

## **Chapter 10: Student Expression and Use of Collin College Facilities**

To view the Board policies associated with this section, go to <https://pol.tasb.org/PolicyOnline/PolicyDetails?key=304&code=FLA>.

### **Protected Expression on Campus**

In accordance with the [Texas Higher Education Code Section 51.9315](#), it is the policy of the State of Texas and the purpose of this section to protect the expressive rights of persons guaranteed by the Constitutions of the United States and of the State of Texas by:

1. Recognizing freedom of speech and assembly as central to the mission of Collin College; and
2. Ensuring that all persons may assemble peaceably on all Collin College campuses for expressive activities, including to listen to or observe the expressive activities of others.

Collin College observes the rights and freedom of speech, petition, and peaceful assembly as set forth in the Constitutions of the United States and State of Texas. Collin College will ensure that the common outdoor areas of all its campuses are deemed traditional public forums, and permit any person to engage in expressive activities in those areas of its campuses freely, as long as the person's conduct is not unlawful and does not materially and substantially disrupt the functioning of Collin College. In accordance with the [Texas Higher Education Code Section 51.9315](#), Collin College maintains its right to impose reasonable restrictions on the time, place, and manner of expressive activities in the common outdoor areas of its campuses.

Any act or expressive activity that interferes with the normal operations of Collin College including, but not limited to, classes and Collin College business, or interferes with the rights of students, faculty, staff, and others will not be tolerated. Faculty, staff, and students engaging in a disruptive activity may be subject to disciplinary action. Any participant involved in a disruptive activity may face criminal charges. For more information, see Board policies FM (LOCAL) and FMA (LOCAL) located at <https://pol.tasb.org/PolicyOnline/SearchResults/?key=304&query=fm> and [Chapter 13: Student Disciplinary Procedures](#) in this *Student Code of Conduct*.

Approved activities such as distributing literature, displaying signs, petitioning for change, and disseminating information concerning issues of public concern are protected by the First Amendment. Commercial speech is subject to the guidelines in the [Chapter 9: Solicitation on Campus](#) section in this *Student Code of Conduct*. Speech that is not protected includes fighting words, language that creates a hostile environment, slander/libel, and obscenity.

### **Distribution of Literature**

Written or printed materials, handbills, photographs, pictures, films, tapes, or other visual or auditory materials not sponsored by Collin College will not be sold, circulated, distributed, or posted on any Collin College premises by any Collin College student or registered student organization, except in accordance with this policy. To view the Board policies associated with registered student organizations, go to <https://pol.tasb.org/PolicyOnline/PolicyDetails?key=304&code=FKC>.

Collin College will not be responsible for, nor will Collin College endorse, the contents of any materials or literature distributed by students or registered student organizations that are not sponsored by Collin College.

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

For information on distribution of materials in Collin College facilities and common outdoor areas by non-students and organizations that are not registered student organizations, see Board policies GD (LEGAL) and GD (LOCAL) located at <https://pol.tasb.org/PolicyOnline/PolicyDetails?key=304&code=GD>.

#### Limitations on Content

Non-school materials or literature will not be distributed by students or registered student organizations on Collin College property if the materials:

1. Are obscene;
2. Contain defamatory statements about public figures or others;
3. Advocate imminent lawless or disruptive action and are likely to incite or produce such action;
4. Are considered prohibited harassment. For more information, see Board policies DIAA (LEGAL), DIAA (LOCAL), DIAB (LEGAL), DIAB (LOCAL), FFDA (LEGAL), FFDA (LOCAL), FFDB (LEGAL), and FFDB (LOCAL) located at <https://pol.tasb.org/PolicyOnline/SearchResults?key=304&query=prohibited+harassment>;
5. Constitute non-permissible solicitation. For more information, see Board policies FI (LEGAL) and FI (LOCAL) located at <https://pol.tasb.org/PolicyOnline/PolicyDetails?key=304&code=FI>; and/or
6. Infringe upon intellectual property rights of Collin College. For more information, see Board policies CT (LEGAL) and CT (LOCAL) located at <https://pol.tasb.org/PolicyOnline/PolicyDetails?key=304&code=CT>.

#### Time, Place, and Manner Rules

The vice president of student and enrollment services or designee will designate times, locations, and means by which materials or literature 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 Collin College facilities and in areas that are not considered common outdoor areas.

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

1. Is not disruptive. For more information, see Board policies FLB (LEGAL) and FLB (LOCAL) located at <https://pol.tasb.org/PolicyOnline/PolicyDetails?key=304&code=FLB>;
2. Does not impede reasonable access to Collin College facilities;
3. Does not result in damage to Collin College 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 Collin College policies and procedures.

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

#### Petitions, Handbills, and Literature

This section is covered by the Campus Provost's Office at each campus.

