



R.C. 3345.0214(A)

Report Submitted by Northwest State Community College

- (1) Northwest State Community College has complied with R.C. 3345.0212 by taking the following actions:
 - Northwest State Community College does not prohibit any member of the Campus Community from engaging in noncommercial expressive activity on campus, so long as the individual's conduct is lawful and does not materially and substantially disrupt the functioning of the institution.
 - Northwest State Community College does not charge a security fee to any students or student groups based on the content of their expression, the content of the expression of their invited guest, or the anticipated reaction to an invited guest's expression.
 - Northwest State Community College has adopted a policy on harassment that adheres to the R.C. 3345.0211 definition.
 - Northwest State Community College has published in its handbook, on its website, and in its orientation programs the policies, regulations, and expectations of students regarding free expression on campus.
 - Northwest State Community College has developed and distributed materials, programs, and procedures about the policies, regulations, and duties of the institution regarding free expression on campus to individuals responsible for the education or discipline of students.

- (2) Northwest State Community College has complied with R.C. 3345.0213 by taking the following actions:

- Northwest State Community College does not limit Campus Community speech to “free speech zones” or designate Outdoor Areas of Campuses where expressive activities are prohibited.
- Northwest State Community College has published criteria for view-point and content-neutral time, place and manner restrictions that provide for ample alternative means for expressive activity that allow for members of the campus community to spontaneously and contemporaneously assemble and distribute material.

(3) Northwest State Community College provides the following description of any barriers to or incidents of disruption of free expression occurring on campus, including attempts to block or prohibit speakers and any investigation of students or student groups on the basis of expression, including the nature of each barrier or incident and the disciplinary action, if any, taken against members of the campus community determined to be responsible for the barriers or incidents:

- There have been no reported barriers to or incidents of disruption of free expression occurring on campus. There have been no attempts to block or prohibit speakers. There have been no investigations of any students or student groups on the basis of expression.

(4) Northwest State Community College provides the following information it finds necessary and appropriate for the public to evaluate whether the free expression rights for members of the campus community have been adequately protected.

- Passage of an update Harassment Policy by the NSCC Board of Trustees (August 27, 2021). Copy of policy is attached.
- Public communication to faculty, staff and community members. Copy of news release is attached.
- NSCC website announcement of SB 40 implementation at: www.northweststate.edu/SB40Update

* All terms used in this report conform to the definitions provided in ORC 3345.0211

This report has been published in accordance with R.C. 3345.0214(B).

NORTHWEST STATE COMMUNITY COLLEGE
POLICY AND PROCEDURES MANUAL

Policy No. 17-05: EXPRESSIVE ACTIVITIES AND HARASSMENT

Effective Date: 08/27/2021

- (A) This policy applies to Northwest State Community College students, student groups, faculty, staff and employees.
- (B) Ohio Revised Code 3345.0212 requires each public college in Ohio to adopt a policy on harassment that is consistent with and adheres strictly to the definition of harassment in section 3345.0211 of the Ohio Revised Code.
- (C) Northwest State Community College believes that the right of expression is as necessary as the right of inquiry and that both must be preserved as essential to the pursuit and dissemination of knowledge and truth. However, NSCC's commitment to freedom of expression does not extend to harassment. Under section 3345.0211, harassment is defined as conduct and/or expression 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.
- (D) Expression (either in person, in writing or by telecommunication) must meet all three elements to be actionable under this policy. This policy applies to alleged harassment that takes place on Northwest State Community College's property (owned, leased, or controlled premises), at Northwest State Community College's sponsored events, and in connection with a Northwest State Community College's recognized program or activity.
- (E) Students should report alleged violations of this policy to the Vice President for Enrollment Management and Student Affairs. Faculty and Staff should report alleged violations of this policy to the Vice President for Human Resources & Leadership Development.
- (F) This policy shall not be construed to impair any right or activity, including speech, protest, or assembly protected by the U.S. Constitution.

(G) Nothing within this policy shall be interpreted as preventing Northwest State Community College from restricting expressive activities that the First Amendment of the U.S. Constitution or Article I, Sections 3 and 11 of the Ohio Constitution does not protect. Further 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 1964, 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 non-discrimination and Title IX policies.

(H) The President may adopt procedures to administer this Policy.

Effective: 08/27/2021

DATE: August 30, 2021

CONTACT: Jim Bellamy 419.267.1267 jbellamy@NorthwestState.edu

NORTHWEST STATE COMMUNITY COLLEGE FOUNDATION PRESENTS \$925,620 CHECK TO BOARD OF TRUSTEES

ARCHBOLD, OHIO – The Northwest State Community College Board of Trustees met in regular session on Friday, August 27 on the Archbold campus. After roll call, Robbin Wilcox, NSCC Executive Director for Development & NSCC Foundation and Foundation Board Chair Peter Beck presented the Board with a record-setting check in the amount of \$925,620. The money is designated for student scholarships, equipment, outreach programs and student support efforts.

OVER \$6 MILLION HAS BEEN PROVIDED...

Over \$6 million has been provided through the generosity of businesses and individuals who have supported the Foundation over the past ten years. Peter Beck, NSCC Foundation Board Chair, applauded the generosity of individuals and businesses who have donated to the NSCC Foundation, for helping make this presentation possible. “I cannot imagine our region existing without Northwest State,” Beck said.

