
Note: For expression and use of College District facilities and grounds by employees and employee organizations, see DGC. For expression and use of College District facilities and grounds by the community, including by nonstudents and organizations that are not registered student organizations, see GD.

Expressive Activities

Students and student organizations may engage in expressive activities in accordance with this policy. "Expressive activities" means any speech or expressive conduct protected by the First Amendment to the U.S. Constitution or by Texas Constitution Article I, Section 8, and includes assemblies, protests, speeches, the distribution of written material, the carrying of signs, and the circulation of petitions.

Prohibited Speech and Conduct

The term "expressive activities" does not include the following speech and conduct, which is prohibited on College District facilities and grounds and through the use of College District technology and networks:

1. Defamatory statements about public figures or others;
2. Prohibited harassment [see DIAA, DIAB, FFDA, and FFDB];
3. Incitement to imminent lawless or disruptive activity;
4. Obscenity; or
5. Threats to engage in unlawful activity.

The following conduct is also prohibited:

1. Engaging in unlawful conduct.
1. Engaging in expressive activities that materially and substantially disrupt College District operations at any time, including from 10:00 p.m. to 8:00 a.m. and during the last two weeks of each semester or term.
2. Engaging in expressive activities that materially and substantially disrupt College District operations by inviting speakers to speak on campus or by using drums or other percussive instruments during the last two weeks of a semester or term.
3. Using a sound amplification device while engaging in expressive activities during class hours, between 10:00 p.m. to 8:00 a.m., and during the last two weeks of each semester or term to intimidate others, interfere with campus operations, or interfere with a College District employee's or a peace officer's lawful performance of a duty.

1. Camping or erecting tents or other living accommodations, with the exception of reasonable use and modifications of assigned College District housing consistent with administrative regulations. This prohibition applies to shelters that are erected for the purpose of residing within the shelter. It does not apply to other shelters that are erected on a temporary basis to provide protection from the weather or, with approval granted by the dean of students in accordance with administrative procedures, for special events.
2. Wearing a disguise or other means of concealing a person's identity while engaging in expressive activities with the intent, as determined by the dean of students or a law enforcement officer, to:
 - a. Obstruct the enforcement of law or College District policies and regulations by avoiding identification;
 - b. Intimidate others; or
 - c. Interfere with a College District employee's or a peace officer's lawful performance of a duty.
3. Lowering the College District's U.S. or Texas flag with the intent to raise another nation's flag or the flag representing an organization or group of people.
4. Engaging in expressive activities in a manner that would constitute an immediate and actual danger to the peace or security of the College District that available law enforcement officials could not control with reasonable efforts.
5. Damaging or defacing property.

Distribution of Literature

Written or printed materials, handbills, photographs, pictures, films, tapes, or other visual or auditory materials not sponsored by the College District shall not be sold, circulated, distributed, or posted on any College District premises by any College District student or registered student organization [see FKC], except in accordance with this policy.

The College District shall not be responsible for, nor shall the College District endorse, the contents of any materials distributed by students or registered student organizations that is not sponsored by the College District.

Materials distributed under the supervision of instructional personnel as a part of instruction or other authorized classroom activities shall not be governed by this policy.

STUDENT RIGHTS AND RESPONSIBILITIES
STUDENT EXPRESSION AND USE OF COLLEGE FACILITIES

FLA
(LOCAL)

Limitations on
Content

Materials shall not be distributed by students or registered student organizations on College District property if:

- ~~1.~~—The materials ~~are obscene.~~
- ~~2.~~—The materials ~~contain defamatory statements about public figures or others.~~
- ~~3.~~—The materials ~~advocate imminent lawless or disruptive action and are likely to incite or produce such action.~~
- ~~4.1.~~ The materials are considered prohibited harassment. [See DIAA, DIAB, FFDA, and FFDB] constitute prohibited speech, described above.
- ~~5.2.~~ The materials constitute nonpermissible solicitation. [See FI]
- ~~6.3.~~ The materials infringe upon intellectual property rights of the College District. [See CT]

Time, Place, and
Manner Restrictions

Distribution of the materials shall be conducted in a manner that:

1. Is not materially and substantially disruptive to College District operations; [See FLB]
2. Does not impede reasonable access to College District facilities;
3. Does not result in damage to College District property;
4. Does not coerce, badger, or intimidate a person;
5. Does not interfere with the rights of others; and
6. Does not violate local, state, or federal laws or College District policies and procedures.

The distributor shall clean the area around which the literature was distributed of any materials that were discarded or leftover.

The dean of students shall designate times, locations, and means by which materials that are appropriate for distribution, as provided in this policy, may be made available or distributed by students or registered student organizations to students or others in College District facilities and in areas that are not considered common outdoor areas.

Posting of Signs

For the purposes of this policy, “sign” shall be defined as a billboard, decal, notice, placard, poster, banner, or any kind of hand-held sign; and “posting” shall be defined as any means used for displaying a sign.

