

As Introduced

**134th General Assembly
Regular Session
2021-2022**

S. B. No. 135

Senator Cirino

A BILL

To amend sections 9.76, 3313.6020, 3314.03, 1
3326.11, 3328.24, 3333.04, 3333.051, 3333.122, 2
3345.0212, 3345.21, 3345.48, and 3345.481 and to 3
enact sections 1715.551, 3320.04, 3333.0418, 4
3333.0419, 3333.073, 3333.125, 3333.261, 5
3345.024, 3345.026, 3345.027, 3345.028, 6
3345.0215, 3345.063, 3345.241, 3345.381, 7
3345.43, 3345.461, 3345.52, 3345.591, and 8
3365.16 of the Revised Code regarding the 9
operation of state institutions of higher 10
education and regarding free speech in public 11
universities, colleges, and schools. 12

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 9.76, 3313.6020, 3314.03, 13
3326.11, 3328.24, 3333.04, 3333.051, 3333.122, 3345.0212, 14
3345.21, 3345.48, and 3345.481 be amended and sections 1715.551, 15
3320.04, 3333.0418, 3333.0419, 3333.073, 3333.125, 3333.261, 16
3345.024, 3345.026, 3345.027, 3345.028, 3345.0215, 3345.063, 17
3345.241, 3345.381, 3345.43, 3345.461, 3345.52, 3345.591, and 18
3365.16 of the Revised Code be enacted to read as follows: 19

Sec. 9.76. (A) As used in this section:	20
(1) "Boycott" means engaging in refusals to deal,	21
terminating business activities, or other actions that are	22
intended to limit commercial relations with persons or entities	23
in a discriminatory manner. "Boycott" does not include:	24
(a) Boycotts to which 50 U.S.C. 4607(c) applies;	25
(b) A decision based on business or economic reasons, or	26
the specific conduct of a targeted person or entity;	27
(c) A boycott against a public entity of a foreign state	28
when the boycott is applied in a nondiscriminatory manner; and	29
(d) Conduct necessary to comply with applicable law in the	30
business's home jurisdiction.	31
(2) "Company" means a sole proprietorship, partnership,	32
corporation, national association, societe anonyme, limited	33
liability company, limited partnership, limited liability	34
partnership, joint venture, or other business organization,	35
including their subsidiaries and affiliates, that operates to	36
earn a profit.	37
(3) "Israel" means Israel or Israeli-controlled	38
territories.	39
(4) "Jurisdiction with whom this state can enjoy open	40
trade" means any world trade organization member and any	41
jurisdiction with which the United States has free trade or	42
other agreements aimed at ensuring open and nondiscriminatory	43
trade relations.	44
(5) "State agency" means an organized body, office,	45
agency, institution, or other entity established by the laws of	46
the state for the exercise of a function of state government, <u> </u>	47

and includes a "state institution of higher education" as 48
defined in section 3345.011 of the Revised Code. 49

(B) A state agency may not enter into or renew a contract 50
with a company for the acquisition or provision of supplies, 51
equipment, or services, or for construction services, unless the 52
contract declares that the company is not boycotting any 53
jurisdiction with whom this state can enjoy open trade, 54
including Israel, and will not do so during the contract period. 55

Sec. 1715.551. (A) As used in this section, "state 56
institution of higher education" has the same meaning as in 57
section 3345.011 of the Revised Code. 58

(B) Notwithstanding any provision of the law to the 59
contrary, any agreement relating to the intent of a donor 60
expressed in a gift instrument to a state institution of higher 61
education shall also specify a person or persons authorized to 62
oversee the agreement and gift instrument and ensure that the 63
institution is in compliance with the donor's intent as 64
expressed in the gift instrument. 65

(C) (1) If a state institution of higher education, in 66
managing and investing an institutional fund, does not follow 67
the intent of the donor expressed in a gift instrument, a person 68
authorized pursuant to division (B) of this section in relation 69
to that gift instrument, or the donor's heir, estate, or the 70
attorney general, has standing in a court of competent 71
jurisdiction to commence an action to compel the state 72
institution of higher education to comply with the donor's 73
intent. 74

(2) The complainant shall include in the complaint the 75
name of a charity to which the complainant would like the money 76

to be donated should the court decide that such an action is 77
appropriate. 78

(3) In addition to any other remedy available under the 79
law, if a court finds that a state institution of higher 80
education is not in compliance with the donor's intent expressed 81
in the gift instrument, the court may require the institution to 82
donate all or part of the money in question to a charity 83
suggested by the complainant as described in division (C) (2) of 84
this section. 85

Sec. 3313.6020. (A) (1) Beginning in the 2015-2016 school 86
year, the board of education of each city, local, exempted 87
village, and joint vocational school district shall adopt a 88
policy on career advising that complies with this section. 89
Thereafter, the policy shall be updated at least once every two 90
years. 91

(2) The board shall make the policy publicly available to 92
students, parents, guardians, or custodians, local post- 93
secondary institutions, and residents of the district. The 94
district shall post the policy in a prominent location on its 95
web site, if it has one. 96

(B) The policy on career advising shall specify how the 97
district will do all of the following: 98

(1) Provide students with grade-level examples that link 99
their schoolwork to one or more career fields. A district may 100
use career connections developed under division (B) (2) of 101
section 3301.079 of the Revised Code for this purpose. 102

(2) Create a plan to provide career advising to students 103
in grades six through twelve; 104

(3) Beginning in the 2015-2016 school year, provide 105

additional interventions and career advising for students who 106
are identified as at risk of dropping out of school in 107
accordance with division (C) of this section; 108

(4) Train its employees on how to advise students on 109
career pathways, including training on advising students using 110
online tools; 111

(5) Develop multiple, clear academic pathways through high 112
school that students may choose in order to earn a high school 113
diploma; 114

(6) Identify and publicize courses that can award students 115
both traditional academic and career-technical credit; 116

(7) Document the career advising provided to each student 117
for review by the student, the student's parent, guardian, or 118
custodian, and future schools that the student may attend. A 119
district shall not otherwise release this information without 120
the written consent of the student's parent, guardian, or 121
custodian, if the student is less than eighteen years old, or 122
the written consent of the student, if the student is at least 123
eighteen years old. 124

(8) Prepare students for their transition from high school 125
to their post-secondary destinations, including any special 126
interventions that are necessary for students in need of 127
remediation in mathematics or English language arts; 128

(9) Include information regarding career fields that 129
require an associate's degree or other certificate, and not a 130
four-year degree from a college or university; 131

(10) Provide students with information about ways a 132
student may offset the costs of a post-secondary education, 133
including programs such as the reserve officer training corps. 134

(C) (1) Beginning in the 2015-2016 school year, each 135
district shall identify students who are at risk of dropping out 136
of school using a method that is both research-based and 137
locally-based and that is developed with input from the 138
district's classroom teachers and guidance counselors. If a 139
student is identified as at risk of dropping out of school, the 140
district shall develop a student success plan that addresses the 141
student's academic pathway to a successful graduation and the 142
role of career-technical education, competency-based education, 143
and experiential learning, as appropriate, in that pathway. 144

(2) Prior to developing a student success plan for a 145
student, the district shall invite the student's parent, 146
guardian, or custodian to assist in developing the plan. If the 147
student's parent, guardian, or custodian does not participate in 148
the development of the plan, the district shall provide to the 149
parent, guardian, or custodian a copy of the student's success 150
plan and a statement of the importance of a high school diploma 151
and the academic pathways available to the student in order to 152
successfully graduate. 153

(3) Following the development of a student success plan 154
for a student, the district shall provide career advising to the 155
student that is aligned with the plan and, beginning in the 156
2015-2016 school year, the district's plan to provide career 157
advising created under division (B) (2) of this section. 158

(D) (1) Not later than December 1, 2014, the department of 159
education shall develop and post on its web site model policies 160
on career advising and model student success plans. 161

(2) Not later than July 1, 2015, the department shall 162
create an online clearinghouse of research related to proven 163
practices for policies on career advising and student success 164

plans that districts may access when fulfilling the requirements 165
of this section. 166

Sec. 3314.03. A copy of every contract entered into under 167
this section shall be filed with the superintendent of public 168
instruction. The department of education shall make available on 169
its web site a copy of every approved, executed contract filed 170
with the superintendent under this section. 171

(A) Each contract entered into between a sponsor and the 172
governing authority of a community school shall specify the 173
following: 174

(1) That the school shall be established as either of the 175
following: 176

(a) A nonprofit corporation established under Chapter 177
1702. of the Revised Code, if established prior to April 8, 178
2003; 179

(b) A public benefit corporation established under Chapter 180
1702. of the Revised Code, if established after April 8, 2003. 181

(2) The education program of the school, including the 182
school's mission, the characteristics of the students the school 183
is expected to attract, the ages and grades of students, and the 184
focus of the curriculum; 185

(3) The academic goals to be achieved and the method of 186
measurement that will be used to determine progress toward those 187
goals, which shall include the statewide achievement 188
assessments; 189

(4) Performance standards, including but not limited to 190
all applicable report card measures set forth in section 3302.03 191
or 3314.017 of the Revised Code, by which the success of the 192

school will be evaluated by the sponsor;	193
(5) The admission standards of section 3314.06 of the Revised Code and, if applicable, section 3314.061 of the Revised Code;	194 195 196
(6) (a) Dismissal procedures;	197
(b) A requirement that the governing authority adopt an attendance policy that includes a procedure for automatically withdrawing a student from the school if the student without a legitimate excuse fails to participate in seventy-two consecutive hours of the learning opportunities offered to the student.	198 199 200 201 202 203
(7) The ways by which the school will achieve racial and ethnic balance reflective of the community it serves;	204 205
(8) Requirements for financial audits by the auditor of state. The contract shall require financial records of the school to be maintained in the same manner as are financial records of school districts, pursuant to rules of the auditor of state. Audits shall be conducted in accordance with section 117.10 of the Revised Code.	206 207 208 209 210 211
(9) An addendum to the contract outlining the facilities to be used that contains at least the following information:	212 213
(a) A detailed description of each facility used for instructional purposes;	214 215
(b) The annual costs associated with leasing each facility that are paid by or on behalf of the school;	216 217
(c) The annual mortgage principal and interest payments that are paid by the school;	218 219

(d) The name of the lender or landlord, identified as	220
such, and the lender's or landlord's relationship to the	221
operator, if any.	222
(10) Qualifications of teachers, including a requirement	223
that the school's classroom teachers be licensed in accordance	224
with sections 3319.22 to 3319.31 of the Revised Code, except	225
that a community school may engage noncertificated persons to	226
teach up to twelve hours or forty hours per week pursuant to	227
section 3319.301 of the Revised Code.	228
(11) That the school will comply with the following	229
requirements:	230
(a) The school will provide learning opportunities to a	231
minimum of twenty-five students for a minimum of nine hundred	232
twenty hours per school year.	233
(b) The governing authority will purchase liability	234
insurance, or otherwise provide for the potential liability of	235
the school.	236
(c) The school will be nonsectarian in its programs,	237
admission policies, employment practices, and all other	238
operations, and will not be operated by a sectarian school or	239
religious institution.	240
(d) The school will comply with sections 9.90, 9.91,	241
109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710,	242
3301.0711, 3301.0712, 3301.0715, 3301.0729, 3301.948, 3313.472,	243
3313.50, 3313.539, 3313.5310, 3313.608, 3313.609, 3313.6012,	244
3313.6013, 3313.6014, 3313.6015, 3313.6020, 3313.6024,	245
3313.6025, 3313.643, 3313.648, 3313.6411, 3313.66, 3313.661,	246
3313.662, 3313.666, 3313.667, 3313.668, 3313.669, 3313.6610,	247
3313.67, 3313.671, 3313.672, 3313.673, 3313.69, 3313.71,	248

