

STUDENT RIGHTS AND RESPONSIBILITIES  
STUDENT EXPRESSION AND USE OF COLLEGE FACILITIES      FLA-R  
Administrative Regulation

**COMMITMENT TO  
FREE INQUIRY AND  
EXPRESSION**

Lee College is committed to fostering an environment where free inquiry and expression are encouraged. Freedom of Expression activities apply to students, employees, and members of the community who wish to engage in literature distribution, poster displays, sign displays, visual/artistic exhibitions, expressive performances, petitioning, public speaking, or similar activities. Individuals and groups will demonstrate civility, safety concerns for persons and property, respect for those who may disagree with their message, and regard for other educational and learning activities as described in this regulation.

**DEFINITIONS**

*Amplified sound:* Refers to sound whose volume is increased by any electric, electronic, mechanical, or motor-powered means. It includes the use of any loudspeaker, loudspeaker system, sound amplifier, bull horn, or any other machine or device that produces, reproduces, or amplifies sound. Shouting, chanting, and acoustic musical instruments are exempt from this definition but are subject to general rules on disruption.

*Antisemitism:* Refers to the meaning found in Section 448.001 of the Texas Government Code, which “means a certain perception of Jews that may be expressed as hatred toward Jews. The term includes rhetorical and physical acts of antisemitism directed toward Jewish or non-Jewish individuals or their property or toward Jewish community institutions and religious facilities.” This definition is provided in accordance with Executive Order GA-44 (2024).

*Common outdoor area:* Refers to outdoor space that is not regularly used for dedicated College District business, does not have an educational function, and/or is not currently being used for a College District activity, program, or function. The term does not include the outside surfaces of a College District building, surfaces associated with or connected to a College District building, a College District structure, spaces dedicated to temporary outdoor banners, spaces dedicated to temporary outdoor exhibits, sites under construction, or vehicles that are on property owned or controlled by the College District. Common outdoor areas are designated by state law as traditional public forums.

*Expressive activity:* Any speech or expressive conduct (oral or written) 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.

*Official College event or activity:* Any event, program, or activity sponsored by a College District department or division in the course of fulfilling its College District mission; educational activities that occur within the classroom; or events that occur within the regular or

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recurring sphere of activity of a College District department or division. Any program or event sponsored by an academic or administrative unit of the College will have priority in the use of space and facilities over any speech, expression, or assembly that is not sponsored by an academic or administrative unit.

**NO ENDORSEMENT  
BY THE COLLEGE**

The permission to conduct expressive activities in common outdoor areas does not imply official endorsement by the College. Groups and individuals engaged in expressive activities are responsible for the content of the expression.

**DISTRIBUTION OF  
MATERIALS AND  
LITERATURE**

Materials and literature can be distributed as an expressive activity; however, materials and literature cannot be placed on the surface of a building or in any other location that is not a common outdoor area. Individuals and groups that distribute materials and literature are required to remove all such materials and literature from the area where the expressive activity occurred immediately after the conclusion of the activity.

Individuals and groups that wish to place materials and literature in places such as bulletin boards that are not common outdoor areas must receive approval from the Information Services Specialist, located in the Student Success and Advising Center in Rundell Hall – Room 100 ([facilities@lee.edu](mailto:facilities@lee.edu)).

**COMMON OUTDOOR  
AREAS THAT CAN  
BE RESERVED FOR  
EXPRESSIVE  
ACTIVITY**

Outdoor activity areas may be used for expressive activity without a reservation; however, an individual or group with a reservation will have exclusive use and priority over other individuals or groups. Outdoor areas that can be reserved include the Gazebo, the patio adjacent to Moler Hall, and the Friends of Lee College Mall. Requests to reserve an outdoor expressive area must be submitted to the Information Services Specialist, located in the Student Success and Advising Center in Rundell Hall – Room 100 ([facilities@lee.edu](mailto:facilities@lee.edu)). Reservations should be made at least five business days in advance of the proposed activity. Other reservations for meeting rooms, classrooms, and activity spaces may also be made through the Information Services Specialist.

