

**SAM HOUSTON STATE UNIVERSITY  
MEMBER THE TEXAS STATE UNIVERSITY SYSTEM**

**PRE – 34 Expressive Activity Policy**

**Purpose:** The purpose of this policy is (1) to protect the free speech rights (expressive activities) of students enrolled at and employees of Sam Houston State University; (2) to preserve the University's primary academic mission; and (3) to protect the health and safety of the University community. In accordance with state and federal law, as well as Chapter VII, Paragraph 3 of the Texas State University System (TSUS) Rules and Regulations, the University has established the following reasonable time, place, and manner restrictions. Any restriction listed below applies equally to individuals and groups, regardless of viewpoint.

In the event of a conflict between this policy and the TSUS Rules and Regulations, the TSUS Rules and Regulations shall control.

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1. Definitions

1. Amplified Sound is sound volume that is increased by any electric, electronic, mechanical, or motor-powered means. Shouting, group chanting, and acoustic musical instruments are exempt from this definition and are not subject to the special rules on amplified sound but are subject to general rules on disruption/noise violation.
2. Antisemitism in this policy means a certain perception of Jews that may be expressed as hatred toward Jews. The term includes rhetorical and physical acts of antisemitism directed toward Jewish or non-Jewish individuals or their property or toward Jewish community institutions and religious facilities.
3. Disruptive Activities mean:
  1. Obstructing or restraining the passage of persons to the campus or an area of the campus or to an exit, entrance, or hallway of any building without the authorization of the SHSU administration;

2. Seizing control of an area of an SHSU campus or any SHSU building, portion of a building for the purpose of interfering with any administrative, educational, research, or other University-authorized activity;
  3. Modification, destruction, appropriation, control, and/or any improper use of any University equipment or property is prohibited may result in loss of reservation and use privileges;
  4. Prohibited use of Amplified Sound (see Section 7 of this policy);
  5. Expressive Activity in the common outdoor areas of a SHSU campus between 10 p.m. and 8 a.m. Central Time, even in designated forums;
  6. During the last two weeks of a semester or term, Expressive Activities on SHSU Grounds that materially and substantially disrupt the functioning of the University; or;
  7. Disrupting and/or preventing or attempting to prevent by force or violence or the threat of force or violence any lawful assembly authorized by the SHSU administration. A lawful assembly is disrupted when a person in attendance is rendered incapable of participating in the assembly due to the use of force or violence or a reasonable fear of force or violence.
4. Expressive Activities mean any speech or expressive conduct on University Grounds protected by the First Amendment to the United States Constitution or by Section 8, Article I, Texas Constitution, and includes assemblies, protests, speeches, the distribution of written material, the carrying of signs, and the circulation of petitions. The term does not include:
- Commercial speech;
  - Defamation;
  - Unlawful harassment;
  - Incitement to imminent unlawful activity;
  - Obscenity; or
  - Threats to engage in unlawful activity.

Only enrolled students and employees of the institution have the right to engage in expressive activities on campus.

5. Grounds means all common outdoor spaces on SHSU University campuses.

## 2. Disruptive Activities Prohibited

The University strictly enforces the TSUS Rules and Regulations' prohibition of Disruptive Activities (see Chapter VI, Subparagraph 5.4 and Chapter VII, Subparagraph 3.7) on a SHSU campus. Any person who violates the prohibition will be subject to any lawful measures to halt and eliminate any Disruptive Activities, including, but not limited to, removal from campus, or criminal prosecution, and/or student and/or employee discipline under the SHSU Student Code of Conduct or other applicable SHSU policy.

