



SOUTH LOUISIANA COMMUNITY COLLEGE

POLICY NUMBER: IP-1201
POLICY AND PROCEDURES MEMORANDUM

Title: Campus Free Speech Policy
Effective Date: 10/13/2022
Date of Last Revision: 11/30/2022
Review Date:
Cancellation: N/A
Office: Institutional Policy

Campus Free Speech Policy

Policy

The Board of Supervisors of the Louisiana and Community Technical College System (LCTCS) and South Louisiana Community College (SLCC) in accordance with Act 666 of the 2018 Regular Session of the Louisiana Legislature, and Act 727 of the 2022 Regular Session of the Louisiana Legislature, codified at R.S. 17:3399.31 through 3399.37 ("Louisiana Campus Free Expression Law"), deems the free and open inquiry into all matters fundamental to the mission of higher education and is committed to the preservation of the lawful, free expression of ideas at all of its member institutions, subject only to reasonable time, place, and manner restrictions. All postsecondary institutions under the management and control of LCTCS shall allow and protect expressive activities by any person lawfully present on campus property in accordance with all applicable laws and this Policy.

Definitions

1. **"Expressive activities"** include but are not limited to any lawful verbal or written means by which individuals or groups communicate ideas to one another, as provided by the First Amendment of the Constitution of the United States of America and by the Constitution of Louisiana, including all forms of peaceful assembly, protest, speech, distribution of literature, carrying signs, and circulating petitions. This expressly excludes commercial activities where individuals or groups are being compensated or attempting to advertise, market, or accrue financial gain to any individual, corporation, business, or organization.
2. **"Material and substantial disruption"** means when a person, with the intent and knowledge of doing so, significantly hinders expressive activity, prevents the communication of the message, or prevents the transaction of the business of a lawful meeting, gathering, or procession by either of the following:
 - a. Engaging in fighting, violence, or similar unlawful behavior.
 - b. Physically blocking or using threats of violence to prevent any person from attending, listening to, viewing, or otherwise participating in an expressive activity.

3. **"Outdoor areas"** are outside areas generally accessible to the majority of students, administrators, faculty, and staff, such as grassy areas, walkways, or other similar common areas, and do not include areas where access is restricted.
4. **"Student"** means any person who is enrolled on a full-time or part-time basis in a public postsecondary education institution.
5. **"Student-on-student discriminatory harassment"** means unwelcome conduct that targets its victim on the basis of a class protected under federal, state, or local law and that is so severe, pervasive, and objectively offensive and so undermines and detracts from the victim's educational experience that the victim is effectively denied equal access to an institution's resources and opportunities.
6. **"Student organization"** means an officially recognized group at a public postsecondary education institution, or a group seeking official recognition, comprised of admitted enrolled students.

Compliance with Laws

1. Subject to permit approval, expressive activities may be undertaken in most outdoor areas or campuses. SLCC encourages civil dialogue and expression and sharing of opinions and beliefs that do not pose a threat of physical harm to any student, faculty, staff, or visitor.
2. South Louisiana Community College will strive to ensure the fullest degree of intellectual freedom and free expression, allowing for all forms of peaceful assembly, protest, speech, distribution of literature, carrying signs, and circulating petitions, which are protected by the First Amendment of the Constitution of the United States of America and Article I, Section 7 of the Constitution of Louisiana. Neither the First Amendment of the Constitution of the United States of America nor Article I, Section 7, of the Constitution of Louisiana protects harassment or threats or expressions directed to provoke and likely to produce imminent lawless actions.
3. South Louisiana Community College's role is not to shield individuals from speech protected by the First Amendment of the Constitution of the United States of America and Article I Section 7 of the Constitution of Louisiana, and other applicable laws, including, without limitation, ideas and opinions they find unwelcome, disagreeable, or even deeply offensive. SLCC shall not deny a belief-based student organization any benefit or privilege available to any other student organization, or otherwise discriminate against a belief-based organization, based on the expression of the organization, including any requirement that the leaders or members of the organization:
 - a. Affirm and adhere to the organization's sincerely held beliefs;
 - b. Comply with the organization's standards of conduct;
 - c. Further the organization's mission or purpose, as defined by the organization.
4. Students, faculty, and staff have the freedom to discuss any topic that presents itself, as provided under the First Amendment of the Constitution of the United States of America and Article I, Section 7 of the Constitution of Louisiana, and other applicable laws within the limits on time, place, and manner of expression that are necessary to achieve a significant institutional interest; such restrictions shall provide ample alternative means of expression.
5. All decisions to deny applications are based on limitations of time, place, or manner of the event, to prevent disruptions to college operations and/or maintain institutional integrity. Individuals or entities that receive a denied application are presented with the rationale for the decision and provided ample alternative means of expression. Those who wish to assemble and engage in noncommercial expressive activities on the public areas of SLCC's campuses shall be permitted to do so freely with permitted approval, as long as the conduct is not unlawful and does not materially and substantially disrupt the functioning of the campus. Public areas which include outdoor areas of the SLCC's campuses, are considered traditional public forums, and are

open to permitted expressive activities. All expressive activities, protests, or demonstrations must be held during normal working hours of the College. Such activities are not permitted when the campus is closed.

