SENATE COMMITTEE AMENDMENTS
2024 Regular Session
Amendments proposed by Senate Committee on Education to Original Senate Bill No. 294
by Senator Hodges

1 AMENDMENT NO. 1

2 On page 1, line 2, after "reenact" delete the rest of the line and delete lines 3 through 4, and
3 insert the following:

4   "the heading of Part XIV of Chapter 26 of Title 17 of the Louisiana Revised Statutes
5   of 1950, and R.S. 17:3399.31(1), (2), and (5), 3399.32(A), 3399.33, the heading and
6   introductory paragraph of R.S. 3399.34, and 3399.38 and to enact R.S. 17:3399.34(4)
7   (5), and (6), 3399.39, and 3399.40, relative to free speech and First Amendment
8   protected expressive activities on the"

9 AMENDMENT NO. 2

10 On page 1, line 13, after "criminal law;" insert "to provide with respect to the right of
11 association; to provide with respect to individual dignity; to prohibit discrimination on the
12 basis of political ideas, affiliations, or ideology; to provide with respect to due process;"

13 AMENDMENT NO. 3

14 On page 1, delete line 17, and insert the following:

15   "Revised Statutes of 1950, and R.S. 17:3399.31(1), (2), and (5), 3399.32(A),
16   3399.33, the heading and introductory paragraph of R.S. 3399.34, and 3399.38 are
17   hereby amended and reenacted and R.S. 17:3399.34(4), (5), and (6), 3399.39, and
18   3399.40 are"

19 AMENDMENT NO. 4

20 On page 2, line 1, change "amended and reenacted" to "enacted"

21 AMENDMENT NO. 5

22 On page 2, line 3, after "**PROTECTED**" insert "**EXPRESSIVE**"

23 AMENDMENT NO. 6

24 On page 2, line 7, after "**protected**" insert "**expressive**"

25 AMENDMENT NO. 7

26 On page 2, line 13, after "**protected**" insert "**expressive**"

27 AMENDMENT NO. 8

28 On page 2, line 18, after "**group is**" insert "**knowingly**"

29 AMENDMENT NO. 9

30 On page 2, line 21, after "**8 U.S. Code § 1189**" insert "**and 15 C.F.R. 7.4**"

31 AMENDMENT NO. 10

32 On page 2, line 27, after "**protected**" insert "**expressive**"

1 AMENDMENT NO. 11

2 On page 3, line 6, after "**protected**" insert "**expressive**"

3 AMENDMENT NO. 12

4 On page 3, delete lines 8 through 14, and insert the following:

5   "(5) "Student-on-student discriminatory harassment" means unwelcome
6 conduct that targets it's **a** victim **in violation of this Part** on the **any** basis **including**
7 **but not limited to the basis that the victim is a member** of a class protected under
8 federal, state, or local law and that is so severe, pervasive, and objectively offensive
9 and so undermines and detracts from the victim's educational experience that the
10 victim is effectively denied equal access to an institution's resources and
11 opportunities."

