



Title:	Campus Free Expression Policy
Effective Date:	9/7/2018
Last Revision Date:	10/20/2025
Office:	Student Affairs

Campus Free Expression Policy

Free speech and First Amendment protected expressive activities at public postsecondary education institutions by students, administrators, faculty members, staff members, and invited guests are protected, pursuant to the First Amendment of the Constitution of the United States of America and Article I, Section 7 of the Constitution of Louisiana.

Northshore Technical Community College 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 on all of its member campuses, subject only to reasonable time, place, and manner restrictions. All Northshore Technical Community College campuses shall allow and protect non-commercial expressive activities by any person lawfully present on campus property in accordance with all applicable laws and this Policy.

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 in any location reserved for that expressive activity shall not be permitted. No conduct shall be deemed a material and substantial disruption that is protected under the First Amendment to the United States Constitution or Article I, Section 7 of the Constitution of Louisiana. Protected conduct includes but is not limited to lawful protests and counter-protests in the outdoor areas of campus generally accessible to members of the public except during times when these areas have been reserved in advance for other events or minor, brief, or fleeting nonviolent disruptions of events that are isolated and short in duration.

In accordance with Part XIV of Chapter 26 of Title 17 of the Louisiana Revised Statutes of 1950, and R.S. 17:3399.31(1), (2), and (5), 3399.32(A), 3399.33, the heading and introductory paragraph of R.S. 17:3399.34, and 3399.38 and to enact R.S. 17:3399.34(4), (5), and (6), 3399.39, 3399.40, and 3399.41, and HR 167, Northshore Technical Community College hereby adopts this policy on free speech and First Amendment protected expressive activities on all campuses ("Policy"). This Policy applies to all NTCC campuses. 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 and Act 727 of 2022, and Act 584 of 2024 codified at R.S. 17:3399:31 through 3399.41. Northshore Technical Community College 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. The statutory provisions and this Policy shall supersede any inconsistent provision in an institution's policy.

Northshore Technical Community College shall develop policies, regulations, and expectations of students regarding free speech and First Amendment protected expressive activities on campus that are consistent with this Part and the policies of its management board. The policies shall outline the rights of students, administrators, faculty, and staff.

Northshore Technical Community College shall adopt an institutional policy in accordance with all applicable laws and the Louisiana Community and Technical College System (LCTCS) Policy. The college's policy must comply with applicable laws and regulations and must be amended to reflect any subsequent changes to laws and regulations or the LCTCS Policy. The college policy shall be forwarded to the LCTCS and the Louisiana Board of Regents (BoR).

Definitions

1. **"Free speech and First Amendment Expressive protected 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 Article I, Section 7 of the Constitution of Louisiana, including all forms of peaceful assembly, lawful protest, speech, distribution of literature, carrying signs, and circulating petitions. This "Free speech and First Amendment protected expressive activities" expressly excludes all of the following:
 - (a) Commercial activities where in which individuals or groups are being compensated or attempting to advertise, market, or accrue financial gain to any individual, corporation, business, or organization.
 - (b) Activities in which an individual or group is knowingly being monetarily funded or organized by any individual, corporation, business, or organization that has been designated as a foreign terrorist organization or foreign adversary by the United States Department of State, pursuant to 8 U.S.C. 1189 or 15 CFR 7.4.
 - (c) Any criminal activity which is prohibited under Title 14 of the Louisiana Revised Statutes of 1950 or any other provision of state law with criminal penalties.
 - (d) Protest activities that prevent Jewish students and faculty from accessing school facilities and common areas.



2. **"Material and substantial disruption"** means when a person, with the intent and knowledge of doing so, significantly hinders expressive activity free speech and First Amendment protected expressive activities, 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 assault, battery, attempted battery, violence, or similar unlawful behavior in violation of Title 14 of the Louisiana Revised Statutes of 1950 or any other provision of state law with criminal penalties.
 - (b) Physically blocking or using threats of violence to prevent any person from attending, listening to, viewing, or otherwise participating in an expressive activity a free speech and First Amendment protected 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 a victim on the basis of a class protected under federal, state, or local law in violation of this Part 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.