6. SLCC students, faculty and staff may assemble and engage in spontaneous and contemporaneous expressive activity, upon permit approval, as long as such activity is not unlawful and does not materially and substantially disrupt the functioning of the institution.
7. Any person lawfully present on a SLCC campuses may protest or demonstrate on campus, with permitted approval.
8. Protests and demonstrations that infringe upon the constitutional rights of others to engage in or listen to expressive activity by creating a substantial and material disruption to the functioning of the institution or to someone's expressive activity shall not be permitted.
9. The public areas of all SLCC campuses are traditional public forums that are open on the same terms to any speaker. Public areas generally consist of outdoor areas that are accessible to the majority of students, administrators, faculty, and staff, such as grassy areas, public walkways, or other similar common areas, and do not include areas where access is restricted including, but not limited to, classrooms, faculty and staff offices, administrative offices, service area offices, Testing Centers, Success Centers, or any areas where students are engaging in learning activities, or faculty, staff, and administration are performing their official duties.
10. This policy supersedes and nullifies any provision in the policies and regulations of SLCC that restricts speech on campus and that any such provision is therefore inconsistent with this policy on free expression.
11. Students who feel aggrieved by a violation of this policy should contact the Office of Student Engagement. Faculty or staff who feel aggrieved by a violation of this policy should contact the Director of Human Resources.

Permitting Process:

Individuals or entities wanting to engage in expressive activities or demonstrations while on SLCC campuses or grounds may request a permit application by contacting the SLCC Office of Facility Management. Permits will be evaluated on a content-neutral or viewpoint neutral basis. A security fee, for the purchasing of additional security personnel, will be assessed and may be required to prevent disruptions to college operations. The criteria for evaluating this fee is based on the anticipated size, location, or time of the event. Should this fee be cost prohibitive, and the sole factor in preventing an event from occurring, a request for the waiving of this fee, of which approval is at the discretion of the Chancellor or his assignee, may be requested by contacting the SLCC Office of Facility Management.

Publication and Dissemination:

SLCC's policy on campus free expression will be made public in the institution's handbook, on its website, and through the Office of Student Engagement programs. They will be incorporated in the materials, programs, and procedures provided to all employees and students.

Compliance:

Failure to comply with any applicable laws and regulations, including those listed above, shall constitute a failure to comply with this policy. SLCC shall make due diligence efforts to comply with applicable laws and regulations, including those listed above.

Attachments:

- Free Speech Guidelines

Reference:

- Act 666 of the 2018 Regular Session of the Louisiana Legislature and Act 727 of the 2022 Regular Session of the Louisiana Legislature codified at R.S. 17:3399.31 through R.S. 17:3399.37

Policy Reference:

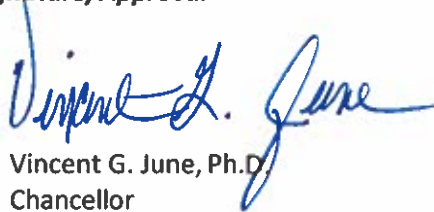
- LCTCS Policy# 2.018

Review Process:

	Reviewing Committee/Entity	Review Date(s)	Approval Date	Effective Date
	<i>Committee for Institutional Policy Review</i>	Initial 10/19/2022 Rev 1 11/16/2022	Initial 10/19/2022 Rev 1 11/16/2022	Initial 10/13/2022
	<i>Executive Committee</i>	Initial 10/26/2022 Rev 1 12/08/2022	Initial 10/26/2022 Rev 1 12/08/2022	Initial 10/13/2022

Chancellor's Signature/Approval

SIGNATURE:



Vincent G. June, Ph.D.
Chancellor

DATE:

12/8/22

Final Distribution:

Distribution: Electronic: posted to College's website and sent via email to College personnel
Hard copy: Original to Executive Assistant to the Chancellor for Master Policy Binder,
copy to Chair of Committee of Institutional Policy Review



Free Speech Guidelines

Free Speech

South Louisiana Community College has recommended areas for a variety of free speech activities, e.g., speeches/presentations, rallies, distribution of literature, posting, and voter registration.

