

STUDENT RIGHTS AND RESPONSIBILITIES  
STUDENT EXPRESSION AND USE OF COLLEGE FACILITIES

FLA  
(LOCAL)

**Distribution of  
Literature**

Written or printed materials, handbills, photographs, pictures, films, tapes, or other visual or auditory materials not sponsored by the College District will 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 will not be responsible for, nor will the College District endorse, the contents of any materials or literature distributed by students or registered student organizations that are not sponsored by the College District.

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 distribution of materials in College District facilities and common outdoor areas by nonstudents and organizations that are not registered student organizations, see GD]

**Limitations on  
Content**

Nonschool materials or literature will not be distributed by students or registered student organizations on College District property if:

1. The materials are obscene. Obscenity is a writing, visual image, or performance as defined in Section 43.21 of the Texas Penal Code (or successor provisions).
2. The materials contain defamatory statements. Defamation is a false statement of fact about another individual that holds the individual up to hatred, ridicule, or contempt and that is not otherwise privileged. If the defamed person is a private individual, the question is whether the speaker knew or should have known that the statement was false. If the defamed person is a public official or public figure, the question is whether the statement was made with knowledge of the falsity or with reckless disregard of the truth.
3. The materials advocate imminent lawless action and is intended to incite or produce such action.
4. The materials contain a true threat, which is a serious expression of an intent to commit an act of unlawful violence to a particular individual or group of individuals. The speaker of a true threat need not intend to inflict actual harm; the question is whether the speaker consciously disregarded a substantial risk that the communications would be viewed as threatening violence.
5. The materials constitute intimidation, which is a type of true threat where a speaker directs a threat to a person or group

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of persons with the intent of placing the victim(s) in fear of bodily harm or death.

6. The materials constitute fighting words, which are personally abusive epithets that when addressed to ordinary citizens, are, as a matter of common knowledge, inherently likely to provoke a violent reaction.
7. The materials constitute harassment, which means material that is (i) hostile, threatening, or intimidating, (ii) directed at a specific person or persons, and (iii) is sufficiently severe, pervasive or persistent, and objectively offensive that it would cause an ordinary and reasonable person to fear violence or bodily harm or creates an objectively hostile or threatening campus environment that unreasonably interferes with the person's ability to access or participate in a College District activity, program, service, or privilege.
8. The materials constitute discriminatory harassment based on membership in a protected class recognized under state or federal law and is sufficiently severe or pervasive to create an objectively hostile campus or academic environment that unreasonably interferes with or diminishes another individual's ability to participate in or benefit from an activity, program, service, or privilege provided by the College District. [See DIAA, DIAB, FFDA, and FFDB for examples of unlawful harassment based on membership in a protected class.]
9. The materials constitute nonpermissible solicitation. [See FI]
10. The materials infringe upon intellectual property rights of the College District. [See CT]

Time, Place, and  
Manner Rules

The vice president for 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 College District 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; [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;

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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 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 in 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 College District property any nonschool literature that is obscene or libelous or that contains nonpermissible solicitation. Distribution of nonschool 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 nonschool literature by accosting individuals or by hawking or shouting. The distributor will ensure the area around which the nonschool 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 hand-held sign; and "posting" will be defined as any means used for displaying a sign.

"Nonpermissible sign" will mean a sign that contains material that is obscene, libelous, or includes nonpermissible solicitation and/or is larger than 11 inches by 17 inches, unless authorized by the director of student life.

A person or organization will not post a nonpermissible sign. [See FI and GD]

A student, registered student organization, department, or community member may publicly post a sign on College District property in areas or locations designated by the assistant director of student engagement in conjunction with the campus provost and the campus manager of facilities or in common outdoor areas as allowed by policy GD. No object other than a sign may be posted on College District property.

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

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

Rules

Upon receipt, the appropriate student engagement office staff will ensure that the pertinent information listed above is included and that 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 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

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- c. In a College District building, except on a bulletin board designated for that purpose.

*Removal*

The student life office will remove all signs no later than one 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 director of student life.

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 terms “expressive activities” and “common outdoor areas” are defined in GD(LOCAL).

