



## Ohio Administrative Code

### Rule 3357:10-1-15 Freedom of expression and preventing harassment.

Effective: September 20, 2021

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(A) Marion technical college is committed to protecting the First Amendment right to free speech and expression, and encourages individuals to engage in respectful and thoughtful discourse to enrich learning experiences. As an institution, we know that when people from different backgrounds come together and share their thoughts and perspectives, our college and community can learn and grow.

(B) Marion technical college supports an individual's right to free expression as protected by the First Amendment of the United States Constitution and Article I of the Ohio Constitution. However, the college's commitment to freedom of expression does not condone harassment on college premises (owned, leased, or controlled), at college-sponsored events, or in connection with a college recognized program or activity. In accordance with Revised Code Section 3345.0211, harassment is defined as unwelcome conduct that is so severe, pervasive, and objectively offensive that it effectively denies an individual equal access to the individual's education program or activity.

(C) Expression (either in-person, written, or by telecommunication) must meet the definition of harassment under paragraph (B) of this rule to be actionable, and must take place on college premises, at college-sponsored events, or in connection with a college recognized program or activity.

(D) Students may report allegations of freedom of expression violations or harassment to the college via the student complaint form on the college's website, in accordance with AP 440 - "Student Complaints."

(E) Employees may report allegations of freedom of expression violations or harassment to the human resources office and president's office.

(F) This rule shall not be construed to impair any right or activity, including expression or speech, protest, or assembly protected by the First Amendment of the United States Constitution and Article



I of the Ohio Constitution.

(G) Marion technical college is empowered to restrict expressive activities that the First Amendment of the United States Constitution and Article I of the Ohio Constitution do not protect, and noting in this rule shall be interpreted as preventing the college from doing so. Additionally, this rule shall not restrict or impair the college's obligations under federal law related to:

- (1) Title IV of the Higher Education Act of 1965
- (2) Title VI of the Civil Rights Act of 1964
- (3) Title VII of the Civil Rights Act of 1964
- (4) Title IX of the Education Amendments of 1972
- (5) Section 504 of the Rehabilitation Act of 1973
- (6) Title II of the Americans with Disabilities Act
- (7) Age Discrimination in Employment Act
- (8) Age Discrimination Act of 1975