



Title:	Campus Free Expression Policy
Effective Date:	9/7/2018
Last Revision Date:	N/A
Office:	Student Affairs

Campus Free Expression Policy

Purpose

Northshore Technical Community College (NTCC) 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 campuses, subject only to reasonable time, place, and manner restrictions. All campuses of NTCC shall allow and protect non-commercial expressive activities by students, administrators, faculty members, staff members, and invited guests in accordance with all applicable laws and this policy.

In accordance with Act 666 of the 2018 Regular Session of the Louisiana Legislature, codified at R.S. 17:3399.31 through 3399.37 (“Louisiana Campus Free Expression Law”), LCTCS hereby adopts this policy on Campus Free Expression (“Policy”). This Policy applies to all campuses under the management of NTCC. For the purposes of this Policy, the definition of key terms and other mandatory provisions shall remain consistent with those in Act 666 of 2018, codified at R.S. 17:3399:31 through 3399.37. NTCC will amend this policy to reflect any subsequent changes to these statutes. In cases of any inconsistency, the statutory provisions shall supersede any such inconsistent provision in this policy.

In accordance with Louisiana Revised Statutes 17:3399.31 through 3399.37, relative to free expression on college campuses, NTCC will uphold the following provisions:

1. NTCC will strive to ensure the fullest degree of intellectual freedom and free expression, allowing for all forms of expression 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.
2. It is not the proper role of NTCC 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.
3. Students and faculty 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.



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4. Public areas, which are outdoor areas of NTCC's campus, and are considered traditional public forums and are open to expressive activities. These public areas include grassy areas, walkways, or other similar common areas but do not include areas where access is restricted including but not limited to classrooms, faculty and staff offices, administrative offices, service area offices, or any areas where students are engaging in learning activities, or faculty, staff, and administration are performing their official duties. 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.
5. Students and faculty may assemble and engage in spontaneous and contemporaneous expressive activity as long as such activity is not unlawful and does not materially and substantially disrupt the functioning of the institution.
6. Any person lawfully present on a campus may protest or demonstrate there.
7. 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.
8. This policy supersedes and nullifies any provision in the policies and regulations of NTCC that restricts speech on campus and that any such provision is therefore inconsistent with this policy on free expression.

Publication and Dissemination

NTCC's policy on campus free expression will be made public in the institution's student handbook, on its website, and through student orientation programs. They will be incorporated in the materials, programs, and procedures provided to all employees and students.

Students who feel aggrieved by a violation of this policy should contact the Associate Provost of Student Affairs. Faculty or staff who feel aggrieved by a violation of this policy should contact the Director of Human Resources.

Compliance

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

Review Process:

X	Reviewing Entity	Review Date	Effective Date
X	NTCC Chancellor/Appointing Authority	9/7/2018	9/7/2018
X	College Leadership Committee	9/7/2018	9/7/2018

Distribution:

Distributed Electronically via College's Internet
All Employee Email Dated- 11/1/18



Protected Speech Under the 1st Amendment

Protected Speech	Unprotected Speech	Gray Area
Student publications at public institutions	Student publications at private institutions	Social media rants: Private companies like Twitter and Facebook can lawfully ban users or remove posts even when they use otherwise protected speech; Likewise, private companies can fire employees for posts that are misaligned with the company's mission and/or goals; It is a little more complicated with public servants and government employees who make unwanted public or online comments or campaign for specific parties or candidates, for example, as censorship in this arena may raise Civil Rights issues.
Political Speech (Criticizing the government via verbalization, activism, or silence, unless the speech specifically incites violence or lawless action)	Fighting words	
Symbolic speech (Nonverbal speech: standing or not for the National Anthem, sit-ins, flag waving, flag burning, demonstrations, and wearing articles of clothing that offer protest, unless any of these specifically incite violence or	Incitement to imminent lawless action	



Protected Speech	Unprotected Speech	Gray Area
lawless action)		
Recording police activity in a public space	Speech deemed to disturb the peace	
Inflammatory speech that does NOT incite violence or lawless action	Inflammatory speech that DOES incite violence or lawless action	
	<ul style="list-style-type: none"> - Blackmail - Defamation - True threats - Solicitations to commit crimes - Plagiarism of copyrighted material - Child pornography - Perjury - Obscenity (which is context-dependent): depicts or describes in a patently offensive manner specifically defined sexual conduct; and lacks as a whole serious literary, artistic, political or scientific value according to the average person, applying contemporary community standards. 	