Each petition, handbill, or piece of literature submitted for approval for distribution will include the name of the person or organization wanting to distribute it.

A person or organization will be prohibited from publicly distributing on Collin College property any non-school literature that is obscene or libelous or that contains non-permissible solicitation. Distribution of non-school literature will be conducted so as not to interfere with the free and unimpeded flow of pedestrian and vehicular traffic or disturb or interfere with academic or institutional activities.

A person or organization will not distribute non-school literature by accosting individuals or by hawking or shouting. The distributor will ensure the area around which the non-school literature was distributed is clean and free of discarded or leftover materials.

### Signs

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

“Non-permissible sign” will mean a sign that contains material that is obscene, libelous, or includes non-permissible solicitation and/or is larger than 11 inches by 17 inches, unless authorized by the appropriate assistant director of student engagement.

A person or organization will not post a non-permissible sign. For more information, see Board policies FI (LEGAL) and FI (LOCAL) located at <https://pol.tasb.org/PolicyOnline/PolicyDetails?key=304&code=FI>, as well as Board policies GD (LEGAL) and GD (LOCAL) located at <https://pol.tasb.org/PolicyOnline/PolicyDetails?key=304&code=GD>.

A student, registered student organization, department, or community member may publicly post a sign on Collin College property in areas or locations designated by the appropriate assistant director of student engagement in conjunction with the appropriate campus provost/vice president and the appropriate campus manager of facilities or in common outdoor areas as allowed by Board policies GD (LEGAL) and GD (LOCAL). No object other than a sign may be posted on Collin College property. For more information, see Board policies GD (LEGAL) and GD (LOCAL) located at <https://pol.tasb.org/PolicyOnline/PolicyDetails?key=304&code=GD>.

Before publicly posting a sign on Collin College facilities (outside of common outdoor areas), a student or registered student organization will:

1. Deliver a copy, photograph, or description of the sign to be posted.
2. Provide pertinent information including the:
  - a. Name and phone number of the student, registered student organization, department, or community member;
  - b. Proposed general location for posting the sign;
  - c. Length of time the sign will be posted; and
  - d. Signature of the student, authorized representative, and/or advisor.

### Rules

Upon receipt, the appropriate Student Engagement Office staff will ensure that the pertinent information listed above is included and the following guidelines are applied:

1. Approved items, with a maximum size of 11 inches by 17 inches will be posted neatly on appropriate bulletin boards by Student Engagement Office personnel, subject to space availability;
2. Each item to be posted will receive an approval stamp dated and signed by Student Engagement Office personnel;
3. Materials will generally be approved for a maximum period of four (4) weeks; and
4. Materials that do not conform to these posting guidelines will be subject to immediate removal.

A sign will not be:

1. Attached to:
  - a. A shrub or plant;
  - b. A tree, except by string to its trunk;
  - c. A permanent sign installed for another purpose;
  - d. A fence or chain or its supporting structure;
  - e. A brick, concrete, or masonry structure; or
  - f. A statue, monument, or similar structure.
2. Posted:
  - a. On or adjacent to a fire hydrant;
  - b. Outside of a common outdoor area; or
  - c. In a Collin College building, except on a bulletin board designated for that purpose.

#### *Removal*

The Student Engagement Office will remove all signs no later than one (1) week after the expired approval stamp date. A sign posted or attached in accordance with the provisions of this policy will not be removed by anyone without permission from the appropriate assistant director of student engagement.

#### Classroom Bulletin Boards

Bulletin boards located inside and directly outside each classroom will be under the jurisdiction of the campus provost on each individual campus or designee.

#### **Expressive Activities by Students or Student Organizations in Common Outdoor Areas**

Common outdoor areas are designated by state law as traditional public forums.

For purposes of this policy, the term “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 which includes assemblies, protests, speeches, the distribution of written material, the carrying of signs, and the circulation of petitions. The term does not include commercial speech such as advertisements for products or services. For more information, see Board policy GD (LOCAL) located at <https://pol.tasb.org/PolicyOnline/PolicyDetails?key=304&code=GD>.

For purposes of this policy, the term “common outdoor areas” means outdoor space that is at least 75 feet from any Collin College building entrance or window and that is not used, on either a permanent or temporary basis, for Collin College’s:

1. Business or operations,
2. Sponsored events,
3. Educational functions, or
4. Research functions.

Common outdoor areas do not include the buildings, classrooms, libraries, facilities, student housing, or residential outdoor spaces managed by Collin College; outdoor surfaces of Collin College buildings; surfaces associated with or connected to a Collin College building; a Collin College structure; spaces dedicated to temporary outdoor banners; spaces dedicated to temporary outdoor exhibits; or any other space within Collin College’s limited public forum. For more information, see Board policy GD (LOCAL) located at <https://pol.tasb.org/PolicyOnline/PolicyDetails?key=304&code=GD>.

