

December 21, 2018

To the Honorable John Bel Edwards And Honorable Members of the Legislature Louisiana State Capitol

Dear Governor Edwards and Louisiana Legislators,

Pursuant to Act 666 of the 2018 Regular Session of the Louisiana Legislature, all Louisiana public higher education institutions were instructed to update or create policies on freedom of speech and expression, and to provide a report on the implementation of said policies.

In coordination with the LSU Board of Supervisors, I adopted Permanent Memoranda 79, which outlines LSU's continued commitment to free speech and expression. Additionally, each LSU campus has adopted similar policies ensuring there are no impediments to the speech or expression while still being unique to their specific populations. Those policy statements are attached.

Each policy creates a process whereby anyone who feels their right to freedom of speech or expression was negatively impacted may submit a report to the appropriate individual on each campus. LSU also included a timeline to ensure a rapid response to any perceived violation.

LSU is fully committed to protecting free speech for students, faculty, staff, and visitors at every one of our campuses throughout the state. To fulfill our primary role of discovering and disseminating knowledge, the free exchange of ideas is necessary. LSU prides itself on upholding free expression and believes that a culture of intense inquiry and informed argument generates lasting ideas. This freedom comes with a responsibility to welcome and promote expression for all people and all ideas, even when in disagreement or opposition.

Sincerely,

- King algunen

F. King Alexander LSU President



# **PERMANENT MEMORANDUM 79**

# Freedom of Speech and Expression

POLICY DIGEST

Monitoring Unit: Office of Student Affairs Initially Issued: November 9, 2018

### I. GENERAL POLICY STATEMENT

Louisiana State University ("LSU" or the "University") is fully committed to free speech among students, faculty, staff, and visitors. To fulfill our primary role of discovering and disseminating knowledge, a free interchange of ideas is necessary. LSU prides itself on upholding of free expression and believes that a culture of intense inquiry and informed argument generates lasting ideas. This freedom comes with a responsibility to welcome and promote expression for all people and all ideas, even when in disagreement or opposition. This policy applies to all campus locations of LSU.

LSU unequivocally supports and endorses free speech and free expression among its students, faculty, and staff. The University strives to ensure the fullest degree of intellectual freedom and free expression on campus. It is not the proper role of the University 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. 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 as other applicable laws permit, in a manner which does not materially and substantially disrupt the functioning of the University and within the limits on time, place, and manner of expression stated herein.

It is for the individual members of the University community, not for the University as an institution, to judge the value of ideas, and to act on those judgments – not by seeking to suppress speech, but by openly and civilly contesting those arguments and ideas that they oppose. Encouraging members of the University community to engage with each other in an effective and responsible manner is an essential part of the University's educational mission.

The freedom to debate and discuss the merits of competing ideas does not mean that individuals may say whatever they wish, wherever they wish. The University prohibits expression that violates the law, defames a specific individual, constitutes a genuine threat, violates the Student Code of Conduct, or unjustifiably invades substantial privacy or confidentiality interests. In addition, the University may reasonably regulate the time, place, and manner of expression to ensure that it does not disrupt the educational activities and mission of the institution.

#### II. PUBLIC AREAS

The "Public Areas" of Campus mean all Outdoor Areas. The "Outdoor Areas" mean outside areas generally accessible to the majority of students, administrators, faculty, and staff such as grassy areas, walkways, or other similar common areas, but do not include University facilities, the interior of buildings or areas where access is

restricted. The Public Areas of campus are deemed by State law as traditional public forums and are open on the same terms to any speaker.

On Public Areas, students and faculty may assemble, distribute literature, and engage in spontaneous expressive activity as long as such activity is not unlawful and does not materially and substantially disrupt the functioning of the University. Any person lawfully present on campus in a Public Area may protest or demonstrate there. 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. Certain University facilities are made available for reservation. This policy does not apply to University-sponsored activities.

#### III. TIME, PLACE, AND MANNER RESTRICTIONS

In order to maintain safety, security, and order, the University reserves the right to limit such activities by the following regulations regarding time, place, and manner of such activities. Except as allowed by law, the University shall not apply these restrictions in a discriminatory manner toward the content of the view being expressed or the speaker, or in any manner that otherwise infringes on any form of speech or conduct that is protected by the First Amendment.

#### IV. GROUP EXPRESSION

If an individual or group of individuals attracts a group of 20 or more persons, then a representative from the group is encouraged to contact LSU Police as soon as circumstances reasonably permit. The University reserves the right to direct a group of 20 or more persons to another available Public Area in order to ensure the safety of campus members, to provide for proper crowd control, and to limit disruption of the academic and other operations of the University. Any relocation must not be based on the content or viewpoint of the expression.

#### V. EQUIPMENT LIMITATIONS

The use of amplified sound is subject to local ordinances and is restricted to those times and places where it will not impact educational activities or University business. During concentrated study periods, the use of amplified sound is prohibited. This policy does not provide for the use of University resources (tables, utilities, equipment, etc.) in the exercise of free speech or expression activities.

#### VI. PROHIBITED ACTIVITIES

At a minimum, expressions, assemblies, or demonstrations may not:

- A. Engage in provocations by fighting words or incitements to engage in immediate violence;
- B. Make threats which demonstrate a serious expression of intent to commit an act of unlawful violence to a particular individual or group of individuals;
- C. Interfere with the free and unimpeded flow of pedestrian and vehicular traffic on campus or the entry or exit into and out of University facilities;
- D. Materially and substantially disrupt the educational mission normal activities of the University;
- E. Express or exhibit obscenity as defined by law;

- F. Advocate the deliberate violation of law by preparing the group addressed for imminent action and seeing it to such action.
- G. Engage in commercial or for-profit activities absent a prior written agreement with the University authorizing such activities.