Policy Statements

1. Northshore Technical Community College shall 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.

2. It is not the proper role of Northshore Technical Community College 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. Northshore Technical Community College 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.
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.
4. Northshore Technical Community College shall strive to ensure the fullest degree of protection for each student's political views and freedom of association, fostering a campus environment that is free from discrimination and harassment, including antisemitism
5. Every professor or instructor at the institution shall be prohibited from imposing the professor's political views on students in violation of R.S. 17:3399.39.
6. Any limitations on time, place, and manner shall be those that are necessary to achieve a significant institutional interest only, and that provide ample alternative means of expression. College policies should clearly define any time, place, and manner restrictions.
7. 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, subject to any required permit procedures. NTCC supports the right of Jewish college students, faculty and staff to feel safe and secure on their campuses and support the right of Jews to worship peacefully and without fear of violence or intimidation.
8. Any person lawfully present on a campus may protest or demonstrate there, subject to any required permit procedures.



9. The public areas of all campuses are traditional public forums that are open on the same terms to any speaker. The public area on all NTCC campuses includes any space that's open and accessible to all members of the campus community (students, faculty, staff) and often to visitors or the general public. These areas are designed to support a range of activities like studying, socializing, events, and relaxation.
10. Northshore Technical Community College shall prohibit student-on-student discriminatory harassment. The college is prohibited from sanctioning/disciplining a student's expression as a student-on-student discriminatory harassment unless the expression meets the definition above.
11. The college can still prohibit/limit/restrict unprotected expression such as true threats or expressions directed to provoke and likely produce imminent lawless actions, including antisemitism.
12. The college is not prevented from responding, through non-punitive actions, to student expression that does not meet the definition of student-on-student discriminatory harassment.
13. The college will uphold other policies prohibiting stalking or other criminal activity.
14. The college may require a permit from an individual or groups as a condition of being granted the exclusive control of a location for an expressive activity at a reserved time. Currently, Northshore Technical Community College does not require a permit.
15. A person aggrieved by a violation of the institutional policy on free expression may seek relief through the [Student Grievance Policy](#).

Laws, Regulations, and Related Policies

Conflict with Other Laws

1. The provisions of this Part shall supersede and control to the extent of any conflict with any other provision of law and shall govern a public postsecondary education institution's obligation to address all forms of discriminatory harassment perpetrated by one student on another, including sexual harassment.
2. Nothing in this Section shall be construed to limit or deny any protections or remedies available to a student pursuant to any other provision of law.



§3399.32. Expressive Free speech and First Amendment protected expressive activities; public postsecondary education institutions; protected

Free speech and First Amendment protected expressive activities at public postsecondary education institutions by students, administrators, faculty members, staff members, and invited guests are protected, pursuant to the First Amendment of the Constitution of the United States of America and Article I, Section 7 of the Constitution of Louisiana.

§3399.33. Freedom of association; religious liberty; faith-based student organizations; political or ideological belief-based organizations

- A. No public postsecondary education institution shall deny a political or ideological belief-based organization or a religious or faith-based student organization any benefit or privilege available to any other student organization, or otherwise discriminate against a political or ideological beliefbased organization or a faith-based organization, based on the expression political, ideological, or religious beliefs of the organization.
- B. No public postsecondary education institution shall engage in discrimination on the basis of political, ideological, or religious beliefs against any organization or the organization's leaders or members of the organization in a manner that does any of the following:
 - (1) Restricts the organizations sincerely held religious beliefs or the political or ideological beliefs of the organization.
 - (2) Restricts compliance with the organization's standards of conduct with respect to free speech and First Amendment protected expressive activities.
 - (3) Restricts the organization's mission or purpose, as defined by the organization with respect to free speech and First Amendment protected expressive activities.
 - (4) Requires the organization to accept elected officers, choose leaders, or accept members who are not members of the same religion or the same political party or who do not share the same ideological beliefs if to do so would violate the organization's standards of conduct.

