



9.1.9 Expressive Activities

Chapter 9 - Facilities	Original Effective Date: June 2000
Section: 9.1 University Facilities	Date Last Reviewed: August 2021
Responsible Entity: Vice President for Academic, Faculty and Student Affairs	Date Last Revised: August 2021

I. Purpose

In furtherance of UT Health San Antonio’s (“UTHSA”) mission of making lives better through excellence in education, research, health care, and community engagement, the purpose of this Policy is to protect and promote “Expressive Activities” taking place in UTHSA Outdoor Public Forums, as defined in Section IV of this Policy. Any Expressive Activities engaged in by individuals under this Policy are the views of those individuals and do not necessarily represent the views of UTHSA.

II. Scope

The Policy applies to all UTHSA administrators, faculty, staff, students, residents, fellows, post-doctoral research fellows, other trainees, visiting scholars, student organizations and/or UTHSA organizations, and invited guests, hereinafter collectively referred to as “UTHSA Community,” and members of the public who desire to conduct Expressive Activities on any property owned by UTHSA. This Policy shall not apply to Commercial Speech.

III. Policy

A. Rights and Responsibilities

1. UTHSA will protect and promote the rights of all persons to engage in Expressive Activities as guaranteed and defined by the United States Constitution and the Constitution and laws of the State of Texas. Every person shall be at liberty to speak, write, or publish their opinions on any subject, being responsible for the abuse of that privilege, as well as following all applicable State laws as well as UTHSA rules. All the general and criminal laws of the state are declared to be in full force and effect within the areas under the control and jurisdiction of the state institutions of higher education of this state.
2. UTHSA shall encourage free, robust, uninhibited debate and deliberation to the extent that the Expressive Activity does not:
 - a. threaten or endanger the health or safety of any person,

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- b. deny or infringe upon the rights of others,
 - c. interfere or disrupt the orderly conduct of classroom activities, patient care, normal operations, or the use of any UTHSA facility,
 - d. generate a volume of sound that interferes with the conduct of normal UTHSA functions,
 - e. obstruct pedestrian or vehicular traffic on campus,
 - f. obstruct or interfere with the free movement of any persons between any properties owned or leased by the UTHSA, and
 - g. damage UTHSA property or contribute to the damage of property
3. UTHSA Community Members may invite outside speakers to speak on campus in accordance with UTHSA procedural requirements (see Procedure section) and as detailed in the [Handbook of Operating Policies \(HOP\)](#).
4. No student, faculty or staff organization will be denied any benefit that is generally available to other organizations based on their political, religious, philosophical, ideological, or academic viewpoint(s).
5. UTHSA reserves the right to specify the time, manner, and place for individuals engaging in Expressive Activities. (see Procedure Section)
6. Expressive Activities carried out for the purpose of commercial/for-profit benefit (commercial speech) are prohibited.

B. Signage

1. Signage will be allowed so long as signs are carried, attached to an individual's person, or under the constant care, custody, and control of the owner.
2. Signage may not be attached to UTHSA buildings or structures, staked into campus grounds, or hoisted on poles, sticks, or other objects that may pose a danger to others, without prior written permission from UTHSA.
3. UTHSA shall not be liable for any damages to property or persons caused by signage.

C. Public Assembly and Distribution of Printed Materials

1. Public assembly, speech, and distribution of written materials will be permitted in Outdoor Public Forums, areas designated by UTHSA (see attached Campus Maps), provided the expression is of a lawful nature and does not conflict with other activities that are scheduled at the same time and location.
 - a. To assist in the coordination and reservation of space, members of the public are encouraged to declare, by registration, their intent to sponsor or lead an Expressive Activity on any property that is owned by the UTHSA. (See Procedure section)

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- b. UTHSA reserves the right to relocate any Expressive Activity where the time and/or location conflicts with a UTHSA promoted event, a student organization sponsored event, or significant institutional interest.

D. Disrupting and Interference

1. Disrupting, interfering, and/or preventing the Expressive Activities of others is prohibited.
2. Any member of the UTHSA Community who violates subsection 1. shall be subject to sanctions in accordance with the procedures published herein, as well as any applicable disciplinary actions as defined within the HOP, as noted below in the Procedure Section.
3. Members of the public who violate subsection 1 will be asked to leave the campus, and if necessary, UTHSA Police will be called upon to maintain order and enforce UTHSA policies, as well as all other applicable laws.

