



Ohio Administrative Code Rule 3349-1-203 Intellectual diversity.

Effective: July 18, 2025

(A) Purpose

The purpose of this rule is ensure compliance with The Advance Ohio Higher Education Act (also known as Senate Bill 1 or the act) and promulgate northeast Ohio medical university's (NEOMED or university) statement of commitment to the educational and operational principles contained in the act.

(B) Scope

This rule applies to all positions, policies, programs and activities (as defined herein) affecting all NEOMED faculty, staff and students as indicated.

(C) Definitions

(1) Controversial belief for the purposes of this rule, refers to any belief or rule that is the subject of political controversy, including issues such as climate policies, electoral politics, foreign policy, diversity, equity, and inclusion programs, immigration policy, marriage, or abortion.

(2) Intellectual diversity for the purpose of this rule, refers to multiple, divergent, and varied perspectives on an extensive range of public policy issues.

(3) Positions, policies, programs and activities for the purposes of this rule, refers to the following:

- (a) All forms of employment, including staff positions, internships, and work studies;
- (b) All policies, including mission statements, hiring policies, promotion policies, and tenure policies;
- (c) All programs and positions, including deanships, provostships, offices, programs, programs



presented by residence halls, and committees; and

(d) All activities, including those conducted by the administrative units of orientation, first-year experience, student life, and residential life.

(4) Protected class for the purposes of this rule, refers to race, ethnicity, religion, sex, sexual orientation, gender identity, or gender expression.

(5) Statement of commitment refers to the following declarations NEOMED has made to:

(a) Educate students by means of free, open, and rigorous intellectual inquiry to seek the truth;

(b) Equip students with the opportunity to develop the intellectual skills they need to reach their own, informed conclusions;

(c) Not require, favor, disfavor, or prohibit speech or lawful assembly;

(d) Create a community dedicated to an ethic of civil and free inquiry, which respects the autonomy of each member, supports individual capacities for growth, and tolerates the differences in opinion that naturally occur in a public higher education community; and

(e) Treat all faculty, staff, and students as individuals, to hold them to equal standards, and to provide them equality of opportunity, with regard to those individuals' race, ethnicity, religion, sex, sexual orientation, gender identity, or gender expression.

(D) Rule statement

(1) The university prohibits the following activities:

(a) Conducting any orientation or training course regarding diversity, equity, and inclusion unless an exception has been sought by the university and granted by the chancellor of higher education;

(b) Continuing of existing diversity, equity, and inclusion offices or departments;



- (c) Establishing new diversity, equity, and inclusion offices or departments;
- (d) Using diversity, equity, and inclusion in job descriptions;
- (e) Contracting with consultants or third-parties whose role is or would be to promote admissions, hiring, or promotion on the basis of a protected class;
- (f) Establishing any new institutional scholarships that use diversity, equity, and inclusion in any manner. For existing institutional scholarships, the university will, to the extent possible, eliminate diversity, equity and inclusion requirements, but where unable to do so, will not accept any additional funds in support of those scholarship requirements, but will continue to offer the balance of the existing scholarship amount;
- (g) Replacing any orientation, training, office, or position designated for the purpose of diversity, equity, and inclusion with an orientation, training, office, or position under a different designation that serves the same or similar purposes, or that uses the same or similar means;
- (h) Imposing a political or ideological litmus tests in any hiring, promotion, and admissions decisions, or requiring a diversity statement or any similar attestation of an applicant to any ideology, principle, concept, or formulation that requires commitment to any controversial belief or rule; and
- (i) Refrain from conducting any research related activities that conflict with the provisions of paragraph (D)(1) of this rule unless a written request for exemption has been approved by the Ohio chancellor of higher education.

