

UNIVERSITY *of* HOUSTON  
MANUAL OF ADMINISTRATIVE POLICIES AND PROCEDURES

**SECTION: Student Affairs**  
**AREA: Campus Life**

**Number: 13.01.01**

<b>SUBJECT: Freedom of Expression</b>
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**I. PURPOSE AND SCOPE**

The University of Houston is committed to fostering a learning environment where free inquiry and expression are encouraged. The University expects that persons engaging in organized expressive activities will demonstrate civility, concern for the safety of persons and property, respect for University activities, respect for those who may disagree with their message, and compliance with University policies and applicable local, state, and federal laws. The University of Houston maintains its right to place reasonable time, place, and manner restrictions on organized expressive activities. Additionally, any activities that are unlawful or materially and substantially disruptive to the normal operations of the University including classes and University business activities will not be tolerated. The purpose of this policy is to provide for organized expressive activities to be conducted on the grounds of the University in a manner consistent with these principles. Groups or individuals engaging in disruptive activities or failing to comply with University policies and applicable local, state, and federal laws may face immediate removal from the campus and other appropriate actions by University officials and University police.

**II. POLICY STATEMENT**

This policy is applicable to University of Houston students, faculty, and staff who wish to engage in non-curriculum related organized expressive activities (as defined herein) at locations on University property. University of Houston students, faculty, and staff who wish to engage in an expressive activity (including literature distribution) that is not an official University activity, and does not meet this policy's definition of an organized expressive activity (i.e., where an expressive activity is designed to attract an audience of less than 25 people), may engage in such expressive activity in the University's common areas (e.g., University parks and sidewalks) without prior registration or approval. If an expressive activity was not designed to attract an audience of 25 or more people, but does in fact attract an audience of 25 or more people, the expressive activity may be required to be relocated to a drop-in organized expressive activity area on campus if necessary to avoid disrupting University business or classes, blocking building access, or creating traffic hazards. Non-University affiliated individuals or groups who wish to engage in an expressive activity on campus, regardless of the size of the expected attendance, are eligible to reserve Lynn Eusan Park for a fee, and without a fee, are eligible to use any of the thirteen (13) drop-in organized expressive activity areas that are provided in Section V below. Non-University affiliated individuals and groups may also use Lynn Eusan

Park as a drop-in organized expressive activity area unless the area has been reserved (i.e., an individual or group with a reservation at Lynn Eusan Park will have exclusive use and priority over an individual or group seeking to use Lynn Eusan park as a drop-in organized expressive activity area).

This policy does not apply to official University activities. University grounds and buildings are reserved for use by University of Houston students, faculty, and staff, except as provided herein, or otherwise permitted by policies of the University. Non-permitted commercial activities (as defined herein) are not allowed. Organized expressive activities permitted under this policy do not imply official endorsement by the University. Decisions to be made by University officials under this policy will be based on the guidelines set forth in this policy and will not be based on the content or viewpoint of a proposed organized expressive activity. Groups or individuals engaged in organized expressive activities are responsible for the content of the expression. Questions regarding this policy may be directed to the Dean of Students Office, Room 252, University Center.

### III. DEFINITIONS

- A. Amplified sound: the use of any loudspeaker, loudspeaker system, sound amplifier or any other machine or device which produces, reproduces, or amplifies sound.
- B. Decibel level: The intensity of sound expressed in decibels read from the A-level weighting scale and the slow meter response as specified by the American National Standards Institute.
- C. Non-permitted commercial activities: The use of the University's facilities and/or grounds by the University of Houston students, faculty, and staff for personal gain including distribution or posting of commercial literature or other items on campus for personal gain. Non-permitted commercial activities also include commercial use of University space by non-University affiliated individuals or groups where such use is not authorized by a written agreement with the University (See MAPP [09.03.01](#)).
- D. Organized expressive activity: Any organized non-curriculum related rally, parade, demonstration, stationary structure or display, concert or other similar event designed to attract an audience of twenty-five (25) or more people.
- E. Official University event or activity: Any event, program, or activity sponsored by a University department in the course of fulfilling their University mission, activities that occur within the classroom, or events that occur within the regular or recurring sphere of activity of a University department.

- F. Registered student organization: A student organization officially registered with the Department of Campus Activities.
- G. Sign: A billboard or placard displayed for the purpose of promoting events or activities or to convey a message or information of any type.
- H. University: The University of Houston.
- I. University department: Any academic or nonacademic unit or division or any other official University entity.
- J. University grounds: Any University owned, leased, or maintained property located on the University's main campus, including all buildings and structures.