#### VII. ADMINISTRATION/ENFORCEMENT

This policy shall be administered and enforced by the chief Student Affairs officer of each respective campus, the campus police department and such other University officials as shall be designated. Visitors to the campus and all others violating these regulations regarding time, place, and manner of speech and demonstration will be subject to immediate eviction or removal from the campus without further warning by appropriate University agents or officials and may be subject to appropriate legal action. Individual students or student organizations violating these regulations may be subject to action by Student Advocacy & Accountability.

#### VIII. NON-ENDORSEMENT/RATIFICATION

Nothing in this policy is intended nor should be understood as an endorsement or approval by LSU of any speech or demonstration, an invitation or license to speak or demonstrate, or the granting of any right or permission to speak or demonstrate on campus beyond the rights existing under federal and state law. For more information, contact the chief Student Affairs officer for the relevant campus.

#### IX. APPEAL PROCEDURE

Any person aggrieved by a violation of this policy may file a written appeal of the decision or action to the chief Student Affairs officer of the campus, or designee, within fourteen (14) calendar days of the decision or action. The University shall provide a written response to the appellant within fourteen (14) days of receipt of the appeal unless, for good cause, additional time is needed to ascertain facts or speak with the appellant or relevant officials. The decision of the chief Student Affairs officer shall be final.

#### X. SUPERSEDING POLICY

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

#### XI. SOURCES

This policy is adopted pursuant to La. R.S. 17:3399.31, *et seq.* and the 2018 Board of Regents Uniform Policy on Campus Free Speech.

Title/Topic: LSU Freedom of Speech and Expression Number: 120

#### Freedom of Speech and Expression

#### **PURPOSE:**

To establish policies related to freedom of speech and expression on the campus of Louisiana State University Agricultural and Mechanical College.

#### **BACKGROUND STATEMENT:**

Pursuant to Act 666 of the 2018 Regular Session of the Louisiana Legislature, all Louisiana public higher education institutions were instructed to update or create policies with regard to freedom of speech and expression.

#### **GENERAL POLICY:**

LSU is fully committed to free speech among students, faculty, staff, and visitors. To fulfill our primary role of discovering and disseminating knowledge, a free interchange of ideas is necessary. LSU prides itself on upholding of free expression and believes that a culture of intense inquiry and informed argument generates lasting ideas. This freedom comes with a responsibility to welcome and promote expression for all people and all ideas, even when in disagreement or opposition.

It is not the proper role of the University 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. 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 as other applicable laws permit, in a manner which does not materially and substantially disrupt the functioning of the University and within the limits on time, place, and manner of expression stated herein.

It is for the individual members of the University community, not for the University as an institution, to judge the value of ideas, and to act on those judgments — not by seeking to suppress speech, but by openly and civilly contesting those arguments and ideas that they oppose. Encouraging members of the University community to engage with each other in an effective and responsible manner is an essential part of the University's educational mission.

The freedom to debate and discuss the merits of competing ideas does not mean that individuals may say whatever they wish, wherever they wish.

#### ADMINISTRATION/ENFORCEMENT

With regard to students, this policy shall be administered and enforced by the chief Student Affairs officer, the campus police department and such other University officials as shall be designated. Individual students or student organizations violating these regulations may be subject to action by Student Advocacy & Accountability.

With regard to faculty, staff and visitors, this policy shall be administered and enforced by the LSU General Counsel, the campus police department and such other University officials as shall be designated.

Visitors to the campus and all others violating these regulations regarding time, place, and manner of speech and demonstration will be subject to immediate eviction or removal from the campus without further warning by appropriate University agents or officials and may be subject to appropriate legal action.

#### PROHIBITED EXPRESSION AND ACTIVITIES:

The University prohibits expression that:

- violates the law,
- defames a specific individual,
- constitutes a genuine threat,
- violates the Student Code of Conduct, or
- unjustifiably invades substantial privacy or confidentiality interests.

The University prohibits activities that:

At a minimum, expressions, assemblies, or demonstrations may not:

- Engage in provocations by fighting words or incitements to engage in immediate violence;
- Make threats which demonstrate a serious expression of intent to commit an act of unlawful violence to a particular individual or group of individuals;
- Interfere with the free and unimpeded flow of pedestrian and vehicular traffic on campus or the entry or exit into and out of University facilities;
- Materially and substantially disrupt the educational mission normal activities of the University;
- Express or exhibit obscenity as defined by law;
- Advocate the deliberate violation of law by preparing the group addressed for imminent action and seeing it to such action.
- Engage in commercial or for-profit activities absent a prior written agreement with the University authorizing such activities.

The University may reasonably regulate the time, place, and manner of expression to ensure adequate safety, and that the speech does not disrupt educational activities and mission of the institution.

#### **DEFINITIONS:**

#### **PUBLIC AREAS**

The "Public Areas" of Campus mean all Outdoor Areas. The "Outdoor Areas" mean outside areas generally accessible to the majority of students, administrators, faculty, and staff such as grassy areas, walkways, or other similar common areas, but do not include University facilities, the interior of buildings or areas where access is restricted. The Public Areas of campus are deemed by State law as traditional public forums and are open on the same terms to any speaker.

On Public Areas, students and faculty may assemble, distribute literature, and engage in spontaneous expressive activity as long as such activity is not unlawful and does not materially and substantially disrupt the functioning of the University. Any person lawfully present on campus in a Public Area may protest or demonstrate there. 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. Certain University facilities are made available for reservation. This policy does not apply to University-sponsored activities.

#### TIME, PLACE, AND MANNER RESTRICTIONS

In order to maintain safety, security, and order, as well as protect the educational and research missions of the institution, the University reserves the right to limit such activities by the following regulations regarding time, place, and manner of such activities. Except as allowed by law, the University shall not apply these restrictions in a discriminatory manner toward the content of the view being expressed or the speaker, or in any manner that otherwise infringes on any form of speech or conduct that is protected by the First Amendment. Any time, place, and manner restriction should be narrowly tailored to ensure the visibility and access is maintained.