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

1. The person’s conduct is unlawful (i.e. obscenity, defamation, incitement of lawless action, true threats, fighting words, or intimidation as defined above in this policy);
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 other College operations;
4. The use would result in damage to or defacement of property;
5. The material constitutes harassment, which means material that is (i) hostile, threatening, or intimidating, (ii) directed at a specific person or persons, and (iii) is sufficiently severe, pervasive or persistent, and objectively offensive that it would cause an ordinary and reasonable person to fear violence or bodily harm or creates an objectively hostile or threatening campus environment that unreasonably interferes with the person’s ability to access or participate in a College District activity, program, service, or privilege; or
6. The material constitutes discriminatory harassment based on membership in a protected class recognized under state or federal law and is sufficiently severe or pervasive to create an objectively hostile campus or academic environment that unreasonably interferes with or diminishes another individual’s ability to participate in or benefit from an activity, program, service, or privilege provided by the College District. [See

DIAA, DIAB, FFDA, and FFDB for examples of discriminatory harassment based on membership in a protected class.]

Consistent with Section 51.9315(g) of the Texas Education Code, the College may not take action against a student organization or deny a student organization any benefit on the basis of a political, religious, philosophical, ideological, or academic viewpoint expressed by the organization or of any expressive activities of the organization. The prohibition on harassment in this policy applies, however, when the words or conduct satisfy the definition of harassment as stated in items (5) and (6) above.

Students or student organizations do not need a College District permit or reservation for the exercise of expressive activities in common outdoor areas of the College District. Expressive activity may occur in those common outdoor areas of the College District 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 the College District. 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 College District 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 the College District may be made through the Conference Services Department on a form prescribed by them or through a request sent to [reserveCOA@collin.edu](mailto:reserveCOA@collin.edu). If the expected attendance at an assembly or expressive activity is 15 or more people, advance notice and a reservation of no less than two 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 GD(LOCAL).

### Facilities Use

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Other than the use of common outdoor areas, the facilities of the College District will 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 will pay all expenses incurred by their use of the facilities in accordance with a fee schedule developed by the Board.

The use of and the distribution of materials in College District common outdoor areas are subject to the policies set out in GD.

Requests

To request permission to meet in College District facilities, interested students or registered student organizations will submit a request through Cougar Connect with the Office of Student Engagement in accordance with administrative procedures.

The students or the registered student organization making the request will 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.

Students and student organizations may, and are encouraged to, reserve a space to assemble in the common outdoor areas of the College District. 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 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 assistant director of student engagement will approve or reject the request in accordance with 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:

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];

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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. 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. The proposed use would result in damage to or defacement of property or the applicant has previously damaged College District property; or
8. The proposed activity would constitute an unauthorized joint sponsorship with an outside group.

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

**Identification**

Students or registered student organizations distributing materials on campus or using College District facilities will provide identification when requested to do so by a College District representative or College District police officer.

**Violations of Policy Regarding Common Outdoor Areas**

Failure to comply with this policy and procedures regarding use of College District common outdoor areas, College District facilities, or distribution of literature will result in appropriate administrative action, including but not limited to, the suspension of the individual's or organization's use of College District facilities and/or the confiscation or discarding of nonconforming materials. A student or student organization who fails to comply with or violates this policy may be disciplined under applicable procedures provided by other College District policies and rules, including the student handbook, and may referred to the Dean of Students Office for disciplinary action.

**Interference with Expressive Activities in Common Outdoor Areas**

Students or student organizations that interfere with the expressive activities permitted by this policy will be subject to disciplinary action in accordance with the College District's discipline policies and procedures [see DH, FM, and FMA].

**Appeals**

With the exception of disciplinary decisions processed under Policies FM and FMA, a student who is aggrieved by a violation of this policy or by an administrative decision under this policy may file a complaint and seek review in accordance with DGBA(LOCAL) or



FLD(LOCAL), as applicable. Unless there is an extension or exigent circumstances, the appeal will be heard within ten (10) College District business days of the filing of the appeal.

**Use of Facilities and Grounds by Students and Registered Student Organizations**

The facilities and grounds of the College District will 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 will pay all expenses incurred by their use of facilities in accordance with a fee schedule developed by the Board.

*Requests*

To request permission to meet or host a speaker in College District facilities, interested students or registered student organizations will file a written request through OrgSync with the Office of Student Engagement in accordance with administrative procedures.

The students or the registered student organization making the request will 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 assistant director of student engagement will 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 will not be granted when the official has reasonable grounds to believe 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. The applicant owes a monetary debt to the College District and the debt is considered delinquent;

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6. The proposed activity would disrupt or disturb the regular academic program;
7. The proposed use would result in damage to or defacement of property or the applicant has previously damaged College District property; or
8. The proposed activity would constitute an unauthorized joint sponsorship with an outside group.

The 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.

**Violations of Policy  
Regarding Use of  
Facilities**

Failure to comply with this policy and associated procedures regarding the use of facilities will 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 will 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 with respect to students or student organizations 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 handbook. They must also be distributed to students at orientation.