3313.716, 3313.718, 3313.719, 3313.7112, 3313.721, 3313.80, 249
3313.814, 3313.816, 3313.817, 3313.818, 3313.86, 3313.89, 250
3313.96, 3319.073, 3319.077, 3319.078, 3319.321, 3319.39, 251
3319.391, 3319.41, 3319.46, 3320.01, 3320.02, 3320.03, 3320.04, 252
3321.01, 3321.041, 3321.13, 3321.14, 3321.141, 3321.17, 3321.18, 253
3321.19, 3323.251, 3327.10, 4111.17, 4113.52, 5502.262, and 254
5705.391 and Chapters 117., 1347., 2744., 3365., 3742., 4112., 255
4123., 4141., and 4167. of the Revised Code as if it were a 256
school district and will comply with section 3301.0714 of the 257
Revised Code in the manner specified in section 3314.17 of the 258
Revised Code. 259

(e) The school shall comply with Chapter 102. and section 260
2921.42 of the Revised Code. 261

(f) The school will comply with sections 3313.61, 262
3313.611, 3313.614, 3313.617, 3313.618, and 3313.6114 of the 263
Revised Code, except that for students who enter ninth grade for 264
the first time before July 1, 2010, the requirement in sections 265
3313.61 and 3313.611 of the Revised Code that a person must 266
successfully complete the curriculum in any high school prior to 267
receiving a high school diploma may be met by completing the 268
curriculum adopted by the governing authority of the community 269
school rather than the curriculum specified in Title XXXIII of 270
the Revised Code or any rules of the state board of education. 271
Beginning with students who enter ninth grade for the first time 272
on or after July 1, 2010, the requirement in sections 3313.61 273
and 3313.611 of the Revised Code that a person must successfully 274
complete the curriculum of a high school prior to receiving a 275
high school diploma shall be met by completing the requirements 276
prescribed in division (C) of section 3313.603 of the Revised 277
Code, unless the person qualifies under division (D) or (F) of 278
that section. Each school shall comply with the plan for 279

awarding high school credit based on demonstration of subject 280
area competency, and beginning with the 2017-2018 school year, 281
with the updated plan that permits students enrolled in seventh 282
and eighth grade to meet curriculum requirements based on 283
subject area competency adopted by the state board of education 284
under divisions (J) (1) and (2) of section 3313.603 of the 285
Revised Code. Beginning with the 2018-2019 school year, the 286
school shall comply with the framework for granting units of 287
high school credit to students who demonstrate subject area 288
competency through work-based learning experiences, internships, 289
or cooperative education developed by the department under 290
division (J) (3) of section 3313.603 of the Revised Code. 291

(g) The school governing authority will submit within four 292
months after the end of each school year a report of its 293
activities and progress in meeting the goals and standards of 294
divisions (A) (3) and (4) of this section and its financial 295
status to the sponsor and the parents of all students enrolled 296
in the school. 297

(h) The school, unless it is an internet- or computer- 298
based community school, will comply with section 3313.801 of the 299
Revised Code as if it were a school district. 300

(i) If the school is the recipient of moneys from a grant 301
awarded under the federal race to the top program, Division (A), 302
Title XIV, Sections 14005 and 14006 of the "American Recovery 303
and Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, 304
the school will pay teachers based upon performance in 305
accordance with section 3317.141 and will comply with section 306
3319.111 of the Revised Code as if it were a school district. 307

(j) If the school operates a preschool program that is 308
licensed by the department of education under sections 3301.52 309

to 3301.59 of the Revised Code, the school shall comply with 310
sections 3301.50 to 3301.59 of the Revised Code and the minimum 311
standards for preschool programs prescribed in rules adopted by 312
the state board under section 3301.53 of the Revised Code. 313

(k) The school will comply with sections 3313.6021 and 314
3313.6023 of the Revised Code as if it were a school district 315
unless it is either of the following: 316

(i) An internet- or computer-based community school; 317

(ii) A community school in which a majority of the 318
enrolled students are children with disabilities as described in 319
division (A) (4) (b) of section 3314.35 of the Revised Code. 320

(l) The school will comply with section 3321.191 of the 321
Revised Code, unless it is an internet- or computer-based 322
community school that is subject to section 3314.261 of the 323
Revised Code. 324

(12) Arrangements for providing health and other benefits 325
to employees; 326

(13) The length of the contract, which shall begin at the 327
beginning of an academic year. No contract shall exceed five 328
years unless such contract has been renewed pursuant to division 329
(E) of this section. 330

(14) The governing authority of the school, which shall be 331
responsible for carrying out the provisions of the contract; 332

(15) A financial plan detailing an estimated school budget 333
for each year of the period of the contract and specifying the 334
total estimated per pupil expenditure amount for each such year. 335

(16) Requirements and procedures regarding the disposition 336
of employees of the school in the event the contract is 337

terminated or not renewed pursuant to section 3314.07 of the Revised Code;

(17) Whether the school is to be created by converting all or part of an existing public school or educational service center building or is to be a new start-up school, and if it is a converted public school or service center building, specification of any duties or responsibilities of an employer that the board of education or service center governing board that operated the school or building before conversion is delegating to the governing authority of the community school with respect to all or any specified group of employees provided the delegation is not prohibited by a collective bargaining agreement applicable to such employees;

(18) Provisions establishing procedures for resolving disputes or differences of opinion between the sponsor and the governing authority of the community school;

(19) A provision requiring the governing authority to adopt a policy regarding the admission of students who reside outside the district in which the school is located. That policy shall comply with the admissions procedures specified in sections 3314.06 and 3314.061 of the Revised Code and, at the sole discretion of the authority, shall do one of the following:

(a) Prohibit the enrollment of students who reside outside the district in which the school is located;

(b) Permit the enrollment of students who reside in districts adjacent to the district in which the school is located;

(c) Permit the enrollment of students who reside in any other district in the state.

(20) A provision recognizing the authority of the department of education to take over the sponsorship of the school in accordance with the provisions of division (C) of section 3314.015 of the Revised Code;

(21) A provision recognizing the sponsor's authority to assume the operation of a school under the conditions specified in division (B) of section 3314.073 of the Revised Code;

(22) A provision recognizing both of the following:

(a) The authority of public health and safety officials to inspect the facilities of the school and to order the facilities closed if those officials find that the facilities are not in compliance with health and safety laws and regulations;

(b) The authority of the department of education as the community school oversight body to suspend the operation of the school under section 3314.072 of the Revised Code if the department has evidence of conditions or violations of law at the school that pose an imminent danger to the health and safety of the school's students and employees and the sponsor refuses to take such action.

(23) A description of the learning opportunities that will be offered to students including both classroom-based and non-classroom-based learning opportunities that is in compliance with criteria for student participation established by the department under division (H) (2) of section 3314.08 of the Revised Code;

(24) The school will comply with sections 3302.04 and 3302.041 of the Revised Code, except that any action required to be taken by a school district pursuant to those sections shall be taken by the sponsor of the school. However, the sponsor

shall not be required to take any action described in division 396
(F) of section 3302.04 of the Revised Code. 397

(25) Beginning in the 2006-2007 school year, the school 398
will open for operation not later than the thirtieth day of 399
September each school year, unless the mission of the school as 400
specified under division (A) (2) of this section is solely to 401
serve dropouts. In its initial year of operation, if the school 402
fails to open by the thirtieth day of September, or within one 403
year after the adoption of the contract pursuant to division (D) 404
of section 3314.02 of the Revised Code if the mission of the 405
school is solely to serve dropouts, the contract shall be void. 406

(26) Whether the school's governing authority is planning 407
to seek designation for the school as a STEM school equivalent 408
under section 3326.032 of the Revised Code; 409

(27) That the school's attendance and participation 410
policies will be available for public inspection; 411

(28) That the school's attendance and participation 412
records shall be made available to the department of education, 413
auditor of state, and school's sponsor to the extent permitted 414
under and in accordance with the "Family Educational Rights and 415
Privacy Act of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended, 416
and any regulations promulgated under that act, and section 417
3319.321 of the Revised Code; 418

(29) If a school operates using the blended learning 419
model, as defined in section 3301.079 of the Revised Code, all 420
of the following information: 421

(a) An indication of what blended learning model or models 422
will be used; 423

(b) A description of how student instructional needs will 424

be determined and documented;	425
(c) The method to be used for determining competency,	426
granting credit, and promoting students to a higher grade level;	427
(d) The school's attendance requirements, including how	428
the school will document participation in learning	429
opportunities;	430
(e) A statement describing how student progress will be	431
monitored;	432
(f) A statement describing how private student data will	433
be protected;	434
(g) A description of the professional development	435
activities that will be offered to teachers.	436
(30) A provision requiring that all moneys the school's	437
operator loans to the school, including facilities loans or cash	438
flow assistance, must be accounted for, documented, and bear	439
interest at a fair market rate;	440
(31) A provision requiring that, if the governing	441
authority contracts with an attorney, accountant, or entity	442
specializing in audits, the attorney, accountant, or entity	443
shall be independent from the operator with which the school has	444
contracted.	445
(32) A provision requiring the governing authority to	446
adopt an enrollment and attendance policy that requires a	447
student's parent to notify the community school in which the	448
student is enrolled when there is a change in the location of	449
the parent's or student's primary residence.	450
(33) A provision requiring the governing authority to	451
adopt a student residence and address verification policy for	452

students enrolling in or attending the school. 453

(B) The community school shall also submit to the sponsor 454
a comprehensive plan for the school. The plan shall specify the 455
following: 456

(1) The process by which the governing authority of the 457
school will be selected in the future; 458

(2) The management and administration of the school; 459

(3) If the community school is a currently existing public 460
school or educational service center building, alternative 461
arrangements for current public school students who choose not 462
to attend the converted school and for teachers who choose not 463
to teach in the school or building after conversion; 464

(4) The instructional program and educational philosophy 465
of the school; 466

(5) Internal financial controls. 467

When submitting the plan under this division, the school 468
shall also submit copies of all policies and procedures 469
regarding internal financial controls adopted by the governing 470
authority of the school. 471

(C) A contract entered into under section 3314.02 of the 472
Revised Code between a sponsor and the governing authority of a 473
community school may provide for the community school governing 474
authority to make payments to the sponsor, which is hereby 475
authorized to receive such payments as set forth in the contract 476
between the governing authority and the sponsor. The total 477
amount of such payments for monitoring, oversight, and technical 478
assistance of the school shall not exceed three per cent of the 479
total amount of payments for operating expenses that the school 480

receives from the state. 481

(D) The contract shall specify the duties of the sponsor 482
which shall be in accordance with the written agreement entered 483
into with the department of education under division (B) of 484
section 3314.015 of the Revised Code and shall include the 485
following: 486

(1) Monitor the community school's compliance with all 487
laws applicable to the school and with the terms of the 488
contract; 489