#### **GROUP EXPRESSION**

If an individual or group of individuals attracts a group of 20 or more persons, then a representative from the group is encouraged to contact LSU Police as soon as circumstances reasonably permit. The University reserves the right to direct a group of 20 or more persons to another available Public Area in order to ensure the safety of campus members, to provide for proper crowd control, and to limit disruption of the academic and other operations of the University. Any relocation must not be based on the content or viewpoint of the expression.

#### EQUIPMENT LIMITATIONS

The use of amplified sound is subject to local ordinances and is restricted to those times and places where it will not impact educational activities or University business. During concentrated study periods, the use of amplified sound is prohibited. This policy does not provide for the use of University resources (tables, utilities, equipment, etc.) in the exercise of free speech or expression activities.

#### **APPEAL PROCESS**

Any student aggrieved by a violation of this policy may file a written appeal of the decision or action to the chief Student Affairs officer of the campus, or designee, within fourteen (14) calendar days of the decision or action.

Any faculty, staff, or visitor aggrieved by a violation of this policy may file a written appeal of the decision or action to the LSU General Counsel, or designee, within fourteen (14) calendar days of the decision or action.

The University shall provide a written response to the appellant within fourteen (14) days of receipt of the appeal unless, for good cause, additional time is needed to ascertain facts or speak with the appellant or relevant officials. The decision of the university official shall be final.

#### SOURCE

This policy is adopted pursuant to La. R.S. 17:3399.31, et seq. and the 2018 Board of Regents Uniform Policy on Campus Free Speech.

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	Page 1 of 4
OFFICE OF THE CHANCELLOR	Revision: 0
LOUISIANA STATE UNIVERSITY AT ALEXANDRIA	Effective: Dec.19, 2018

PS 281

# SUBJECT: FREEDOM OF SPEECH AND EXPRESSION

PURPOSE: To establish policies related to freedom of speech and expression on the campus of Louisiana State University at Alexandria.

### BACKGROUND STATEMENT

Pursuant to Act 666 of the 2018 Regular Session of the Louisiana Legislature, all Louisiana public higher education institutions were instructed to update or create policies with regard to freedom of speech and expression.

# **GENERAL POLICY**

LSUA is fully committed to free speech among students, faculty, staff, and visitors. To fulfill our primary role of discovering and disseminating knowledge, a free interchange of ideas is necessary. LSUA prides itself on upholding of free expression and believes that a culture of intense inquiry and informed argument generates lasting ideas. This freedom comes with a responsibility to welcome and promote expression for all people and all ideas, even when in disagreement or opposition.

It is not the proper role of the University 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. 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 as other applicable laws permit, in a manner which does not materially and substantially disrupt the functioning of the University and within the limits on time, place, and manner of expression stated herein.

It is for the individual members of the University community, not for the University as an institution, to judge the value of ideas, and to act on those judgments — not by seeking to suppress speech, but by openly and civilly contesting those arguments and ideas that they oppose. Encouraging members of the University community to engage with each other in an effective and responsible manner is an essential part of the University's educational mission.

P.S. 281 (continued)

281-2

The freedom to debate and discuss the merits of competing ideas does not mean that individuals may say whatever they wish, wherever they wish.

# ADMINISTRATION/ENFORCEMENT

With regard to students, this policy shall be administered and enforced by the chief Student Affairs officer, the campus police department and such other University officials as shall be designated by the LSU President or LSUA Chancellor. Individual students or student organizations violating these regulations may be subject to action by the Division of Student Engagement.

With regard to faculty, staff and visitors, this policy shall be administered and enforced by the LSU General Counsel, the campus police department and such other University officials as shall be designated by the LSU President or LSUA Chancellor.

Visitors to the campus and all others violating these regulations regarding time, place, and manner of speech and demonstration will be subject to immediate eviction or removal from the campus without further warning by appropriate University agents or officials and may be subject to appropriate legal action.

# PROHIBITED EXPRESSION AND ACTIVITIES:

The University prohibits expression that:

- violates the law,
- defames a specific individual,
- constitutes a genuine threat,
- violates the Student Code of Conduct, or
- unjustifiably invades substantial privacy or confidentiality interests.

The University prohibits activities that:

At a minimum, expressions, assemblies, or demonstrations may not:

- Engage in provocations by fighting words or incitements to engage in immediate violence;
- Make threats which demonstrate a serious expression of intent to commit an act of unlawful violence to a particular individual or group of individuals;
- Interfere with the free and unimpeded flow of pedestrian and vehicular traffic on campus or the entry or exit into and out of University facilities;
- Materially and substantially disrupt the educational mission normal activities of the University;
- Express or exhibit obscenity as defined by law;
- Advocate the deliberate violation of law by preparing the group addressed for imminent action and seeing it to such action.

P.S. 281 (continued)

• Engage in commercial or for-profit activities absent a prior written agreement with the University authorizing such activities.

The University may reasonably regulate the time, place, and manner of expression to ensure adequate safety, and that the speech does not disrupt educational activities and mission of the institution.

# **DEFINITIONS:**

# **PUBLIC AREAS**

The "Public Areas" of Campus mean all Outdoor Areas. The "Outdoor Areas" mean outside areas generally accessible to the majority of students, administrators, faculty, and staff such as grassy areas, walkways, or other similar common areas, but do not include University facilities, the interior of buildings or areas where access is restricted. The Public Areas of campus are deemed by State law as traditional public forums and are open on the same terms to any speaker.

On Public Areas, students and faculty may assemble, distribute literature, and engage in spontaneous expressive activity as long as such activity is not unlawful and does not materially and substantially disrupt the functioning of the University. Any person lawfully present on campus in a Public Area may protest or demonstrate there. 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. Certain University facilities are made available for reservation. This policy does not apply to University-sponsored activities.