(2) The university affirms and declares that:

- (a) Its primary function is to practice, or support the practice, discovery, improvement, transmission, and dissemination of knowledge and citizenship education by means of research, teaching, discussion, and debate, while ensuring the fullest degree of intellectual diversity in performing these functions;



- (b) Its faculty and staff shall allow and encourage students to reach their own conclusions about all controversial beliefs or policies and shall not seek to indoctrinate any social, political, or religious point of view;
- (c) It will demonstrate intellectual diversity for course approval, approval of courses to satisfy degree requirements, student course evaluations, common reading programs, annual reviews, strategic goals for each department, and student learning outcomes;
- (d) It will not endorse or oppose, as a university, any controversial belief or rule, except on matters that directly impact the university's funding or mission of discovery, improvement, and dissemination of knowledge. The university may also: endorse the congress of the United States when it establishes a state of armed hostility against a foreign power; recognize national and state holidays; support for the constitution and laws of the United States or the state of Ohio; or display of the American or Ohio flag;
- (e) It will not encourage, discourage, require, or forbid students, faculty, or administrators to endorse, assent to, or publicly express a given ideology, political stance, or view of a social rule, nor will the university require students to do any of those things to obtain an undergraduate or post-graduate degree;
- (f) None of its hiring, promotion, or admissions process or decision shall encourage, discourage, require, or forbid students, faculty and or administrators to endorse, assent to, or publicly express a given ideology or political stance;
- (g) It will not use a diversity statement or any other assessment of an applicant's political or ideological views in any hiring, promotions, or admissions process or decision;
- (h) None of its processes or decisions regulating conditions of work or study, such as committee assignments, course scheduling, or workload adjustment policies, shall encourage, discourage, require, or forbid students, faculty, or administrators to endorse, assent to, or publicly express a given ideology or political stance;
- (i) It will prominently display on its website a complete list of all speaker fees, honoraria, and other



emoluments in excess of five hundred dollars for events that are sponsored by the university, in a manner that is searchable by keywords and phrases, accessible to without user registration; and not more than three links from its home page;

(3) Nothing in this rule prohibits faculty or students from classroom instruction, discussion, or debate, so long as faculty members allow students to express intellectual diversity.

(4) Nothing in this chapter prohibits the university from complying with any state or federal law to provide disability services or to permit student organizations.

(5) The university will prominently post its statement of commitment on its website and any place where its mission statement appears. The statement of commitment will also be included in any solicitations to students, offers of admission, and offers of employment to faculty.

(6) Complaints

(a) Anyone filing a complaint alleging violation of this rule must be acting in good faith and have reasonable grounds for believing the information disclosed indicates the rule was violated. The university is committed to protecting individuals from interference with making a complaint under this rule and from retaliation for having made such a complaint.

(b) A student, student group, or employee may submit a complaint about an alleged violation of this rule by an employee of the university. Complaints alleging that a university employee has violated this rule should be submitted via email to freespeech@neomed.edu within ten business days of the alleged violation. Complaints shall include a description of the conduct alleged to have violated the rule with sufficient specificity to allow for further investigation, and shall include, at a minimum, the time, date, and location of the alleged violation and the provisions of this rule that the conduct is believed to have violated. Upon receipt of a complaint, human resources will work in collaboration with the office of the general counsel to promptly conduct an investigation of the complaint. Allegations against a faculty-respondent will be investigated in accordance with rule 3349-3-77 of the Administrative Code. An investigation of allegations against a staff-respondent, or a faculty member acting in an administrative capacity, will adhere to the following process:



- (i) Issuing a written notification to the respondent;
- (ii) Interviewing the complainant and respondent;
- (iii) Interviewing other witnesses identified by either the complainant or the respondent and collecting any relevant evidence;
- (iv) Preparing an investigative report, to be shared with both the complainant and respondent before being finalized;
- (v) Options to pursue an informal consent resolution or formal hearing based upon the finalized report. If a formal hearing is requested:
 - (a) A hearing panel appointed by the senior vice president and provost or senior vice president for operations and finance, as appropriate, will review the matter utilizing a preponderance of the evidence standard;
 - (b) The hearing panel will issue a written finding on each alleged violation of the rule, to include a basis for the finding, along with options for appealing its findings within five business days based on:
 - (i) A procedural irregularity that significantly affected the findings made by the hearing panel; or
 - (ii) New evidence that was not reasonably available at the time the findings were made that could significantly affect the outcome of the matter.
- (vi) Appeals from the formal hearing will be directed to the senior vice president and provost or senior vice president for operations and finance, as appropriate.
- (7) Sanctions for violations of the rule
 - (a) Employees acting in a faculty capacity who are found to have violated this rule will be subject to the sanctions set forth in appendix D to the university faculty bylaws.



(b) Employees acting in a staff or administrative capacity who are found to have violated this rule may be sanctioned with a verbal or written reprimand, probation, suspension, or termination depending on the investigation or hearing.