(2) Monitor and evaluate the academic and fiscal 490
performance and the organization and operation of the community 491
school on at least an annual basis; 492

(3) Report on an annual basis the results of the 493
evaluation conducted under division (D)(2) of this section to 494
the department of education and to the parents of students 495
enrolled in the community school; 496

(4) Provide technical assistance to the community school 497
in complying with laws applicable to the school and terms of the 498
contract; 499

(5) Take steps to intervene in the school's operation to 500
correct problems in the school's overall performance, declare 501
the school to be on probationary status pursuant to section 502
3314.073 of the Revised Code, suspend the operation of the 503
school pursuant to section 3314.072 of the Revised Code, or 504
terminate the contract of the school pursuant to section 3314.07 505
of the Revised Code as determined necessary by the sponsor; 506

(6) Have in place a plan of action to be undertaken in the 507
event the community school experiences financial difficulties or 508
closes prior to the end of a school year. 509

(E) Upon the expiration of a contract entered into under 510
this section, the sponsor of a community school may, with the 511
approval of the governing authority of the school, renew that 512
contract for a period of time determined by the sponsor, but not 513
ending earlier than the end of any school year, if the sponsor 514
finds that the school's compliance with applicable laws and 515
terms of the contract and the school's progress in meeting the 516
academic goals prescribed in the contract have been 517
satisfactory. Any contract that is renewed under this division 518
remains subject to the provisions of sections 3314.07, 3314.072, 519
and 3314.073 of the Revised Code. 520

(F) If a community school fails to open for operation 521
within one year after the contract entered into under this 522
section is adopted pursuant to division (D) of section 3314.02 523
of the Revised Code or permanently closes prior to the 524
expiration of the contract, the contract shall be void and the 525
school shall not enter into a contract with any other sponsor. A 526
school shall not be considered permanently closed because the 527
operations of the school have been suspended pursuant to section 528
3314.072 of the Revised Code. 529

Sec. 3320.04. (A) As used in this section, "constitutional 530
time, place, and manner restrictions" and "free speech" have the 531
same meanings as in section 3345.0215 of the Revised Code. 532

(B) In addition to complying with sections 3320.01 to 533
3320.03 of the Revised Code, each school district board of 534
education shall adopt a policy that affirms the following 535
principles of free speech, which are the public policy of this 536
state: 537

(1) Students have a fundamental constitutional right to 538
free speech. 539

(2) A school district shall be committed to giving 540
students the broadest possible latitude to speak, write, listen, 541
challenge, learn, and discuss any issue, subject to division (D) 542
of this section. 543

(3) A school district shall be committed to maintaining 544
its school buildings as a marketplace of ideas for all students 545
and all teachers in which the free exchange of ideas is not to 546
be suppressed because the ideas put forth are thought by some or 547
even by most members of the district's community to be 548
offensive, unwise, immoral, indecent, disagreeable, 549
conservative, liberal, traditional, radical, or wrong-headed. 550

(4) It is for a school district's individual students and 551
teachers to make judgments about ideas for themselves, and act 552
on those judgments not by seeking to suppress free speech but by 553
openly and vigorously contesting the ideas that they oppose. 554

(5) It is not the proper role of a school district to 555
attempt to shield individuals from free speech, including ideas 556
and opinions they find offensive, unwise, immoral, indecent, 557
disagreeable, conservative, liberal, traditional, radical, or 558
wrong-headed. 559

(6) Although a school district should greatly value 560
civility and mutual respect, concerns about civility and mutual 561
respect shall never be used by a school district as a 562
justification for closing off the discussion of ideas, however 563
offensive, unwise, immoral, indecent, disagreeable, 564
conservative, liberal, traditional, radical, or wrong-headed 565
those ideas may be to some students or faculty. 566

(7) Although all students and all teachers are free to 567
state their own views about and contest the views expressed on 568

school property, and to state their own views about and contest 569
speakers who are invited to express their views on school 570
property, they may not substantially obstruct or otherwise 571
substantially interfere with the freedom of others to express 572
views they reject or even loathe. To this end, a school district 573
has a responsibility to promote a lively and fearless freedom of 574
debate and deliberation and protect that freedom. 575

(8) A school district shall be committed to providing an 576
atmosphere that is most conducive to speculation, 577
experimentation, and creation by all students and all teachers, 578
who shall always remain free to inquire, to study and to 579
evaluate, and to gain new understanding. 580

(9) The primary responsibility of teachers is to engage an 581
honest, courageous, and persistent effort to search out and 582
communicate the truth that lies in the areas of their 583
competence. 584

(10) Although teachers are free in the classroom to 585
discuss subjects within areas of their competence, teachers 586
shall be cautious in expressing personal views in the classroom 587
and shall be careful not to introduce matters that have no 588
relationship to the subject taught, and especially matters in 589
which they have no special competence or training and in which, 590
therefore, teachers' views cannot claim the authority accorded 591
statements they make about subjects within areas of their 592
competence; provided, that no teacher will face adverse 593
employment action for classroom speech, unless it is not 594
reasonably germane to the subject matter of the class as broadly 595
construed, and comprises a substantial portion of classroom 596
instruction. 597

(C) Each school district board of education shall 598

establish a process under which a student or teacher may submit 599
a complaint about an alleged violation by a school district 600
employee of the policy established under this section. Under the 601
process, a school district shall investigate the alleged 602
violation and conduct a fair and impartial hearing regarding the 603
alleged violation. If the hearing determines the district's 604
policy was violated, the district board shall determine a 605
resolution to address the violation and prevent any further 606
violation of the district's policy. 607

(D) Nothing contained in this section shall be construed 608
as prohibiting a school district from imposing measures that do 609
not violate the First Amendment to the United States 610
Constitution or Article I, Sections 3 and 11 of the Ohio 611
Constitution such as: 612

(1) Constitutional time, place, and manner restrictions; 613

(2) Reasonable and viewpoint-neutral restrictions in 614
nonpublic forums; 615

(3) Restricting the use of the school district's property 616
to protect the free speech rights of students and teachers and 617
preserve the use of the property for the advancement of the 618
district's mission; 619

(4) Prohibiting or limiting speech, expression, or 620
assemblies that are not protected by the First Amendment to the 621
United States Constitution or Article I, Sections 3 and 11 of 622
the Ohio Constitution; or 623

(5) Content restrictions on speech that are reasonably 624
related to a legitimate pedagogical purpose, such as classroom 625
rules enacted by teachers. 626

(E) The policy adopted under this section shall be made 627

<u>available to students and teachers annually through one or more</u>	628
<u>of the following methods:</u>	629
<u>(1) Published annually in the school district's student</u>	630
<u>handbook and teacher handbook, whether paper or electronic;</u>	631
<u>(2) Made available to students and teachers by way of a</u>	632
<u>prominent notice on the school district's web site other than</u>	633
<u>through the electronic publication of the policy in the student</u>	634
<u>handbook and teacher handbook;</u>	635
<u>(3) Sent annually to students and employees to their</u>	636
<u>electronic mail address;</u>	637
<u>(4) Addressed by the school district in orientation</u>	638
<u>programs for new students and new teachers.</u>	639
<u>(F) Nothing in this section shall be construed to grant</u>	640
<u>students the right to disrupt previously scheduled or reserved</u>	641
<u>activities occurring in a traditional public forum.</u>	642
Sec. 3326.11. Each science, technology, engineering, and	643
mathematics school established under this chapter and its	644
governing body shall comply with sections 9.90, 9.91, 109.65,	645
121.22, 149.43, 2151.357, 2151.421, 2313.19, 2921.42, 2921.43,	646
3301.0714, 3301.0715, 3301.0729, 3301.948, 3313.14, 3313.15,	647
3313.16, 3313.18, 3313.201, 3313.26, 3313.472, 3313.48,	648
3313.481, 3313.482, 3313.50, 3313.539, 3313.5310, 3313.608,	649
3313.6012, 3313.6013, 3313.6014, 3313.6015, 3313.6020,	650
3313.6021, 3313.6024, 3313.6025, 3313.61, 3313.611, 3313.614,	651
3313.615, 3313.617, 3313.618, 3313.6114, 3313.643, 3313.648,	652
3313.6411, 3313.66, 3313.661, 3313.662, 3313.666, 3313.667,	653
3313.668, 3313.669, 3313.6610, 3313.67, 3313.671, 3313.672,	654
3313.673, 3313.69, 3313.71, 3313.716, 3313.718, 3313.719,	655
3313.7112, 3313.721, 3313.80, 3313.801, 3313.814, 3313.816,	656

3313.817, 3313.818, 3313.86, 3313.89, 3313.96, 3319.073, 657
3319.077, 3319.078, 3319.21, 3319.32, 3319.321, 3319.35, 658
3319.39, 3319.391, 3319.41, 3319.45, 3319.46, 3320.01, 3320.02, 659
3320.03, 3320.04, 3321.01, 3321.041, 3321.05, 3321.13, 3321.14, 660
3321.141, 3321.17, 3321.18, 3321.19, 3321.191, 3323.251, 661
3327.10, 4111.17, 4113.52, 5502.262, and 5705.391 and Chapters 662
102., 117., 1347., 2744., 3307., 3309., 3365., 3742., 4112., 663
4123., 4141., and 4167. of the Revised Code as if it were a 664
school district. 665

Sec. 3328.24. A college-preparatory boarding school 666
established under this chapter and its board of trustees shall 667
comply with sections 102.02, 3301.0710, 3301.0711, 3301.0712, 668
3301.0714, 3301.0729, 3301.948, 3313.6013, 3313.6021, 3313.6024, 669
3313.6025, 3313.617, 3313.618, 3313.6114, 3313.6411, 3313.668, 670
3313.669, 3313.6610, 3313.7112, 3313.721, 3313.89, 3319.073, 671
3319.077, 3319.078, 3319.39, 3319.391, 3319.46, 3320.01, 672
3320.02, 3320.03, 3320.04, 3323.251, and 5502.262, and Chapter 673
3365. of the Revised Code as if the school were a school 674
district and the school's board of trustees were a district 675
board of education. 676

Sec. 3333.04. The chancellor of higher education shall: 677

(A) Make studies of state policy in the field of higher 678
education and formulate a master plan for higher education for 679
the state, considering the needs of the people, the needs of the 680
state, and the role of individual public and private 681
institutions within the state in fulfilling these needs; 682

(B) (1) Report annually to the governor and the general 683
assembly on the findings from the chancellor's studies and the 684
master plan for higher education for the state; 685

(2) Report at least semiannually to the general assembly 686
and the governor the enrollment numbers at each state-assisted 687
institution of higher education. 688

(C) Approve or disapprove the establishment of new 689
branches or academic centers of state colleges and universities; 690

(D) Approve or disapprove the establishment of state 691
technical colleges or any other state institution of higher 692
education; 693

(E) Recommend the nature of the programs, undergraduate, 694
graduate, professional, state-financed research, and public 695
services which should be offered by the state colleges, 696
universities, and other state-assisted institutions of higher 697
education in order to utilize to the best advantage their 698
facilities and personnel; 699

