

## Free Speech, 7.02

Chapter 7: General Administrative

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**Responsible Office: Human Resources and Enrollment Management**

**Applies to:** Faculty, Students, and Student Groups

**Approved:** 09/20/2022

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**Policy:** Rhodes State College is dedicated to protecting the fundamental constitutional right to free speech. The College is committed to maintaining a campus as a marketplace of ideas for all students, student groups and faculty.

**Guidelines:****I. Definitions:**

- a. **Constitutional time, place, and manner restrictions:** Restrictions on the time, place, and manner of free speech that do not violate the First Amendment to the United States Constitution or Article I, Sections 3 and 11 of the Ohio Constitution that are reasonable, content and viewpoint neutral, narrowly tailored to satisfy a significant institutional interest, and leave open ample alternative channels for the communication of the information or message to its intended audience.
- b. **Faculty / Faculty Member:** Any person, whether or not the person is compensated by a state institution of higher education, and regardless of political affiliation, who is tasked with providing scholarship, academic research or teaching. For purposes of this part, the term “faculty” includes tenured and non-tenured professors, adjunct professors, lecturers, graduate student instructors, and those in comparable position, however titled. For purposes of this section, the term “faculty” does not include persons whose primary responsibilities are administrative or managerial.
- c. **Free Speech:** Speech expression or assemblies protected by the United States Constitution or Article I, Sections 3 and 11 of the Ohio Constitution, verbal or written, including, but not limited to, all forms of peaceful assembly, protests, demonstrations, rallies, vigils, marches, public speaking, distribution of printed materials, carrying signs, displays, or circulating petitions. “Free Speech” does not include the promotion, sale, or distribution of any product or service.
- d. **Student:** Any person who is enrolled on a full-time or part-time basis in a state institution of higher education.
- e. **Student Group:** 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.

**II. Policy Details:**

Rhodes State College, an Institution of Higher Education (IHE), complies with Ohio Revised Code 3345.0211 – 3345.0215, and affirms the following principles:

- a. Students have a fundamental constitutional right to free speech.
- b. The College is committed to giving students broad latitude to speak, write, listen, challenge, learn, and discuss any issue, subject to division (E) of this section.

- c. The College is committed to maintaining a campus as a marketplace of ideas for all students, student groups, 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 College's community to be offensive, unwise, immoral, indecent, disagreeable, conservative, liberal, traditional, radical, or wrong-headed.
- d. It is for the College's individual students, student groups, 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.
- e. It is not the proper role of the College 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.
- f. Although the College greatly values civility and mutual respect, concerns about civility and mutual respect shall never be used by the College 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, student groups, or faculty.
- g. Although all students, student groups, and 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 College's campus, 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, the College has a responsibility to promote a lively and fearless freedom of debate and deliberation and protect that freedom.
- h. The College is 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.
- i. The primary responsibility of faculty is to engage an honest, courageous, and persistent effort to search out and communicate the truth that lies in the areas of their competence.

**III. Complaint Process and Reporting Requirement:**

[See Free Speech Procedure 7.02\(a\)](#)

**IV. Retaliation:**

Any student, student group or faculty who report a violation of this policy will not be retaliated against.

**Related Policies or Procedures:**

[Free Speech Procedure 7.02\(a\)](#)

**Compliance References:**

[Ohio Revised Code 3345.0211](#)

[Ohio Revised Code 3345.0215](#)

**History:**

	<b>Date:</b>	<b>Reason:</b>
<b>Issued:</b>	09/20/2022	Replaces Freedom of Inquiry and Expression Policy 5.15 BOT approved 9-16-08
<b>Revised:</b>	MM/DD/YY	

*This policy and / or procedure provides operating principles for Human Resources issues at Rhodes State College. It supersedes any prior policy covering specific subject. This policy and / or procedure may be suspended, modified or cancelled as determined by the College. This policy and / or procedure does not create a contract of employment, nor is it a condition of employment between the College and its employees.*