



Jeff Landry
Governor

State of Louisiana
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November 25, 2024

Mr. Jimmie M. Woods, Sr.
Chairman
LSU Board of Supervisors
104B University Administration Bldg.
3810 W. Lakeshore Dr.
Baton Rouge, LA 70808

RE: Protection of Free Speech On Campus

Earlier this fall, I issued Executive Order JML 24-154 to promote and protect free speech for all higher education institutions across Louisiana. A primary purpose of the executive order was to ensure that students do not fear retribution from their teachers or classmates simply because they do not agree on speech or politics. The impact of my executive order appears to be short-lived in the eyes of some professors. After the recent presidential election, instead of applauding students for turning out and voting in the presidential election, one professor went so far as to question the character of students that voted for a particular candidate as follows:

I don't know who you all voted for. Some of you in the room voted for Harris, some voted for Trump, some of you maybe didn't vote at all, or voted for somebody else, uh, but if your vote, I don't mean any of you individually in particular, um, if you voted for Trump and your rationale for voting for Trump, that you don't like him personally, but that you like his policies. . . . I'll just say that it is on you to prove that by the way you conduct yourself and by the way that you treat other people around you, um, because I will say that I hear a lot about how groups of people in the law school, particularly black students, don't feel comfortable in the law school, don't feel welcome here. And so I want you all to think a little bit about why that is. And . . . I don't know if anybody falls in that category, but if you voted for Trump on the idea that you don't like him personally but that you like his policies, I just want you to think about the message that that sends to other people and how you can prove that, by treating other people in a way that matches that sentiment. So, I think I'm going to leave it there, um, again, my job is not to teach you politics, uh, my job is to teach you about the law, um. The law is going to change, and administrative law is going to change. I perceive this vote as really like a rejection of the idea that we are governed by a people with expertise, um, there is a lot in administrative law about ensuring that the government makes rational decisions, right, that's the arbitrary and capricious test. Is the government acting and making

rational decisions, um, is there space for you know, reviewing whether the government has acted, uh, rationally with adequate reasons to support what it's doing, uh, decisions that are you know ideally based on evidence, um, evidence-backed decision-making, um, but there's a pretty big rejection of that idea that we should be governed by experts and so I think it's worthwhile to consider that, uh, and think about that as you go into law school, you know, finish your law school career and go into law practice, how you're going to handle that type of sentiment.

Excerpt of course lecture by Professor Nicholas Bryner, LSU Law Professor, on 11/6/24.

If the school does not discipline Mr. Bryner for his comments, I hope that the Board will look into the matter, as LSU professors are prohibited from utilizing state resources to influence public policy.

We both recognize that in order for our universities to be competitive in today's environment, speech within the classroom must be held to a standard that fosters the growth of both the student and instructor's minds. We also recognize that instructors in their classrooms enjoy the freedom to provide students with a different perspective. However, a professor or instructor imposing their political views onto a student is strictly prohibited by state law, and it stands in direct contrast to our state and federal constitutions, as well as LSU's Policy on Academic Freedom. LSU's Policy on Academic Freedom states, "Teachers and investigators are entitled to freedom in the classroom in discussing their subject but should not introduce information or topics which have no relation to the subject being instructed." This policy further recognizes that "the privileges of academic freedom do not allow insisting that students or others adopt a point of view as authoritative in controversial issues." While our students should be academically challenged in the subject matter of their courses, no student should feel threatened, harassed, belittled, or intimidated in the classroom.

I urge the LSU Board to remind instructors of the recently enacted La. R.S. 17:3399.39, which prohibits expression that would intimidate the expression of students with opposing views. This law provides:

A. Article I, Section 3 of the Constitution of Louisiana guarantees that each person, including a college or university student, has the right to "individual dignity" and further provides that protections are guaranteed against discrimination based upon the student's "political ideas or affiliations."

B. A public postsecondary education management board shall make reasonable efforts to protect students from discrimination on the basis of political ideas, affiliations, or ideology.

C. No professor or instructor who teaches a class to students at an institution of higher education shall impose the professor's or instructor's political views onto students and, therefore, shall be prohibited from doing any of the following:

(1) Requiring a student to attend a political protest or engage in any other political activity outside of the classroom that aligns with the political views of the professor or instructor.

(2) Requiring a student to participate in a certain political activity outside of the classroom as a condition of obtaining the letter grade to which the student would otherwise be entitled based upon the student's actual academic performance in the class.

I encourage any student who has experienced or witnessed violations of the law to contact the Louisiana Attorney General, in accordance with La. R.S. 17:3399.41. These violations should also be included in the report submitted pursuant to Executive Order JML 24-154.

For Louisiana,

A handwritten signature in black ink, appearing to read "Jeff Landry", with a long horizontal flourish extending to the right.

Jeff Landry
Governor

CC: LSU President William F. Tate
LSU Law Dean Alena M. Allen
Attorney General Liz Murrill
Ms. Valencia Sarpy Jones
Mr. Patrick C. Morrow
Ms. Laurie Lipsey Aronson
Mr. Lee Mallett
Mr. Joseph Blaise Zuschlag
Mr. John "Scott" Ballard
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