(F) Recommend to the state colleges, universities, and 700
other state-assisted institutions of higher education graduate 701
or professional programs, including, but not limited to, doctor 702
of philosophy, doctor of education, and juris doctor programs, 703
that could be eliminated because they constitute unnecessary 704
duplication, as shall be determined using the process developed 705
pursuant to this division, or for other good and sufficient 706
cause. Prior to recommending a program for elimination, the 707
chancellor shall request the board of regents to hold at least 708
one public hearing on the matter and advise the chancellor on 709
whether the program should be recommended for elimination. The 710
board shall provide notice of each hearing within a reasonable 711
amount of time prior to its scheduled date. Following the 712
hearing, the board shall issue a recommendation to the 713
chancellor. The chancellor shall consider the board's 714
recommendation but shall not be required to accept it. 715

For purposes of determining the amounts of any state 716
instructional subsidies paid to state colleges, universities, 717
and other state-assisted institutions of higher education, the 718
chancellor may exclude students enrolled in any program that the 719
chancellor has recommended for elimination pursuant to this 720
division except that the chancellor shall not exclude any such 721
student who enrolled in the program prior to the date on which 722
the chancellor initially commences to exclude students under 723
this division. 724

The chancellor and state colleges, universities, and other 725
state-assisted institutions of higher education shall jointly 726
develop a process for determining which existing graduate or 727
professional programs constitute unnecessary duplication. 728

(G) Recommend to the state colleges, universities, and 729
other state-assisted institutions of higher education programs 730
which should be added to their present programs; 731

(H) Conduct studies for the state colleges, universities, 732
and other state-assisted institutions of higher education to 733
assist them in making the best and most efficient use of their 734
existing facilities and personnel; 735

(I) Make recommendations to the governor and general 736
assembly concerning the development of state-financed capital 737
plans for higher education; the establishment of new state 738
colleges, universities, and other state-assisted institutions of 739
higher education; and the establishment of new programs at the 740
existing state colleges, universities, and other institutions of 741
higher education; 742

(J) Review the appropriation requests of the public 743
community colleges and the state colleges and universities and 744

submit to the office of budget and management and to the 745
chairpersons of the finance committees of the house of 746
representatives and of the senate the chancellor's 747
recommendations in regard to the biennial higher education 748
appropriation for the state, including appropriations for the 749
individual state colleges and universities and public community 750
colleges. For the purpose of determining the amounts of 751
instructional subsidies to be paid to state-assisted colleges 752
and universities, the chancellor shall define "full-time 753
equivalent student" by program per academic year. The definition 754
may take into account the establishment of minimum enrollment 755
levels in technical education programs below which support 756
allowances will not be paid. Except as otherwise provided in 757
this section, the chancellor shall make no change in the 758
definition of "full-time equivalent student" in effect on 759
November 15, 1981, which would increase or decrease the number 760
of subsidy-eligible full-time equivalent students, without first 761
submitting a fiscal impact statement to the president of the 762
senate, the speaker of the house of representatives, the 763
legislative service commission, and the director of budget and 764
management. The chancellor shall work in close cooperation with 765
the director of budget and management in this respect and in all 766
other matters concerning the expenditures of appropriated funds 767
by state colleges, universities, and other institutions of 768
higher education. 769

(K) Seek the cooperation and advice of the officers and 770
trustees of both public and private colleges, universities, and 771
other institutions of higher education in the state in 772
performing the chancellor's duties and making the chancellor's 773
plans, studies, and recommendations; 774

(L) Appoint advisory committees consisting of persons 775

associated with public or private secondary schools, members of 776
the state board of education, or personnel of the state 777
department of education; 778

(M) Appoint advisory committees consisting of college and 779
university personnel, or other persons knowledgeable in the 780
field of higher education, or both, in order to obtain their 781
advice and assistance in defining and suggesting solutions for 782
the problems and needs of higher education in this state; 783

(N) Approve or disapprove all new degrees and new degree 784
programs at all state colleges, universities, and other state- 785
assisted institutions of higher education~~+~~. 786

When considering approval of a new degree or degree 787
program for a state university, as defined in section 3345.011 788
of the Revised Code, the chancellor shall take into account the 789
extent to which the degree or degree program aligns with in- 790
demand jobs, as defined in section 3333.94 of the Revised Code. 791

(O) Adopt such rules as are necessary to carry out the 792
chancellor's duties and responsibilities. The rules shall 793
prescribe procedures for the chancellor to follow when taking 794
actions associated with the chancellor's duties and 795
responsibilities and shall indicate which types of actions are 796
subject to those procedures. The procedures adopted under this 797
division shall be in addition to any other procedures prescribed 798
by law for such actions. However, if any other provision of the 799
Revised Code or rule adopted by the chancellor prescribes 800
different procedures for such an action, the procedures adopted 801
under this division shall not apply to that action to the extent 802
they conflict with the procedures otherwise prescribed by law. 803
The procedures adopted under this division shall include at 804
least the following: 805

(1) Provision for public notice of the proposed action;	806
(2) An opportunity for public comment on the proposed action, which may include a public hearing on the action by the board of regents;	807 808 809
(3) Methods for parties that may be affected by the proposed action to submit comments during the public comment period;	810 811 812
(4) Submission of recommendations from the board of regents regarding the proposed action, at the request of the chancellor;	813 814 815
(5) Written publication of the final action taken by the chancellor and the chancellor's rationale for the action;	816 817
(6) A timeline for the process described in divisions (O) (1) to (5) of this section.	818 819
(P) Make recommendations to the governor and the general assembly regarding the design and funding of the student financial aid programs specified in sections 3333.12, 3333.122, 3333.21 to 3333.26, and 5910.02 of the Revised Code;	820 821 822 823
(Q) Participate in education-related state or federal programs on behalf of the state and assume responsibility for the administration of such programs in accordance with applicable state or federal law;	824 825 826 827
(R) Adopt rules for student financial aid programs as required by sections 3333.12, 3333.122, 3333.21 to 3333.26, 3333.28, and 5910.02 of the Revised Code, and perform any other administrative functions assigned to the chancellor by those sections;	828 829 830 831 832
(S) Conduct enrollment audits of state-supported	833

institutions of higher education; 834

(T) Appoint consortia of college and university personnel 835
to advise or participate in the development and operation of 836
statewide collaborative efforts, including the Ohio 837
supercomputer center, the Ohio academic resources network, 838
OhioLink, and the Ohio learning network. For each consortium, 839
the chancellor shall designate a college or university to serve 840
as that consortium's fiscal agent, financial officer, and 841
employer. Any funds appropriated for the consortia shall be 842
distributed to the fiscal agents for the operation of the 843
consortia. A consortium shall follow the rules of the college or 844
university that serves as its fiscal agent. The chancellor may 845
restructure existing consortia, appointed under this division, 846
in accordance with procedures adopted under divisions (O) (1) to 847
(6) of this section. 848

(U) Adopt rules establishing advisory duties and 849
responsibilities of the board of regents not otherwise 850
prescribed by law; 851

(V) Respond to requests for information about higher 852
education from members of the general assembly and direct staff 853
to conduct research or analysis as needed for this purpose. 854

Sec. 3333.0418. (A) As used in this section: 855

(1) "In-demand jobs" has the same meaning as in section 856
3333.94 of the Revised Code. 857

(2) "State institution of higher education" has the same 858
meaning as in section 3345.011 of the Revised Code. 859

(B) Not later than the first day of November of each even- 860
numbered year, the chancellor of higher education shall issue a 861
report regarding the extent to which degree and certificate 862

attainment at state institutions of higher education align with 863
in-demand jobs in the state. 864

(C) After a report is issued under this section, the 865
chancellor shall consider the report's findings and, in 866
collaboration with the office of budget and management, shall 867
consider developing or changing the weights or allocations in 868
the state share of instruction formula to ensure that degree and 869
certificate attainment at state institutions of higher education 870
align with in-demand jobs in the state. 871

Sec. 3333.0419. (A) As used in this section: 872

(1) "Ohio resident" means a resident of this state under 873
rules adopted by the chancellor of higher education under 874
section 3333.31 of the Revised Code. 875

(2) "State university" has the same meaning as in section 876
3345.011 of the Revised Code. 877

(B) The chancellor of higher education shall annually 878
issue all of the following: 879

(1) A report regarding student admissions to state 880
universities during the academic year, including information 881
regarding student demographics and qualifications, including 882
grade point averages, scores on nationally standardized 883
assessments that are used for college admission, and other data 884
used by universities in making admissions decisions. Information 885
in the report shall be disaggregated by students who are and are 886
not Ohio residents. 887

(2) A report regarding the revenue state universities 888
received from instructional and general fees during the academic 889
year and how the universities used such revenue. The report 890
shall categorize the expenditure of such revenue, including for 891

teaching costs and administrative costs. The report also shall 892
compare student enrollment trends with instructional and general 893
fee revenue trends. 894

(3) A report about the mental health and wellness services 895
and initiatives of state universities. The report shall include 896
all of the following: 897

(a) A description of each state university's mental health 898
and wellness services and initiatives; 899

(b) An analysis of how much funding each state university 900
dedicates to mental health and wellness services and 901
initiatives, including the percentage of that funding that is 902
used for administrative costs; 903

(c) An analysis of the aggregate amount of funding state 904
universities dedicate to mental health and wellness services and 905
initiatives, including the percentage of that funding that is 906
used for administrative costs; 907

(d) Any other information the chancellor determines 908
appropriate. 909

(C) Each state university shall submit to the chancellor, 910
in a form and manner prescribed by the chancellor, any 911
information or data the chancellor requires to issue the reports 912
prescribed under division (B) of this section. 913

(D) Each state university shall annually issue reports 914
similar to those prescribed under divisions (B) (1) and (2) of 915
this section. Each state university shall post those reports on 916
its publicly accessible web site. 917

(E) The chancellor shall adopt rules to implement this 918
section. 919

Sec. 3333.051. ~~(A)~~—The chancellor of higher education 920
shall establish a program under which a community college 921
established under Chapter 3354., technical college established 922
under Chapter 3357., or state community college established 923
under Chapter 3358. of the Revised Code may apply to the 924
chancellor for authorization to offer ~~applied~~ bachelor's degree 925
programs. 926

(A) The chancellor may approve programs under this section 927
that demonstrate all of the following: 928

(1) Evidence of an agreement between the college and a 929
regional business or industry to train students in an in-demand 930
field and to employ students upon their successful completion of 931
the program; 932

(2) That the workforce need of the regional business or 933
industry is in an in-demand field with long-term sustainability 934
based upon data provided by the governor's office of workforce 935
transformation; 936

(3) Supporting data that identifies the specific workforce 937
need the program will address; 938

~~(4) The absence of a bachelor's degree program that meets— 939
the workforce need addressed by the proposed program that is— 940
offered by a state university or private college or university; 941~~

~~(5) Willingness of an industry partner to offer workplace— 942
based learning and employment opportunities to students enrolled 943
in the proposed program. 944~~

~~(B) Before approving a program under this section, the 945
chancellor shall consult with the governor's office of workforce— 946
transformation, the inter-university council of Ohio, the Ohio— 947
association of community colleges, and the association of— 948~~

~~independent colleges and universities of Ohio, or any successor
to those organizations.~~ 949
950

~~(C) As used in this section:~~ 951

~~(1) "Applied bachelor's degree" means a bachelor's degree
that is both of the following:~~ 952
953

~~(a) Specifically designed for an individual who holds an
associate of applied science degree, or its equivalent, in order
to maximize application of the individual's technical course
credits toward the bachelor's degree;~~ 954
955
956
957

~~(b) Based on curriculum that incorporates both theoretical
and applied knowledge and skills in a specific technical field.~~ 958
959

~~(2) "Private college or university" means a nonprofit
institution that holds a certificate of authorization pursuant
to Chapter 1713. of the Revised Code.~~ 960
961
962

~~(3) "State university" has the same meaning as in section
3345.011 of the Revised Code.~~ 963
964

(B) The chancellor shall approve all nursing bachelor's
degree programs that demonstrate the conditions prescribed in
divisions (A) (1) to (4) of this section. 965
966
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Sec. 3333.073. The chancellor of higher education shall
suspend or limit enrollment in any bachelor's degree program
offered by a state university, as defined in section 3345.011 of
the Revised Code, if the chancellor determines that the degree
program has a low completion rate. The chancellor may adopt
rules to implement this section. 968
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Sec. 3333.122. (A) The chancellor of higher education
shall adopt rules to carry out this section and as authorized
under section 3333.123 of the Revised Code. The rules shall 974
975
976

include definitions of the terms "resident," "expected family contribution," "full-time student," "three-quarters-time student," "half-time student," "one-quarter-time student," "state cost of attendance," and "accredited" for the purpose of those sections.

