
Note: For expression and use of College District facilities and grounds by students and registered student organizations, see FLA. 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. For use of the College District's internal mail system, see CHE.

Definitions

For purposes of this policy, "antisemitism" shall have the meaning prescribed by Texas Government Code, Section 448.001(2). [See DGC (LEGAL)]

Academic Freedom

American institutions of higher education have long been considered as bastions of freedom. As such, these institutions have been conducted under the premise that it is essential to promote the free search for truth and the concomitant of free expression.

It is essential to this philosophy that a faculty member of the College District be free to pursue scholarly inquiry without undue restriction and to voice and publish conclusions concerning the significance of evidence considered relevant. Faculty must be free from the corrosive fear that the community may do irreparable damage to one's professional career because scholarly conclusions differ from the standard view.

Each faculty member of the College District is entitled to full freedom in the classroom in discussing the subject. Each faculty member is also a citizen of the nation, state, and community and when speaking, writing, or acting, and, as such, must be free from institutional censorship or discipline.

The concept of academic freedom in the College District is accompanied by an equally demanding concept of faculty responsibility as follows:

1. The fundamental responsibilities of a faculty member as a teacher and a scholar include a maintenance and exhibition of competence in one's field of specialization.
2. The faculty member should exercise professional integrity by including the realization that the community shall judge the profession and the College District by statements. Therefore, one should strive to be accurate in statements, to exercise appropriate restraint, to show respect for the opinions of others, and to avoid creating the impression that one speaks or

acts for the College District when speaking or acting as a private citizen.

3. A faculty member should be judicious in the use of controversial material in the classroom and should introduce such material only as it has been assigned to teach. It is a teacher's mastery of the subject and one's own scholarship that entitles one to the classroom and to freedom in the presentation of the subject. It is improper for a professor to introduce material that has no relation to the subject.
4. The faculty member should be free to participate in professional organizations.
5. The faculty member should not, during the contractual period, undertake for pay extensive activities outside the instructional assignments that would interfere with the fulfillment of the task assigned by the institution. One should not exploit the position with the institution to secure outside income or favor in competition with nonacademic colleagues.
6. Because academic freedom has traditionally included the professor's full freedom as a citizen, most faculty members face no insoluble conflicts between the claims of politics, social action, and conscience on the one hand, and the claims and expectations of their students, colleagues, and institution, on the other. If such conflicts become acute, and the professor's attention to one's obligations as a citizen and moral agent precludes the fulfillment of substantial academic obligations, one cannot escape the responsibility of that choice, but should either request a leave of absence or resign the academic position.
7. Nothing in this statement on academic freedom is intended to protect an incompetent or negligent faculty member or to prevent the institution from making proper efforts to evaluate the work of each professor.

Complaints regarding alleged violations of the right to academic freedom shall be filed in accordance with DGBA(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 shall not be sold, circulated, distributed, or posted on any College District premises by any employee or employee organization, 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 an employee or employee organization.

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Limitations on
Content

Materials shall not be distributed by an employee or employee organization 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. ~~The materials are considered prohibited harassment [see DIA series and FFD series];~~ **The materials are or contain expression that is unlawful or disruptive to the operations of the College District, including, but not limited to, materials or expression that is considered prohibited harassment (to include discriminatory harassment) or antisemitism.**
5. The materials constitute ~~nonpermissible~~ **impermissible** solicitation [see DHC]; or
6. The materials infringe upon intellectual property rights of the College District [see CT].

**Time, Place, and
Manner Restrictions**

Distribution of materials shall be conducted in a manner that:

1. Is not disruptive to College District operations;
2. Does not impede reasonable access to College District facilities;
3. Does not result in damage to College District property;
4. Does not interfere with the rights of others; and
5. 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 executive administrator 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 employees or employee organizations to employees or others in College District facilities and areas that are not considered common outdoor areas.

**Use of Facilities and
Grounds**

The facilities and grounds of the College District shall be made available to employees or employee organizations when such use does not conflict with use by, or any of the policies and procedures

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of, the College District. The requesting employees or employee organization shall pay all expenses incurred by their use of the facilities in accordance with a fee schedule developed by the Board.

An “employee organization” is an organization composed only of College District faculty and staff or an employee professional organization.

Requests

To request permission to meet or host a speaker in College District facilities, interested employees or employee organizations shall file a written request with the executive administrator in accordance with administrative procedures.

The employees or the employee 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 executive administrator 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 employees’ or employee organization’s use of the facility.

Approval shall 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~~ **impermissible** solicitation [see DHC];
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;

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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; or
9. **The proposed use would constitute expression that is unlawful or disruptive to the operations of the College District, including but not limited to, expression that is considered prohibited harassment (to include discriminatory harassment) or antisemitism.**

The executive administrator shall provide the applicant a written statement of the grounds for rejection if a request is denied.

*Common
Outdoor Area
Exception*

Common outdoor areas are traditional public forums and are not subject to the approval procedures. Employees and employee organizations may engage in expressive activities in common outdoor areas, unless:

1. The person's conduct is unlawful; **including but not limited to, expression that is considered prohibited harassment (to include discriminatory harassment) or antisemitism.**
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
4. The use would result in damage to or defacement of property.

Announcements
and Publicity

In accordance with administrative procedures, all employees and employee organizations shall be given access on the same basis for making announcements and publicizing their meetings and activities.

Identification

Employees and employee organizations using College District facilities must provide identification when requested to do so by a College District representative.

Violations

Failure to comply with this policy and associated procedures shall result in appropriate administrative action, including but not limited to, suspension of an employee's or employee organization's use of College District facilities and/or other disciplinary action ~~in accordance with the College District's policies and procedures and the employee handbook.~~ **up to and including termination of employment.**

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Interference with
Expression

Faculty, 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 under this policy may be appealed in accordance with DGBA(LOCAL) and FLD(LOCAL) as applicable.

Publication

This policy and associated procedures must be posted on the College District's website and distributed in the employee and student handbooks and other appropriate publications.