**AREAS WHERE  
EXPRESSIVE  
ACTIVITY IN  
COMMON OUTDOOR  
AREAS MAY NOT  
TAKE PLACE**

The College District will regulate expressive activity in common outdoor areas under criteria that is content and viewpoint neutral and is narrowly tailored to serve a significant institutional interest. In addition to the prohibitions stated elsewhere in Local Policy and in this Regulation, an outdoor expressive activity may not take place:

- A. In areas already reserved for an official College event during the specific times reserved for the official College event;

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- B. In areas already reserved for an event by a person or organization that has made a reservation in accordance with Board Policy FLA (LOCAL) and this regulation;
- C. In areas that block free movement of pedestrian or vehicle traffic;
- D. In areas that prevent or substantially hinder entry or exit of a campus building; or
- E. In any areas on campus during times that the College campus is closed to the public.

**TIME, PLACE,  
MANNER RULES  
FOR COMMON  
OUTDOOR AREAS**

In addition to the prohibitions stated in Local Policy, the following time, place, and manner rules will apply to expressive activities in common outdoor areas:

- A. No person or organization may engage in expressive activity within a ten-foot clearance around points of entry and the perimeter of College District buildings, facilities, and garages.
- B. When engaging in expressive activities in outdoor common areas, individuals shall not:
  - interfere with the free entry to or exit from a building, structure, or facility;
  - interfere with the flow of pedestrians or vehicular traffic on sidewalks or streets or at places of ingress and egress to and from property, buildings, parking lots, or facilities;
  - deny the use of offices or other facilities to the students, faculty, staff, or guests of the College District;
  - threaten or endanger the safety of any person on a campus;
  - engage in conduct that is likely to result in damage or defacement to or destruction of College District property or to cause disruption in utilities;
  - create a sustained or repeated noise disturbance that substantially interferes with a speaker's ability to communicate with others and/or the rights of others to listen;
  - attempt to prevent a College District event or other lawful assembly by the threat or use of force or violence; or
  - use or display an open flame or fireworks.
- C. Except during final examination periods, amplified sound is allowed in outdoor common areas between 8 a.m. to 8 p.m., but bullhorns are prohibited. Noise levels may not unduly interfere with or disrupt classes, meetings, or other nearby activities in progress.

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Making sustained or repeated noise in a manner that unduly interferes with a speaker's ability to communicate their message is not permitted.

D. The following items are prohibited on campus:

1. A mask, facial covering, or disguise that conceals the identity of the wearer that is calculated to obstruct the enforcement of these rules or the law, or to intimidate, hinder or interrupt a College District employee or police officer in the lawful performance of their duties;
2. The possession, use, or display of firearms, facsimile firearms, ammunition, explosives, or other items that could be used as weapons, including but not limited to sticks, poles, clubs, swords, shields, or rigid signs that can be used as a shield, without written permission from the Associate Vice President of Student Services or designee unless authorized by federal, State or local laws;
3. Body-armor or make-shift body-armor, helmets and other garments, such as sporting protective gear, that alone or in combination could be reasonably construed as weapons or body-armor, without written permission from the Associate Vice President of Student Services or designee; and
4. Open flame, unless approved in advance by the Fire Marshal.

**MAINTENANCE OF  
PEACE AND ORDER;  
EVALUATION OF  
DISORDER AND  
DISRUPTION**

In cases of marginal or unintentional disruption, the College District administrator or peace officer should encourage the alleged violator to comply with the rule being violated, especially in instances in which public safety is not threatened. If an individual continues to violate a rule or procedure after receiving a warning, but the activity is otherwise peaceful, staff and campus police should evaluate all facts and circumstances and determine whether to intervene immediately. For example, if the activity is about to end, intervention may be more disruptive than allowing the activity to end on its own.

The College District appreciates that, except in extreme cases, interference and disruption will require evaluation of the context. Intentional physical interference with another's movement or position is nearly always disruptive in any context. Interfering with traffic depends on the volume of traffic and the size of the passageway. Disruptive noise will depend on the activity disrupted. Any distracting sound or noise that disrupts a memorial service, library, or graduation ceremony is less likely to disrupt an athletic event. Occasional heckling of speaker may not disrupt the giving of a political speech,

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but persistent heckling that prevents listeners from hearing the speaker does disrupt a political speech. A College official's decision whether and when to intervene shall be made without consideration of the viewpoint of the speaker.