

Southern State Community College

Freedom of Expression Policy and Procedures

Purpose

This Policy applies to Southern State Community College (College) students, student groups, faculty, and staff.

Ohio Revised Code 3345.0215 requires each institution's board of trustees to adopt a policy on campus free speech that is consistent with and adheres to the principles set forth in R.C. 3345.0215.

Definitions

"Faculty" or "faculty member" means any person, who is responsible for instruction. For purposes of this section, the term "faculty" does not include persons whose primary responsibilities are administrative or managerial.

"Student" means any person who is enrolled on a full-time or part-time basis at the College.

"Student group" means an officially recognized group at the College, or a group seeking official recognition, comprised of admitted students.

Policy

Pursuant to R.C. 3345.0215, the College affirms the following principles on free speech:

- (1) Students have a fundamental constitutional right to free speech.
- (2) The College is committed to giving students broad latitude to speak, write, listen, challenge, learn, and discuss any issue, subject to division (E) of R.C. 3345.0215.
- (3) The College 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 College'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 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.

- (6) Although the College should greatly value 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 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 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.
- (8) 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.
- (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.

Nothing contained 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, Sections 3 and 11 of the Ohio Constitution such as:

- (1) Constitutional time, place, and manner restrictions;
- (2) Reasonable and viewpoint-neutral restrictions in nonpublic forums;
- (3) Restricting the use of the College's property to protect the free speech rights of students and teachers and preserve the use of the property for the advancement of the College's mission;
- (4) Prohibiting or limiting speech, expression, or assemblies that are not protected by the First Amendment to the United States Constitution or Article I, Sections 3 and 11 of the Ohio Constitution;
- (5) Content restrictions on speech that are reasonably related to a legitimate pedagogical purpose, such as classroom rules enacted by faculty.

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.

Procedure

Issuing a Complaint

A student, student group, or faculty member may submit a complaint about an alleged violation of the Policy by an employee of the College. Complaints alleging a faculty member violated this policy should be reported as “academic concern” using the College’s online [Incident Report Form](#) available at www.sccc.edu. Complaints alleging a staff member violated this policy should be reported as “general conduct report” using the College’s online [Incident Report Form](#) available at www.sccc.edu.

Complaints should include the full name of the person filing the complaint and relevant contact information, the date of the violation, where it occurred, and a description of the alleged violation. Anonymous reports may be submitted, but this may limit the College’s ability to conduct a complete investigation.

Complaints for an alleged violation involving grading should be issued within ten calendar days of the graded assignment or within 30 calendar days of the issuance of final grades. Complaints of a more fluid nature, such as discussions or classroom debates should be issued within ten calendar days.

Upon receipt of the incident form, the College will issue written acknowledgment of the complaint within ten business days. This acknowledgement will include requests for any clarifying information, details around the proposed next steps, and a proposed timeline for when the investigation will occur and a resolution determined. Such processes should generally take no longer than 30 calendar days after the acknowledgment is issued.

Investigation of the Complaint

The College is committed to treating and investigating all complaints in a fair and impartial manner. The process shall comply with the standards adopted by the Chancellor of the Ohio Department of Higher Education and include an investigation of the alleged violation.

The [Policy and Information Manual](#) includes an Employee Code of Conduct, Section 3.11 and addresses the investigation of alleged violations. All employees are expected to cooperate truthfully in the College’s investigation of such reports. The Vice President of Human Resources will assign an investigator as appropriate and initiate a fair and impartial hearing.

Complaint Resolution

If the hearing determines this Policy was violated, the College shall determine a resolution to address the violation and prevent any further violation of this Policy, which may include discipline of the employee, up to and including termination of employment. The College’s

Employee Code of Conduct will guide such corrective action. The President shall determine the ultimate resolution to address the violation and prevent any further violation of this policy.

Statement Prohibiting Retaliation

No person shall retaliate against an individual for reporting a violation of freedom of expression, filing a complaint, participating in an investigation, participating in the resolution of a complaint, implementing measures that would prevent further violation of this policy, or any other activity protected under this policy, regardless of the outcome. Any act of retaliation or reprisal violates this policy and will be treated as a separate violation. Anyone found to have retaliated against someone making use of this policy will be subject to corrective actions, up to and including termination of employment or dismissal from the College.

Continued Compliance

Training and education on this policy and processes as it relates to those investigators and others involved in the adjudication process will be provided annually and coordinated by the Office of Human Resources.

Following the start of each academic term, students, faculty, and staff will be notified of the following:

- Where to find the Freedom of Expression Policy
- Reporting procedures and necessary information to issue a complaint
- The timeline for issuing a complaint, and
- Guidance after the complaint has been filed.