

SRSU Policy: Freedom of Speech and Expressive Activities

SRSU Policy ID: APM 4.17

Policy Reviewed by: VP for Student Affairs

Approval Authority: Executive Cabinet

Approval Date: June 18th, 2024

Next Review Date: June 18th, 2029

PURPOSE:

The purpose of this policy is (1) to protect the free speech rights (expressive activities) of individuals on all Sul Ross State University Campuses; (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, Subparagraph 3.1 of the Texas State University System (TSUS) Rules and Regulations, the University 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 Rules and Regulations shall control.

1. Definitions

- 1.1. 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.
- 1.2. Antisemitism - 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.
- 1.3. Commercial Speech - speech or writing on behalf of a business with the intent of earning revenue or a profit.
- 1.4. Common Outdoor Areas – public forums that include the streets, sidewalks, or other common outdoor property owned or leased by Sul Ross State University.
- 1.5. Designated Areas – areas where amplified sound, exhibits, and temporary structures may be used or displayed within the time, place, and manner specified by the University.
- 1.6. Disruptive activities mean:
 - 1.6.1. 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 SRSU administration;

- 1.6.2. Seizing control of an area of the SRSU Campus or any building or portion of a building for the purpose of interfering with any administrative, educational, research, or other authorized activity; or
- 1.6.3. 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 SRSU 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.
- 1.7. Expressive activities– means any speech or expressive conduct 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.
- 1.8. Grounds– means all common outdoor areas on any SRSU University Campus, including the Rio Grande, Uvalde and Eagle Pass campuses.

2. Disruptive Activities

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 the SRSU Campus. Any person who violates the prohibition will be subject to any remedies provided by law and the TSUS Rules and Regulations, including, but not limited to, removal from campus, the student or employee disciplinary process, or criminal prosecution.

3. University Grounds – Designated Traditional Public Forums

Chapter VII, Subparagraph 3.1 of the TSUS Rules and Regulations designates all University grounds as traditional public forums. Any person may engage in expressive activities on University grounds, subject to federal and state laws, and reasonable time, place, and manner restrictions.

Individuals may utilize the areas specified in Section 5 of this policy for expressive activities.

4. Speech, Expression, and Assembly

The following time, place, and manner restrictions shall apply to all expressive activities on University grounds:

- 4.1 Expressive activities must not at any time interfere with or disrupt the academic mission of the University.
- 4.2 No table, tent, or equipment associated with an expressive activity may block or interfere with the means of entrance or egress to any SRSU building, facility, or classroom.
- 4.3 All tables and chairs must remain within the reserved space for the duration of the activity.

- 4.4 Use of amplified sound must comply with the restrictions contained in the Amplified Sound section of this Policy.
- 4.5 Some areas of the University may be reserved by off-campus groups. Fees may apply.
- 4.6 Improper use of any University equipment or policy may result in loss of reservation and use privileges.

5. Reservations

Outdoor areas (grounds) are available for reservation, but not required:

Reservations are made through the Campus Activities Office 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.

6. Amplified Sound

To preserve the academic and core business of the university, the use of amplified sound is restricted to certain times and designated areas.

Use of amplified sound is permitted subject to the following:

6.1 Location:

Use of amplified sound is permitted only in reserved areas and with an approved reservation.

6.2 Reservation:

An amplified sound request must be made in conjunction with a reservation request for

Hours:

Amplified sound for outside events is limited to the hours of 9am to 2pm on class days.

6.3 Equipment:

All events using amplified sound in the permitted areas are required to use an SRSU sound system. No personal speakers or sound amplifiers (manual or electronic) will be permitted.

6.4 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.

6.5 Volume:

All sound levels will be set by SRSU based on class and campus activities schedules and are not to disrupt the academic mission of the University.

7. Off-Campus Speakers

- 7.1 Only recognized student, faculty, or staff organizations may request authorization to invite an outside speaker to speak on campus. Off-campus speakers who have not been sponsored or invited by a registered student, faculty, or staff organization or by the SRSU 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.
- 7.2 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 registered student, faculty, or staff organization, or by an administrative officer of the Component, desiring to sponsor the proposed speaker no later than fourteen (14) 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.

8. Banners, Exhibits, and Chalking

- 8.1 Recognized Student Organizations, faculty, and staff may hang banners and display exhibits on campus by reservation through the LSC only. Banners, flyers, or posters may not be affixed in any way to campus trees for any purpose.
- 8.2 Outside groups or individuals are not permitted to hang banners or to display exhibits on any campus property.
- 8.3 Chalking (use of chalk to write on SRSU property) is strictly prohibited.

9. Violations/Reporting

- 9.1 Student violations and grievance procedures are governed by the Student Grievance Procedures
- 9.2 Employee violations and grievance procedures are governed by Human Resources Policy

10. Disciplinary Process

10.1 Students who violate this policy will be subject to appropriate discipline under [SRSU's Code of Student Conduct and Discipline](#).

10.2 SRSU staff who violate this policy will be subject to appropriate discipline under [Human Resources Policy](#).

10.3 SRSU faculty who violate this policy will be subject to appropriate discipline under [Chapter V, Paragraph 4](#) of the TSUS Rules and Regulations.