



Ohio Administrative Code Rule 3349-1-202 Free speech on campus.

Effective: November 25, 2024

(A) Purpose

The purpose of this rule is to establish a free speech rule on the NEOMED campus. Section 3345.0215 of the Revised Code requires each public university in Ohio to adopt a rule on campus free speech that is consistent with and adheres to the principles set forth within it.

(B) Scope

This rule applies to NEOMED students, student groups, and faculty, and is established to safeguard their ability to express and respond to disparate views.

(C) Rule statement

- (1) Students have a fundamental constitutional right to free speech.
- (2) A state institution of higher education shall be committed to giving students broad latitude to speak, write, listen, challenge, learn, and discuss any issue, subject to paragraph (D)(10) of this rule.
- (3) A state institution of higher education shall be committed to maintaining a campus as a marketplace of ideas for all students and all faculty in which the free exchange of ideas is not to be suppressed because the ideas put forth are thought by some or even by most members of the institution's community to be offensive, unwise, immoral, indecent, disagreeable, conservative, liberal, traditional, radical, or wrong-headed.
- (4) It is for a state institution of higher education'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 a state institution of higher education 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 a state institution of higher education should greatly value civility and mutual respect, concerns about civility and mutual respect shall never be used by an institution 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 a state institution of higher education, 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, a state institution of higher education has a responsibility to promote a lively and fearless freedom of debate and deliberation and protect that freedom.

(8) A state institution of higher education 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 an honest, courageous, and persistent effort to search out and communicate the truth and counter untruths that lie in the areas of their competence.

(10) This rule shall not be construed to impair any right or activity, including speech, protest, or assembly protected by the United States Constitution. The university may, however, impose the following measures, which do not violate the first amendment to the United States Constitution or the Ohio Constitution, such as:

(a) Constitutional time, place, and manner restrictions;

(b) Reasonable and viewpoint-neutral restrictions in nonpublic forums;



(c) Restricting the use of NEOMED property to protect the free speech rights of students and faculty and preserve the use of the property for the advancement of the university's mission;

(d) Prohibiting or limiting speech, expression, or assemblies that are not protected by the first amendment to the United States Constitution or Ohio Constitution; or

(e) Content restrictions that are reasonably related to a legitimate pedagogical purpose, such as classroom rules enacted by faculty.

(11) Complaints regarding violations of this rule

A student, student group, or faculty member may submit a complaint about an alleged violation of this rule by an employee of the university. Complaints alleging a faculty member violated this rule should be submitted via email to freespeech@neomed.edu. The process for reviewing complaints, which shall comply with standards adopted by the chancellor of the department of higher education, will include an investigation of the alleged violation, and a fair and impartial hearing. If the hearing determines this rule was violated, the university shall determine a resolution to address the violation and prevent any further violation of this rule, which may include discipline of the employee, up to and including termination of employment.