#### IV. RESERVATION OF OUTDOOR SPACE

University of Houston faculty, staff, students, and members of registered student organizations may conduct organized expressive activities in an outdoor expressive activity area of the University's campus that requires advance reservations if the area has been reserved in advance in accordance with this Section. Individuals or groups must request the use of outdoor space through the University Center Reservations Office located in Room 210 of the University Center. Reservations are accepted on a first-come first-served basis. Each outdoor space for any single event can be reserved for a total of three days in any two-week period. The requesting group or individual must submit a completed Organized Expressive Activity Description Form ("Form") to the Dean of Students at least seven business days in advance of the proposed organized expressive activity. The Dean of Students will approve or deny the proposed organized expressive activity within four business days of receiving the Form. In completing the Form, the following information will be required (Items A-L included on the Form):

- A. Date of application;
- B. Proposed date(s) of the organized expressive activity;
- C. Proposed start and finish times;
- D. Proposed location;
- E. Name of the activity;
- F. Anticipated attendance;
- G. Target audience(s);
- H. Advertising methods;

- I. Expressive activity description (i.e. speech, rally, open microphone, display, literature distribution, etc.);
- J. Campus sponsoring organization name and, if any, external sponsoring organization name (co-sponsor);
- K. Contact person name, phone number, and email address; and
- L. Applicant's signature.

The decision whether to confirm a reservation request will be based on proper and timely completion of the Form, compliance with the applicable sound and sign requirements, and availability of space. This decision will be based only on the foregoing criteria, and in no circumstances will any decision be based on the content or viewpoint of the organized expressive activity, or upon the expected reaction of others to the expression. The requesting group or individual, if they so desire, may appeal the Dean of Students' decision in writing to the Vice President for Student Affairs within two business days of the decision. The Vice President for Student Affairs will render a decision within two business days of receiving an appeal. Requestors are encouraged to submit their reservation requests as early as possible to allow time after the approval process to prepare for their activities.

The Dean of Students may require an organized expressive activity to relocate if: (1) the anticipated or actual number of persons attending the event exceeds the reasonable capacity of the space intended for use and therefore materially interferes with the educational mission of the University; or (2) the activity potentially conflicts with previously scheduled activities and events. The Dean of Students may also accelerate the reservation process where there are time-sensitive issues associated with the event or other extenuating factors that support such acceleration.

## V. AREAS FOR ORGANIZED EXPRESSIVE ACTIVITIES ON CAMPUS

The University of Houston has designated 19 areas for outdoor organized expressive activities. These areas are indicated on the campus map titled "Areas for Organized Expressive Activities on Campus" (Addendum A). Thirteen areas do not require a reservation for use while the remaining six areas require advance reservation.

- A. Outdoor Organized Expressive Activity Areas That Do Not Require Reservation (Drop-In Organized Expressive Activity Areas):

The 12 areas marked F and the one area marked G on the campus map (Addendum A) serve as the drop-in organized expressive activity areas that do not require a reservation or the submission of an Expressive Activity Form. The rules for these areas are as follows:

1. Amplified sound is allowed in the area marked G on the campus map, but is prohibited in the areas marked F on the campus map.
2. Areas are available for expressive activity between the hours of 7:00 a.m. and 7:00 p.m.
3. Stationary displays, exhibits, or structures are allowed in the area marked G on the campus map, but are prohibited in the areas marked F on the campus map unless they are completely hand-held.
4. Lynn Eusan Park (Area A on the campus map) may also be used as a drop-in organized expressive activity area unless the area has been reserved (i.e., an individual or group with a reservation at Lynn Eusan Park will have exclusive use and priority over an individual or group seeking to use Lynn Eusan Park as a drop-in organized expressive activity area).

B. Outdoor Organized Expressive Activity Areas That Require Advance Reservation:

The areas marked A, B, C, D, E, and H on the campus map (Addendum A) are the six (6) outdoor organized expressive activity areas that require advance reservation as follows:

1. Lynn Eusan Park (Area A on the campus map) (note that Lynn Eusan Park may also be used as a drop-in organized expressive activity area, however, an individual or group with a reservation will have exclusive use and priority over other individuals or groups).
2. University Center, North Patio (Area B on the campus map)
3. University Center, Arbor (Area C on the campus map)
4. University Center Satellite, Patio/Hill (Area D on the campus map)
5. Butler Plaza (Area E on the campus map)
6. Stadium Stage (Area H on the campus map).