12 AMENDMENT NO. 13

13 On page 3, line 16, after "**protected**" insert "**expressive**"

14 AMENDMENT NO. 14

15 On page 3, line 18, after "**protected**" insert "**expressive**"

16 AMENDMENT NO. 15

17 On page 3, delete lines 24 through 29 and insert the following:

18   §3399.33. Freedom of association; **religious liberty; faith-based** student
19   organizations**; political or ideological belief-based organizations**
20   **A.** No public postsecondary education institution shall deny a **political or**
21 **ideological** belief-based **organization or a religious or faith-based** student
22 organization any benefit or privilege available to any other student organization, or
23 otherwise discriminate against a **political or ideological** belief-based **organization**
24 **or a faith-based** organization, based on the expression **political, ideological, or**
25 **religious beliefs** of the organization, including any requirement that the**.**
26   **B. No public postsecondary education institution shall engage in**
27 **discrimination on the basis of political, ideological, or religious beliefs against**
28 **any organization or the organization's** leaders or members of the organization **in**
29 **a manner that does any of the following**:
30   (1) Affirm and adhere to **Restricts** the organization's sincerely held **religious**
31 beliefs **or the political or ideological beliefs of the organization**.
32   (2) Comply **Restricts compliance** with the organization's standards of
33 conduct **with respect to Free speech and First Amendment protected activities**.
34   (3) Further **Restricts** the organization's mission or purpose, as defined by the
35 organization **with respect to Free speech and First Amendment protected**
36 **activities**.
37   **(4) Requires the organization to accept elected officers, choose leaders,**
38 **or accept members who are not members of the same religion or the same**
39 **political party or who do not share the same ideological beliefs if to do so would**
40 **violate the organization's standards of conduct.**"

41 AMENDMENT NO. 16

42 On page 4, delete lines 1 through 12, and insert the following:

43   "§3399.34. Institutional policies on free expression **speech and First Amendment**
44   **protected expressive activities**
45   Each public postsecondary education institution shall develop policies,
46 regulations, and expectations of students regarding free expression and association
47 **speech and First Amendment protected expressive activities** on campus that are

1 consistent with this Part and the policies of its management board. The policies shall
2 outline the rights of students, administrators, faculty, and staff and shall:
3   *   *   *
4   **(4) Include a statement that each institution shall strive to ensure the**
5 **fullest degree of protection for each student's political views and freedom of**
6 **association.**
7   **(5) Include a statement that every professor or instructor at the**
8 **institution shall be prohibited from imposing the professor's political views on**
9 **students in violation of R.S. 17:3399.39.**
10   **(6) Include a statement that the institution is engaged in protecting its**
11 **students from student-on-student discriminatory harrassment pursuant to R.S.**
12 **17:3399.32(F).**
13
14 §3399.38. Conflict with other laws
15   **A.** The provisions of this Part shall supersede and control to the extent of any
16 conflict with any other provision of law and shall govern a public postsecondary
17 education institution's obligation to address all forms of discriminatory harassment
18 perpetrated by one student on another, including sexual harassment.
19   **B. Nothing in this Section shall be construed to limit or deny any**
20 **protections or remedies available to a student pursuant to any other provision**
21 **of law.**
22   **§3399.39. Right to individual dignity; each student's right to be free from**
23   **discrimination on the basis of political ideas, affiliations, or**
24   **ideology**
25   **A. Article I, Section 3 of the Constitution of Louisiana guarantees that**
26 **each person, including a college or university student, has the right to**
27 **"individual dignity" and further provides that protections are guaranteed**
28 **against discrimination based upon the student's "political ideas or affiliations".**
29   **B. A public postsecondary education management board shall make**
30 **reasonable efforts to protect students from discrimination on the basis of**
31 **political ideas, affiliations, or ideology.**
32   **C. No professor or instructor who teaches a class to students at an**
33 **institution of higher education shall impose the professor's or instructor's**
34 **political views onto students and, therefore, shall be prohibited from doing any**
35 **of the following:**
36   **(a) Requiring a student to attend a political protest or engage in any**
37 **other political activity outside the classroom that aligns with the political views**
38 **of the professor or instructor.**
39   **(b) Requiring a student to participate in a certain political activity**
40 **outside the classroom as a condition of obtaining the letter grade to which the**
41 **student would otherwise be entitled based upon the student's actual academic**
42 **performance in the class.**
43   **§3399.40. Due process requirements; right to an attorney**
44   **A public postsecondary education management board shall be prohibited**
45 **from denying any student the right to have an attorney present at any**
46 **disciplinary hearings to which the student is a party if the student desires to**
47 **engage an attorney at the student's expense.**"

48 AMENDMENT NO. 17

49 On page 4, line 15, after "protected" insert "expressive"

50 AMENDMENT NO. 18

51 On page 4, change "Section 2" to Section 3"