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STUDENT POLICY AND PROCEDURE MANUAL

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POLICY ON PUBLIC SPEECH, ASSEMBLY AND DEMONSTRATIONS

POLICY ON PUBLIC SPEECH, ASSEMBLY, AND DEMONSTRATIONS

Nicholls State University views freedom of speech and assembly as fundamental to democracy and the mission of higher education. Expressive activities and free discussion of ideas regardless of content and viewpoint shall not be restricted. Such protected conduct includes but is not limited to lawful protests and counter-protests in the outdoor areas of campus. Outdoor areas of campus are generally accessible to the 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 duration. Nicholls is committed to the lawful expression of ideas on our campus by students, administrators, faculty, staff, and guests as provided under the **First** Amendment

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on of the United States of America and [Article I, Section 7 of the Louisiana](#), Act 666 of the 2018 Regular Session and Act 727 of the 2022 Regular Session of the Louisiana Legislature, codified at [R.S. 17:3399.31 through 3399.38 \(Louisiana Campus Free Expression Law\)](#), the policies of the [University of Louisiana System](#) and other applicable laws and within the time, place, and manner of expression that are consistent with this policy and that are in furtherance of institutional interest. All speech and assembly activities must be conducted in accordance with federal and state law as well as university regulations.

TIME, PLACE, and MANNER

The safety of members of the Nicholls State community and visitors to the campus is paramount. To maintain safety and security, minimize risks of harm, and minimize conflict with academic processes, the university has designated three preferred locations for public discussion and/or peaceful assembly, demonstrations, and/or protests. Locations include:

1. Free Speech Alley in front of Bollinger Student Union
2. Free Speech Drive (the street between the Student Union and Talbot Hall)
3. Flag Pole in the Elkins Hall Parking Circle

Although other campus locations may be available for public speaking and assemblies by students, these locations are recommended. Groups and organizations who choose to engage in expressive activity outside of one of these locations may be asked to relocate should the expressive activity interfere with the normal operations of the university.

Individuals or groups who wish to request exclusive control of a location for expressive activity for a specific time period or who wish to host their event inside will be required to register that request through the Reservations office a minimum of three weeks prior to the requested date. Granting of the request shall be evaluated solely on published criteria that are content-neutral and viewpoint-neutral. If the request is denied, the university will provide a reason in writing within two business days and the requesting party may appeal the denial.

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may be charged based on standard published content-neutral and viewpoint-neutral criteria, including but not limited to time and location, anticipated size of the audience, and whether or not alcohol will be served.

Students, faculty, and staff have the freedom to discuss any topic that presents itself. - Students and faculty may assemble and engage in spontaneous expressive activity as long as such activity is not unlawful and does not materially and substantially interfere with, disrupt, or impede the normal operations of the institution, subject to the requirements of this policy. Any person lawfully present on campus who wishes to peacefully engage in noncommercial expressive activity at Nicholls State University is encouraged to notify the university through the Reservations office.

In order to facilitate expressive activities that do not materially and substantially disrupt normal university functioning, the following should be adhered to:

1. Demonstrations or protests shall not block ingress or egress to roadways, buildings, exterior patios, plazas, walkways, or gathering spaces.
2. Demonstrations and protests shall take place at least 150 feet from academic buildings during academic hours to avoid disrupting the academic functions of the university.
3. Residential Living areas and inside of academic buildings are restricted and shall not be used for demonstrations or protests.
4. Individual(s) or organizations who reserved and received approval for a specific location and time should remain within the location and time described in the registration for that particular event.
5. No harmful acts, destruction or defacement of property, or physical assaults of persons will be allowed. This includes threats and/or intimidation aimed at particular individuals and creating in them a realistic fear for their personal safety or the security of their property.
6. No use of amplification devices is allowed during regularly scheduled class times.
7. The speech may not be projected onto private areas, such as residence hall rooms or classrooms and thereby creating captive audiences who cannot guard their privacy by avoiding the speech.
8. Public assembly, discussion, or demonstration shall not disturb or interfere with any program, event, or activity approved prior to the public assembly, discussion,

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al activities where individuals or groups are being compensated or attempting to advertise, market, or accrue financial gain to any individual, corporation, business, or organization are expressly prohibited.

10. Student-on-student harassment is prohibited

DEFINITIONS

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 the Constitution of Louisiana, including all forms of peaceful assembly, protest, speech, distribution of literature, carrying signs, and circulating petitions.

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.

Student organization means an officially recognized group at a public postsecondary education institution, or a group seeking official recognition, comprised of enrolled students.

Student-on-student discriminatory harassment is unwelcome conduct that targets its victim on the basis of a class protected under federal, state, or local law 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.

NON-ENDORSEMENT/NON-GUARANTEES

All views expressed by any individual or organization are those of the speaker(s) and not, necessarily, of Nicholls State University. References made to any products and/or services are not guaranteed by the University.

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TAPING

University reserves the right to video and/or audio tape any public speech, assembly, or demonstration held on its campus.

SANCTIONS

Individuals and/or organizations who fail to follow these policies and procedures may be subject to penalties, which may include but are not limited to banishment from campus, payment of damages, fines, etc. Student violators will be referred to the Office of Student Compliance and Ethical Development.

FREE SPEECH VIOLATIONS

Should you feel that your rights to free expression have been violated, you may seek relief by contacting the [Vice President for Student Affairs](#) or other appropriate university personnel.

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Updated December 5, 2022

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Diversity & Inclusion

Calendars

SIGN-UP FOR INSIDE NICHOLLS NEWSLETTER

Inside Nicholls State University is a weekly email newsletter that is distributed to the campus community communicating Nicholls News and Events.

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