### 3. University Grounds – Designated Public Forums

1. All SHSU Grounds are limited public forums.
2. Pursuant to Chapter VII, Subparagraph 3.41 of the TSUS Rules and Regulations, SHSU designates the following outdoor area(s) as a traditional public forum:
  - Frank Parker Plaza is the open, outdoor space situated on the south side of the Lowman Student Center between the Lowman Student Center and the Lee Drain building, as depicted. It extends in length from the east near the Sam Houston statue and to the west toward the Ron & Ruth Blatchley Bell Tower;
  - Old Main Pit is considered the outdoor sunken area North of Austin Hall and Northwest of Peabody Memorial Library;
  - Walker Education Gazebo is located at the corner of Avenue O and 19th Street and is part of the Sam Houston Memorial Museum Complex.
3. Any SHSU enrolled student or employee may engage in Expressive Activities in these outdoor area(s), subject to reasonable time, place, and manner restrictions as stated in this policy, consistent with applicable federal and state law, including the First Amendment to the U.S. Constitution and Section 8, Article I. of the Texas Constitution.

### 4. Restricted University Grounds

In order to ensure safe ingress to and egress from university buildings for their intended educational purpose, the outdoor areas within a ten (10) feet circumference of university facilities, including walkways and breezeways, are reserved solely for university educational or research activities at all times, including, but not limited to:

In order to ensure safe ingress to and egress from university buildings for their intended educational purpose, the outdoor areas within a ten (10) feet circumference of university facilities, including walkways and breezeways, are reserved solely for university educational or research activities at all times, including, but not limited to:

- Lowman Student Center (LSC) Courtyard - The LSC Courtyard is located by the west entrance of the LSC and adjacent to the LSC Atrium and outdoor artwork. It provides outdoor programming space and open dining);
- University Camp;
- University Residence Halls;
- Sam Houston Memorial Museum (except for the Gazebo);

- The Bearkat Course;
- Gibbs Ranch;
- Ron & Ruth Blatchley Bell Tower;
- All SHSU Parking Lots and Garages.

The University administration, including University Police, may increase the circumference restriction, as necessary, solely to protect the health and safety of the campus community or to preserve access to campus buildings or facilities.

#### 4. Speech, Expression, and Assembly

The University will use clear, content-neutral and viewpoint-neutral criteria in its regulation of expressive activity to ensure that any restrictions are narrowly tailored to serve a significant University interest. The reasonable time, place, and manner restrictions in this Policy shall apply to all Expressive Activities on University Grounds.

1. Expressive Activities must not at any time interfere with or disrupt the academic mission of the university.
2. Obstructing or interfering with the means of ingress or egress to or from any SHSU building, facility, or classroom is prohibited. Erecting tents or other living accommodations is prohibited.
3. All tables and chairs must remain within the reserved space for the duration of the activity.
4. Use of Amplified Sound must comply with the restrictions contained in the Amplified Sound section of this policy.
5. Some areas of the University may be reserved by off-campus groups. Fees may apply.
6. Expressive activities must follow the Campus Fire & Safety and Risk Management policies and procedures.

#### 5. ID Requirement

To the extent required by law, enrolled students and employees of the University engaged in Expressive Activity on University Grounds must, upon request by licensed peace officers or authorized University officials, present proof of identity and affiliation with the University, and may not conceal their identity with the intent to intimidate others or to obstruct or interfere with a peace officer's lawful performance of a duty or with the enforcement of the law or University policy.

#### 6. Reservations

Outdoor areas are available for reservation, but not required:

1. Frank Parker Plaza is the open, outdoor space situated on the south side of the Lowman Student Center between the Lowman Student Center and the Lee Drain building, as depicted. It extends in length from the east near the Sam Houston statue and to the west toward the Ron & Ruth Blatchley Bell Tower.
2. Old Main Pit is considered the outdoor sunken area North of Austin Hall and Northwest of Peabody Memorial Library.
3. Walker Education Gazebo is located at the corner of Avenue O and 19th Street and is part of the Sam Houston Memorial Museum Complex.

Reservations are made through the Lowman Student Center by a representative of the sponsoring organization. Reservations may be denied if the activity is scheduled at the same or similar time as another University function or meeting.