VI. USE OF AMPLIFIED SOUND AND STATIONARY STRUCTURES/DISPLAYS

- A. Organized expressive activities involving the use of stationary structures or displays are permitted only from 7:00 a.m. to 7:00 p.m. and only in the following areas of campus:

1. Lynn Eusan Park: The park area located northwest of the Hilton College of Hotel and Restaurant Management and southeast of the Ezekiel Cullen Building (Area A on the campus map).
2. University Center North Patio: The paved patio area northwest of the University Center (Area B on the campus map).
3. University Center Arbor: The center section of the University Center open from the ground level to the second floor (Area C on the campus map).
4. University Center Satellite Patio/Hill: The patio/hill area located at the southeast entrance to the UC Satellite (Area D on the campus map).
5. Butler Plaza: The plaza bounded by the Ezekiel Cullen Building, M.D. Andersen Library, the Technology Annex, and Phillip G. Hoffman Hall (Area E on the campus map).
6. Wheeler/Cullen Park: the large grassy area located at the corner of Wheeler St. and Cullen Blvd., behind the Law Residence Hall and next to parking lot 13A (Area G on the campus map).
7. Stadium Stage: the stage area located outside Robertson Stadium on the side that faces Scott Street (Area H on the campus Map).

On Butler Plaza stationary structures or displays must be kept at least five feet from all walkways and no stationary structure or display in Butler Plaza may exceed fifteen feet in height, length, or width.

In no circumstances may any stationary display or structure exceed twenty-five feet in length or width or fifteen feet in height, nor may any display or structure present a significant threat to public safety. The requesting group or individual may apply for a limited exception to these size restrictions, which the University shall grant only upon a compelling demonstration to the University that the proposed structure or display will be safe, will pose no significant safety hazard, and will not unduly restrict the egress or ingress of students, faculty, or staff. Any such request for a size exception must be made at least ten business days in advance. A student, faculty member, or staff member responsible for the structure or display must remain with it at all times.

- B. The use of amplified sound is permitted in the following areas only and may occur from 11:30 a.m. to 1:30 p.m. and from 4:00 p.m. to midnight on class days, and from 8:00 a.m. to midnight on non-class days. Amplified sound shall not exceed the decibel levels indicated below.

1. Lynn Eusan Park – 80 dB
2. University Center North Patio – 80 dB
3. University Center Arbor – 90 dB
4. University Center Satellite Patio/Hill – 80 dB
5. Wheeler/Cullen Park – 80 dB
6. Stadium Stage – 80dB

Amplified sound will be measured at the edges of the surrounding buildings for Lynn Eusan Park, University Center North Patio, University Center Satellite Patio/Hill, Wheeler/Cullen Park, and the Stadium Stage. Amplified sound for the University Center Arbor will be measured at any level within the University Center Arbor (i.e., lower level, first floor, and second floor). For the purposes of this policy, dB shall mean the intensity of sound expressed in decibels read from the A-level weighting scale and the slow meter response as specified by the American National Standards Institute.

## VII. LITERATURE DISTRIBUTION: UNIVERSITY AFFILIATED

University of Houston faculty, staff, students, or members of registered student organizations who wish to engage in the activity of distributing literature or other printed materials on University grounds outside of University buildings, where such activity is designed to, or does in fact, attract an audience of 25 or more people, may do so in any of the University's areas for organized expressive activities (See Addendum A).

University of Houston faculty, staff, students, or members of registered student organizations who wish to engage in the activity of distributing literature or other printed materials on University grounds outside of University buildings, where such activity is designed to attract an audience of less than 25 people, may do so in the University's common areas (e.g., parks and sidewalks).

All literature distribution by University faculty, staff, students, or members of registered student organizations, regardless of the size of the expected audience, must comply with the following rules:

- A. Literature or other printed materials must be distributed in person.
- B. Literature or other printed materials must not be forced upon others.
- C. The free flow of pedestrian, vehicular, or other traffic must not be obstructed at any point.

- D. Groups or individuals are responsible for ensuring that literature/printed materials do not litter the area.
- E. Literature/printed materials must not promote non-permitted commercial activities.
- F. Faculty, staff, and students must be able to produce, upon request by a University official, his or her University identification (e.g., CougarOne Card, Faculty or Staff I.D. Card) or other proof that the faculty member, staff member, or student is affiliated with the University (e.g., course schedule, or tuition and fee bill).