(B) Only an Ohio resident who meets both of the following is eligible for a grant awarded under this section:

(1) The resident has an expected family contribution of two thousand one hundred ninety or less;

(2) The resident enrolls in one of the following:

(a) An undergraduate program, or a nursing diploma program approved by the board of nursing under section 4723.06 of the Revised Code, at a state-assisted state institution of higher education, as defined in section 3345.12 of the Revised Code, that meets the requirements of Title VI of the Civil Rights Act of 1964;

(b) An undergraduate program, or a nursing diploma program approved by the board of nursing under section 4723.06 of the Revised Code, at a private, nonprofit institution in this state holding a certificate of authorization pursuant to Chapter 1713. of the Revised Code;

(c) An undergraduate program, or a nursing diploma program approved by the board of nursing under section 4723.06 of the Revised Code, at a career college in this state that holds a certificate of registration from the state board of career colleges and schools under Chapter 3332. of the Revised Code or at a private institution exempt from regulation under Chapter 3332. of the Revised Code as prescribed in section 3333.046 of the Revised Code, if the program has a certificate of

authorization pursuant to Chapter 1713. of the Revised Code. 1006

(d) A comprehensive transition and postsecondary program 1007
that is certified by the United States department of education. 1008
For purposes of this section, a "comprehensive transition and 1009
postsecondary program" means a degree, certificate, or non- 1010
degree program that is designed to support persons with 1011
intellectual disabilities who are receiving academic, career, 1012
technical, and independent living instruction at an institution 1013
of higher education in order to prepare for gainful employment 1014
as defined in 20 U.S.C. 1140. 1015

(C) (1) The chancellor shall establish and administer a 1016
needs-based financial aid grants program based on the United 1017
States department of education's method of determining financial 1018
need. The program shall be known as the Ohio college opportunity 1019
grant program. The general assembly shall support the needs- 1020
based financial aid program by such sums and in such manner as 1021
it may provide, but the chancellor also may receive funds from 1022
other sources to support the program. If, for any academic year, 1023
the amounts available for support of the program are inadequate 1024
to provide grants to all eligible students, the chancellor shall 1025
do one of the following: 1026

(a) Give preference in the payment of grants based upon 1027
expected family contribution, beginning with the lowest expected 1028
family contribution category and proceeding upward by category 1029
to the highest expected family contribution category; 1030

(b) Proportionately reduce the amount of each grant to be 1031
awarded for the academic year under this section; 1032

(c) Use an alternate formula for such grants that 1033
addresses the shortage of available funds and has been submitted 1034

to and approved by the controlling board. 1035

(2) The needs-based financial aid grant shall be paid to 1036
the eligible student through the institution in which the 1037
student is enrolled, except that no needs-based financial aid 1038
grant shall be paid to any person serving a term of 1039
imprisonment. Applications for the grants shall be made as 1040
prescribed by the chancellor, and such applications may be made 1041
in conjunction with and upon the basis of information provided 1042
in conjunction with student assistance programs funded by 1043
agencies of the United States government or from financial 1044
resources of the institution of higher education. The 1045
institution shall certify that the student applicant meets the 1046
requirements set forth in division (B) of this section. Needs- 1047
based financial aid grants shall be provided to an eligible 1048
student only as long as the student is making appropriate 1049
progress toward a nursing diploma, an associate or bachelor's 1050
degree, or completion of a comprehensive transition and 1051
postsecondary program. No student shall be eligible to receive a 1052
grant for more than ten semesters, fifteen quarters, or the 1053
equivalent of five academic years. A grant made to an eligible 1054
student on the basis of less than full-time enrollment shall be 1055
based on the number of credit hours for which the student is 1056
enrolled and shall be computed in accordance with a formula 1057
adopted by rule issued by the chancellor. No student shall 1058
receive more than one grant on the basis of less than full-time 1059
enrollment. 1060

(D) (1) Except as provided in divisions (D) (4) and (5) of 1061
this section, no grant awarded under this section shall exceed 1062
the total state cost of attendance. 1063

(2) Subject to divisions (D) (1), (3), (4), and (5) of this 1064

section, the chancellor shall determine the maximum per student 1065
award amount for each institutional sector by subtracting the 1066
sum of the maximum Pell grant and maximum expected family 1067
contribution amounts, as determined by the chancellor, from the 1068
average instructional and general fees charged by the 1069
institutional sector. The department of higher education shall 1070
publish on its web site an annual Ohio college opportunity award 1071
table. ~~In~~ Except as provided for in section 3333.125 of the 1072
Revised Code, in no case, shall the grant amount for such a 1073
student exceed any maximum that the chancellor may set by rule. 1074

(3) For a student enrolled for a semester or quarter in 1075
addition to the portion of the academic year covered by a grant 1076
under this section, the maximum grant amount shall be a 1077
percentage of the maximum specified in any table established in 1078
rules adopted by the chancellor as provided in division (A) of 1079
this section. The maximum grant for a fourth quarter shall be 1080
one-third of the maximum amount so prescribed. The maximum grant 1081
for a third semester shall be one-half of the maximum amount so 1082
prescribed. 1083

(4) If a student is enrolled in a two-year institution of 1084
higher education and is eligible for an education and training 1085
voucher through the Ohio education and training voucher program 1086
that receives federal funding under the John H. Chafee foster 1087
care independence program, 42 U.S.C. 677, the amount of a grant 1088
awarded under this section may exceed the total state cost of 1089
attendance to additionally cover housing costs. 1090

(5) For a student who is receiving federal veterans' 1091
benefits under the "All-Volunteer Force Educational Assistance 1092
Program," 38 U.S.C. 3001 et seq., or "Post-9/11 Veterans 1093
Educational Assistance Program," 38 U.S.C. 3301 et seq., or any 1094

successor program, the amount of a grant awarded under this 1095
section shall be applied toward the total state cost of 1096
attendance and the student's housing costs and living expenses. 1097
Living expenses shall include reasonable costs for room and 1098
board. 1099

(E) No grant shall be made to any student in a course of 1100
study in theology, religion, or other field of preparation for a 1101
religious profession unless such course of study leads to an 1102
accredited bachelor of arts, bachelor of science, associate of 1103
arts, or associate of science degree. 1104

(F) (1) Except as provided in division (F) (2) of this 1105
section, no grant shall be made to any student for enrollment 1106
during a fiscal year in an institution with a cohort default 1107
rate determined by the United States secretary of education 1108
pursuant to the "Higher Education Amendments of 1986," 100 Stat. 1109
1278, 1408, 20 U.S.C.A. 1085, as amended, as of the fifteenth 1110
day of June preceding the fiscal year, equal to or greater than 1111
thirty per cent for each of the preceding two fiscal years. 1112

(2) Division (F) (1) of this section does not apply in the 1113
case of either of the following: 1114

(a) The institution pursuant to federal law appeals its 1115
loss of eligibility for federal financial aid and the United 1116
States secretary of education determines its cohort default rate 1117
after recalculation is lower than the rate specified in division 1118
(F) (1) of this section or the secretary determines due to 1119
mitigating circumstances that the institution may continue to 1120
participate in federal financial aid programs. The chancellor 1121
shall adopt rules requiring any such appellant to provide 1122
information to the chancellor regarding an appeal. 1123

(b) Any student who has previously received a grant 1124
pursuant to any provision of this section, including prior to 1125
the section's amendment by H.B. 1 of the 128th general assembly, 1126
effective July 17, 2009, and who meets all other eligibility 1127
requirements of this section. 1128

(3) The chancellor shall adopt rules for the notification 1129
of all institutions whose students will be ineligible to 1130
participate in the grant program pursuant to division (F)(1) of 1131
this section. 1132

(4) A student's attendance at any institution whose 1133
students are ineligible for grants due to division (F)(1) of 1134
this section shall not affect that student's eligibility to 1135
receive a grant when enrolled in another institution. 1136

(G) Institutions of higher education that enroll students 1137
receiving needs-based financial aid grants under this section 1138
shall report to the chancellor all students who have received 1139
such needs-based financial aid grants but are no longer eligible 1140
for all or part of those grants and shall refund any moneys due 1141
the state within thirty days after the beginning of the quarter 1142
or term immediately following the quarter or term in which the 1143
student was no longer eligible to receive all or part of the 1144
student's grant. There shall be an interest charge of one per 1145
cent per month on all moneys due and payable after such thirty- 1146
day period. The chancellor shall immediately notify the office 1147
of budget and management and the legislative service commission 1148
of all refunds so received. 1149

Sec. 3333.125. (A) As used in this section, "eligible 1150
student" means a student to whom all of the following apply: 1151

(1) The student receives an Ohio college opportunity grant 1152

under section 3333.122 of the Revised Code. 1153

(2) The student has completed at least two years of a 1154
bachelor's degree program. 1155

(3) The student is making progress toward completing the 1156
student's bachelor's degree program. 1157

(B) In addition to the Ohio college opportunity grant a 1158
student is awarded under section 3333.122 of the Revised Code, 1159
the chancellor shall award an eligible student with a 1160
supplemental grant. Funding for this supplemental grant shall be 1161
paid for from funds appropriated for grants awarded under 1162
section 3333.122 of the Revised Code. Supplemental grants 1163
awarded under this section shall be subject to the same 1164
requirements as a grant awarded under section 3333.122 of the 1165
Revised Code, including divisions (D) (1) and (E) of that 1166
section. 1167

(C) The chancellor shall adopt rules to implement this 1168
section. The rules shall include a method to calculate 1169
supplemental grant amounts. 1170

Sec. 3333.261. (A) As used in this section: 1171

(1) "Eligible student" means a student to whom both of the 1172
following apply: 1173

(a) The student enrolls in a qualifying college or school 1174
within ten years of disenrolling from a state university. 1175