§3399.34. Institutional policies on free speech and First Amendment protected expressive activities

Each public postsecondary education institution shall develop policies, regulations, and expectations of students regarding free speech and First Amendment protected expressive activities on campus that are consistent with this Part and the policies of its management board. The policies shall outline the rights of students, administrators, faculty, and staff.



§3399.39. Right to individual dignity; each student's right to be free from discrimination on the basis of political ideas, affiliations, or ideology

- A. Article I, Section 3 of the Constitution of Louisiana guarantees that each person, including a college or university student, has the right to "individual dignity" and further provides that protections are guaranteed against discrimination based upon the student's "political ideas or affiliations".
- B. A public postsecondary education management board shall make reasonable efforts to protect students from discrimination on the basis of political ideas, affiliations, or ideology.
- C. No professor or instructor who teaches a class to students at an institution of higher education shall impose the professor's or instructor's political views onto students and, therefore, shall be prohibited from doing any of the following:
 - (1) Requiring a student to attend a political protest or engage in any other political activity outside the classroom that aligns with the political views of the professor or instructor.
 - (2) Requiring a student to participate in a certain political activity outside the classroom as a condition of obtaining the letter grade to which the student would otherwise be entitled based upon the student's actual academic performance in the class.

§3399.40. Due process requirements; right to an attorney

A public postsecondary education management board shall be prohibited from denying any student the right to have an attorney present at any disciplinary hearings to which the student is a party if the student desires to engage an attorney at the student's expense.

§3399.41. Remedies

- A. The attorney general may obtain injunctive relief, protective order, writ of mandamus, or declaratory relief to prevent any violation of this Part. Should the attorney general prevail, the court shall award reasonable attorney fees and costs.
- B. A student who is harmed in violation of this Part shall have a cause of action for remedies as provided for in this Subsection and may obtain appropriate relief, including but not limited to any of the following:
 - (1) Injunctive relief, protective order, writ of mandamus or a prohibition, or declaratory relief to prevent any violation of this Part. The court may waive the requirement that the student petitioner post bond to obtain injunctive relief for good cause shown.
 - (2) Actual damages.



- (3) Recovery of reasonable attorney fees and costs.

Publication and Dissemination

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

Reporting Requirements

Each college shall submit a report on the implementation of the new free expression policy to the LCTCS on an annual basis by August 1. Annual reports should include any barriers to or incidents against free expression that occurred at the institution during the previous year. The report shall detail the barrier or incident as well as actions taken in response to the barrier or incident. If an institution is sued for an alleged violation of a right guaranteed by the First Amendment of the Constitution of the United States of America, the institution shall submit to the LCTCS a supplementary report with a copy of the complaint within 30 days of receipt of the complaint. The LCTCS will submit all reports related to campus free expression to the Governor and the Legislature on behalf of its member institutions.

Compliance

Failure to comply with any applicable laws and regulations, including those listed above, shall constitute a failure to comply with this Policy. The college shall make all due diligence efforts to comply with applicable laws and regulations, including those listed above. While the provisions of the laws listed above are mandatory components of the institutional policy, the college may supplement the provisions of this Policy as necessary, but any such supplemental provision shall comply with the laws and the LCTCS Policy. The LCTCS Policy and the provisions therein shall supersede and control to the extent of any conflict with any other provision of law and shall govern the college's obligation to address all forms of discriminatory harassment perpetrated by one student on another, including sexual harassment.

Review Process:

X	Reviewing Entity	Review Date	Effective Date
X	Chancellor	10/11/2024	9/7/2018
X	College Leadership Committee	10/11/2024	9/7/2018
X	Student Affairs Committee	10/11/2024	9/7/2018

Distribution:

Distributed Electronically via College's Internet 10/11/2024
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