

The Ohio State University Moritz College of Law Statement on Academic Freedom, Academic Responsibility and Freedom of Expression

The Mission of The Ohio State University Moritz College of Law is to:

- Teach students rigorous analytical skills, assist them in developing their understanding of the law and legal process, and enhance their professional judgment through a dynamic and innovative learning environment with the goal that they become outstanding legal professionals equipped to aid and improve society.
- Offer insights on the impact of law and legal institutions on individuals and communities and advocate for changes in law that improve the well-being of people and society.
- Contribute expertise in the public conversations and initiatives that lead to the improvement of law and the administration of justice in Ohio, the nation, and the world.

Academic freedom,¹ academic responsibility, and freedom of expression are integral to our mission. The Moritz College of Law follows the University's academic freedom, freedom of speech, and related hearing procedures.²

Academic Freedom:

The Ohio State University and the Moritz College of Law endorse full academic freedom; that freedom includes freedom of the faculty³ to:

¹ Chapter 3335-5-01 sets forth principal elements of academic freedom for the University.

² Chapter 3335-5-04 Procedures for complaints of misconduct made against faculty members; 3335-5-04.1 Procedures for complaints of failure to meet academic responsibilities; Chapter 3335-5-05 Procedures concerning faculty complaints about promotion, tenure, and renewal decisions; Chapter 3335-05-04.4 Procedures for complaints of misconduct and other violations of applicable law, university policies or rules, or governance documents made against faculty members.

³ Chapter 3335-5 governing Faculty, Governance, and Committees defines "Faculty" to include persons with tenure-track, clinical/teaching/practice, research, associated, and emeritus faculty on full or part-time appointments, with or without salary. Associated faculty include persons with clinical practice, adjunct, visiting, and lecturer titles as well as professors, associate professors, assistant professors, and instructors who serve on appointment totaling less than fifty percent service to the university. These policies also apply to librarians involved in collections activities or providing information services to faculty, staff, students, or other users of the collection.

- 1) Teach,⁴ conduct research,⁵ and publish research findings.
- 2) Discuss in classrooms, in their own manner, any material that is relevant to the subject matter as defined in the course syllabus.
- 3) Exercise their constitutional rights as citizens without institutional censorship or discipline.⁶
- 4) Seek changes in academic and institutional policies through lawful and peaceful means.

Academic Responsibilities:

Academic freedom carries with it correlative academic responsibilities.⁷ The principal elements include the responsibility of faculty to:

1. Meet their defined teaching, research, and service obligations.
2. Pursue excellence, intellectual honesty, and objectivity in teaching, in conducting research, and in publishing research findings.
3. Encourage students and colleagues to engage in free discussion and inquiry.
4. Evaluate student and colleague performance on a scholarly basis.
5. Refrain from persistently introducing matters that have no bearing on the subject matter of the course.
6. Work with appropriate individuals and bodies to provide optimal conditions conducive to the attainment of the free search for truth and its free exposition.
7. Differentiate carefully between official activities as faculty and personal activities as citizens, and to act accordingly.

Freedom of Expression:

The College of Law adheres to The Ohio State University's Shared Values and promotes a culture of welcoming differences, making connections among people and ideas, and encourages open-minded exploration, risk-taking and freedom of expression. As a land-

⁴ The College of Law includes within the scope of academic freedom matters essential to the experiential component of the College's curriculum and teaching mission. These experiential components include, inter alia, clinics, externships, practicums, moot court, mock trial, negotiation, mediation, and simulations. Academic freedom extends to the exercise of judgment and discretion related to client representation in clinics and clinical training including case and client selection and case-related decision-making.

⁵ Academic freedom extends to the ability of librarians to curate library collections and provide information services.

⁶ This includes the right to participate in law-related public service activities consistent with state and federal law.

⁷ Chapter 3335-5 (C)

grant institution, the university takes seriously its role in promoting and supporting public discourse. To that end, the College and University are steadfast in the commitment to protect First Amendment rights to free speech on campus. The College protects the free expression of ideas, including controversial and unpopular ideas for all faculty, students, and staff, whether by robust debate, demonstrations, or protests.⁸

With respect to guest speakers:

It is the policy of the University to foster a spirit of free inquiry and to encourage the timely discussion of a broad range of issues, provided that the views expressed are stated openly and are subject to critical evaluation. Within our prevailing standards of decency and honesty, this policy shall be construed to mean that no topic or issue is too controversial for intelligent discussion on the campuses. Restraints on free inquiry should be held to that minimum which is consistent with preserving an organized society in which change is accomplished by peaceful, democratic means. To this end, registered student organizations, faculty and others entitled to sponsor a meeting involving the use of university facilities may invite guest speakers to the campuses. The sponsors must take reasonable steps necessary to ensure that the meeting is conducted in an orderly manner.⁹

Freedom of expression, however, does not permit disruptive conduct that hinders free expression of others or substantially interferes with College functions or approved activities, such as classes, meetings, library services, interviews, ceremonies, and public events. The College reserves the right to restrict expression that violates the law, falsely defames a specific individual, constitutes a genuine threat or harassment, or unjustifiably invades substantial privacy or confidentiality interests. The College, too, may reasonably regulate the time, place, and manner of expression. The College's policy is co-extensive with the University's policies on free speech¹⁰ and harassment.¹¹

⁸ The university will review and respond to all complaints alleging violations of this policy as set forth in the Campus Free Speech Policy Complaint Investigation, Hearing, and Resolution Process.

<https://go.osu.edu/complaint-investigation-hearing-resolution-process>

⁹ Chapter 3335-5-06

¹⁰ Adopted pursuant to Ohio Revised Code 3345.0215; [Campus Free Speech Policy](#);

¹¹ [SB40 Harassment Model Policy - Ohio State \(00396057\).DOCX](#)