NORTHEAST OHIO MEDICAL UNIVERSITY	Policy No: 3349-1-202
POLICY TITLE: Free Speech on Campus	**EFFECTIVE DATE: July 21, 2022** **REVISED: July 1, 2025**
RESPONSIBLE DEPARTMENT: Office of the President/General Counsel	**All Students, Student Groups, and Faculty**

(A) PURPOSE

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

(B) SCOPE

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

(C) POLICY 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 section (D) (10) of this policy.

(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 policy 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 Policy

(a) Anyone filing a complaint alleging violation of this policy must be acting in good faith and have reasonable grounds for believing the information disclosed indicates the policy was violated. The University is committed to protecting individuals from interference with making a complaint under this policy 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 Policy by an employee of the University. Complaints alleging that a University employee has violated this Policy should be submitted via email to freespeech@neomed.edu within ten (10) business days of the alleged violation. Complaints shall include a description of the conduct alleged to have violated the policy 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 policy 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 Appendix D of the University

Faculty Bylaws. 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 complaint 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 policy, to include a basis for the finding, along with options for appealing its findings within five (5) 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.

(12) Sanctions for Violations of the Policy

(a) Employees acting in a faculty capacity who are found to have violated this policy will be subject to the sanctions set forth in Appendix D of the University Faculty Bylaws.

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