To ensure that demonstrators and counter demonstrators do not interfere with the operations of SLCC or the rights of others, individuals and groups engaged in expressive activity shall not:

- Engage in activity that violates any federal, state, or local law, including but not limited to threats of violence, infliction of harm, and vandalism;
- Disrupt activities in areas that are used for instructional or administrative purposes, or are not otherwise open to the general public, such as classrooms, laboratories, or office areas;
- Obstruct pedestrian, vehicular, bicycle, or other traffic;
- Obstruct entrances or exits to buildings or driveways;
- Disrupt or preclude a scheduled speaker from being heard;
- Disrupt normal educational functions, business functions, scheduled ceremonies or events, including but not limited to cultural events;
- Damage property, including hard and vegetative landscaping features;
- Disrupt events or functions by using non-approved amplification (such as bullhorns or noise makers) or other sound (such as drums, gongs, banging on trashcans, etc.);
- Visually obstruct or cover up speakers, their supporters, protestors, signage of demonstrators or counter demonstrators;
- Camping overnight, including cooking, living outside or in overnight structures;
- Wear masks that are intended to obscure the identity of the wearer for the purpose of engaging in vandalism or other criminal activity, or are intended to intimidate or to make others fear for their safety. Students may protest or demonstrate an event as long as they are not disruptive to that event. In the event that a demonstrator or counter demonstrator who is a college student, faculty member, or staff member is observed by a College official to be engaging in disruptive behavior in violation of these guidelines, that person will identify themselves upon request by the College official.

Chalking Guidelines

Chalking are forms of expression and, as such, are allowed on all SLCC campuses, subject to the guidelines specified here. All chalking must adhere to college policies.

- Chalking is limited to students, registered student organizations, official college departments or offices, faculty members, and staff members.
- Chalking is a temporary form of communication, typically used for meeting call-outs or immediate responses to current events. Therefore, it is permitted only in open areas on horizontal surfaces, such as sidewalks or plazas, which can reasonably be expected to be reached by rain and are not covered by an overhang.



SOUTH LOUISIANA COMMUNITY COLLEGE

- Specifically, chalking is prohibited in the following areas:
- On exterior facades of buildings; On surfaces such as walls, columns, terrace-retaining walls, trees, benches, or covered entry walkways into a building; On steps or stairs attached to or leading toward any buildings; Underneath any covering (i.e., areas which will not be washed away by rainfall); Within 10 feet of any door or building entrance.
- Only water-soluble stick type chalk (sidewalk chalk) is allowed. No spray chalk, markers, paints (latex or oil-based), or similar products may be used.
- Violations of these guidelines constitute grounds for removal of the material by the campus Facilities Office, which reserves the right to charge for the cost of removal and any associated repairs. Individuals or organizations that violate these guidelines may be referred to the Office of Student Engagement and comes under the Student Conduct Code. They may also be subject to civil or criminal charges (e.g., vandalism), in addition to discipline under the student or employee disciplinary process appropriate to the nature of their relationship to the college.

Posting

- Posting of materials by other than college affiliated groups, will not be permitted on campus except in the recommended free speech areas.
- Kiosks and/or bulletin boards located in the recommended free speech areas are recommended for general posting.
- Posting is not permitted on building surfaces, trees, elevators or grounds.
- Material content must convey lawful activities and not be misleading.
- Commercial literature must have the organization/institution affiliation, along with address and telephone number clearly stated.
- Materials posted on recommended "free speech" bulletin boards or kiosks will be removed weekly.
- South Louisiana Community College does not endorse, approve, authorize, sponsor or regulate any commercial business, commodity, or service posted or distributed on campus in the free speech areas.
- These guidelines are designed to prevent disruption of SLCC's educational and business functions and other College events and activities, to protect individual and public safety, and to prevent destruction of property.

Distribution of Literature

- Petitions, circulars, leaflets, newspapers and printed materials may be distributed in the recommended free speech areas.
- No person or organization distributing materials in the free speech area shall coerce any person into accepting any material.
- Newspapers, leaflets, and other printed materials may be left for distribution in recommended areas only. Check with Security or the Office of Student Engagement.
- Litter resulting from discarded materials in and around the free speech areas must be retrieved by persons distributing the material prior to departure.

Process: (Non-Spontaneous Free Speech Events)

1. Complete the free speech event registration form found on the college's student life webpage. Complete form minimum of 1 week prior to the event.
2. Visitor or campus group will receive event notification approval within three business days.
3. Director for Student Engagement will notify all related campuses personnel. (Key Personnel: Executive Team, Dean of Students, Marketing & Communications, and Safety & Security)

These guidelines apply irrespective of the content of the expressive activity; in fact, they are designed to facilitate robust opportunities for expressive activity. The Office of Student Engagement is available to help all students in planning safe, expressive activities that adhere to the guidelines provided above. The Office of Student Engagement can be contacted at 337-521-6985 or studentengagement@solacc.edu.