

GREEN SHEET REDIGEST

HB 269

2017 Regular Session

Lance Harris

(KEYWORD, SUMMARY, AND DIGEST as amended by Senate committee amendments)

COLLEGES/UNIVERSITIES: Provides for free expression on college campuses.

DIGEST

Proposed law provides for a state policy on free expression on public college and university campuses, including the following major components:

- (1) Requires each postsecondary education management board to develop and adopt policies on free expression that contains specific enumerated statements and provisions.
- (2) Requires the Bd. of Regents to create a committee on free expression to issue annual reports of the status of free expression on college campuses based upon various metrics.
- (3) Authorizes the management boards to adopt regulations to further the purposes of the adopted policy.
- (4) Requires state institutions of postsecondary education to include in freshman orientation programs a description of the free expression policies and regulations.
- (5) Authorizes state institutions of postsecondary education to restrict expressive conduct within certain limitations.
- (6) Creates a cause of action for injunction, damages, court costs, and attorney fees available to a person whose expressive rights are violated by a violation of proposed law.

(Adds R.S. 17:3399.31-3399.36)

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Relative to the requirement that management boards adopt policies on free expression:
 - (a) Add further provisions authorizing institutions to restrict protests and demonstrations with regard to maintaining order on campus and to prevent any interference with regularly scheduled campus events.
 - (b) Change provisions relative to disciplinary hearings for students to remove specific requirements and provide instead that student codes of conduct shall contain procedures for disciplinary actions for violations in instances involving expressive conduct.
2. Relative to the requirement that the committee created by the Bd. of Regents report certain information, add that the report shall include deficiencies and inconsistencies among the institutions' application of the policies and procedures developed pursuant to proposed law.

3. Relative to the authority for the management boards to adopt regulations for purposes of the adopted policies, add that such regulations include restrictions on protests and demonstrations necessary to prevent any interference with regularly scheduled campus events.
4. Relative to the authority for the institutions to restrict expressive conduct for certain purposes, add to such purposes that institutions may restrict expressive conduct if necessary to prevent any interference by a protest or demonstration with regularly scheduled campus events.
5. Remove authority for the attorney general to bring a legal action to enjoin a violation of proposed law.

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Education to the reengrossed bill

1. Makes technical changes.
2. Removes subjective terms to clarify language.
3. Delineates a student's rights in regards in disciplinary proceedings.
4. Deletes provisions requiring suspension or expulsion of students.
5. Deletes provisions restricting a postsecondary institution's ability to discuss current issues.