# TIME, PLACE, AND MANNER OF RESTRICTIONS

In order to maintain safety, security, and order, as well as protect the educational and research missions of the institution, the University reserves the right to limit such activities by the following regulations regarding time, place, and manner of such activities. Except as allowed by law, the University shall not apply these restrictions in a discriminatory manner toward the content of the view being expressed or the speaker, or in any manner that otherwise infringes on any form of speech or conduct that is protected by the First Amendment. Any time, place, and manner restriction should be narrowly tailored to ensure the visibility and access is maintained.

#### **GROUP EXPRESSION**

If an individual or group of individuals attracts a group of 20 or more persons, then a representative from the group is encouraged to contact LSUA Police as soon as circumstances reasonably permit. The University reserves the right to direct a group of

P.S. 281 (continued)

281-4

20 or more persons to another available Public Area in order to ensure the safety of campus members, to provide for proper crowd control, and to limit disruption of the academic and other operations of the University. Any relocation must not be based on the content or viewpoint of the expression.

# EQUIPMENT LIMITATIONS

The use of amplified sound is subject to local ordinances and is restricted to those times and places where it will not impact educational activities or University business. During concentrated study periods, the use of amplified sound is prohibited. This policy does not provide for the use of University resources (tables, utilities, equipment, etc.) in the exercise of free speech or expression activities.

# APPEAL PROCESS

Any student aggrieved by a violation of this policy may file a written appeal of the decision or action to the chief Student Affairs officer of the campus, or designee as appointed by the LSU President or LSUA Chancellor, within fourteen (14) calendar days of the decision or action.

Any faculty, staff, or visitor aggrieved by a violation of this policy may file a written appeal of the decision or action to the LSU General Counsel, or designee as appointed by the LSU President or LSUA Chancellor, within fourteen (14) calendar days of the decision or action. A copy of the written appeal must be furnished to the Office of the LSUA Chancellor.

The University shall provide a written response to the appellant within fourteen (14) days of receipt of the appeal unless, for good cause, additional time is needed to ascertain facts or speak with the appellant or relevant officials. The decision of the university official shall be final.

# SOURCE

This policy is adopted pursuant to La. R.S. 17:3399.31, et seq. and the 2018 Board of Regents Uniform Policy on Campus Free Speech.

APPROVED:

Guiyou Huang, Ph.D., Chancellor

12/19/18 Date

# Freedom of Speech and Expression Policy Louisiana State University at Eunice

# I. GENERAL POLICY STATEMENT

Louisiana State University at Eunice (hereafter "LSU Eunice") is fully committed to free speech among students, faculty, staff, and visitors. To fulfill our primary role of discovering and disseminating knowledge, a free interchange of ideas is necessary. LSU Eunice prides itself on upholding of free expression and believes that a culture of intense inquiry and informed argument generates lasting ideas. This freedom comes with a responsibility to welcome and promote expression for all people and all ideas, even when in disagreement or opposition.

LSU Eunice unequivocally supports and endorses free speech and free expression among its students, faculty, and staff. The University strives to ensure the fullest degree of intellectual freedom and free expression on campus. It is not the proper role of the University 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. 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 as other applicable laws permit, in a manner which does not materially and substantially disrupt the functioning of the University and within the limits on time, place, and manner of expression stated herein.

It is for the individual members of the University community, not for the University as an institution, to judge the value of ideas, and to act on those judgments — not by seeking to suppress speech, but by openly and civilly contesting those arguments and ideas that they oppose. Encouraging members of the University community to engage with each other in an effective and responsible manner is an essential part of the University's educational mission.

The freedom to debate and discuss the merits of competing ideas does not mean that individuals may say whatever they wish, wherever they wish. The University prohibits expression that violates the law, defames a specific individual, constitutes a genuine threat, violates the Student Code of Conduct, or unjustifiably invades substantial privacy or confidentiality interests. In addition, the University may reasonably regulate the time, place, and manner of expression to ensure that it does not disrupt the educational activities and mission of the institution.

# **II. PUBLIC AREAS**

The "Public Areas" of Campus mean all Outdoor Areas. The "Outdoor Areas" mean outside areas generally accessible to the majority of students, administrators, faculty, and staff such as grassy areas, walkways, or other similar common areas, but do not include University facilities, the interior of buildings or areas where access is restricted. The Public Areas of campus are deemed by State law as traditional public forums and are open on the same terms to any speaker.

On Public Areas, students and faculty may assemble, distribute literature, and engage in spontaneous expressive activity as long as such activity is not unlawful and does not materially and substantially

disrupt the functioning of the University. Any person lawfully present on campus in a Public Area may protest or demonstrate there. 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. Certain University facilities are made available for reservation. This policy does not apply to Universitysponsored activities.

### **III. TIME, PLACE, AND MANNER RESTRICTIONS**

In order to maintain safety, security, and order, the University reserves the right to limit such activities by the following regulations regarding time, place, and manner of such activities. Except as allowed by law, the University shall not apply these restrictions in a discriminatory manner toward the content of the view being expressed or the speaker, or in any manner that otherwise infringes on any form of speech or conduct that is protected by the First Amendment.

#### **IV. STUDENT ORGANIZATIONS**

"Student Organization" means an officially recognized group or a group seeking official recognition, comprised of admitted students at LSU Eunice. The Office of Student Affairs maintains an updated list of all officially recognized student organizations and all groups in the process of seeking official recognition.

#### **IV. GROUP EXPRESSION**

If an individual or group of individuals attracts a group of 20 or more persons, then a representative from the group is encouraged to contact LSU Eunice Police as soon as circumstances reasonably permit. The University reserves the right to direct a group of 20 or more persons to another available Public Area in order to ensure the safety of campus members, to provide for proper crowd control, and to limit disruption of the academic and other operations of the University. Any relocation must not be based on the content or viewpoint of the expression.

# **V. EQUIPMENT LIMITATIONS**

The use of amplified sound is subject to local ordinances and is restricted to those times and places where it will not impact educational activities or University business. During concentrated study periods, the use of amplified sound is prohibited. This policy does not provide for the use of University resources (tables, utilities, equipment, etc.) in the exercise of free speech or expression activities.