(b) The student has not completed a bachelor's degree 1176
program. 1177

(2) "Qualifying college or school" means any of the 1178
following: 1179

<u>(a) A community college established under Chapter 3345. of</u>	1180
<u>the Revised Code;</u>	1181
<u>(b) A technical college established under Chapter 3357. of</u>	1182
<u>the Revised Code;</u>	1183
<u>(c) A state community college established under Chapter</u>	1184
<u>3358. of the Revised Code;</u>	1185
<u>(d) An institution with a certificate of registration from</u>	1186
<u>the state board of career colleges and schools under Chapter</u>	1187
<u>3332. of the Revised Code;</u>	1188
<u>(e) A private institution exempt from regulation under</u>	1189
<u>Chapter 3332. of the Revised Code as prescribed in section</u>	1190
<u>3333.046 of the Revised Code;</u>	1191
<u>(f) An Ohio technical center that provides adult technical</u>	1192
<u>education services and is recognized by the chancellor of higher</u>	1193
<u>education;</u>	1194
<u>(g) A state university.</u>	1195
<u>(3) "State university" has the same meaning as in section</u>	1196
<u>3345.011 of the Revised Code.</u>	1197
<u>(B) The chancellor shall establish the second chance</u>	1198
<u>voucher program. Under the program, a qualifying college or</u>	1199
<u>school shall reduce the general and instructional fees charged</u>	1200
<u>to an eligible student by an amount equal to the following:</u>	1201
<u>(The total number of credit hours the student paid for at the</u>	1202
<u>state university from which the student disenrolled) X (the</u>	1203
<u>statewide average of the general and instructional fees per</u>	1204
<u>credit hour charged by community colleges, state community</u>	1205
<u>colleges, and technical colleges in the academic year in which</u>	1206
<u>the student enrolled in the qualifying college or school) X 0.50</u>	1207

(C) (1) For any amount of general and instructional fees reduced for an eligible student by a qualifying college or school under division (B) of this section, the state university from which the student disenrolled shall reimburse the college or school an amount equal to either of the following: 1208
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1211
1212

(a) If the state university has an average graduation rate equal to or greater than sixty-five per cent for the six consecutive academic years prior to the academic year in which the student enrolls in the qualifying college or school, fifty per cent of the amount of general and instructional fees reduced for that student; 1213
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(b) If the state university is not a university described in division (C) (1) (a) of this section, seventy-five per cent of the amount of general and instructional fees reduced for that student. 1219
1220
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1222

(2) The chancellor shall reimburse the qualifying college or school for the amount of reduced general and instructional fees remaining after the state university's reimbursement. 1223
1224
1225

(D) An eligible student who receives a reduction of general and instructional fees under division (B) of this section shall be responsible for paying the qualifying college or school any remaining general and instructional fees after that reduction. 1226
1227
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(E) The chancellor shall adopt rules to implement this section. 1231
1232

Sec. 3345.024. (A) Beginning in the academic year that follows the effective date of this section, each state university, as defined in section 3345.011 of the Revised Code, shall annually prepare and post on its publicly accessible web 1233
1234
1235
1236

<u>site a report that includes all of the following information;</u>	1237
<u>(1) An itemized list of the estimated or actual charges of</u>	1238
<u>the instructional fees, general fees, special purpose fees,</u>	1239
<u>service charges, fines, and other fees or surcharges applicable</u>	1240
<u>to enrolled students;</u>	1241
<u>(2) The estimated or actual average cost of attendance;</u>	1242
<u>(3) Student degree completion rates;</u>	1243
<u>(4) Post-graduation student debt rates;</u>	1244
<u>(5) Post-graduation employment rates of students.</u>	1245
<u>The information prescribed in divisions (A) (3) to (5) of</u>	1246
<u>this section shall include the overall rates of the university,</u>	1247
<u>and rates disaggregated by degree, by student demographics, and</u>	1248
<u>by students who receive and do not receive Ohio college</u>	1249
<u>opportunity grants under section 3333.122 of the Revised Code.</u>	1250
<u>For any rates involving post-graduation data, each state</u>	1251
<u>university shall collect information from its alumni, as</u>	1252
<u>available.</u>	1253
<u>(B) Each state university shall provide prospective</u>	1254
<u>students and their parents or guardians with a copy of the most</u>	1255
<u>recent report prepared under division (A) of this section.</u>	1256
<u>(C) Each state university shall submit to the chancellor</u>	1257
<u>of higher education, in a form and manner prescribed by the</u>	1258
<u>chancellor, the data used to prepare a report prescribed under</u>	1259
<u>division (A) of this section. The chancellor shall use that data</u>	1260
<u>to prepare and issue an annual report that includes the</u>	1261
<u>information prescribed under divisions (A) (1) to (5) of this</u>	1262
<u>section for all state universities.</u>	1263
<u>(D) The chancellor shall adopt rules to implement this</u>	1264

section. 1265

Sec. 3345.026. (A) As used in this section: 1266

(1) "Nonacademic general fee" means any student activity 1267
fee, the proceeds of which are used to support and facilitate 1268
the expression and activities of student groups, and any fees 1269
charged to students for the support of common buildings and 1270
rooms, student centers, theaters, pools, and other facilities of 1271
common use to all students or of the meetings and official 1272
responsibilities of the student government. 1273

(2) "State university" has the same meaning as in section 1274
3345.011 of the Revised Code. 1275

(B) The board of trustees of each state university shall 1276
permit students to choose which nonacademic general fees to pay 1277
for each semester or the equivalent. If a student elects not to 1278
pay a nonacademic general fee for a semester or the equivalent, 1279
that student shall not have access, for that semester or the 1280
equivalent, to the facilities or services related to that 1281
nonacademic general fee, as determined by the board of trustees 1282
of the state university under division (C) of this section. 1283

(C) For purposes of division (B) of this section, the 1284
board of trustees of each state university shall determine which 1285
facilities or services are related to each nonacademic general 1286
fee that is charged by the state university for each semester or 1287
the equivalent. 1288

Sec. 3345.027. No state university, as defined in section 1289
3345.011 of the Revised Code, shall withhold official 1290
transcripts from a student because the student owes money to the 1291
university. 1292

Sec. 3345.028. No state institution of higher education, 1293

as defined in section 3345.011 of the Revised Code, shall charge 1294
an additional fee to a student for an employee of the 1295
university, or an entity contracting with the institution, to 1296
complete any academic activity associated with regular 1297
coursework, including grading student assignments. 1298

Sec. 3345.0212. (A) Except as permitted by this section 1299
and sections 3345.0213 and 3345.12 of the Revised Code, no state 1300
institution of higher education, or any of its administrators 1301
acting in their official capacity, shall prohibit any individual 1302
from engaging in noncommercial expressive activity on campus, so 1303
long as the individual's conduct is lawful and does not 1304
materially and substantially disrupt the functioning of the 1305
institution. 1306

(B) No state institution of higher education shall charge 1307
security fees to a student or a student group based on the 1308
content of their expression, the content of the expression of 1309
their invited guest, or the anticipated reaction to an invited 1310
guest's expression. 1311

(C) Each state institution of higher education shall do 1312
all of the following: 1313

(1) Adopt a policy on harassment that is consistent with 1314
and adheres strictly to its definition in section 3345.0211 of 1315
the Revised Code; 1316

(2) Make public in its handbook, on its web site, and in 1317
its orientation programs for students the policies, regulations, 1318
and expectations of students regarding free expression on 1319
campus, including the state institution's policy adopted under 1320
section 3345.0215 of the Revised Code; 1321

(3) Develop and distribute materials, programs, and 1322

procedures to individuals responsible for the education or 1323
discipline of students, such as administrators, campus police 1324
officers, residence life officials, and professors, to inform 1325
them of the policies, regulations, and duties of the institution 1326
regarding free expression on campus. 1327

(D) (1) Nothing in this section shall be interpreted as 1328
preventing state institutions of higher education from 1329
restricting expressive activities that the First Amendment to 1330
the United States Constitution or Article I, Sections 3 and 11 1331
of the Ohio Constitution does not protect. 1332

(2) Nothing in this section shall enable individuals to 1333
engage in conduct that intentionally, materially, and 1334
substantially disrupts another individual's expressive activity 1335
if it occurs in a campus space reserved for exclusive use or 1336
control of a particular individual or group. 1337

Sec. 3345.0215. (A) As used in this section: 1338

(1) "Constitutional time, place, and manner restrictions" 1339
means restrictions on the time, place, and manner of free speech 1340
that do not violate the First Amendment to the United States 1341
Constitution or Article I, Sections 3 and 11 of the Ohio 1342
Constitution that are reasonable, content- and viewpoint- 1343
neutral, narrowly tailored to satisfy a significant 1344
institutional interest, and leave open ample alternative 1345
channels for the communication of the information or message to 1346
its intended audience. 1347

(2) "Faculty" or "faculty member" means any person, 1348
whether or not the person is compensated by a state institution 1349
of higher education, and regardless of political affiliation, 1350
who is tasked with providing scholarship, academic research, or 1351

teaching. For purposes of this part, the term "faculty" includes 1352
tenured and nontenured professors, adjunct professors, visiting 1353
professors, lecturers, graduate student instructors, and those 1354
in comparable positions, however titled. For purposes of this 1355
section, the term "faculty" does not include persons whose 1356
primary responsibilities are administrative or managerial. 1357

(3) "Free speech" means speech, expression, or assemblies 1358
protected by the First Amendment to the United States 1359
Constitution or Article I, Sections 3 and 11 of the Ohio 1360
Constitution, verbal or written, including, but not limited to, 1361
all forms of peaceful assembly, protests, demonstrations, 1362
rallies, vigils, marches, public speaking, distribution of 1363
printed materials, carrying signs, displays, or circulating 1364
petitions. "Free speech" does not include the promotion, sale, 1365
or distribution of any product or service. 1366

(4) "State institution of higher education" has the same 1367
meaning as in section 3345.011 of the Revised Code. 1368

(5) "Student" has the same meaning as in section 3345.0211 1369
of the Revised Code, except that "student" also includes 1370
"student group." 1371

(6) "Student group" has the same meaning as in section 1372
3345.0211 of the Revised Code. 1373

(B) In addition to complying with sections 3345.0212 to 1374
3345.0214 of the Revised Code, each state institution of higher 1375
education board of trustees shall adopt a policy that affirms 1376
the following principles, which are the public policy of this 1377
state: 1378

(1) Students have a fundamental constitutional right to 1379
free speech. 1380

(2) A state institution of higher education shall be 1381
committed to giving students the broadest possible latitude to 1382
speak, write, listen, challenge, learn, and discuss any issue, 1383
subject to division (D) of this section. 1384

(3) A state institution of higher education shall be 1385
committed to maintaining a campus as a marketplace of ideas for 1386
all students and all faculty in which the free exchange of ideas 1387
is not to be suppressed because the ideas put forth are thought 1388
by some or even by most members of the institution's community 1389
to be offensive, unwise, immoral, indecent, disagreeable, 1390
conservative, liberal, traditional, radical, or wrong-headed. 1391

(4) It is for a state institution of higher education's 1392
individual students and faculty to make judgments about ideas 1393
for themselves, and to act on those judgments not by seeking to 1394
suppress free speech, but by openly and vigorously contesting 1395
the ideas that they oppose. 1396

(5) It is not the proper role of a state institution of 1397
higher education to attempt to shield individuals from free 1398
speech, including ideas and opinions they find offensive, 1399
unwise, immoral, indecent, disagreeable, conservative, liberal, 1400
traditional, radical, or wrong-headed. 1401

