



EASTERN  
GATEWAY  
COMMUNITY  
COLLEGE

**FREEDOM OF SPEECH/EXPRESSION**

**REFERENCES:**

ORC#3345.0212  
Fed Reg #

**REVISION HISTORY**

**Approved By: Resolution #**

**Effective Date: 11-17-2021**

**Purpose:**

*This policy serves to affirm Eastern Gateway Community College's commitment to the promotion of free exchange of ideas and other expressive activities while maintaining a safe and efficient operation of the college. This policy also serves to address harassment in the context of freedom of expression, in accordance with O.R.C. 3345.0212.*

**Scope:**

*This policy applies to all members of the college community, including students, student organizations, faculty, staff, and college visitors.*

**Definitions:**

*"Expressive activities" and "Freedom of expression" mean any lawful verbal, written, audiovisual or electronic/digital means by which individuals may communicate ideas, including all forms of peaceful assembly, protests, speeches, distribution of literature, carrying and displaying signs and circulating petitions.*

*"Harassment" is defined as conduct and/or expression, either in person, in writing or by telecommunication, that is:*

- 1. Not protected by the First Amendment to the United States Constitution or Article I of the Ohio Constitution (Unprotected Expression);*
- 2. Unwelcome; and*
- 3. So severe, pervasive, and objectively offensive that it effectively denies an individual equal access to the individual's education program or activity.*

**Responsibility:**

*The Office of Academic Affairs, Human Resources and the President's Office are jointly responsible for administering this policy. See section regarding Reporting.*

**Policy:**

*Eastern Gateway Community College welcomes a robust exchange of ideas and recognizes. The college recognizes that the right of expression is a necessary and important right that is vital in a learning environment.*

*Expressive activities carried out under this policy does not include speech made by, on behalf of, or endorsed by the college.*

*Expressive activities at the college may be subject to reasonable rules or procedures with regard to the time, place, and manner of the activities. Any such rule or procedure will be view-point and content-neutral, reasonable, and allow for alternative methods of expression. Rules and procedures will be applied narrowly and be consistent with the College's purpose to promote education and commitment to the free exchange of ideas. An example of an appropriate rule or procedure is one that prevents individuals from substantially disrupting the functioning of the College.*

#### **ASSEMBLY AND OTHER EXPRESSIVE ACTIVITIES**

*Individuals and groups who wish to engage in expressive activities on Eastern Gateway Community College property are subject to the following responsibilities that serve to protect the functions of the College:*

- *College operations are not significantly disrupted;*
- *Building entries and exists, walkways and roadways remain accessible;*
- *Signs, banners and other physical displays do not impede college operations;*
- *Persons are not harmed, and property is not damaged;*
- *Laws and college policies are not violated;*
- *The expressive activity does not pose a true threat to an individual or group;*
- *The expressive activity does not constitute harassment, as defined by this policy, against an individual and/or group that unreasonably interferes with that individual and/or group's educational experience.*

#### **REPORTING**

- *Students should report alleged violations of this policy by following the student grievance process through the Office of Academic Affairs.  
<https://egcc.edu/wp-content/uploads/2021/03/2021-2022-Catalog-and-Student-Handbook.pdf>*
- *Staff employees should report alleged violations to Human Resources. Faculty should report alleged violations to the Office of Academic Affairs. The policy on Academic Freedom and Responsibility also applies to faculty.*
- *Visitors to campus should report alleged violations of this policy the President's Office.*

#### **OTHER ANTI-DISCRIMINATION LAWS AND REGULATIONS**

*Nothing within this policy shall be interpreted as 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 1965; 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; the Age Discrimination in Employment Act; the Age Discrimination Act of 1975; or any similar state laws.*

**Exceptions:**

*This policy does not apply to use of college facilities or grounds for official events sponsored by the college, nor does it supersede college policy on facilities use.*

*Academic freedom is not addressed under this policy, but is covered by other policies or procedures, collective bargaining agreements, and the student handbook.*