



**Policy & Procedure No. 2.018  
Nunez Community College**

<b>Title: Campus Free Speech Expression</b>
<b>Effective Date: 11-16-2018</b>
<b>Last Revision Date:</b>
<b>Cancellation:</b>
<b>Department/Office: Student Affairs</b>

**PURPOSE**

Nunez 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 at all of its campuses, subject only to reasonable time, place, and manner restrictions. Nunez Community College 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.

**SCOPE**

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 support this policy on Campus Free Expression (“Policy”). 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. Nunez 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.

**POLICY**

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

1. Nunez 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. 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.



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2. It is not the proper role of Nunez 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. Nunez 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 affirm, adhere to, comply with, or further the organization's beliefs, standards of conduct, 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. 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. All expressive activities or demonstrations must be held during normal working hours of the College and are not permitted when the campus is closed. The Chancellor has the discretion to make a professional judgement regarding specific situations that may negatively impact the learning environment of the campus.
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. The public areas of the Nunez campus 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, walkways, or other similar common areas, and do not include areas where access is restricted.



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9. The policy supersedes and nullifies any provision in the policies and regulations of Nunez that restricts speech on campus and that any such provision is therefore inconsistent with this policy on free expression.

*Compliance*

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

*Review Process:*

<b>X</b>	<b>Reviewing Council/Entity</b>	<b>Review Date</b>	<b>Effective Date</b>
X	Vice Chancellor of Student Affairs	10-9-18	11-16-18
X	College Compliance Committee	11-7-18	11-16-18
X	Chancellor’s Council	11-9-18	11-16-18

*Policy Referenced: LCTCS Policy # 2.018*

*Publication and Dissemination*

Nunez’s policy on campus free expression will be made public in the college catalog, on its website, and through student orientation programs. They will be incorporated in the materials, programs, and procedures provided to all employees and students. College personnel will report all violations to campus administration and campus police for appropriate sanction, determined by Chancellor’s Council.

*Distribution:* Distributed Electronically via College’s Internet (11-16-18)  
Published in College Catalog (11-16-18)  
Email Distribution to (All employees and SGA on 11-16-18)

***Chancellor’s Signature/Approval***

SIGNATURE: \_\_\_\_\_  
Tina M. Tinney, Ed.D.  
Chancellor

DATE: 11-9-18