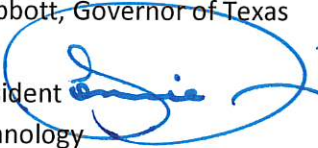




LAMAR INSTITUTE  
OF TECHNOLOGY

## Institutional Report<sup>1</sup>

TO: The Honorable Greg Abbott, Governor of Texas  
Texas Legislature

FROM: Lonnie L. Howard, President   
Lamar Institute of Technology

DATE: November 30, 2020

RE: Compliance with Texas Education Code § 51.9315

In the interest of protecting the expressive activity rights guaranteed by the Constitution of the United States, Texas Education Code § 51.9315(k) requires the Lamar Institute of Technology to submit a one-time report regarding the Lamar Institute of Technology's compliance with Texas Education Code § 51.9315. To that end, the Lamar Institute of Technology submits the following information.

The Lamar Institute of Technology is a member institution of the Texas State University System (TSUS) and under the organization, control, and management of the TSUS Board of Regents.<sup>2</sup> The Texas State University System *Rules and Regulation* specifically address expressive activities on all component university campuses, including the Lamar Institute of Technology:

- Chapter VII, Subparagraph 3.1 deems the grounds of all system university components as traditional public fora.<sup>3</sup>
- Chapter VII, Subparagraph 3.4 permits any group or person to assemble and engage in expressive activities, subject to reasonable time, place, and manner restrictions.<sup>4</sup>
- Chapter VII, Subparagraph 3.3 permits all students, faculty, and staff to invite speakers to speak on campus, subject to reasonable time, place, and manner restrictions.<sup>5</sup>
- Chapter V, Subparagraph 2.133 provides for the dismissal of any employee, including a member of the faculty, who obstructs or disrupts any activity authorized to be held on a component university campus.<sup>6</sup>

<sup>1</sup> This report is available online at <https://www.lit.edu/about/president/president-s-communications>.

<sup>2</sup> Tex. Educ. Code § 96.61; see also § 95.01.

<sup>3</sup> See § 51.9315(c)(1).

<sup>4</sup> See §§ 51.9315(c)(2), (d), and (f)(1)(A).

<sup>5</sup> See § 51.9315(f)(1)(B).

<sup>6</sup> See § 51.9315(f)(2); see also *TSUS Rules and Regulations* Chapter V, Subparagraph 4.51(7).



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- Chapter VI, Subparagraphs 5.41(3), 5.6, and 6.45 establish the System's prohibition against, and disciplinary procedures for, interference with the expressive activity rights of others by students or student organizations.

The above [Texas State University System Rules and Regulations are posted on the System's website](#) and the Lamar Institute of Technology website <https://www.lit.edu/pdf/5443/policies-and-procedures-manual.pdf>.

The Lamar Institute of Technology's specific procedures are also available on the Institute's website at <https://www.lit.edu/pdf/5443/policies-and-procedures-manual.pdf>. Any applicable time, place, and manner restrictions therein comply with the specific requirements of Texas Education Code § 51.9315(d) because they:

- (1) are narrowly tailored to serve a significant institutional interest;
- (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 assemble and distribute written material without permit or other permission from the college.

The Lamar Institute of Technology reviews its policies on an on-going basis and will continue to modify applicable policies as necessary to ensure continued compliance with the requirements of Texas Education Code §51.9315. The Lamar Institute of Technology has updated its policy detailing students' rights and responsibilities regarding expressive activities and such is posted on [https://www.lit.edu/student-success/catalog-and-handbook-\(2\)](https://www.lit.edu/student-success/catalog-and-handbook-(2)). The policy has been or will be made available to students through the LIT Learning Management System (LMS) and included in the college's Catalog and Student handbook. The policy is also included in Lamar Institute of Technology's *Policy and Procedure Manual* for employees.

The Lamar Institute of Technology has developed procedures to train employees responsible for educating or disciplining students to ensure they understand the requirements of § 51.9315, Texas Education Code and the Lamar Institute of Technology's internal policies.