#### **VI. PROHIBITED ACTIVITIES**

At a minimum, expressions, assemblies, or demonstrations may not:

A. Engage in provocations by fighting words or incitements to engage in immediate violence;

B. Make threats which demonstrate a serious expression of intent to commit an act of unlawful violence to a particular individual or group of individuals;

C. Interfere with the free and unimpeded flow of pedestrian and vehicular traffic on campus or the entry or exit into and out of University facilities;

D. Materially and substantially disrupt the educational mission or the normal activities of the University;

E. Express or exhibit obscenity as defined by law;

F. Advocate the deliberate violation of law by preparing the group addressed for imminent action and seeing it to such action.

G. Engage in commercial or for-profit activities absent a prior written agreement with the University authorizing such activities.

### VII. ADMINISTRATION/ENFORCEMENT

This policy shall be administered and enforced by the chief Student Affairs officer at LSU Eunice, the campus police department and such other University officials as shall be designated. Visitors to the campus and all others violating these regulations regarding time, place, and manner of speech and demonstration will be subject to immediate eviction or removal from the campus without further warning by appropriate University agents or officials and may be subject to appropriate legal action. Individual students or student organizations violating these regulations may be subject to action by the Office of Student Affairs.

# **VIII. NON-ENDORSEMENT/RATIFICATION**

Nothing in this policy is intended nor should be understood as an endorsement or approval by LSU Eunice of any speech or demonstration, an invitation or license to speak or demonstrate, or the granting of any right or permission to speak or demonstrate on campus beyond the rights existing under federal and state law. For more information, contact the chief Student Affairs officer.

#### **IX. APPEAL PROCEDURE**

Any person aggrieved by a violation of this policy may file a written appeal of the decision or action to the chief Student Affairs officer, or designee, within fourteen (14) calendar days of the decision or action. The University shall provide a written response to the appellant within fourteen (14) days of receipt of the appeal unless, for good cause, additional time is needed to ascertain facts or speak with the appellant or relevant officials. The decision of the chief Student Affairs officer shall be final.

#### X. SUPERSEDING POLICY

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

#### **XI. SOURCES**

This policy is adopted pursuant to La. R.S. 17:3399.31, et seq. and the 2018 Board of Regents Uniform Policy on Campus Free Speech.



NO. 4 13.02 Page 1

COORDINATED BY: Office of the Vice Chancellor for Business Affairs

EFFECTIVE: January 1, 2010

Revised: December 18, 2018

PUBLISHED ONLINE AT:

http://www.lsus.edu/Documents/Offices%20and%20Services/PoliciesAndManuals/

# Freedom of Speech and Expression

#### **PURPOSE:**

To establish policies related to freedom of speech and expression on the campus of Louisiana State University Shreveport.

#### BACKGROUND STATEMENT:

Pursuant to Act 666 of the 2018 Regular Session of the Louisiana Legislature, all Louisiana public higher education institutions were instructed to update or create policies with regard to freedom of speech and expression.

### **GENERAL POLICY:**

LSU Shreveport is fully committed to free speech among students, faculty, staff, and visitors. To fulfill our primary role of discovering and disseminating knowledge, a free interchange of ideas is necessary. LSUS prides itself on upholding of free expression and believes that a culture of intense inquiry and informed argument generates lasting ideas. This freedom comes with a responsibility to welcome and promote expression for all people and all ideas, even when in disagreement or opposition.

It is not the proper role of the University 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. 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 as other applicable laws permit, in a manner which does not materially and substantially disrupt the functioning of the University and within the limits on time, place, and manner of expression stated herein.

It is for the individual members of the University community, not for the University as an institution, to judge the value of ideas, and to act on those judgments — not by seeking to suppress speech, but by openly and civilly contesting those arguments and ideas that they oppose. Encouraging members of the University community to engage with each other in an effective and responsible manner is an essential part of the University's educational mission.

The freedom to debate and discuss the merits of competing ideas does not mean that individuals may say whatever they wish, wherever they wish.

#### ADMINISTRATION/ENFORCEMENT

With regard to students, this policy shall be administered and enforced by the Dean of Student Affairs, the campus police department and such other University officials as shall be designated. Individual students or student organizations violating these regulations may be subject to action by Student Advocacy & Accountability.

With regard to faculty, staff and visitors, this policy shall be administered and enforced by the Vice Chancellor for Business Affairs, the campus police department and such other University officials as shall be designated.

Visitors to the campus and all others violating these regulations regarding time, place, and manner of speech and demonstration will be subject to immediate eviction or removal from the campus without further warning by appropriate University agents or officials and may be subject to appropriate legal action.

#### PROHIBITED EXPRESSION AND ACTIVITIES:

The University prohibits expression that:

- violates the law,
- defames a specific individual,
- constitutes a genuine threat,
- violates the Student Code of Conduct, or
- unjustifiably invades substantial privacy or confidentiality interests.

The University prohibits activities that:

At a minimum, expressions, assemblies, or demonstrations may not:

- Engage in provocations by fighting words or incitements to engage in immediate violence;
- Make threats which demonstrate a serious expression of intent to commit an act of unlawful violence to a particular individual or group of individuals;
- Interfere with the free and unimpeded flow of pedestrian and vehicular traffic on campus or the entry or exit into and out of University facilities;
- Materially and substantially disrupt the educational mission normal activities of the University;
- Express or exhibit obscenity as defined by law;
- Advocate the deliberate violation of law by preparing the group addressed for imminent action and seeing it to such action.
- Engage in commercial or for-profit activities absent a prior written agreement with the University authorizing such activities.

The University may reasonably regulate the time, place, and manner of expression to ensure adequate safety, and that the speech does not disrupt educational activities and mission of the institution.