E. Restrictions

1. In order to fulfill UTHSA's mission of making lives better through excellence in education, research, health care and community engagement, UTHSA shall restrict Expressive Activities based on the time, place, and manner of the Expressive Activity. These restrictions are necessary to implement UTHSA's strategies of educating a diverse student body to become excellent health care providers and scientists by providing a learning environment for students, faculty, and staff. These restrictions also implement UTHSA's strategy for providing compassionate and culturally proficient health care by allowing patients and their companions access to the many health care services provided by UTHSA. By restricting Expressive Activities based on the time, place, and manner, UTHSA will be able to implement other strategies of engaging our community to improve health and influencing thoughtful advances in health policy, by providing space on the campus for the Expressive Activities, as it is available.
2. Space shall be restricted based on the following:
 - a. the needs of teaching, research, clinical education and/or practice,
 - b. official activities of the UTHSA, and
 - c. security and/or safety reasons.
3. In the event of security and/or safety reasons, previously scheduled Expressive Activities may be relocated or be required to cease. No person or organization may engage in Expressive Activities within thirty (30) feet of points of entry and perimeter of a UTHSA building.
4. Expressive Activities are prohibited outside the weekday (M-F) hours of 7:00 am to 6:00 pm, unless occurring in conjunction with a pre-approved UTHSA or Student Organization-sponsored event, or prior written permission is given by

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UTHSA. An Expressive Activity event may not continue beyond three consecutive days.

- a. Long Campus Outdoor Public Forums (Long Campus Map):
 - i. ALTC Plaza
 - ii. Holly Courtyard
 - iii. AAB Breezeway
 - iv. Library Plaza
 - v. Nursing Courtyard
 - vi. Athletic Fields
- b. Greehey Campus Outdoor Public Forum (Greehey Campus Map):
 - i. STRF Plaza
- c. Laredo Campus Outdoor Public Forum (Laredo Campus Map):
 - i. The Courtyard at the Regional Campus-Laredo
5. Notwithstanding sections E. 1. – 4., UTHSA reserves the right to relocate Expressive Activity in accordance with all applicable laws

F. Procedures

1. Inviting Guest Speakers (budget, approval, and fees)
2. Guest speakers may be invited to speak on UTHSA property in the Outdoor Public Forums listed above. Requests for guest speakers on campus must be submitted to the Office of Room Scheduling at least two (2) weeks prior to the desired date of the event to allow the UTHSA to determine if the desired location and time will not disrupt a prior scheduled event or interfere with a significant institutional interest.
3. For community members requesting space on campus for an expressive activity with the intent of reaching students, please contact the Office of Student Life at studentlife@uthscsa.edu. And for expressive activities with the intent of reaching faculty or staff, please contact the Office of University Scheduling at scheduling@uthscsa.edu.
4. Procedures for Reporting Violations of this Policy and Law.
 - a. Compliance Hotline - (877) 507-7317
 - b. UTHSA Police - (210) 567--2800

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5. Procedure to Sanction for Interference
 - a. HOP [4.9.3 Progressive Disciplinary Action](#)
 - b. All applicable general and criminal laws of the state are declared to be in full force and effect within the areas under the control and jurisdiction of the UTHSA.
6. Procedure to file Grievance or Appeal Disciplinary Action
 - a. UTHSA Community Members
 - i. Faculty and Staff - HOP [4.9.5 Grievance Policy and Procedures](#)
 - ii. Students - HOP [14.1.1 Procedures and Regulations Governing Student Conduct and Discipline](#)
 - b. Members of the public who would like to appeal a disciplinary action may call the UTHSA Compliance Hotline at (877) 507-7317.

G. Communication

This Policy will be available on UTHSA's website and in the Student Handbook.

IV. Definitions

When used in this document with initial capital letter(s), the following words have the meaning set forth below unless a different meaning is required by context.

Expressive Activities – any conduct protected by the First Amendment of the United States Constitution or by Section 8, Article I, Texas Constitution, and including assemblies, protests, speeches, the distribution of written material, the carrying of signs, and the circulation of petitions. The term does not include commercial speech.

Student Organization – includes any organization that is composed mostly of students enrolled at UTHSA and receives a benefit from UTHSA.

Outdoor Public Forums – exterior rooms, spaces, or elements that are made available for the shared use of two (2) or more people, and as designated herein.

V. Related References

Texas Constitution, Article I, § 8
Texas Education Code, Ann. § 51.201

VI. Review and Approval History

- A. The approving authority of this policy is the University Executive Committee.

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- B. The review frequency cycle is set for three years following the last review date, a time period that is not mandated by regulatory, accreditation, or other authority.

Effective Date	Action Taken	Approved By	Date Approved
06/2000	Policy Origination		
05/2020	Policy Revision		
06/2021	Policy Revision/discretionary edits		
08/2021	Policy Revision/discretionary edits		