In addition, registered student organizations may reserve information tables located in the Phillip G. Hoffman (PGH) Building Breezeway or the Agnes Arnold (AH) Building Breezeway for the purpose of distributing literature/printed materials or for other permitted activities. Designated representatives of registered student organizations wishing to reserve PGH Breezeway or AH Breezeway information tables must request the use of space through the University Center Reservations Office located in Room 210 of the University Center. Reservation requests must be made at least five business days in advance of the proposed activity. Amplified sound of any type is prohibited in the PGH Breezeway and the AH Breezeway.

This section does not apply to literature/printed material distribution related to a vote for or against a candidate for elective University of Houston Student Government Association (SGA) office or for or against a proposition on a ballot at an SGA election. Such distribution by registered University of Houston students may take place in areas immediately adjacent to SGA polling locations and must comply with the rules cited in the SGA Election Code.

#### VIII. LITERATURE DISTRIBUTION: NON-UNIVERSITY AFFILIATED

Distribution of literature or other printed materials by groups, individuals, or representatives of other non-University affiliated entities, is permitted at any of the thirteen (13) drop-in organized expressive activity areas that are provided in Section V above, Lynn Eusan Park (which may be either reserved for a fee, or may be used as a drop-in organized expressive activity area unless the area has been reserved), and is also permitted at reserved information table locations at the University Center North Entrance and in designated areas in the University Center Satellite. Individuals, groups, or representatives of other non-University affiliated entities wishing to reserve information tables must request the use of space through the University Center Reservations Office located in Room 210 of the University Center, and such Reservations must be made at least five business days in advance of the proposed activity. The use of space at the University Center North Entrance, designated areas in the University Center Satellite, and Lynn Eusan Park (when reserved in advance) are subject to applicable usage fees and associated charges. Literature and other printed materials may be distributed provided that:

- A. Persons distributing information at reserved information table locations remain within their reserved table space.
- B. Literature or other printed materials are distributed in person.
- C. Literature or other materials are not forced upon others.
- D. The free flow of pedestrian, vehicular, or other traffic is not obstructed at any point.
- E. Groups or individuals are responsible for ensuring that literature/printed materials do not litter the area.
- F. Displays at reserved information table locations do not extend beyond the dimensions of the width reserved table space and may not exceed seven feet in height.
- G. Literature/printed materials do not promote non-permitted commercial activities.

#### IX. SIGNS POSTED ON UNIVERSITY GROUNDS

The only types of signs that may be planted on University grounds are those that promote official University events or activities. University departments wishing to display signs on University grounds that promote official University activities and events must obtain approval from the Dean of Students at least ten business days prior to the proposed display. Signs will be subject to reasonable time, place, and manner restrictions and must include the name of the University department sponsoring the activity that it promotes.

#### X. EMERGENCY AUTHORITY

The President or designated University representatives shall have the authority to take such steps to prevent expressive activities that materially interfere with the educational mission of the University. Such activities include, but are not limited to the following:

- A. Activities that are illegal.
- B. Activities that deny the rights of other students, faculty, and staff of the University.
- C. Activities that substantially obstruct or restrict the free movement of persons on any part of the University campus, including the free entry to or exit from University facilities.
- D. Activities that deny the use of offices or other facilities to the students, faculty, staff, or guests of the University.

- E. Activities that threaten or endanger the safety of any person on the University campus.
- F. Activities that are likely to result in damage to or destruction of University property.
- G. Activities that create a sustained or repeated noise disturbance that substantially interferes with a speaker's ability to communicate and/or the rights of others to listen.
- H. Amplified sound, where permitted, that exceeds the decibel levels set forth in Section VI.
- I. Activities that attempt to prevent a University event or other lawful assembly by the threat or use of force or violence.

XI. REVIEW AND RESPONSIBILITY

Responsible party: Associate Vice President for Student Development and Dean of Students

Review: Every three years, on or before March 1

XII. APPROVAL

Elwyn C. Lee  
Vice President for Student Affairs

John Antel  
Senior Vice President for Academic Affairs and Provost

Carl P. Carlucci  
Executive Vice President for Administration and Finance

Renu Khator  
President

Date of President's Approval: June 9, 2009

Addendum A

Areas for Organized Expressive Activities on Campus, Map

