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S.R.24-25.13

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A Resolution-

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To be known as "A Resolution to Enhance Understanding of Free

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Speech on Campus and to Improve Texas State's Procedure

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Surrounding Expressive Activity." Relating to enhancing the most

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frequently utilized locations for group assemblies and protests

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at Texas State University, to foster improvements in educational

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effectiveness and aesthetic presentation. It underscores the

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importance of implementing comprehensive educational initiatives

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on campus to promote awareness and increase campus-wide

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understanding of free speech principles.

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WHEREAS: The Student Government of Texas State University, on

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behalf of the student body, recognizes the need to improve

13 awareness of First Amendment rights and university policies
14 regarding free speech on campus; and

15 **WHEREAS:** The Stallion Statue area in the Quad, traditionally a hub
16 for free expression on campus, making them the most common location
17 for protests, demonstrations, and other acts of public discourse,
18 currently lacks sufficient signage to indicate its purpose and
19 provide educational information to students and visitors.

20 **WHEREAS:** The Fighting Stallions have a rich history as a site where
21 student protests and free speech have been exercised for decades,
22 with one notable instance being the San Marcos 10, who protested
23 against the Vietnam War at the statue in 1969. This historical
24 significance should be preserved through educational signage
25 whilst clarifying and maintaining that it is not the only place on
26 campus where free speech is permitted and protected; and

27 **WHEREAS:** Because as a public institution, the entirety of campus
28 is usable for the exercise of free speech and areas that are viable
29 options for protests and assemblies need to be enhanced as well.
30 The open area juxtaposed between the Honors College and Old Main,
31 and the LBJ mall have been areas where large group assemblies or
32 protests have taken place. Areas including the Stallion Statue,
33 the area outside of Old Main, and the LBJ Mall in which Free Speech
34 rights are often engaged with on a larger scale need to be enhanced
35 and better equipped for these demonstrations; and

36 **WHEREAS:** Following recent demonstrations involving controversial
37 speakers, confusion among students about the presence of these
38 demonstrators highlighted a lack of understanding about public
39 universities' obligations to uphold the First Amendment, including
40 protections for non-student speakers; and

41 **WHEREAS:** According to the Foundation of Individual Rights and
42 Expression, half of college students do not fully grasp what is
43 covered by free speech. Many students are also fearful of
44 exercising their right to free speech on campus because they do
45 not fully grasp how the university interacts with Constitutional
46 Law; and

47 **WHEREAS:** Installing didactic plaques around the free speech area
48 about the First Amendment and the rights afforded to students and
49 other members of the public will promote improved understanding
50 and free speech education on campus moreover, though the university
51 has emphasized the Stallions being a free speech area because the
52 university as a whole is a "free speech area" these signs should
53 be installed in areas commonly utilized for large group
54 demonstrations; and

55 **WHEREAS:** These plaques should also include information about
56 university-specific policies (how tall signs can be, the limits of
57 amplified sound, etc.) to ensure students have the information
58 available to them to exercise their rights effectively as well as

59 a statement from the university that speech on university grounds
60 while protected does not expressly represent the views of Texas
61 State University; and

62 **WHEREAS:** Installing supplementary signage to fortify the area as
63 a free speech zone will enhance awareness on campus regarding the
64 space as being recognized by the university for this purpose; and

65 **WHEREAS:** The current existence of the expressive activity response
66 team based out of the Dean of Students office has helped curb
67 instigative reactions and increase student safety. However, the
68 signage they utilize being housed in LBJ has increased the
69 difficulty of a rapid response time. The expressive activity
70 signage and gear should be moved to a storage area in either Evans
71 Liberal Arts or Derrick Hall due to their proximity to the location
72 where a majority of expressive activity takes place. This would
73 make the signage more accessible and less laborious to be put up
74 around the protest area by the expressive activity team; and

75 **WHEREAS:** Texas State University should implement a week dedicated
76 to free speech education. This would be a week during the academic
77 year in which Student Government assists in partnering with various
78 departments on campus to spread awareness of First Amendment rights
79 through literature handouts, sessions with professors, and panels
80 led by student journalists. It would be a celebration of the rights
81 we have as students as well as a prime opportunity for the

82 university to increase understanding around protests and
83 demonstrations to effectively facilitate students' opportunity to
84 engage in their rights safely. It would also make students more
85 aware and educated of the rights of others including non-students
86 to protest and speak freely on campus, even when that speech is
87 deeply offensive and an egregious utilization of their First
88 Amendment privileges; and

89 **WHEREAS:** Organizations are a key part of reaching students and
90 often they are affected by protests in the Quad considering it is
91 prime real estate for tabling and because student organizations
92 often assemble these protests. It is necessary to educate students
93 on an organization-to-organization basis, and the most effective
94 method for instituting this would be an additional training module
95 added to the Risk Management training already required for student
96 organizations. A Know Your Rights training would simply allow for
97 student organizations and their leaders to be better equipped to
98 handle protests if they choose to engage in one or have a better
99 understanding of how to handle standing in opposition to someone
100 else's exercise of their First Amendment rights; and

101 **WHEREAS:** The responsibility that this Institution bears,
102 especially as a public institution, is to better educate on free
103 speech rights and respond to demonstrations of expressive
104 activity; and

105 **BE IT RESOLVED:** To enhance student awareness regarding their First
106 Amendment rights, as well as to improve understanding of Texas
107 State policies on protests, demonstrations, and free speech on
108 campus, Student Government recommends that the University install
109 didactic plaques and additional signage related to the First
110 Amendment, university policies, and student rights, particularly
111 around the Stallion Statue, the area outside of Old Main, and the
112 LBJ Mall; and

113 **BE IT RESOLVED:** To decrease response time from the expressive
114 activity team to place signage and have a presence at free speech
115 demonstrations, space should be allocated to hold expressive
116 activity signs and gear in a building (Evans Liberal Arts or
117 Derrick Hall) that neighbors the Stallion Statue where protests
118 are most likely to take place; and

119 **BE IT RESOLVED:** To effectively educate the student population and
120 incorporate a variety of departments and disciplines, Texas State
121 University should implement a free speech week during the academic
122 year that celebrates freedom of expression and educates our student
123 population on it. It is an excellent collaborative opportunity for
124 organizations to participate in the get out and vote efforts, and
125 to be a part of another Know Your Rights and Exercise Your Rights
126 campaign. It would also allow the Student Government to be further

127 integrated with the student population and allow them to be in
128 active conversation with their representatives; and

129 **BE IT RESOLVED:** To adequately engage student organizations in
130 education on their First Amendment rights, training will be added
131 to the required risk management training that promotes awareness
132 around policies that Texas State has on expressive activity as
133 well as information about a public university's obligation to
134 comply with the guaranteed right to free speech in the constitution
135 for any person on campus, as well as better equip them to
136 understand how they should go about notifying the university when
137 they are planning an assembly of any kind; and

138 **BE IT FURTHER RESOLVED:** This legislation be forwarded to the
139 Student Body President for further action.