

Texas Woman's University Regent Policy

Regent Policy Name: Freedom of Speech and Expression Policy

Regent Policy Number: Regent Policy: B.20005

POLICY STATEMENT

Texas Woman's University ("TWU") is committed to a campus environment that supports free speech and expression. TWU recognizes freedom of speech and expression as a fundamental right and seeks to ensure free, robust, and uninhibited debate and deliberations by students enrolled at TWU and employees of TWU (collectively, "University Members"). This policy is intended to protect the expressive rights of University Members guaranteed by the constitutions of the United States and the State of Texas. The policy recognizes freedom of speech and assembly as central to the mission of TWU, provided that such freedoms are exercised in a manner that does not illegally derogate the rights of others or interfere with the academic programs and administrative processes of the University. It ensures that University Members may assemble peaceably on TWU campuses for expressive activities, including listening to or observing the expressive activities of others.

APPLICABILITY

All University Members are protected by these laws and this policy and are expected to comply with this policy.

DEFINITIONS

1. "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 materials, the carrying of signs, and the circulation of petitions. For purposes of this policy, expressive activities do not include commercial speech.
2. "Outdoor Common Areas," for purposes of this policy, refers to the generally accessible, open, and outdoor spaces on TWU's campus which are designated as:
 - a. Lawns, grassy areas, and open fields;
 - b. Sidewalks and pedestrian walkways.

3. "University Members," for purposes of this policy, means students enrolled at TWU and individuals employed by TWU.
4. "Commercial Speech" means speech or writing on behalf of a business with the intent of earning revenue or a profit or promoting a business.

POLICY

I. General Guidelines and Policy Regarding Expressive Activities

Section 1 Use of Outdoor Common Areas

- 1.1 In accordance with applicable law including Texas Education Code, Section 51.9315, the common outdoor areas (operated and either owned or leased by the University) on TWU's campus are limited public forums, and any University Member is permitted to engage in expressive activities, subject to the provisions of this policy.
- 1.2 TWU reserves the right to implement and enforce reasonable time, place, and manner restrictions in accordance with applicable law regarding expressive activities including, but not limited to, those set forth in this policy.
- 1.3 Further, activities that are unlawful or that materially and substantially disrupt the normal operations of the TWU campuses are prohibited.
- 1.4 Students enrolled at and employees of TWU may engage in expressive activities, without prior reservation, registration, or approval provided. Except as stated otherwise herein, this policy does not restrict recognized University student organizations and their ability to invite guest speakers for events (e.g., talks, performances, etc.) at designated University venues, provided that such actions are done in accordance with standard University policies.
- 1.5 Expressive activities on the TWU campuses do not necessarily imply endorsement by TWU.
- 1.6 Designation of Public Forums. Notwithstanding Section 1.1 herein, the Board of Regents authorizes the Chancellor and President to designate any outdoor area(s) on TWU's campuses that are public forums subject to reasonable time, place, and manner restrictions consistent with the First Amendment to the United States Constitution and Section 8, Article I, of the Texas Constitution.

- Section 2 Prohibited Commercial Activities. For purposes of this policy, expressive activities do not include commercial speech. As such, commercial activities are prohibited on TWU campuses without a prior written agreement with the University.
- Section 3 Other Prohibited Activities. For purposes of this policy, expressive activities do not include activities which lose legal protections under the First Amendment to the United States Constitution or by Section 8, Article I, Texas Constitution, including defamation, unlawful harassment, incitement to imminent activity, obscenity, or threats to engage in unlawful activity. Groups or individuals engaging in materially and substantially disruptive activities (such as harassment, including but not limited to harassment based on antisemitism¹), or those failing to comply with applicable laws or TWU policy, may face immediate removal from TWU premises or other appropriate actions by TWU officials, including the TWU police.
- Section 4 Reservation of Outdoor Common Areas. The TWU Office of Student Life may adopt operating policies and procedures regarding the reservation of outdoor common areas for the purpose of engaging in expressive activities. If any area of TWU's outdoor common areas has been reserved, the reserving individual or group shall be given priority for use of such area.
- Section 5 Statutory Prohibitions. For purposes of this policy and in accordance with the Texas Education Code, University Members permitted to engage in expressive activities are legally prohibited from the following:
- 5.1 Use of amplification devices on TWU property during class hours that intimidate others, interfere with TWU campus operations, or interfere with a University employee's or peace officer's lawful performance of duty;
 - 5.2 During the last two weeks of an academic semester or academic term, engaging in expressive activities which materially and substantially disrupt TWU campus functioning, including the invitation of guest speakers, the use of amplification devices, the use of drums or other percussive instruments;

¹ Antisemitism 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. Examples of antisemitism are included with the International Holocaust Remembrance Alliance's "Working Definition of Antisemitism" adopted on May 26, 2016. Texas Government Code Section 448.001.

- 5.3 Camping or erecting tents or other living accommodations on TWU campuses;
- 5.4 Wearing a disguise or other means of concealing the wearer's identity with an intent to obstruct the enforcement of TWU rules or law by avoiding identification, intimidating others, or interfering with a TWU employee's or peace officer's lawful performance of duties;
- 5.5 Lowering a flag of the United States or flag of the State of Texas flown by TWU with the intent to raise the flag of another nation or a flag representing an organization or group of people; and
- 5.6 Engaging in expressive activities on campus between the hours of 10:00 p.m. and 8:00 a.m.

