arrest;
 - c. arrest any participants observed to be in violation of applicable federal, state or local laws; and/or
 - d. enlist the assistance of outside law enforcement agencies, as may be necessary.

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Notification must be provided on the designated notification form, which is available in any one of the following Offices. The notification must be submitted in writing to the designated University representative noted below at the applicable University campus:

Modesto A. Maidique Campus: Attention: Vice President of Student Affairs or designee
11200 S.W. 8th Street
Graham Center Room GC219
Miami, Florida 33199

Biscayne Bay Campus: Attention: Vice Provost of the Biscayne Bay Campus or designee
3000 N.E. 151st Street, Library Room 315
North Miami, Florida 33181

The designated University representative at each applicable University campus may deny the referenced amplification request within two (2) business days after receipt of the notice for the following reasons:

- a. The proposed use of amplification would materially and substantially interfere with the normal operations of the University and/or interfere with the rights of others due to one of the reasons enumerated in Section 5 above;
 - b. The proposed use of amplification would conflict with previously planned programs, activities and/or events organized and conducted by the University and/or University Organizations and previously scheduled for the same time and place.
12. Any person or organization that is denied permission for a proposed use of amplification may appeal such denial in writing to the Provost or the Provost's designee. The appeal must be made within two (2) business days after receipt of a written denial from the University's designated representative. The Provost's or the Provost's designee's decision on this matter shall be final.
13. The University may prohibit the carrying of certain items during expressive activities if the carrying of such items may increase safety and security risks of the persons engaged in the expressive activities or otherwise on campus.
14. Nothing in this regulation limits the authority of the University to allow areas of its campuses to be scheduled or reserved in advance for the use of the University or of a specific person or organization; the outdoor areas of campus being available on a space-available basis for expressive activities.

Specific Authority Section 1004.097, Fla. Stat. (2018) (the Campus Free Expression Act); Board of Governors Resolution dated 1-07-03 History: New 12-23-76, Amended 8-7-83, Formerly 6C8-5.008. Amended 9-12