



November 18, 2019

Arkansas Legislative Council
Arkansas State Capitol
500 Woodlane St. Suite 350
Little Rock, AR 72201-1089

Dear Senator Cecile Bledsoe and Representative Jeff Wardlaw,

In compliance with Act 184, East Arkansas Community College reports that the EACC Board of Trustees has adopted a Freedom of Expression policy and included this policy in the digital version of our Student Handbook, located here: https://www.eacc.edu/plugins/show_image.php?id=2494. For your convenience, the policy is also attached.

The College's student services personnel and President reviewed Act 184 as well as other institutions' Freedom of Expression policies and drafted a Freedom of Expression policy for EACC. The draft policy and Act 184 were reviewed by the College's extended Cabinet and the Freedom of Expression Policy was approved by the Cabinet. The College's attorney reviewed Act 184 and the draft policy. The policy was submitted to, and adopted by, the EACC Board of Trustees. The President has conducted training to ensure all Vice Presidents, Deans, Associate Vice Presidents, and Executive Directors are aware of the policy and Act 184. Members of the extended Cabinet have further disseminated the information to all academic and student services leaders. A training session for all employees is scheduled as a part of EACC's January reconvening of all faculty and staff.

The Student Handbook is reviewed at student orientation. The Handbook's policies and procedures are taught in all College Success classes as part of the curriculum. The Freedom of Expression Policy will be included in the printed catalog beginning with the Fall 2020 semester, and will begin appearing in the College Success course curriculum in January 2020.

If you have any further questions, I am available at your convenience.

Sincerely,

A handwritten signature in cursive script that reads "Cathie Cline".

Cathie Cline, Ed. D.
President

Encl: Board Policy 5-12, Freedom of Expression

East Arkansas Community College

Freedom of Expression, Board Policy 5-23

EACC's policies and procedures regarding freedom of expression shall comply with the First Amendment to the United States Constitution and with Act 184 of 2019. EACC adopts and incorporates the terms and definitions set forth in Section 6-60-1003 of Act 184 of 2019.

In compliance with Section 6-60-1002 of Act 184, EACC shall not restrict the expression of ideas and opinions on the basis that they are "unwelcome, uncollegial, disagreeable, or even deeply offensive." However, EACC expressly maintains a position of neutrality as to the content of any protected speech.

Members of the campus community, as defined by Act 184 of 2019, may freely engage in noncommercial expressive activities in outdoor areas of campus so long as the member's conduct is 1) not unlawful, 2) does not materially and substantially disrupt the functioning of a state supported institution, and 3) does not materially and substantially disrupt another person's expressive activity. In addition to the aforementioned proscriptions, the right to engage in expressive activity does not include the right to:

- Obstruct vehicular or pedestrian traffic.
- Engage in fighting, violence, or other prohibited behavior.
- Physically block another person or threaten violence against another person.
- Engage in activities that create a clear and present threat to public safety.
- Engage in true threats and expression directed to provoke imminent lawless actions and likely to produce imminent lawless actions.
- Engage in unlawful harassment.
- Post materials on College property or otherwise alter College property in any way.
- Engage in expressive activities not protected by the First Amendment to the United States Constitution.

The College shall not designate outdoor areas of campus outside of which expressive activities are prohibited, except for outdoor areas where access by a majority of members of the campus community is restricted.

Official College events and scheduled programs or activities take precedence over all other activities.

Any damage to College property caused by individuals and/or groups engaging in expressive activity are the financial responsibility of the individuals and/or groups who caused the damage, as determined by College personnel.

This policy does not apply to commercial speech or non-College groups and individuals.

This policy is subject to additional reasonable time, place, and manner restrictions to be developed and administered by the President, as permitted by the First Amendment to the United States Constitution and Act 184 of 2019.