

3357:13-12-04 Free Speech on Campus Policy

(A) Purpose and Authority

North Central State College adopts this policy in compliance with sections 3345.0215, 3345.021, 3345.0211, 3345.0212, 3345.0213, and 3345.0214 of the Ohio Revised Code. The College affirms the rights guaranteed by the First Amendment to the U.S. Constitution and Article I, Sections 3 and 11 of the Ohio Constitution. This policy governs expressive activity, establishes related procedures, and affirms the State of Ohio's required principles of free expression.

(B) Statement of Principles

The following principles, required by ORC 3345.0215(B), are adopted as the public policy of the State of Ohio and of North Central State College:

- (1) Students have a fundamental constitutional right to free speech.
- (2) The College shall be committed to giving students broad latitude to speak, write, listen, challenge, learn, and discuss any issue, subject to ORC 3345.0215(E).
- (3) The College shall be committed to maintaining the campus as a marketplace of ideas for all students and all faculty in which the free exchange of views is not to be suppressed, because the ideas put forth are thought by some or even by most members of the College's community to be offensive, unwise, immoral, indecent, disagreeable, conservative, liberal, traditional, radical, or wrong-headed.
- (4) It is for the College's individual students and faculty to make judgments about ideas for themselves and to act on those judgments not by seeking to suppress free speech, but by openly and vigorously contesting the ideas that they oppose.
- (5) It is not the proper role of the College to attempt to shield individuals from free speech, including ideas and opinions they find offensive, unwise, immoral, indecent, disagreeable, conservative, liberal, traditional, radical, or wrong-headed.
- (6) Although the College should greatly value civility and mutual respect, concerns about civility and mutual respect shall never be used by the College as a justification for closing off the discussion of ideas, however offensive, unwise, immoral, indecent, disagreeable, conservative, liberal, traditional, radical, or wrong-headed those ideas may be to some students or faculty.
- (7) Although all students and all faculty are free to state their own views about and contest the views expressed on campus, and to state their own views about and contest speakers who are invited to express their views on the campus of the College, they may not substantially obstruct or otherwise substantially interfere with the freedom of others to express views they reject or even loathe. To this

end, the College has a responsibility to promote a lively and fearless freedom of debate and deliberation and protect that freedom.

- (8) The College shall be committed to providing an atmosphere that is most conducive to speculation, experimentation, and creation by all students and all faculty, who shall always remain free to inquire, to study and to evaluate, and to gain new understanding.
- (9) The primary responsibility of faculty is to engage in honest, courageous, and persistent effort to search out and communicate the truth that lies in the areas of their competence.

(C) Definitions

The following definitions are adopted in accordance with ORC 3345.0215 and 3345.0211:

- (1) Campus community: Students, student groups, faculty, staff, and employees of the College.
- (2) Expressive Activity: any lawful verbal, written, audiovisual, or electronic means by which individuals may communicate ideas, including all forms of peaceful assembly, protests, speeches, distribution of literature, carrying and displaying signs, and circulating petitions.
- (3) Faculty: any person, whether or not the person is compensated by the College, and regardless of political affiliation, who is tasked with providing scholarship, academic research, or teaching. The term “faculty” does not include persons whose primary responsibilities are administrative or managerial.
- (4) Free Speech: speech, expression, or assemblies protected by the First Amendment or Article I of the Ohio Constitution, that is verbal or written, including, but not limited to, all forms of peaceful assembly, protests, demonstrations, rallies, vigils, marches, public speaking, distribution of printed materials, carrying signs, displays, or circulating petitions. “Free speech” does not include the promotion, sale, or distribution of any product or service.
- (5) Outdoor Areas of Campus: the generally accessible outside areas of campus where members of the campus community are commonly allowed, such as grassy areas, walkways, and other similar common areas. This does not include outdoor areas where access is restricted to a majority of the campus community.
- (6) Materially and Substantially Disrupts: when a person, with the intent to, or with knowledge of doing so, significantly hinders another person’s or group’s expressive activity, prevents communication of their message, or prevents the transaction of the business of a lawful meeting, gathering, or procession by either:

- (a) Engaging in violent or otherwise unlawful behavior; or
 - (b) Physically blocking or using threats of violence to prevent any person from attending, listening to, viewing, or otherwise participating in an expressive activity. This shall not include conduct that is protected under the First Amendment to the United States Constitution or Section 3 of Article I of the Ohio Constitution.
- (7) Harassment: Unwelcome conduct that is so severe, pervasive, and objectively offensive that it effectively denies an individual equal access to the individual's education programs or activity, or conduct that is otherwise prohibited as harassment under federal anti-discrimination law.
- (8) Student: Any person who is enrolled on a full-time or part-time basis in the College. The term "student" also includes "student group."
- (9) Student Group: an officially recognized group at the College, or a group seeking official recognition, comprised of admitted students that receive, or are seeking to receive, benefits through the College.
- (10) Time, Place, and Manner Restrictions: Restrictions on the time, place, and manner of free speech that:
- (a) are reasonable,
 - (b) employ clear, published criteria that are content- and viewpoint-neutral,
 - (c) are narrowly tailored to satisfy a significant College interest, and
 - (d) leave open ample alternative channels for the communication of the information or message to its intended audience.