#### 7. Amplified Sound

Use of amplified sound is permitted subject to the following:

1. **Location:** Use of amplified sound is permitted only in reserved areas and with an approved LSC reservation.
2. **Reservation:** An amplified sound request must be made in conjunction with an LSC reservation request for Frank Parker Plaza, Old Main Pit, and Walker Education Gazebo.
3. **Time:** Amplified sound for Frank Parker Plaza and Old Main Pit is permitted during the hours of 8:00 a.m. to 10:00 p.m., Monday-Friday. Amplified sound for Walker Education Gazebo is permitted during the hours of 8:00 a.m. to 2:00 p.m., Monday – Friday. During class hours for on-campus in-person courses, SHSU does not permit the use of Amplified Sound that intimidates others or interferes with campus operations or a SHSU employee's or a peace officer's lawful performance of a duty. During the last two weeks of a semester or term, SHSU does not permit the use of Amplified Sound, drums, or other percussive instruments.
4. **Equipment:** All events using amplified sound in the permitted areas are required to use the LSC sound system. No personal speakers or sound amplifiers (manual or electronic) will be permitted.
5. **Frequency:** Organizations are allowed one (1) amplified sound event per week. Only one (1) amplified sound event at a time is permitted in each designated area.
6. **Volume: All** sounds levels will be set by the LSC based on class and campus activities schedules and are not to disrupt the academic mission of the University.

#### 8. Off-Campus Speakers

1. Only recognized student organizations, faculty, or staff may request authorization to invite an outside speaker to speak on campus. Off-campus speakers who have not been sponsored or invited by a recognized student organization, faculty, or staff or by

the SHSU administration may not speak to groups in campus facilities and buildings unless the speaker is speaking to an off-campus organization that has been approved under the procedures provided in Chapter VII, Subparagraph 3.24 of the TSUS Rules and Regulations. No invitation shall be issued to an outside speaker without the prior written concurrence of the Vice President of Student Affairs, the Dean of Students, or designee. SHSU does not authorize invitations to outside speakers to speak on University Grounds during the last two weeks of a semester or term,

2. Any speaker request shall be made in writing to the Vice President of Student Affairs, the Dean of Students, or designee by an officer of a recognized student organization, faculty, or staff, or by an administrative officer of the Component, desiring to sponsor the proposed speaker no later than fourteen (10) business days prior to the date of the proposed speaking engagement. This request shall contain the name of the sponsoring organization; the proposed date, time, and location of the meeting; the expected size of the audience; and the topic of speech. Any request not acted upon by the Vice President of Student Affairs, the Dean of Students, or designee within five (5) business days after submission shall be deemed granted.

#### 9. Banners, Exhibits, and Chalking

1. Recognized student organizations, faculty, and staff may hang banners or posters, affix yard signs, and display exhibits on campus by reservation through the LSC. Banners, posters, yard signs, and displays may not be affixed, in any way, to campus trees for any purpose.
2. Outside groups or individuals are not permitted to hang banners or posters, affix yard signs, or display exhibits on any campus property.
3. Chalking (use of chalk to write on SHSU property) is strictly prohibited.

#### 10. Violations/Reporting

1. Student violations and grievance procedures are governed by the Student Code of Conduct.
2. Employee violations and grievance procedures are governed by Human Resources.
3. Employee violations and reporting can also be submitted to the Office of Internal Audit.

#### 11. Disciplinary Process

1. Students who violate this policy will be subject to appropriate discipline under the SHSU Student Code of Conduct.
2. SHSU staff who violate this policy will be subject to appropriate discipline under Human Resources.

3. SHSU faculty who violate this policy will be subject to appropriate discipline under Chapter V, Paragraph 4 of the TSUS Rules and Regulations.

## 12. Educational Programs

1. SHSU has created an Expressive Activity website for education about this policy and other useful resources. The university will review the policy no less than annually to ensure compliance with applicable laws and the TSUS Rules and Regulations.
2. Educational training shall be available upon request and conducted no less than annually for recognized student organizations.
3. The Dean of Students' Office shall provide an annual notice to the university community regarding First Amendment protections related to free speech (Expressive Activity) via email and post this policy on the SHSU Expressive Activity website.

Nothing herein shall be construed to infringe upon any right of free speech or expression guaranteed by the Constitution of the United States or the State of Texas.

Date: September 2, 2025