ABOUT THE NSCC FOUNDATION

The NSCC Foundation has approximately 30 board and committee members representing Defiance, Fulton, Henry, Paulding, Van Wert and Williams counties. Additional information on the NSCC Foundation can be found online at NorthwestState.edu/foundation/.



In other Board action:

- Approved the promotion of Kemp Stapleton to Director-Auxiliary Services, Logan Badenhop (Operations Coordinator), and Audrey Lehman (Project Manager-Grants).
- Approved the employment of Carissa Broadbridge (Faculty-Psychology), Eric Baker (Faculty-Composition), Logan Rapini (Recruiter-Admissions), Aimee Thorpe (Human Resources Generalist), Rose Witt (Registrar Assistant), Tracy Hoffman (Executive Administrative Assistant-Executive Vice President), Heather Mendez (Executive Administrative Assistant-Vice President, Enrollment Management & Student Affairs), and Maddie Fagan (Enrollment Specialist).
- Approved the transfers of Megan Schroeder to Administrative Assistant-Advising Center & Learner Services, Erin Jacob to Nursing Lab Coordinator, and Amy Leitch to Teaching Assistant-Nursing Lab.
- Amended Policy 14-1-06, allowing Trustees to continue attending meetings electronically in accordance with Ohio Revised Code 3345.82 and procedure no. 1-06 (B).
- Approved Board of Trustees onboarding policy.
- Approved Settlement Authority in the case of Newell vs. Northwest State in the amount of \$250,000, payable by the College's insurance company.
- Approved a \$5 per credit hour tuition increase for the 2021-2022 academic year for in-state and out-of-state students. New tuition amounts will be \$182.33 for in-state, \$358.66 for out-of-state.
- Approved Expressive Activities and Harassment Policy, and an Admissions Policy update for readmissions for service members and reservists who are called to mobilization or active duty.
- Approved miscellaneous employment contracts, and three resignations.

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Northwest State Community College is an accredited two-year, state-assisted institution of higher education that has served northwest Ohio since 1969. Northwest State is committed to providing a quality, affordable education with personal attention and small class sizes. The College offers associate degrees with numerous transfer options, short-term certificate programs, and workforce training programs designed to meet the needs of local businesses and industries. For more information, visit NorthwestState.edu or call 419.267.5511.



Senate Bill 40 (SB40) Fostering Open and Robust University Minds (FORUM) Act Compliance
and Expressive Activities and Harassment Policy

Northwest State Community College (NSCC) believes that the right of expression is as necessary as the right of inquiry and that both must be preserved as essential to the pursuit and dissemination of knowledge and truth. To that end, NSCC does not prohibit any member of the campus community from engaging in noncommercial expressive activity on campus, so long as the individual's conduct is lawful and does not materially and substantially disrupt the functioning of the institution.

NSCC has adopted a policy on harassment (Policy 17-05) Expressive Activities and Harassment (Effective 8/27/21) as follows:

Policy No. 17-05: EXPRESSIVE ACTIVITIES AND HARASSMENT
Effective Date: 08/27/2021

- (I) This policy applies to Northwest State Community College students, student groups, faculty, staff and employees.
- (J) Ohio Revised Code 3345.0212 requires each public college in Ohio to adopt a policy on harassment that is consistent with and adheres strictly to the definition of harassment in section 3345.0211 of the Ohio Revised Code.
- (K) Northwest State Community College believes that the right of expression is as necessary as the right of inquiry and that both must be preserved as essential to the pursuit and dissemination of knowledge and truth. However, NSCC's commitment to freedom of expression does not extend to harassment. Under section 3345.0211, harassment is defined as conduct and/or expression 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.
- (L) Expression (either in person, in writing or by telecommunication) must meet all three elements to be actionable under this policy. This policy applies to alleged harassment

that takes place on Northwest State Community College's property (owned, leased, or controlled premises), at Northwest State Community College's sponsored events, and in connection with a Northwest State Community College's recognized program or activity.

- (M) Students should report alleged violations of this policy to the Vice President for Enrollment Management and Student Affairs. Faculty and Staff should report alleged violations of this policy to the Vice President for Human Resources & Leadership Development. See below for details.
- (N) This policy shall not be construed to impair any right or activity, including speech, protest, or assembly protected by the U.S. Constitution.
- (O) Nothing within this policy shall be interpreted as preventing Northwest State Community College from restricting expressive activities that the First Amendment of the U.S. Constitution or Article I, Sections 3 and 11 of the Ohio Constitution does not protect. Further 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 1964, 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 non-discrimination and Title IX policies.
- (P) The President may adopt procedures to administer this Policy.

The following persons have been designated to handle inquiries regarding NSCC's SB40 FORUM Act Expressive Activities policies:

- Lana Snider, Vice President of Enrollment Management & Student Affairs and Deputy Title IX Coordinator, lsnider@northweststate.edu, 419.267.1233, room B105
- Katy McKelvey, Vice President of Human Resources & Leadership Development and Deputy Title IX Coordinator, kmckelvey@northweststate.edu, 419.267.1327, room A106A

Reports of alleged violations of the Expressive Rights and Harassment Policy may be submitted electronically via this link: <https://forms.gle/MJksTxQ5yd1ePX5J8>