Students and student organizations may engage in expressive activities in common outdoor areas, unless the:

1. Person's conduct is unlawful;
2. Use would constitute an immediate and actual danger to the peace or security of Collin College that available law enforcement officials could not control with reasonable efforts;
3. Use would materially or substantially disrupt or disturb the regular academic program; or
4. Use would result in damage to or defacement of property.

Students or student organizations do not need a Collin College permit or reservation for the exercise of expressive activities in common outdoor areas of Collin College. Expressive activity may occur in those common outdoor areas of Collin College that are not in use by others.

However, students and student organizations may, and are encouraged to, reserve a space to assemble in the common outdoor areas of Collin College. Once a person or group reserves a certain space in a common outdoor area for assembly or expressive activities, it is not available for another person's or group's use or reservation at the same time. Therefore, any person or group using or occupying the space without a reservation must yield control of the space in time to permit any user with a reservation to begin using the space promptly at the beginning of the reserved time.

In addition, when outdoor space is being used, even on a temporary basis, for Collin College business, operations, events, an educational function, or a research function, it is not part of the common outdoor area available for use for others' expressive activities.

Reservations for assembly or expressive activities in the common outdoor areas of Collin College may be made through the Conference Services Department on a form prescribed by them or through a request sent to [Conference\\_Services@collin.edu](mailto:Conference_Services@collin.edu). If the expected attendance at an assembly or expressive activity is 15 or more people, advance notice and a reservation of no fewer than two (2) weeks is recommended. Persons and organizations are encouraged to seek a reservation of a space that is suited to their assembly's anticipated size.

#### Time, Place, and Manner Rules for Common Outdoor Areas

In addition to the specific rules addressed in this policy for distribution of literature, expressive activities by students or student organizations in common outdoor areas are subject to the time, place, and manner rules listed in Board policy GD (LOCAL) and outlined below.

1. Expressive activities may not be disruptive.
2. Expressive activities may not include statements directed to inciting or producing imminent violations of law under circumstances such that the statements are likely to actually and imminently incite or produce violations of law, including, but not limited to, violence or threats of violence.
3. Literature may be distributed, but not sold.
4. Any person who uses common outdoor areas or distributes literature or materials in common outdoor areas is responsible for cleaning up any literature, materials, or other trash that was discarded or leftover.
5. Signs may not be larger than 24 inches by 24 inches. Signs may be held or carried by hand. However, signs may not be attached to sticks, poles, wooden or metal handles, or other similar assembled items.
6. Signs constructed of rigid materials, including sticks, poles, wood, metal, hard plastic, or other materials that could be construed as a hazard, are not permitted.
7. Any person holding or carrying a sign will exercise due care to avoid bumping, hitting, or injuring any other person.
8. Banners on poles may not be carried by individuals.

9. Handheld banners carried by two (2) or more individuals (without poles) are permitted in temporary banner spaces designated by Collin College.
10. Tables may not be set up in common outdoor areas, unless they are requested by a student or student organization in advance through a request submitted to the Conference Services Department. Otherwise, community members may not set up any tables in common outdoor areas of Collin College.
11. Amplified sound may not be used in common outdoor areas, particularly when it disrupts Collin College business, operations, meetings, events, an educational function, or a research function. For purposes of this policy, the term “amplified sound” means sound whose volume is increased by any electric, electronic, mechanical, or motor-powered means, such as by a megaphone. The use of a single microphone for a guest speaker, shouting, chanting, and playing acoustic musical instruments are exempt from this definition and are not subject to the special rules on amplified sound, but are subject to the general rules on disruption.
12. Guest speakers are allowed in common outdoor areas. For purposes of this policy, the term “guest speaker” means an individual speaker or performer who is not a student, faculty member, employee, or Board member of Collin College.
13. Guest speakers may not distribute literature that violates the rules in this policy.
14. Guest speakers may not accost bystanders or others who have chosen not to attend the speech or discussion.
15. Guest speakers may not set up exhibits or tables outside of the common outdoor areas or inside Collin College buildings or facilities.
16. For any assembly, with or without a guest speaker, that has an expected attendance of 15 or more participants (including counter-demonstrators), advance notice and a reservation are encouraged to help the Conference Services Department improve the safety and success of expressive activity.

If there is uncertainty about applicable rules, the appropriateness of the planned location, or possible conflict with other events, persons and organizations are encouraged to consult the district dean of students or designee. Should the size of the assembly exceed the maximum number of participants that is safe for a given location, participants will be directed by campus authorities to relocate to a space that is better suited to the size of the assembly.