#### **Definitions:**

#### PUBLIC AREAS

The "Public Areas" of Campus mean all Outdoor Areas. The "Outdoor Areas" mean outside areas generally accessible to the majority of students, administrators, faculty, and staff such as grassy areas, walkways, or other similar common areas, but do not include University facilities, the interior of buildings or areas where access is restricted. The Public Areas of campus are deemed by State law as traditional public forums and are open on the same terms to any speaker.

# 4 13.02

#### Page 3

On Public Areas, students and faculty may assemble, distribute literature, and engage in spontaneous expressive activity as long as such activity is not unlawful and does not materially and substantially disrupt the functioning of the University. Any person lawfully present on campus in a Public Area may protest or demonstrate there. 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. Certain University facilities are made available for reservation. This policy does not apply to University-sponsored activities.

#### TIME, PLACE, AND MANNER RESTRICTIONS

In order to maintain safety, security, and order, as well as protect the educational and research missions of the institution, the University reserves the right to limit such activities by the following regulations regarding time, place, and manner of such activities. Except as allowed by law, the University shall not apply these restrictions in a discriminatory manner toward the content of the view being expressed or the speaker, or in any manner that otherwise infringes on any form of speech or conduct that is protected by the First Amendment. Any time, place, and manner restriction should be narrowly tailored to ensure the visibility and access is maintained.

#### **GROUP EXPRESSION**

If an individual or group of individuals attracts a group of 20 or more persons, then a representative from the group is encouraged to contact LSUS Police as soon as circumstances reasonably permit. The University reserves the right to direct a group of 20 or more persons to another available Public Area in order to ensure the safety of campus members, to provide for proper crowd control, and to limit disruption of the academic and other operations of the University. Any relocation must not be based on the content or viewpoint of the expression.

#### EQUIPMENT LIMITATIONS

The use of amplified sound is subject to local ordinances and is restricted to those times and places where it will not impact educational activities or University business. During concentrated study periods, the use of amplified sound is prohibited. This policy does not provide for the use of University resources (tables, utilities, equipment, etc.) in the exercise of free speech or expression activities.

#### APPEAL PROCESS

Any student aggrieved by a violation of this policy may file a written appeal of the decision or action to the Dean of Students, or designee, within fourteen (14) calendar days of the decision or action.

Any faculty, staff, or visitor aggrieved by a violation of this policy may file a written appeal of the decision or action to the Vice Chancellor for Business Affairs, or designee, within fourteen (14) calendar days of the decision or action.

The University shall provide a written response to the appellant within fourteen (14) days of receipt of the appeal unless, for good cause, additional time is needed to ascertain facts or speak with the appellant or relevant officials. The decision of the university official shall be final.

4 13.02 Page 4

#### SOURCE

This policy is adopted pursuant to La. R.S. 17:3399.31, et seq. and the 2018 Board of Regents Uniform Policy on Campus Free Speech.

AUTHORIZED BY: a

Barbie Cannon, Vice Chancellor for Business Affairs

12/20/18

Date

APPROVED BY

Lawrence Clark, Chancellor

12/20/18 ate

Date

FOLICY AND PROCEDURE MANUAL		
Pennington Biomedical	POLICY NO. 801.00	Origin Date: 7/1/2006
Affects:	PBRC Campus	Effective Date: 07/01/2006
Subject:	Freedom of Speech and Expression	Last Revised: 12/03/2018
Source:	Security	Version No. 2

# POLICY AND PROCEDURE MANUAL

### **PURPOSE:**

Pennington Biomedical Research Center (Pennington Biomedical) is fully committed to free speech among employees and visitors. To fulfill our primary role of discovering and disseminating knowledge, a free interchange of ideas is necessary. Pennington Biomedical prides itself on upholding of free expression and believes that a culture of intense inquiry and informed argument generates lasting ideas. This freedom comes with a responsibility to welcome and promote expression for all people and all ideas, even when in disagreement or opposition.

### **POLICY:**

Pennington Biomedical unequivocally supports and endorses free speech and free expression among its employees. The Center strives to ensure the fullest degree of intellectual freedom and free expression on campus. It is not the proper role of the Center to shield individuals from speech protected by the First Amendment of the Constitution of the United States of America and Article 1, 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. Employees 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 1, Section 7 of the Constitution of Louisiana and as other applicable laws permit, in a manner which does not materially and substantially disrupt the functioning of the Center and within the limits on time, place, and manner of expression stated herein.

Pennington Biomedical reserves the right to protect property and employees and prevent audible or visual distractions that may interfere with the function and mission of the Center. To do so, the Center shall dictate a reasonable time, location and manner of any demonstration held on campus.

# **PUBLIC AREAS**

The "Public Areas" of Campus mean all Outdoor Areas. The "Outdoor Areas" mean outside areas generally accessible to the majority of employees such as grassy areas, walkways, or other similar common areas, but do not include Center facilities, the interior of building or areas where access is restricted. The Public Areas of campus are deemed by State law as traditional public forums and are open on the same terms to any speaker.

On Public Areas, employees may assemble, distribute literature, and engage in spontaneous expressive activity as long as such activity is not unlawful and does not materially and substantially disrupt the functioning of any demonstrations that infringe upon the constitution rights of other 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. Certain Center facilities are made available for reservation. This policy does not apply to Pennington Biomedical-sponsored activities.

"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. This expressly excludes commercial activities where individuals or groups are being compensated or attempting to advertise, market, or accrue financial gain to any individual, corporation, business, or organization.

# TIME, PLACE, AND MANNER LIMITATION

In order to maintain safety, security, and order, Pennington Biomedical reserves the right to limit such activities by the following regulations regarding time, place, and manner of such activities. Approval for protests will be granted only between the hours of 9:00 A.M and 4:00 PM. Except as allowed by law, the Center shall not apply these restrictions in a discriminatory manner toward the content of the view being expressed or the speaker, or in any manner that otherwise infringes on any form of speech or conduct that is protected by the First Amendment.