(D) Protection of Expressive Activity

- (1) Members of the campus community may engage in noncommercial expressive activity in the outdoor areas of campus.
- (2) Neither the College nor any College administrator acting in official capacity shall restrict or prohibit non-commercial expressive activity on campus, unless the conduct:
- (a) is unlawful;
 - (b) constitutes harassment as defined above;

- (c) materially and substantially disrupts the functioning of the College;
 - (d) intentionally, materially, and substantially disrupts another individual's expressive activity if it occurs in a campus space reserved for exclusive use or control of a particular individual or group.
 - (e) violates established time, place, and manner restrictions consistent with the law.
- (3) The College shall allow for members of a campus community to spontaneously and contemporaneously assemble and distribute literature.

(E) Time, Place, and Manner Restrictions

- (1) The College may maintain and enforce time, place, and manner restrictions, as defined above.
- (2) All restrictions shall be published on the College's public website and in College handbooks.

(F) Prohibition on Security Fees

The College shall not charge security fees to a student or a student group based on the content of their expression, the content of the expression of their invited guest, or the anticipated reaction to an invited guest's expression.

(G) Harassment and Unprotected Conduct

Nothing in this policy prohibits the College from enforcing a harassment policy consistent with the definition in ORC 3345.0211. Consistent with ORC 3345.0212(D)(1), conduct unprotected by the First Amendment—including true threats, unlawful harassment, defamation, obscenity, or incitement to imminent lawless action—may be restricted.

(H) Reporting Violations

A student, student group, or faculty member may submit a complaint under Procedure 12-041 (Free Speech on Campus Complaint Procedure). The College shall maintain a process consistent with ORC 3345.0215.

(I) Retaliation

No person may retaliate against the individual(s) who file a complaint, participate in a complaint process, or exercise rights protected under this policy. Complaints of retaliation may be filed pursuant to this policy.

(I) Publication and Education

The College shall:

- (1) Publish this policy on its public website, student handbook, and online policy manual.
- (2) Provide free-speech-related information during student orientation.
- (3) Notify the campus community of the following at the start of each academic term:
 - (a) Where to find the policy;
 - (b) How to report an alleged violation;
 - (c) The necessary information required to process a complaint;
 - (d) The time frame by which to file a complaint for an alleged violation; and
 - (e) What will happen after a complaint has been received.
- (4) Develop and distribute materials, programs, and procedures to individuals responsible for the education or discipline of students, such as administrators, campus police officers, residence life officials, and professors, to inform them of the policies, regulations, and duties of the College regarding free expression on campus.
- (5) Provide annual training and education on this policy and the Free Speech Complaint Procedure for investigators and individuals involved in the adjudication process.

(J) Annual and Supplementary Reports

The College shall annually report all internal free speech complaints to the Chancellor of the Ohio Department of Education, as required by ORC 3345.0215(D).

If a lawsuit is brought against the College for an alleged violation of expression rights, the College shall submit a supplementary report pursuant to ORC 3345.0214(C) within thirty (30) days to the governor, speaker of the house of representatives, and president of the senate.

(K) Responsibilities

- (1) Board of Trustees: Approves this policy and accompanying procedure and issues formal resolutions regarding remedy under ORC 3345.0215 when the College determines that a violation occurred.

- (2) President or Designee: Implements procedures, publishes guidance, designates the Free Speech Compliance Officer, and designates panels to preside at formal hearings.
- (3) Free Speech Compliance Officer (Human Resources): Administers this policy, oversees complaint processes, maintains records, conducts training, and prepares annual and supplementary reports.
- (4) All Members of the Campus Community: Uphold free speech rights and comply with College policies and procedures.

(L) Enforcement

Violations of this policy may result in corrective or disciplinary action consistent with College policies. Disciplinary action shall not be based on the viewpoint or content of protected expression.

Effective: December 3, 2025

Next Review: December 1, 2026

Review Dates: 12/3/25

Board of Trustees Resolution 2025-36 (December 3, 2025)