

BRAZOSPORT COLLEGE'S REPORT REGARDING ITS IMPLEMENTATION OF THE FREEDOM OF EXPRESSION REQUIREMENTS REQUIRED IN TEX. EDUCATION CODE § 51.9315

The 86th Texas Legislature passed Senate Bill 18, effective September 1, 2019, to protect the expressive activities at public institutions of higher education. Senate Bill 18 amended Chapter 51 of the Texas Education Code by adding Section 51.9315. Pursuant to the Bill, not later than December 1, 2020, each institution of higher education “shall prepare, post on the institution’s Internet website, and submit to the governor and the members of the legislature a report regarding the institution’s implementation of the requirements under this section.” The following is Brazosport College’s report evidencing its implementation of, and compliance with, these requirements.

Policies

It is the policy of Brazosport College to protect the expressive rights of persons guaranteed by the constitutions of the United States and the State of Texas by: (1) recognizing freedom of speech and assembly as central to Brazosport College’s mission; and (2) ensuring that all persons may assemble peaceably on Brazosport College’s campus for expressive activities, including to listen to the speech of others.

In response to Senate Bill 18, Brazosport College’s Board of Regents adopted amendments to the following College policies related to the expressive activities of employees, students, and community members:

- DGC (LEGAL) – Employee Expression and Use of College Facilities (adopted December 17, 2019)
[https://pol.tasb.org/Policy/Download/215?filename=DGC\(LEGAL\).pdf](https://pol.tasb.org/Policy/Download/215?filename=DGC(LEGAL).pdf)
- DGC (LOCAL) – Employee Expression and Use of College Facilities (adopted April 20, 2020)
[https://pol.tasb.org/Policy/Download/215?filename=DGC\(LOCAL\).pdf](https://pol.tasb.org/Policy/Download/215?filename=DGC(LOCAL).pdf)
- FLA (LEGAL) – Student Expression and Use of College Facilities (adopted December 17, 2019)
[https://pol.tasb.org/Policy/Download/215?filename=FLA\(LEGAL\).pdf](https://pol.tasb.org/Policy/Download/215?filename=FLA(LEGAL).pdf)
- FLA (LOCAL) – Student Expression and Use of College Facilities (adopted August 3, 2020)
[https://pol.tasb.org/Policy/Download/215?filename=FLA\(LOCAL\).pdf](https://pol.tasb.org/Policy/Download/215?filename=FLA(LOCAL).pdf)
- GD (LEGAL) – Community Expression and Use of College Facilities (adopted December 17, 2019)
[https://pol.tasb.org/Policy/Download/215?filename=GD\(LEGAL\).pdf](https://pol.tasb.org/Policy/Download/215?filename=GD(LEGAL).pdf)
- GD (LOCAL) – Community Expression and Use of College Facilities (adopted April 20, 2020)
[https://pol.tasb.org/Policy/Download/215?filename=GD\(LOCAL\).pdf](https://pol.tasb.org/Policy/Download/215?filename=GD(LOCAL).pdf)

These policies ensure that the common outdoor areas of Brazosport College’s campus are deemed traditional public forums and permit any person to engage in expressive activities in those areas of the institution’s campus freely, as long as the person’s conduct is not unlawful and does not materially and substantially disrupt the functioning of the institution. Moreover, Brazosport College’s policies (1) impose reasonable, narrowly-tailored restrictions on the time, place, and manner of the expressive activities in the common outdoor areas of the campus; (2) employ clear, published, content-neutral, and viewpoint-neutral criteria; (3) provide for ample alternative means of expression; and (4) allow members of the College community to spontaneously and contemporaneously assemble or distribute written material without a permit or other permission from the institution.

Publishing and Notice of Brazosport College's Protection of Expressive Activities

Brazosport College publishes its policies through an online Board Policy Manual, which can be found at: <https://pol.tasb.org/Home/Index/215> The Board policies related to employee, student, and community expression (policies DGC, FLA, and GD) can be found in this online policy manual, including by searching related terms such as "free speech" and "freedom of expression." Brazosport College provides links to its policy manual via the menu on the webpages related to the College's Board of Regents and Human Resources: <https://brazosport.edu/faculty-and-staff/administration/board/> and <https://brazosport.edu/faculty-and-staff/human-resources/>. **Students have access to information about their right to free expression in the Student Guide and Calendar which is linked on the main webpage in the box titled 'Catalog and Student Guide'.**

<https://catalog.brazosport.edu/content.php?catoid=22&navoid=3657>

Training

In October 2020, Brazosport College provided training to its supervisors and employees regarding Senate Bill 18 and the College's policies related to freedom of expression. This training was delivered by the College's external legal counsel.

During New Student Orientation, in two different sessions (online and face to face or virtual face to face), students are advised of their nine rights. One of the rights reviewed includes the right to freely express themselves within the structure of BC policy. They are also referred to the Student Guide and Calendar for additional information.

<https://catalog.brazosport.edu/content.php?catoid=22&navoid=3657>

Additional information about the details provided in this report or regarding Brazosport College's policies regarding expressive activities can be obtained by contacting either Marshall S. Campbell, Vice President of Human Resources at marshall.campbell@brazosport.edu or 979-230-3126 or D. Jo Greathouse, Dean of Student Services at jo.greathouse@brazosport.edu or 979-230-3343.