

**ADOPTION OF INTERIM CAMPUS FREE SPEECH
POLICY AND PROCESS**

Resolution No. 2023-16

Synopsis: Adoption of an interim campus free speech policy and process as required under Ohio Revised Code 3345.0215 is proposed.

WHEREAS Ohio Revised Code 3345.0215 codified the public policy of the state of Ohio concerning campus free speech, and requires the Board of Trustees to adopt a policy affirming several principles of campus free speech and a process under which a student, student group, or faculty member may submit a complaint about an alleged violation of the forgoing policy; and

WHEREAS it is the practice of the Board of Trustees to cause the university to operate in compliance with state law:

NOW THEREFORE

BE IT RESOLVED, That the Board of Trustees hereby adopts the following interim policy on campus free speech:

Interim Policy

As Buckeyes, we derive great strength from bringing together people from different backgrounds and learning from their experiences. As a land-grant institution, The Ohio State University takes seriously its role in promoting and supporting public discourse. We are steadfastly committed to protecting the First Amendment right to free speech and expression on our campuses. Encouraging individuals to share their varying thoughts and perspectives enriches the university environment and can allow community members to experience new ideas.

Principles of Campus Free Speech

In accordance with the public policy and the laws of the state of Ohio, the university affirms the following principles:

- (1) Students have a fundamental constitutional right to free speech.
- (2) The university is committed to giving students broad latitude to speak, write, listen, challenge, learn, and discuss any issue, subject to Ohio Revised Code 3345.0215(E).
- (3) The university is 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 the university'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.



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(5) It is not the proper role of the university 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 the university greatly values civility and mutual respect, concerns about civility and mutual respect shall never be used 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, the university has a responsibility to promote a lively and fearless freedom of debate and deliberation and protect that freedom.

(8) The university 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 an honest, courageous, and persistent effort to search out and communicate the truth that lies in the areas of their competence.

Complaints

Further, the university is creating a process under which a student, student group, or faculty member may submit a complaint about an alleged violation by an employee of the university for violations of the above interim policy, including any violation which results in a penalty imposed on a student's grade for an assignment or coursework that is unrelated to ordinary academic standards of substance and relevance, including any legitimate pedagogical concerns, and is instead based on the contents of student's free speech.

A complaint can be submitted to the Office of University Compliance and Integrity at: compliance-integrity@osu.edu or anonymously using EthicsPoint.

Under the process, which shall comply with standards to be adopted by the Ohio Chancellor of Higher Education, the university will investigate the alleged violation and conduct a fair and impartial hearing regarding the alleged violation. If the hearing determines the university's interim policy was violated, the university shall determine a resolution to address the violation and prevent any further violation of the interim policy.

CERTIFIED

This is to certify that the foregoing is a true and accurate excerpt from the minutes of the Board of Trustees meeting held August 18, 2022.

Jessica A. Eveland
Secretary