Section 6 Damage Caused by Expressive Activities. Groups or individuals are responsible for any damage and harm to persons and property that arise from expressive activities.

Section 7 Identification. University Members shall be required, upon request by a TWU official on TWU's campus—including TWU police—engaging in an official duty, to present proof of identity and status at the University. Failure to present identification may result in appropriate action, including but not limited to cessation of engagement in expressive activity until such identification is sufficiently presented.

II. Time, Place, and Manner Restrictions

Section 1 Applicable Time, Place, and Manner Restrictions. Subject to Part I, Section 5, the following reasonable time, place, and manner restrictions are applicable to expressive activities in University outdoor common areas:

- 1.1 Activities that are unlawful or that materially and substantially disrupt the normal operations of TWU are prohibited.
- 1.2 Activities that materially and substantially prevent other University Members from carrying out an expressive activity are prohibited.
- 1.3 Activities that substantially interfere with vehicular or pedestrian traffic including the ingress or egress of TWU facilities are prohibited.

- 1.4 Activities that substantially interfere with fire protection, law enforcement, or emergency or medical services are prohibited.
- 1.5 Activities that threaten or endanger the health or safety of any person on TWU grounds are prohibited.
- 1.6 Activities that result in damage or destruction of TWU property are prohibited. With the exception of designated bulletin boards and sidewalk chalk, nothing may be affixed to or written on TWU property or grounds.
- 1.7 Activities that inherently lose First Amendment protection (e.g., defamatory statements, true threats/fighting words, obscenity [as defined by law] are prohibited.
- 1.8 Expressive signage, posters, displays, or structures (herein “displays”) must be hand-held, no larger than 3 feet in height by 3 feet in width. Displays, literature, and other items may not be left unattended.
- 1.9 Amplified sound shall not interfere or disrupt institutional activities. Any amplification device must be hand-held.
- 1.10 No open flames are permitted on the TWU campuses without the express written permission of TWU.
- 1.11 Any activities that are subject to licensing, code, permits or ordinance requirements must have the proper licenses or permits and satisfy such codes and ordinances (e.g., serving food and beverages).

Section 2 Additional Restrictions. The above list of reasonable time, place, and manner restrictions is not intended to be all-inclusive. TWU reserves the right, as necessary, to impose additional reasonable time, place, and manner restrictions as circumstances arise.

Section 3 Restrictions Shall be Viewpoint-Neutral. TWU decisions will not be based on political, religious, philosophical, ideological, or academic viewpoints.

Section 4 Relocation, Limitation, and Prohibition. TWU reserves the right to relocate, limit or prohibit University Members engaged in expressive activities in outdoor common areas based on reasonable time, place, and manner restrictions.

III. Speaker Fees and Approvals

- Section 1 Speakers. TWU faculty, staff, and student organizations have the right to invite speakers to University forums to speak. When reviewing speakers, TWU will not consider any anticipated controversy related to the event in determining fees to be charged.
- Section 2 Speaker Criteria. TWU will consider content-neutral and viewpoint neutral criteria including, but not limited to, the following when reviewing speakers:
- 2.1 Proposed venue and the size of the audience;
 - 2.2 Anticipated needs for security;
 - 2.3 Any other necessary accommodations the University deems necessary for the speaker;
 - 2.4 Relevant history of compliance or noncompliance with TWU policies by the speaker or the requestor.

IV. Disciplinary Sanctions

- Section 1 Interference with Expressive Activities. Students, student organizations, faculty, or staff who unduly interfere with the expressive activities of other University Members on campus or who have been found to violate University policies and regulations, or other applicable laws, rules, or regulations, may be subject to the disciplinary policies and procedures outlined in the applicable TWU Student Code of Conduct, Student Handbook, University Catalog, or University operating policies and procedures.
- Section 2 Criminal Law. Violation of this regulation may also constitute a breach of applicable criminal law. In such circumstances, the Penal Code and Code of Criminal Procedure will apply.

V. Grievances

File A Grievance. University Members may file a grievance regarding an alleged violation of this policy in the manner provided in the applicable TWU Student Code of Conduct, Student Handbook, University Catalog, Faculty Handbook, or TWU operating policies and procedures.

- VI. Nothing in this Policy may be construed to limit or infringe on a person's right to freedom of speech or expression protected by the First Amendment to the United States Constitution or by Section 8, Article I, Texas Constitution.

REVIEW

This policy will remain in effect and published until it is reviewed, updated, or archived. This policy is to be reviewed once every six years. Interim review may be required as a result of updates to federal and state law or regulations, or internal processes or procedures.

REFERENCES

First Amendment to the United States Constitution

Section 8, Article I, Texas Constitution

Texas Education Code, Section 51.9315

[Executive Order signed by Governor Greg Abbott on March 27, 2024](#)

[Texas Government Code 448.001](#)

[International Holocaust Remembrance Alliance's "Working Definition of Antisemitism" adopted on May 26, 2016](#)

FORMS AND TOOLS

None

Adopted: February 21, 2020

Revised: May 17, 2024; August 15, 2025