



Ohio Revised Code

Section 3320.05 Harassment and intimidation policy - state and private for-profit institutions.

Effective: October 24, 2024

Legislation: Senate Bill 94 - 135th General Assembly

(A) As used in sections 3320.05 to 3320.08 of the Revised Code:

(1) "Harassment" has the same meaning as in section 3345.0211 of the Revised Code.

(2) "Institution of higher education" means any of the following:

(a) A state institution of higher education as defined in section 3345.011 of the Revised Code;

(b) An institution holding a certificate of registration from the state board of career colleges and schools and program authorization for an associate or bachelor's degree program issued under section 3332.05 of the Revised Code;

(c) A private institution exempt from regulation under Chapter 3332. of the Revised Code as prescribed in section 3333.046 of the Revised Code.

(3) "Intimidation" means the violation of ethnic intimidation described in section 2927.12 of the Revised Code.

(4) "Private nonprofit institution of higher education" means a nonprofit institution holding a certificate of authorization pursuant to Chapter 1713. of the Revised Code.

(B) Each institution of higher education shall adopt and enforce a policy regarding racial, religious, and ethnic harassment and intimidation at the institution. The policy shall include:

(1) The provision of training for all institution administration, faculty, and staff, which shall include information on how to respond to hate incidents or incidents of harassment that occur during a class or event held at the institution at the time the incident occurs. This training may be provided online.



(2) Procedures for accepting and investigating student complaints and allegations of racial, religious, or ethnic harassment or intimidation against any student, staff, or faculty member. The procedures shall include:

(a) An option to submit complaints and report threats anonymously;

(b) Potential disciplinary actions that may be taken after an investigation is conducted;

(c) At the conclusion of an investigation, any mandatory communications, regardless of whether disciplinary action is taken. These communications may include educational information on the institution's policy against racial, religious, and ethnic harassment and intimidation.

(C) Each institution of higher education shall ensure that, to the extent possible and as needed, its campus security and police department, if the institution has one, collaborate with local law enforcement, the state highway patrol, and student communities to provide security functions for institutionally sanctioned student organizations that face threats of terror attack or hate crimes.

(D) Each institution of higher education shall create a campus task force on combating antisemitism, Islamophobia, anti-Christian discrimination, and hatred, harassment, bullying, or violence toward others on the basis of their actual religious identity or what is assumed to be their religious identity at the institution.

(E) Nothing in this section shall be construed to diminish or infringe upon any right protected under the First Amendment to the United States Constitution, Article I, Sections 3 and 11 of the Ohio Constitution, or noncommercial expressive activity as defined in section 3345.0212 of the Revised Code.