

Policy Statement

Terra State Community College embraces diverse perspective and upholds academic freedom. The College is committed to upholding the First Amendment rights of free speech and expression in accordance with Ohio Revised Code [3345.0215](#). This policy applies to all, faculty, staff, students, student groups, and employees of TSCC and their invited guests.

Policy Details

- A) In accordance to ORC [3345.0215](#), the College affirms the following principles on free speech:
- 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 division (E) of ORC 3345.0215.
 - 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 an honest, courageous, and persistent effort to search out and communicate the truth that lies in the areas of their competence.
- B) Nothing in this Policy shall be construed as prohibiting the College from imposing measures that do not violate the First Amendment to the United States Constitution or Article I, Section 3 and 11 of the Ohio Constitution such as:
 - 1) Constitutional time, place, and manner restrictions
 - 2) Reasonable viewpoint-neutral restrictions in nonpublic forum
 - 3) Restrictions on the use of the College's property to protect the free speech rights of students and teachers and preserve the use of property for the advancement of the College's mission.
 - 4) Prohibitions or limitations on speech, expression, or assemblies that are not protected under the U.S. or Ohio constitutions
 - 5) Content restrictions on speech that are reasonably related to legitimate pedagogical purpose, such as classroom rules enacted by faculty.
- C) Nothing in this Policy shall be construed to grant students the right to disrupt previously scheduled or reserved activities occurring in a traditional public forum.
- D) Nothing in this Policy shall be interpreted as restricting or impairing the College's obligations under federal law including, but not limited to, Title IV of the Higher Education Act of 1965, Title VI of the Civil Rights Act of 1962, Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act, Age Discrimination in Employment Act, and the Age Discrimination Act of 1975 as addressed through its nondiscrimination and Title IX policies.
- E) Violations of Policy by College Employee
 - 1) Reporting a Complaint
 - a) Students, student groups, staff or faculty may submit a complaint about an alleged violation of this policy by an employee of the College. A complaint can be submitted to the Report a Concern incident reporting portal at: <https://terra.edu/reportaconcern> and follow the protocols outlined in the General Public Complaint Policy.
 - 2) Investigation and Hearing Process
 - a) The College will follow the procedures outlined in the Progressive Action Policy regarding any reported violations to this policy, unless the employee is covered under a Collective Bargaining Agreement.

Non-Retaliation

- F) Terra State Community College strictly adheres to and enforces a non-retaliation clause. Retaliation against an individual who has complained about sexual discrimination, harassment, and/or misconduct and retaliation against individuals for cooperating with an investigation of a sexual discrimination and/or harassment complaint is unlawful and will not be tolerated by the College. Any person who violates this policy will be

subject to discipline, up to and including termination if they are an employee, and/or dismissal if they are a student.

Resources

- 1) [Public Use of College Grounds for Expressive Activity Policy](#)
- 2) [Campus Posting Policy](#)
- 3) [Code of Student Conduct](#)
- 4) [Progressive Action Policy](#)
- 5) [General Public Complaint Policy](#)
- 6) **Ohio Revised Code** [3345.0215](#)
- 7) **Report a Concern**
<https://terra.edu/reportaconcern>
- 8) **Dean of Student Success**
Building B, Room 105
419-559-2345
- 9) **Campus Safety and Security**
Building E, Room 104
419-559-2253

Documentation

Definitions

<i>Term</i>	Definition
<i>Free Speech</i>	Means speech, expression, or assemblies protected by the First Amendment to 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.
<i>Time, place and manner restrictions</i>	Limitations imposed on expressive activities which are content-neutral, narrowly tailored, and which leave open and ample alternatives for communication. Restrictions may include limitations on noise, restrictions on size or placement of signs, and capping the number of participants who may occupy a given forum. Such restrictions allow the college to conduct its normal operations without disruption. Time, place, and manner restrictions are allowed by the first amendment.
<i>Viewpoint Neutral</i>	Viewpoint neutrality is a principle that mandates the government to treat all speakers impartially, without giving preference to one message over another on the same subject. It is a widely recognized concept in First Amendment law.
<i>Hecklers Veto</i>	A "Heckler's Veto" is activity which prevents another individual from exercising their First Amendment Rights. You may not utilize your rights to deny another their rights

to free speech. The college has a right and duty to assure that all individuals can equally exercise their right to freedom of speech.

Approval History

<i>Date</i>	<i>Policy/Procedure or Entire Document</i>	<i>Notes (Types of Actions)</i>	<i>**Approved by</i>
11/21/2024	New Policy	Developed using modified language from Lorain County Community College (LCCC), Central Ohio Technical College (COTC), Bowling Green State University (BGSU), and Owens Community College (OCC). CASA Approved with amended changes: Add retaliation statement and change title Board of Trustees Approval: 1/15/2025	Doug Mead, CASA Co-Chair

**Full name of CASA Committee Chair, signatory, or designee

Effective Date: 11/22/2024

Next Review Date: 11/30/2027