(6) Although a state institution of higher education 1402
should greatly value civility and mutual respect, concerns about 1403
civility and mutual respect shall never be used by an 1404
institution as a justification for closing off the discussion of 1405
ideas, however offensive, unwise, immoral, indecent, 1406
disagreeable, conservative, liberal, traditional, radical, or 1407
wrong-headed those ideas may be to some students or faculty. 1408

(7) Although all students and all faculty are free to 1409

state their own views about and contest the views expressed on 1410
campus, and to state their own views about and contest speakers 1411
who are invited to express their views on the campus of a state 1412
institution of higher education, they may not substantially 1413
obstruct or otherwise substantially interfere with the freedom 1414
of others to express views they reject or even loathe. To this 1415
end, a state institution of higher education has a 1416
responsibility to promote a lively and fearless freedom of 1417
debate and deliberation and protect that freedom. 1418

(8) A state institution of higher education shall be 1419
committed to providing an atmosphere that is most conducive to 1420
speculation, experimentation, and creation by all students and 1421
all faculty, who shall always remain free to inquire, to study 1422
and to evaluate, and to gain new understanding. 1423

(9) The primary responsibility of faculty is to engage an 1424
honest, courageous, and persistent effort to search out and 1425
communicate the truth that lies in the areas of their 1426
competence. 1427

(10) Although faculty are free in the classroom to discuss 1428
subjects within areas of their competence, faculty shall be 1429
cautious in expressing personal views in the classroom and shall 1430
be careful not to introduce matters that have no relationship to 1431
the subject taught, and especially matters in which they have no 1432
special competence or training and in which, therefore, 1433
faculty's views cannot claim the authority accorded statements 1434
they make about subjects within areas of their competence; 1435
provided, that no faculty will face adverse employment action 1436
for classroom speech, unless it is not reasonably germane to the 1437
subject matter of the class as broadly construed, and comprises 1438
a substantial portion of classroom instruction. 1439

(11) A state institution of higher education shall not 1440
deny student activity fee funding to a student group based on 1441
the viewpoints that the student group advocates. 1442

(12) A state institution of higher education shall permit 1443
all students and all faculty to invite guest speakers to campus 1444
to engage in free speech regardless of the views of guest 1445
speakers. 1446

(13) A state institution of higher education shall not 1447
revoke an invitation to a speaker invited by a student, student 1448
group, or faculty member because the speaker's anticipated 1449
speech may be considered offensive, unwise, immoral, indecent, 1450
disagreeable, conservative, liberal, traditional, radical, or 1451
wrong-headed by students, faculty, administrators, government 1452
officials, or members of the public. 1453

(C) Each board of trustees shall establish a process under 1454
which a student, student group, or faculty member may submit a 1455
complaint about an alleged violation by an employee of the state 1456
institution of higher education of the policy established under 1457
this section. Under the process, the state institution of higher 1458
education shall investigate the alleged violation and conduct a 1459
fair and impartial hearing regarding the alleged violation. If 1460
the hearing determines the state institution of higher 1461
education's policy was violated, the board of trustees shall 1462
determine a resolution to address the violation and prevent any 1463
further violation of the state institution of higher education's 1464
policy. 1465

(D) Nothing contained in this section shall be construed 1466
as prohibiting a state institution of higher education from 1467
imposing measures that do not violate the First Amendment to the 1468
United States Constitution or Article I, Sections 3 and 11 of 1469

<u>the Ohio Constitution such as:</u>	1470
<u>(1) Constitutional time, place, and manner restrictions;</u>	1471
<u>(2) Reasonable and viewpoint-neutral restrictions in nonpublic forums;</u>	1472 1473
<u>(3) Restricting the use of the state institution's property to protect the free speech rights of students and teachers and preserve the use of the property for the advancement of the institution's mission;</u>	1474 1475 1476 1477
<u>(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;</u>	1478 1479 1480 1481
<u>(5) Content restrictions on speech that are reasonably related to a legitimate pedagogical purpose, such as classroom rules enacted by teachers.</u>	1482 1483 1484
<u>(E) Nothing in this section shall be construed to grant students the right to disrupt previously scheduled or reserved activities occurring in a traditional public forum.</u>	1485 1486 1487
<u>Sec. 3345.063. (A) As used in this section:</u>	1488
<u>(1) "Ohio resident" has the same meaning as in section 3333.0419 of the Revised Code.</u>	1489 1490
<u>(2) "State university" has the same meaning as in section 3345.011 of the Revised Code.</u>	1491 1492
<u>(B) No state university shall prioritize the admission of an applicant who is not an Ohio resident over an applicant who is an Ohio resident if both applicants have substantially similar qualifications that satisfy the university's admissions</u>	1493 1494 1495 1496

criteria. 1497

Sec. 3345.21. The board of trustees of any college or 1498
university which receives any state funds in support thereof, 1499
shall regulate the use of the grounds, buildings, equipment, and 1500
facilities of such college or university and the conduct of the 1501
students, staff, faculty, and visitors to the campus so that law 1502
and order are maintained and the college or university may 1503
pursue its educational objectives and programs in an orderly 1504
manner. 1505

The board of trustees of each such college or university 1506
shall adopt rules for the conduct of the students, faculty, 1507
visitors, and staff, and may provide for the ejection from 1508
college or university property, suspension or expulsion of a 1509
person who violates such regulations. All such rules shall be 1510
published in a manner reasonably designed to come to the 1511
attention of, and be available to, all faculty, staff, visitors, 1512
and students. 1513

The board of trustees shall provide for the administration 1514
and enforcement of its rules and may authorize the use of state 1515
university law enforcement officers provided for in section 1516
3345.04 of the Revised Code to assist in enforcing the rules and 1517
the law on the campus of the college or university. The board of 1518
trustees, or appropriate officials of such college or university 1519
when the authority to do so has been delegated by the board of 1520
trustees, may seek the assistance of other appropriate law 1521
enforcement officers to enforce the rules and to enforce laws 1522
for the preservation of good order on the campus, and to prevent 1523
the disruption of the educational functions of the college or 1524
university. 1525

In accordance with ~~section~~ sections 3345.0213 and 1526

3345.0215 of the Revised Code, the rules of the board of 1527
trustees shall not restrict freedom of speech nor the right of 1528
persons on the campus to assemble peacefully. 1529

Sec. 3345.241. Except as provided in sections 3345.22 to 1530
3345.24 of the Revised Code, a state university, as defined in 1531
section 3345.011 of the Revised Code, shall provide a student 1532
who is subject to a disciplinary action by the university with a 1533
notice of the disciplinary action, the reasons for that 1534
disciplinary action, and the student's right to appeal the 1535
disciplinary action under this section. If the student elects to 1536
appeal the disciplinary action, the state university shall 1537
afford the student with a fair and impartial hearing within a 1538
reasonable time thereafter under regular procedures of the state 1539
university. 1540

Sec. 3345.381. A state university, as defined in section 1541
3345.011 of the Revised Code, shall accept, provide credit for, 1542
and apply to a student's degree and requirements for graduation 1543
any online coursework a student completes at an institution of 1544
higher education with a similar accreditation. 1545

Sec. 3345.43. (A) The board of trustees of each state 1546
university, as defined in section 3345.011 of the Revised Code, 1547
shall provide to the chancellor of higher education and post in 1548
an easily accessible location on its web site the annual campus 1549
security report it compiles under the "Jeanne Clery Disclosure 1550
of Campus Security Policy and Crime Statistics Act," 20. U.S.C. 1551
1092(f). 1552

(B) The chancellor shall use the data provided in division 1553
(A) of this section to rank state universities by crime levels, 1554
the highest of which shall be designated "high crime." The 1555
chancellor shall require each state university ranked as high 1556

crime to submit a remediation plan to reduce crime on campus. 1557
Each such state university shall coordinate with state 1558
university law enforcement officers designated under section 1559
3345.04 of the Revised Code or other appropriate law enforcement 1560
officers, as determined by the chancellor, in creating the 1561
remediation plan. Each such state university shall submit 1562
follow-up reports on implementation of the plan to the 1563
chancellor in the manner the chancellor so requires. 1564

(C) Notwithstanding anything in Chapter 3333. or 3345. of 1565
the Revised Code to the contrary, the chancellor may require the 1566
board of trustees of a state university ranked as high crime to 1567
enter into an agreement with an appropriate law enforcement 1568
agency, as determined by the chancellor, to take over primary 1569
responsibility for security on the state university's campus if, 1570
based on reports regarding the state university's remediation 1571
plan submitted under division (B) of this section, the 1572
chancellor determines the state university is not making 1573
progress in reducing crime on campus. 1574

(C) The chancellor shall adopt any rules necessary to 1575
implement this section. 1576

Sec. 3345.461. As used in this section, "state university" 1577
has the same meaning as in section 3345.011 of the Revised Code. 1578

A state university shall charge less in general and 1579
instructional fees for an online course than for a course taught 1580
in an in-person, classroom setting. The general and 1581
instructional fees charged for an online course shall be based 1582
on the actual cost incurred by the state university to provide 1583
those courses. 1584

Sec. 3345.48. (A) As used in this section: 1585

(1) "Cohort" means a group of students who will complete their bachelor's degree requirements and graduate from a state university at the same time. A cohort may include transfer students and other selected undergraduate student academic programs as determined by the board of trustees of a state university.

(2) "Eligible student" means an undergraduate student who:

(a) Is enrolled full-time in a bachelor's degree program at a state university;

(b) Is a resident of this state, as defined by the chancellor of higher education under section 3333.31 of the Revised Code.

(3) "State university" has the same meaning as in section 3345.011 of the Revised Code.

(B) The board of trustees of each state university shall establish an undergraduate tuition guarantee program that allows eligible students in the same cohort to pay a fixed rate for general and instructional fees for ~~four years~~ the applicable time period prescribed in division (E) of this section. A board of trustees may include room and board and any additional fees in the program.