STUDENT RIGHTS AND RESPONSIBILITIES
STUDENT EXPRESSION AND USE OF COLLEGE FACILITIES

FLA
(LOCAL)

Except for signs that violate the restrictions in this policy and administrative procedures, a student or registered student organization may publicly post a sign on College District property in common outdoor areas and in areas or locations designated by the dean of students. No object other than a sign may be posted on College District property.

Restrictions

A sign shall not be larger than 22 inches by 28 inches, unless authorized by the dean of students. A sign shall not be attached or posted:

1. To a shrub or plant;
2. To a tree, except by string to its trunk;
3. To a permanent sign installed for another purpose;
4. To a fence or chain or its supporting structure;
5. To a brick, concrete, or masonry structure;
6. To a statue, monument, or similar structure;
7. On or adjacent to a fire hydrant; or
8. In a College District building, except on a bulletin board designated for that purpose.

Removal

A student or registered student organization shall remove each sign not later than 14 days after posting or, if it relates to an event, not longer than 24 hours after the event to which it relates has ended.

A sign posted in accordance with this section shall not be removed without permission from the dean of students, the student, or the registered student organization.

Disclaimer

Materials distributed by a registered student organization must include a disclaimer indicating that the materials are not sponsored by the College District and do not represent the views of the College District or College District officials, faculty, or staff.

**Use of Facilities and
Grounds**

The facilities and grounds of the College District shall be made available to students or registered student organizations [see FKC] when such use does not conflict with use by, or any of the policies and procedures of, the College District. The requesting students or student organization shall pay all expenses incurred by their use of facilities in accordance with a fee schedule developed by the Board.

Requests [to Use
Facilities](#)

To request permission to meet or host a speaker in College District facilities, interested students or registered student organizations

shall file a written request with the College District's designee in accordance with administrative procedures.

The students or the registered student organization making the request shall indicate that they have read and understand the policies and rules governing use of College District facilities and that they will abide by those rules.

Approval

The College District's designee shall approve or reject the request in accordance with provisions and deadlines set out in this policy and administrative procedures, without regard to the religious, political, philosophical, ideological, academic viewpoint, or other content of the speech likely to be associated with the student's or registered student organization's use of the facility.

Approval shall not be granted when the official has reasonable grounds to believe that [the use would be prohibited conduct, described above, or that:](#)

1. The College District facility requested is unavailable, inadequate, or inappropriate to accommodate the proposed use at the time requested;
2. The applicant is under a disciplinary penalty or sanction prohibiting the use of the facility;
3. The proposed use includes nonpermissible solicitation [see FI];
- ~~4. The proposed use would constitute an immediate and actual danger to the peace or security of the College District that available law enforcement officials could not control with reasonable efforts;~~
- ~~5.4.~~ The applicant owes a monetary debt to the College District and the debt is considered delinquent;
- ~~6.~~ The ~~proposed activity would disrupt or disturb the regular academic program;~~
- ~~7.5.~~ ~~The proposed use would result in damage to or defacement of property or the~~ applicant has previously damaged College District property; or
- ~~8.6.~~ The proposed activity would constitute an unauthorized joint sponsorship with an outside group.

The College District's designee shall provide the applicant a written statement of the grounds for rejection if a request is denied.

STUDENT RIGHTS AND RESPONSIBILITIES
STUDENT EXPRESSION AND USE OF COLLEGE FACILITIES

FLA
(LOCAL)

Common Outdoor Area <u>Exception Areas</u>	<p>Common outdoor areas are traditional public forums and are not subject to the approval procedures. Students and student organizations may engage in expressive activities in common outdoor areas, unless:</p> <ol style="list-style-type: none">1. The person's conduct is unlawful;2. The use would constitute an immediate and actual danger to the peace or security of the College District that available law enforcement officials could not control with reasonable efforts;3. The use would materially or substantially disrupt or disturb the regular academic program; or <p>The use would result in damage to or defacement of property without prior approval, unless the activities constituted prohibited speech or conduct described above.</p>
Announcements and Publicity	In accordance with administrative procedures, all students and registered student organizations shall be given access on the same basis for making announcements and publicizing their meetings and activities.
Identification	Students or registered student organizations distributing materials on campus or using College District facilities shall provide identification when requested to do so by a College District representative engaging in official duties .
Violations of Policy	Failure to comply with law or this policy and associated procedures shall result in appropriate administrative action, including but not limited to, confiscation of nonconforming materials, suspension of a student's or registered student organization's use of College District facilities, and/or other disciplinary action in accordance with the College District's discipline policies and procedures [see FM and FMA].
Interference with Expression	Faculty members, students, or student organizations that interfere with the expressive activities permitted by this policy shall be subject to disciplinary action in accordance with the College District's discipline policies and procedures [see DH, FM, and FMA].
Appeals	Decisions made by the administration in accordance with this policy may be appealed in accordance with DGBA(LOCAL) or FLD(LOCAL), as applicable.
Publication	This policy and associated procedures must be posted on the College District's website and distributed in the student and employee handbooks and other appropriate publications. They must also be distributed to students at orientation.