The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Cheryl Serrett.

DIGEST 2018 Regular Session

Ward

SB 364 Original

<u>Proposed law</u> requires the Board of Regents, in consultation with the postsecondary management boards, to develop and adopt policies on free expression that contain the following:

- (1) A statement that the primary function of an institution of postsecondary education is the discovery, improvement, transmission, and dissemination of knowledge and in order to fulfill the function, each institution must strive to ensure the fullest degree of intellectual freedom and free expression.
- (2) A statement that it is not the proper role of an institution to shield individuals from speech protected by the Constitution of the United States of America.
- (3) A provision that students and faculty have the freedom to discuss any topic in a manner of expression that is consistent with <u>proposed law</u> as long as such activity is not unlawful and does not materially and substantially disrupt the functioning of the institution.
- (4) A provision that any person lawfully present on a campus may protest or demonstrate there. Professors or other instructors shall not be prohibited from maintaining order in the classroom, nor is an institution prohibited from maintaining order on a campus or restricting the time and location of a protest or demonstration so that the protest or demonstration does not interfere with regularly scheduled campus events.
- (5) A provision that the campuses of each institution are open to any speaker whom students, student groups, or members of faculty have invited.
- (6) A provision that the public areas of campuses of each institution are traditional public forums, open on the same terms to any speaker.
- (7) A range of disciplinary sanctions for anyone under the jurisdiction of an institution who substantially and materially disrupts the functioning of the institution or the free expression of others.
- (8) A provision that in all disciplinary cases involving expressive conduct students are entitled to a disciplinary hearing in accordance with certain published procedures.
- (9) A provision that the policy supersedes and nullifies any existing provisions in the policies and regulations of any institution.

<u>Proposed law</u> requires the Board 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.

<u>Proposed law</u> authorizes the postsecondary education management boards to adopt regulations to further the purposes of the adopted policy.

<u>Proposed law</u> requires state institutions of postsecondary education to include in freshman orientation programs a description of the free expression policies and regulations.

<u>Proposed law</u> authorizes state institutions of postsecondary education to restrict expressive conduct within certain limitations.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 17:3399.31-3399.35)