For more information on time, place, and manner rules for common outdoor areas, see Board policy GD (LOCAL) located at <https://pol.tasb.org/PolicyOnline/PolicyDetails?key=304&code=GD>.

#### **Use of Collin College Facilities and Grounds**

Collin College’s facilities and property are intended primarily for the support of the instructional programs of Collin College and for the support of programs conducted or sponsored by Collin College’s academic and administrative departments or organizations affiliated with those departments.

Other than the use of common outdoor areas, the facilities and grounds of Collin College will be made available to students or registered student organizations when such use does not conflict with use by, or any of the policies and procedures of, Collin College. The requesting students or student organization will pay all expenses incurred by their use of the facilities in accordance with a fee schedule developed by the Board of Trustees (Board). For more information on registered student organizations, see Board policy FKC (LOCAL) located at <https://pol.tasb.org/PolicyOnline/PolicyDetails?key=304&code=FKC>.

The use and distribution of materials in Collin College common outdoor areas are subject to the policies set out in Board policy GD (LOCAL). For more information, see Board policy GD (LOCAL) located at <https://pol.tasb.org/PolicyOnline/PolicyDetails?key=304&code=GD>.

### Requests

To request permission to meet or host a speaker in Collin College facilities, interested students or registered student organizations will file a written request through Cougar Connect, <https://collin.campuslabs.com/engage/>, with the Office of Student Engagement in accordance with administrative procedures.

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

Students and registered student organizations may, and are encouraged to, reserve a space to assemble in the common outdoor areas of Collin College. Once a person or group reserves a certain space in a common outdoor area for assembly or expressive activities, it is not available for another person's or group's use or reservation at the same time. Therefore, any person or group using or occupying the space without a reservation must yield control of the space in time to permit any user with a reservation to begin using the space promptly at the beginning of the reserved time.

### *Approval*

The appropriate assistant director of student engagement will approve or reject the request in accordance with the provisions of 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 will not be granted when the official has reasonable grounds to believe that the:

1. Collin College facility requested is unavailable, inadequate, or inappropriate to accommodate the proposed use at the time requested;
2. Applicant is under a disciplinary penalty or sanction prohibiting the use of the facility;
3. Proposed use includes non-permissible solicitation. For more information, see Board policies FI (LEGAL) and FI (LOCAL) located at <https://pol.tasb.org/PolicyOnline/PolicyDetails?key=304&code=FI> and [Chapter 9: Solicitation on Campus](#) in this *Student Code of Conduct*;
4. Proposed use would constitute an immediate and actual danger to the peace or security of Collin College that available law enforcement officials could not control with reasonable efforts;
5. Applicant owes a monetary debt to Collin College and the debt is considered delinquent;
6. Proposed activity would disrupt or disturb the regular academic program;
7. Proposed use would result in damage to or defacement of property or the applicant has previously damaged Collin College property; or
8. Proposed activity would constitute an unauthorized joint sponsorship with an outside group.

The appropriate assistant director of student engagement will provide the applicant a written statement of the grounds for rejection if a request is denied.

### Announcements and Publicity

In accordance with administrative procedures, all students and registered student organizations will 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 Collin College facilities will provide identification when requested to do so by a Collin College representative, including, but not limited to, a Collin College Police Department officer.

**Violations of Policy**

Failure to comply with this policy and associated procedures will result in appropriate administrative action, including, but not limited to, confiscation of non-conforming materials, suspension of a student's or registered student organization's use of Collin College facilities, and/or other disciplinary action in accordance with Collin College's discipline policies and procedures. For more information, see Board policies FM (LOCAL) and FMA (LOCAL) located at <https://pol.tasb.org/PolicyOnline/PolicyDetails?key=304&code=FM> and [Chapter 13: Student Disciplinary Procedures](#) in this *Student Code of Conduct*.

**Interference with Expression**

Faculty members, students, or registered student organizations that interfere with the expressive activities permitted by this policy will be subject to disciplinary action in accordance with Collin College's discipline policies and procedures. For more information, see Board policies DH (LOCAL), FM (LOCAL), and FMA (LOCAL) located at <https://pol.tasb.org/PolicyOnline/SearchResults/?key=304&query=disciplinary+procedures> and [Chapter 13: Student Disciplinary Procedures](#) in this *Student Code of Conduct*.

**Appeals**

Decisions made by Collin College's administration in accordance with this policy may be appealed in accordance with Board policies DGBA (LOCAL) or FLD (LOCAL), as applicable. For more information, see Board policies DGBA (LOCAL) and FLD (LOCAL) located at <https://pol.tasb.org/PolicyOnline/SearchResults/?key=304&query=appeals>.

**Publication**

This policy and associated procedures must be posted on Collin College's website and distributed in the current student handbook. They must also be distributed to students at orientation.