


Institutional Report¹

TO: The Honorable Greg Abbott, Governor of Texas
Texas Legislature

FROM: Dr. Alisa White, President
Sam Houston State University 

DATE: November 30, 2020

RE: Compliance with Texas Education Code § 51.9315

In the interest of protecting the expressive activity rights guaranteed by the Constitution of the United States, Texas Education Code § 51.9315(k) requires Sam Houston State University (SHSU) to submit a one-time report regarding the University's compliance with § 51.9315. To that end, we submit the following information.

SHSU is a member institution of the Texas State University System (TSUS) and under the organization, control, and management of the TSUS Board of Regents.² The Texas State University System *Rules and Regulation* specifically address expressive activities on all component university campuses, including SHSU:

- Chapter VII, Subparagraph 3.1 deems the grounds of all system university components as traditional public fora.³
- Chapter VII, Subparagraph 3.4 permits any group or person to assemble and engage in expressive activities, subject to reasonable time, place, and manner restrictions.⁴
- Chapter VII, Subparagraph 3.3 permits all students, faculty, and staff to invite speakers to speak on campus, subject to reasonable time, place, and manner restrictions.⁵
- Chapter V, Subparagraph 2.133 provides for the dismissal of any employee, including a member of the faculty, who obstructs or disrupts any activity authorized to be held on a component university campus.⁶
- Chapter VI, Subparagraphs 5.41(3), 5.6, and 6.45 establish the System's prohibition against, and disciplinary procedures for, interference with the expressive activity rights of others by students or student organizations.

The above [Texas State University System Rules and Regulations](#) are posted on the System's website and the [SHSU website](#).

SHSU's specific procedures are also available on the [University's website](#). Any applicable time, place, and manner restrictions therein comply with the specific requirements of § 51.9315(d) because they:

¹ This report is available online at <https://www.shsu.edu/dept/dean-of-students/expressive-activity/>.

² Tex. Educ. Code § 96.61; *see also* § 95.01.

³ *See* § 51.9315(c)(1).

⁴ *See* §§ 51.9315(c)(2), (d), and (f)(1)(A).

⁵ *See* § 51.9315(f)(1)(B)

⁶ *See* § 51.9315(f)(2); *see also* TSUS Rules and Regulations Chapter V, Subparagraph 4.51(7).

- (1) are narrowly tailored to serve a significant institutional interest;
- (2) employ clear, published, content-neutral, and viewpoint-neutral criteria;
- (3) provide for ample alternative means of expression; and
- (4) allow members of the University community to assemble and distribute written material without permit or other permission from the University.

SHSU reviews its policies on an on-going basis and will continue to modify applicable policies as necessary to ensure continued compliance with the requirements of §51.9315, Texas Education Code. SHSU has updated its policy detailing students' rights and responsibilities regarding expressive activities and such is posted on the SHSU website above. The policy has been or will be made available to students during freshman and transfer student orientations, SHSU's student handbook, and applicable personnel handbooks.