# **GROUP EXPRESSION**

Groups entering Pennington Biomedical property must adhere to occupancy limits as mandated by the Louisiana State Fire Marshal's Office. If an individual or group of individuals attracts a group of 20 or more persons, then a representative from the group is encouraged to contact Security as soon as circumstances reasonably permit. Pennington Biomedical reserves the right to direct a group of 20 or more persons to another available Public Area in order to ensure the safety of campus members, to provide to proper crowd control, and to limit disruption of the academic and other operations of the Center. Any relocation must be based on the content or viewpoint of the expression.

# EQUIPMENT LIMITATIONS

The use of amplified sound is subject to local ordinances and will not be allowed on Public Areas without the advance approval by the Executive Director, Director of Facilities Management and Assistant Director of Security. Speakers or group members using portable sound systems will be regulated in accordance with City of Baton Rouge and State of Louisiana Noise Ordinances.

# **PROHIBITED ACTIVITIES**

At a minimum, expressions, assemblies, or demonstrations may not:

- Engage in provocations by fighting words or incitements likely to result in violence;
- Make threats which demonstrate a serious expression of intent to commit an act of unlawful violence to a particular individual or group of individuals;
- Interfere with the free and impeded flow of pedestrian and vehicular traffic on campus or the entry or exit into and out of Center facilities;
- Materially and substantially disrupt the normal activities of the Center;
- Express or exhibit obscenity as defined by law;
- Advocate the deliberate violation of law by preparing the group addressed for imminent action and seeing it to such action.
- Engage in commercial or for profit activities absent a prior written agreement with the Center authorizing such activities.
- Vehicles will not be allowed to park on the lawn.

# **CRISIS PREVENTION/ENFORCEMENT**

Pennington Security will monitor all demonstrations for violation of the stated rules, and will enforce rule violations appropriately. Pennington Security will also request assistance from the Baton Rouge Police Department when needed. Visitors to the campus and all others violating these regulations regarding time, place, and manner of speech and demonstration will be subject to immediate eviction or removal from the campus without further warning and may be subject to appropriate legal action. Employees violating these regulations may be subject to disciplinary action, possible termination of employment and civil or criminal penalties.

# NON-ENDORSEMENT/RATIFICATION

Nothing in this policy is intended nor should be understood as an endorsement or approval by Pennington Biomedical of any speech or demonstration, an invitation or license to speak or demonstrate on campus beyond the rights existing under federal and state law. For more information contact the Director of Legal and Regulatory Compliance.

# APPEAL PROCEDURE

Any person aggrieved by a violation of this policy may file a written appeal of the decision or action to the Executive Director and/or Director of Legal and Regulatory Compliance, within fourteen (14) calendar days of the decision or action. Pennington Biomedical shall provide a written response to the appellant within fourteen (14) days of receipt of the appeal unless, for good cause, additional time is needed to ascertain facts or speak with the appellant or relevant officials. The decision of the Executive Director shall be final.

# SUPERSEDING POLICY

This policy supersedes and nullifies any provision in the policies and regulations of Pennington Biomedical that restricts speech on campus and is therefore inconsistent with this policy on free expression.

# SOURCES

This policy is adopted pursuant to LA R.S. 17:3399.31, *et seq.* and the 2018 Board of Regents Uniform Policy on Campus Free Speech.



Chancellor's Memorandum CM-66 – Freedom of Speech and Expression

To: Vice Chancellors, Deans, Department Heads, Faculty, Staff, and Students

From: LSU Health Sciences Center New Orleans Chancellor

December 18, 2018

#### Purpose

LSU Health Sciences Center - New Orleans (LSUHSC-NO) is fully committed to the principle that the free expression of ideas among students, faculty, staff, and visitors is fundamental to education, discovery, and dissemination of knowledge. Supporting this culture of freedom of speech includes a responsibility to allow expression of all ideas and opinions, including, without limitation, those which some may find unwelcome, disagreeable, or even deeply offensive, and to welcome all people into the discussion.

#### **Policy Statement**

In accordance with the First Amendment of the Constitution of the United States of America, with Article I, Section 7 of the Constitution of Louisiana, with other applicable laws and regulations, and with LSU Permanent Memorandum 79 - Freedom of Speech and Expression (PM-79), all students, faculty, and staff at LSUHSC-NO, along with visitors lawfully present on campus, are free to discuss any topic, assemble, and/or engage in spontaneous expressive activity as long as such discussion, assembly, or activity is not unlawful and does not materially and substantially disrupt the functioning of the LSUHSC-NO. Outdoor areas on campus that are generally accessible to the majority of students, faculty, and staff are deemed traditional public areas under state law that are open on the same terms to any speaker.

Due to the compact nature of its campus, LSUHSC-NO reserves the right to impose limitations on the time, manner, and place of expressive activities on groups of any size, without regards towards the content of the views expressed, for the purposes of ensuring:

- The safety of faculty, staff, students and visitors.
- The free speech rights of all parties.
- The unimpeded flow of pedestrian and vehicular traffic on campus or into campus facilities.
- The undisrupted continuance of the normal activities of the educational mission.

#### **Policy Administration**

All definitions and policy requirements of LSU PM-79 are hereby incorporated into this LSUHSC-NO campus policy, which will be administered and enforced by the Vice Chancellor for Academic Affairs, the University Police, and such other campus officials as may be designated by the Chancellor.

Information about this policy shall be included in the LSUHSC-NO Faculty Handbook, the LSUHSC-NO Catalog Bulletin, annual training required of all students, faculty and staff, and in any other forms of publication that LSUHSC-NO may deem necessary to ensure wide understanding of the campus support for free speech and expression.

Visitors to the campus and all others violating this policy regarding time, place, and manner of speech and demonstration shall be subject to immediate eviction or removal from the campus without further warning by University Police, and may be subject to appropriate legal action.

