



Ohio Administrative Code Rule 3344-2-06 Expressive activity policy.

Effective: November 30, 2015

(A) Purpose

(1) The purpose of the rule is to promote the free exchange of ideas and the safe and efficient operation of the university by:

(a) Fostering free speech, assembly and other expressive activities on university property by all persons, whether or not they are affiliated with the university.

(b) Maintaining an appropriate educational and work environment for all persons present on university property, including but not limited to students, faculty, employees, customers and visitors.

(c) Maintaining the personal security of all persons present on university property and protecting the property of the university and of persons present on university property.

(2) In developing this rule, the university recognizes the constitutional freedoms guaranteed by the United States and Ohio constitutions, including freedom of speech, press and assembly. The university also recognizes the need to preserve and protect its property, students, guests and employees of the university, and to ensure the effective operation of educational, business and related activities of the university. Expressive activities on the university's campus may be subject to reasonable regulation with regard to the time, place and manner of the activities. University employees will not consider the content of expressive activities when enforcing this policy. No policy can address every possible activity or situation that may occur on university property, and the university reserves the right to address such situations as circumstances warrant.

(3) This rule does not apply to use of university facilities and grounds for official events sponsored by the university. Expressive activities carried out under this rule shall not be considered to be speech made by, on behalf of or endorsed by the university. This rule supersedes any provisions in any other earlier-adopted university policies that address similar or overlapping issues, such as use of



outdoor spaces.

(B) Outdoor areas of campus generally available for use

(1) General access

(a) Any person or group may use, without prior notification, any publicly accessible outdoor area of the university's campus except parking lots, garages and driveways. Federal, state and local laws will be enforced as applicable. The use of walkways or other common areas may not block the free passage of others or impede the regular operation of the university.

(b) Use of the general access areas may include speaking, non-verbal expression, distributing literature, displaying signage and circulating petitions. There is no limit to the number of times a month a person or group may access those areas.

(c) During work and class hours or if the area is currently in use for an official university event, amplification may be restricted if it unreasonably interferes with university operations or noise ordinances are violated.

(2) Large groups

(a) Except in circumstances described in paragraph (B)(2)(b) of this rule, any person or group whose use of an outdoor area is expected or reasonably likely to have more than one hundred people must notify the university's police department at 216-687-2020 at least five business days before the day of the expressive activity, including information as to the specific location to be used for the event, the estimated expected number of persons, and the name and contact information of at least one person who can be contacted regarding logistics of the event, which shall include at least one person who will be personally present. Security and clean-up costs will not be charged to the person or group.

(b) Prior notice is necessary to ensure that there is sufficient space for the large group event, that the large group event does not conflict with any other scheduled use of the outdoor space, and that sufficient university resources are available for crowd control and security. If such advance notice is not feasible because of circumstances that could not be reasonably anticipated, the person or group



shall provide the university with as much advance notice as circumstances reasonably permit.

(C) Student use

(1) In addition to the general right of access to outdoor areas of campus described above, any student or student organization may seek to reserve the use of specific outdoor areas by contacting conference services at 216-523-7203.

(2) Any request by a student or student organization to reserve such area or space shall be made at least one business day prior to the event. A request will be granted unless it would conflict or interfere with a previously scheduled event or activity or violate this rule.

(3) A student or student organization that has reserved a specific area or space under this rule will have priority over any other persons seeking to use the area or space during the scheduled time period. Any decision denying a request shall be promptly communicated in writing to the requester and shall set forth the basis for the denial. The content of the anticipated speech or other expressive activity shall not form the basis for a denial.

(D) Prohibited activities

(1) Any event or activity that significantly disrupts the ability of the university to effectively and peacefully teach students, provide client services, or conduct any of its other business and support operations is prohibited. Examples include but are not limited to excessive noise, impeding vehicle or pedestrian traffic, and conduct otherwise unlawful.

(2) No activity may damage university property. Prohibited actions include but are not limited to driving stakes or poles into the ground, affixing items to a building, and attaching anything to sidewalks, paved areas, or any part of any building, structure or fixture. This prohibition does not limit the otherwise authorized decoration of offices and residences by non-destructive means.

(3) Distribution or solicitation by placing any material on vehicles in the parking lots or garages is prohibited. Leaving trash, litter, materials or pollutants in any area is prohibited.



(E) Enforcement

Any person who violates paragraph (D) of this rule may be subject to an order to leave university property. Employees in violation of this policy may be subject to discipline. Students may be subject to charges under the code of student conduct.

(F) Procedures

The university administration may adopt procedures to administer this rule.