

MANUAL OF POLICY

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Date Approved by Board	As Adopted by Board Minute Order Dated July 28, 2020	

I. Purpose

The purpose of this policy is to detail the rights and responsibilities related to expressive activities of persons on campus. South Texas College recognizes freedom of speech and assembly as central to the mission of an institution of higher education and ensures that all persons may assemble peaceably on the campuses of the College for expressive activities, including to listen to or observe the expressive activities of others, as set forth in this policy.

As defined by Texas Education Code 51.9315(a)(2), “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 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.

II. Policy

The College shall ensure that common outdoor areas of the College campuses are deemed traditional public forums. The College shall permit any person to engage in expressive activities in these areas of the College campuses freely, as long as the person’s conduct is not unlawful, and does not materially and substantially disrupt the functioning of the institution. This designation of traditional public forums is limited to the common outdoor areas of the College campuses.

The College reserves the right to impose reasonable restrictions on the time, place, and manner of expressive activities in the common outdoor areas. These restrictions shall be narrowly tailored to serve significant institutional interests; employ clear, published, content-neutral, and viewpoint-neutral criteria; provide for ample alternative means of expression; and allow members of the College community to assemble or distribute written material without a permit or other permission from the institution. The establishment of traditional public forums and reasonable restrictions thereon does not limit the right of student expression at other campus locations or prohibit faculty members from maintaining order in the classroom.

STUDENT RIGHTS AND RESPONSIBILITIES

Student rights and responsibilities regarding expressive activities shall allow any person to engage in expressive activities on campus, including by responding to the expressive activities or others, subject to the reasonable restrictions imposed by the College. The College shall establish disciplinary sanctions for students, student organizations, faculty, or any other individuals or groups who unduly interfere with the expressive activities of others on campus.

The College shall maintain a grievance procedure for addressing complaints of violations of interference with the expressive activities of others.

- Student rights and responsibilities regarding expressive activities shall be included in the Student Code of Conduct and published in the Student Handbook.
- Employee rights and responsibilities regarding expressive activities shall be included in the Employee Handbook and Faculty Handbook.

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- The rights and responsibilities of other individuals and groups, regarding expressive activities, shall be included in the College Facilities Procedures.

The College shall not take any action against a student organization or deny the organization any benefit generally available to other student organizations at the College on the basis of a political, religious, philosophical, ideological, or academic viewpoint expressed by the organization or of any expressive activities of the organization

SPEAKERS ON CAMPUS

Student organizations, faculty, and staff shall be allowed to invite speakers to speak on campus. In order to approve a speaker to speak on campus or in order to determine the amount of a fee to be charged for use of College facilities for purposes of engaging in expressive activities, the College will consider only content-neutral and viewpoint-neutral criteria related to the needs of the events. The College shall not consider any anticipated controversy related to the event in the approval process.

Procedures for the use of College facilities are available to enrolled students in the Student Handbook and to College employees in the Faculty Handbook and Employee Handbook This policy and related procedures shall be disseminated electronically to students during orientation and shall be posted to the College website.

III. History

Origination Date Approved by Board:
July 28, 2020