Any person aggrieved by a violation of this policy may file a written appeal of the decision or action to the Vice Chancellor for Academic Affairs within fourteen (14) calendar days of the decision or action. Students may file an appeal in accordance with Chancellor's Memorandum #56 – Student Responsibilities and Rights. Faculty may file an appeal in accordance with the relevant provisions in the Faculty Handbook. Staff may file an appeal with the Employee Relations section of Human Resources Management. The LSUHSC-NO shall reply in writing within fourteen days of receipt of the appeal, unless, for good cause, additional time is needed to ascertain all pertinent facts. The decision of the Vice Chancellor for Academic Affairs on the appeal shall be final.

#### **References**

La. R.S. 17:3399.31, et seq.

Board of Regents Uniform Policy on Campus Free Speech

LSU Permanent Memorandum #79 - Freedom of Speech and Expression

Louisiana State University Health Sciences Center New Orleans Faculty Handbook

Chancellor's Memorandum - #56 – Student Responsibilities and Rights

Signed: Larry H. Hollier, Chancellor



# **Chancellor's Memorandum**

# CM-37 – Freedom of Speech and Expression

To: Vice Chancellors, Deans, Administrative Staff, Department Heads, Faculty, and Students

From: Chancellor, LSU Health Sciences Center - Shreveport

Date: December 19, 2018

### I. Policy

LSUHSC-Shreveport (the "University") supports the right of its students, employees, and visitors to freedom of speech and assembly as guaranteed by the First Amendment of the United States Constitution and Article I Section 7 of the Louisiana Constitution. The University is committed to the free exercise of these rights in a manner which does not substantially disrupt the functioning of the campus and within the limits on time, place, and manner of expression as stated in PM-79 and herein.

### II. Purpose

This policy implements the provisions of Permanent Memorandum 79, Freedom of Speech and Expression, on the LSUHSC-Shreveport campus and provides for campus specific procedures for administration and enforcement.

# III. Public Areas

The "Public Areas" of the University mean all Outdoor Areas. The "Outdoor Areas" mean outside areas generally accessible to the majority of students, administrators, faculty, and staff such as grassy areas, walkways, or other similar common areas, but do not include University facilities, the interior of buildings or areas where access is restricted. The Public Areas of campus are deemed by State law as traditional public forums and are open on the same terms to any speaker.

On Public Areas, students and faculty may assemble, distribute literature, and engage in spontaneous expressive activity as long as such activity is not unlawful and does not materially and substantially disrupt the functioning of the University. Any person lawfully present on campus in a Public Area may protest or demonstrate there. 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.

Certain University facilities are made available for reservation. (See Chancellor's Memorandum 1). This policy does not apply to University-sponsored activities.

# IV. Time, Place, and Manner Restrictions

In order to maintain safety, security, and order, the University reserves the right to limit such activities by the following regulations regarding time, place, and manner of such activities. Except as allowed by law, the University shall not apply these restrictions in a discriminatory manner toward the content of the view being expressed or the speaker, or in any manner that otherwise infringes on any form of speech or conduct that is protected by the First Amendment.

# V. Prohibited Activities

At a minimum, expressions, assemblies, or demonstrations may not:

- Engage in provocations by fighting words or incitements to engage in immediate violence;
- Make threats which demonstrate a serious expression of intent to commit an act of unlawful violence to a particular individual or group of individuals;
- Interfere with the free and unimpeded flow of pedestrian and vehicular traffic on campus or the entry or exit into and out of University facilities;
- Materially and substantially disrupt the educational mission normal activities of the University;
- Express or exhibit obscenity as defined by law;
- Advocate the deliberate violation of law by preparing the group addressed for imminent action and seeing it to such action;
- Engage in commercial or for-profit activities absent a prior written agreement with the University authorizing such activities.

# VI. Administration/Enforcement

This policy shall be administered by the Provost, and the University Police Department. Any person violating these regulations regarding time, place, and manner of speech and demonstration will be subject to immediate eviction or removal from the campus without further warning by appropriate University agents or officials and may be subject to appropriate legal action. Individual students or student organizations violating these regulations may be subject to action by the University.

# VII. Non Endorsement

Nothing in this policy is intended nor should be understood as an endorsement or approval by the University of any speech or demonstration, an invitation or license to speak or demonstrate, or the granting of any right or permission to speak or demonstrate on campus beyond the rights existing under federal or state law.

# VIII. Appeal Procedure

Any person aggrieved by a violation of this policy may file a written appeal of the decision or action to the Provost of the campus, or designee, within fourteen (14) calendar days of the decision or action. The University shall provide a written response to the appellant within fourteen (14) days of receipt of the appeal unless, for good cause, additional time is needed to ascertain facts or speak with the appellant or relevant officials. The decision of the Provost or designee shall be final.

# IX. Superseding Policy

This policy supersedes and nullifies any provision in the policies and regulations of the University that restricts speech on campus and is therefore inconsistent with this policy on free expression. In the event of a conflict between the provisions of this policy and PM-79, the provisions of PM-79 will supersede and govern.

# Effective Date: January 1, 2019

G.E. Ghali, DDS, MD, FACS, FRCS(Ed) Chancellor

# LOUISIANA STATE UNIVERSITY AGRICULTURAL CENTER

January 1, 2019

AGCENTER PS-50 Interim Version 1

# FREEDOM OF SPEECH AND EXPRESSION

#### **Purpose**

To establish a LSU Agricultural Center policy on freedom of speech and expression as required under La. R.S. 17:3399.31, et seq. and the 2018 Board of Regents Uniform Policy on Campus Free Speech.

#### **General Policy**

The LSU Agricultural Center hereby adopts PM-79 as its policy.

#### **Procedures**

The following individuals are charged with administration of this policy, including appeals procedures provided for under PM-79: Associate Vice President for Administration, Associate Vice President for 4-H Youth Development, Director of Human Resource Management. For "on campus" activities, these individuals may also coordinate with University Police.