



Ohio Revised Code

Section 3345.0211 Expressive activities on campus - definitions, supersession.

Effective: March 24, 2021

Legislation: Senate Bill 40 - 133rd General Assembly

(A) As used in this section and sections 3345.0212 to 3345.0214 of the Revised Code:

(1) "Benefits" has the same meaning as in section 3345.023 of the Revised Code.

(2) "Campus community" means students, student groups, faculty, staff, and employees of a state institution of higher education and their invited guests.

(3) "Expressive activities" means 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.

(4) "Harassment" means 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.

(5) "Materially and substantially disrupts" means 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.

(6) "Outdoor areas of campus" means 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.

(7) "State institution of higher education" has the same meaning as in section 3345.011 of the Revised Code.

(8) "Student" means any person who is enrolled on a full-time or part-time basis in a state institution of higher education.

(9) "Student group" means an officially recognized group at a state institution of higher education, or a group seeking official recognition, comprised of admitted students that receive, or are seeking to receive, benefits through the institution of higher education.

(B) The provisions and requirements of sections 3345.0212 to 3345.0214 of the Revised Code supersede any rule, policy, action, communication, or requirement of any state institution of higher education. No rule, policy, action, communication, or requirement shall contradict or diminish the effect of those sections of the Revised Code.