

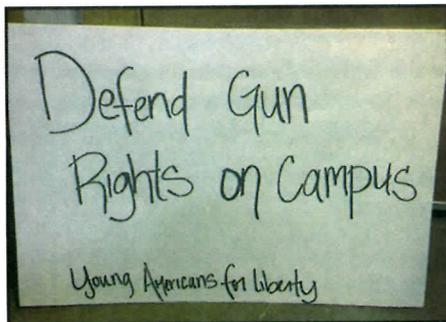
TX student sues over 1st Amendment right to talk about 2nd Amendment

by Dave Workman
Contributing Editor

A Texas college student has filed a federal lawsuit claiming a First Amendment violation by Blinn College, a small two-year school near Houston, after being told by an administrator earlier this year that she needed permission to post a gun rights sign that said “Defend Gun Rights on Campus.”

According to Nico Perrino, associate director of communications for the Foundation for Individual Rights in Education (FIRE), student Nicole Sanders filed the lawsuit in federal district court in Austin. She is represented by attorneys Robert Corn-Revere, Ronald London and Lisa Zycherman with Davis Wright Tremaine.

Perrino told TGM that Sanders is “a gun rights person.” She was standing



Sign in question on Blinn College campus.

outside a small space dubbed the “free speech zone” with a companion, Chris Bradford, for about 90 minutes on Feb. 2 of this year. Subsequently, she was contacted by a school official and campus police, according to the complaint.

Sanders, the complaint said, had contacted another school official prior to the activity and had been assured she could engage in recruitment activities for a group called Young Americans for Liberty (YAL). Sanders is chapter president on the Blinn campus.

The administrator told Sanders she had received a complaint via e-mail about Sanders’ activities, and that henceforth, she would need “special permission” to conduct the YAL recruitment effort or display her signs, according to the complaint.

When Bradford asked about the policy that prevented them from expressing themselves in an open area, the complaint alleges that he was told by Sheri Rich, coordinator of the Student Center and Campus Events at Blinn, “Not on campus. Period. Without special permission and I don’t know that you can get special permission.”

Sanders then sent an inquiry about school policy to then-Dean of Student Life Mordecai Brownlee, the complaint says. Brownlee apparently told Sanders in a reply that she had not obtained an “official event request” approval prior to the Feb. 2 activity and also referred Sanders to the school’s “institutional protocol regarding time, place, and manner restrictions.”

The complaint then notes that Brownlee provided Sanders a copy of the policy titled “Student Expression: Student Use of College District Facilities” which explains that Blinn students must request and obtain permission from the Vice President of Student Services to meet on College District premises. “Failure to comply with Blinn College’s Facilities Policy results in disciplinary action against the student, including suspension of a student’s or a registered student organization’s use of campus facilities,” the complaint explains.

Apparently, school policy requires that if a student or registered student organization wants to have an activity on campus, they request permission from the Student Leadership and Activities Office one month in advance “to ensure that administrators can circulate the request to four different departments for approval.”

But the complaint alleges that when Sanders had contacted Erikah Brown, coordinator of Student Clubs and Activities in late January, “Brown informed (Sanders) that she could engage in recruitment in the area around the Blinn College Student Center and did not need any permission as long as she did not use a table.”

Jeff Tilley, Blinn College director of marketing and communications, provided the following statement via e-mail:

“We have reviewed media reports indicating that a student has filed suit

against Blinn College. At this time, we have not been served. Although we have not been served and thus cannot comment on the specific lawsuit, we have begun the process of investigating and reviewing the claims and allegations.

“Blinn College recognizes and supports the right of our students to engage in freedom of speech and to peaceably assemble. These rights are



Student Nicole Sanders has brought suit against the school.

recognized in our college catalog and in our board policies... These policies recognize that the College will not discriminate against students based on their viewpoint or the opinions that they wish to express.

“As permitted by law, Blinn College is allowed to implement what the courts call “time, place and manner” regulations to ensure that the operations of the college, including classes in session, are not disrupted. We must ensure that access in and out of our facilities is not disturbed and that our facilities remain safe and orderly for all.

“In light of the lawsuit that has been filed, we certainly will take this opportunity to evaluate our policies as they are written and as they are applied by faculty and staff who work on campus and interact with students. We will evaluate whether any misunderstandings may have occurred. Because of our commitment to our students and to the law, we are confident that we will be able to resolve any concerns that have been raised.”