The board shall adopt rules for the program that include, but are not limited to, all of the following:

(1) The number of credit hours required to earn an undergraduate degree in each major;

(2) A guarantee that the general and instructional fees for each student in the cohort shall remain constant for ~~four years~~ the applicable time period prescribed under division (E).

of this section so long as the student complies with the 1614
requirements of the program, ~~except that, notwithstanding any~~ 1615
~~law to the contrary, the board may increase the guaranteed~~ 1616
~~amount by up to six per cent above what has been charged in the~~ 1617
~~previous academic year one time for the first cohort enrolled~~ 1618
~~under the tuition guarantee program. If the board of trustees~~ 1619
~~determines that economic conditions or other circumstances~~ 1620
~~require an increase for the first cohort of above six per cent,~~ 1621
~~the board shall submit a request to increase the amount by a~~ 1622
~~specified percentage to the chancellor. The chancellor, based on~~ 1623
~~information the chancellor requires from the board of trustees,~~ 1624
~~shall approve or disapprove such a request. Thereafter, the .~~ 1625
The board of trustees may increase the guaranteed amount by up 1626
to the sum of the following above what has been charged in the 1627
previous academic year one time per subsequent cohort:— 1628

~~(a) The average rate of inflation, as measured by the~~ 1629
~~consumer price index prepared by the bureau of labor statistics~~ 1630
~~of the United States department of labor (all urban consumers,~~ 1631
~~all items), for the previous thirty-six month period; and~~ 1632

~~(b) The by the maximum percentage amount the general~~ 1633
~~assembly restrains increases on permits for increasing in-state~~ 1634
~~undergraduate instructional and general fees for the applicable~~ 1635
~~fiscal year. If the general assembly does not enact a limit on~~ 1636
~~the permit an increase of in-state undergraduate instructional~~ 1637
~~and general fees, then no limit shall apply under this division~~ 1638
~~for the cohort that first enrolls in any academic year for which~~ 1639
~~the general assembly does not prescribe a limit.—~~ 1640

~~If, beginning with the academic year that starts four~~ 1641
~~years after September 29, 2013, the board of trustees determines~~ 1642
~~that the general and instructional fees charged under the~~ 1643

~~tuition guarantee have fallen significantly lower than those of~~ 1644
~~other state universities, the board of trustees may submit a~~ 1645
~~request to increase the amount charged to a cohort by a~~ 1646
~~specified percentage to the chancellor, who shall approve or~~ 1647
~~disapprove such a request~~ for a fiscal year, the board of 1648
trustees shall not increase the guaranteed amount. 1649

(3) A benchmark by which the board sets annual increases 1650
in general and instructional fees. This benchmark and any 1651
subsequent change to the benchmark shall be subject to approval 1652
of the chancellor. 1653

(4) Eligibility requirements for students to participate 1654
in the program; 1655

(5) Student rights and privileges under the program; 1656

(6) Consequences to the university for students in cohorts 1657
paying a fixed rate for general and instructional fees for four 1658
years, as prescribed under division (E) of this section, who 1659
were unable to complete a degree program within ~~four~~ those 1660
years, as follows: 1661

(a) For a student who could not complete the program in 1662
four years due to a lack of available classes or space in 1663
classes provided by the university, the university shall provide 1664
the necessary course or courses for completion to the student 1665
free of charge. 1666

(b) For a student who could not complete the program in 1667
four years due to military service or other circumstances beyond 1668
a student's control, as determined by the board of trustees, the 1669
university shall provide the necessary course or courses for 1670
completion to the student at the student's initial cohort rate. 1671

(c) For a student who did not complete the program in four 1672

years for any other reason, as determined by the board of 1673
trustees, the university shall provide the necessary course or 1674
courses for completion to the student at a rate determined 1675
through a method established by the board under division (B) (7) 1676
of this section. 1677

(7) Guidelines for adjusting a student's annual charges if 1678
the student, due to circumstances under the student's control, 1679
is unable to complete a degree program within ~~four years~~ the 1680
applicable time period prescribed under division (E) of this 1681
section; 1682

(8) A requirement that the rules adopted under division 1683
(B) of this section be published or posted in the university 1684
handbook, course catalog, and web site; 1685

(9) A requirement that a student participating in the 1686
program who disenrolls from the state university remains 1687
eligible under the same terms and rate as the student's initial 1688
cohort if, within two years of that disenrollment, the student 1689
enrolls again in the university. 1690

(C) The board shall submit the rules adopted under 1691
division (B) of this section to the chancellor for approval 1692
before beginning implementation of the program. 1693

The chancellor shall not unreasonably withhold approval of 1694
a program if the program conforms in principle with the 1695
parameters and guidelines of this section. 1696

(D) A board of trustees of a state university may 1697
establish an undergraduate tuition guarantee program for 1698
nonresident students. 1699

(E) ~~Except~~ Beginning in the next academic year after the 1700
effective date of this amendment, under a program established in 1701

accordance with division (B) of this section, eligible students 1702
in the same cohort at a state university shall pay a fixed rate 1703
for general and instruction fees for six years, unless a 1704
majority of the state university's graduates completed their 1705
degree programs in the amount of time such programs are 1706
typically designed to require in each of the three academic 1707
years prior to the academic year in which the students are 1708
enrolling for the first time. If a majority of the state 1709
university's graduates meet that condition for each of those 1710
three academic years, eligible students in the same cohort shall 1711
pay a fixed rate for general and instructional fees for four 1712
years. 1713

(F) Except as provided in this section, no other 1714
limitation on the increase of in-state undergraduate 1715
instructional and general fees shall apply to a state university 1716
that has established an undergraduate tuition guarantee program 1717
under this section. 1718

Sec. 3345.481. (A) As used in this section: 1719

(1) "Eligible student" means an undergraduate student 1720
enrolled in a bachelor's degree program at a state institution 1721
of higher education. 1722

(2) ~~"Final year" means the last academic year of full-time~~ 1723
~~study that a bachelor's degree program is typically designed to~~ 1724
~~require, as determined by the chancellor of higher~~ 1725
~~education."Requisite course" means a course that is necessary to~~ 1726
complete an eligible student's bachelor's degree program, but 1727
that is not a general elective. 1728

(3) "State institution of higher education" has the same 1729
meaning as in section 3345.011 of the Revised Code. 1730

(B) The board of trustees of a state institution of higher education shall ~~waive an eligible student's general and instructional fees for a course necessary to complete the student's bachelor's degree program if~~ provide an eligible student with an accommodation prescribed under division (C) of this section if that student was unable to register for a requisite course in a particular academic year and all of the following apply:

(1) ~~The necessary course is not a general elective~~ eligible student has not completed the requisite course prior to that academic year.

(2) The eligible student was enrolled full time, as defined by the chancellor, ~~in the student's final year of higher education, in that academic year.~~

(3) The eligible student was unable to register for the ~~necessary requisite course in the student's final that academic year because of either of the following:~~

(a) The course was not offered by the state institution of higher education ~~in the eligible student's final year.~~

(b) Circumstances beyond the eligible student's control made registration for the ~~necessary~~ course unfeasible, as determined by the chancellor.

(4) The eligible student successfully paid all general and instructional fees and did not receive a refund for the courses for which the student registered ~~in the student's final that academic year~~ at the start of that year.

(5) ~~The eligible student successfully registers for the necessary course in the next academic year in which the course is offered.~~

~~(6) The eligible student did not enroll in the maximum amount of credit hours in the student's final that academic year, as determined by the state institution of higher education.~~ 1760
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~~(C) Qualifying for~~ A board of trustees shall offer an eligible student described in division (B) of this section one of the following accommodations: 1764
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(1) The board of trustees shall waive the eligible student's general and instructional fees for the requisite course if the student successfully registers for that course in the next academic year in which the course is offered. However, 1767
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~~a waiver of fees under division (B) of this section shall not grant an eligible student guaranteed or priority registration for the necessary that course described in that division.~~ 1771
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(2) The board of trustees shall reimburse the eligible student for any general and instructional fees the student paid in order to register for a course equivalent to the requisite course that is offered by an institution of higher education with a similar accreditation. To qualify for a reimbursement, the student must have registered for the equivalent course in the academic year in which the student was unable to register for the requisite course. 1774
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(3) The board of trustees shall permit the eligible student to complete an independent study that meets specified guidelines in lieu of the requisite course in order to meet the requirements of the student's bachelor's degree program. 1782
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(D) The chancellor shall establish rules to implement this section. 1786
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Sec. 3345.52. Prior to the administration of a capital 1788

facilities project for the construction, reconstruction, 1789
improvement, renovation, enlargement, or alteration of a public 1790
improvement within the jurisdiction of a state university, the 1791
board of trustees of that university shall submit to the 1792
chancellor of higher education a written statement explaining 1793
how the project advances the master plan for higher education 1794
prescribed by section 3333.04 of the Revised Code. 1795

Sec. 3345.591. (A) As used in this section: 1796

(1) "Community college" means a community college 1797
established under Chapter 3345., a technical college established 1798
under Chapter 3357., or a state community college established 1799
under Chapter 3358. of the Revised Code. 1800

(2) "Enrollment region" means a region established by the 1801
chancellor of higher education under division (E) of this 1802
section. 1803

(3) "Regional university" means a state university that 1804
enrolls a majority of the university's undergraduate student 1805
population from the enrollment region in which the university's 1806
main campus is located. 1807

(4) "State university" has the same meaning as in section 1808
3345.011 of the Revised Code. 1809

(B) (1) Each regional university shall enter into a 1810
partnership with at least one community college located in the 1811
enrollment region in which the university's main campus is 1812
located. 1813

(2) Each state university that is not a regional 1814
university shall enter into a partnership with at least one 1815
community college located in each enrollment region. 1816

(C) Under a partnership established under division (B) of this section, an undergraduate student enrolled in a university described in that division may complete up to the number of college credits equivalent to two academic years at the community college while receiving academic counseling from the university about how to make progress toward completing a bachelor's degree program at the university using those credits. An undergraduate student shall only be required to pay the community college's general, special, and instructional fees for those credits. 1817
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(D) Upon initially enrolling an undergraduate student from an enrollment region in which a community college is located with which a university described in division (B) of this section has entered into a partnership under that division, the university shall provide the student with information about the partnership and a summary of any financial savings available to the student by completing college credits at the community college. 1827
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(E) The chancellor shall divide the state into a series of geographic regions for the purposes of this section. Each region shall contain at least one community college. 1835
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(F) The chancellor shall adopt rules to implement this section. 1838
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Sec. 3365.16. (A) As used in this section: 1840

(1) "Eligible student" means an Ohio resident who is enrolled in a public secondary school or a chartered nonpublic secondary school and is at least sixteen years of age. 1841
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(2) "Apprenticeship program" means any apprenticeship program that is certified or registered by the United States 1844
1845

department of labor. 1846

(B) There is hereby created a subprogram of the college 1847
credit plus program under which, beginning with the 2022-2023 1848
school year, an eligible student may participate in an 1849
apprenticeship program not offered by the student's secondary 1850
school. The subprogram shall operate in accordance with rules 1851
adopted under division (C) of this section. 1852

(C) Not later than December 31, 2021, the chancellor of 1853
higher education and the superintendent of public instruction, 1854
in consultation with the director of development services and 1855
the administrator of workers' compensation, shall develop a 1856
proposal to implement the subprogram as prescribed by this 1857
section and submit it to the state board of education for 1858
consideration. The proposal shall include recommendations on 1859
which requirements of the college credit plus program should 1860
apply to the subprogram. Not later than June 30, 2022, upon 1861
consideration of that proposal, the state board shall adopt 1862
rules, in accordance with Chapter 119. of the Revised Code, to 1863
implement the subprogram. The rules shall include at least all 1864
of the following: 1865

(1) Requirements that a student must fulfill in order to 1866
participate in the subprogram, including a minimum grade point 1867
average of 2.5 out of a 4.0, or its equivalent; 1868

(2) A process by which a student may secure an 1869
apprenticeship; 1870

(3) A process for approval of each student's 1871
apprenticeship, including a method for evaluating the 1872
educational benefits of the apprenticeship; 1873

(4) A stipulation of the maximum number of hours per week 1874

a student may work as an apprentice; 1875

(5) A method for determining actual costs to a business
for participation in the subprogram, including workers'
compensation and other insurance costs and training costs; 1876
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(6) A funding formula for students enrolled in a public
secondary school, including a maximum amount, to pay businesses
for costs associated with employing students under the
subprogram. The amount paid for each student participating in
the subprogram shall be deducted from the school foundation
payments made to the participant's school district or, if the
participant is enrolled in a community school, a STEM school, or
a college-preparatory boarding school, from the payments made to
that school under section 3314.08, 3326.33, or 3328.34 of the
Revised Code. 1879
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(7) A funding formula for students enrolled in a chartered
nonpublic secondary school, including a maximum amount, to pay
businesses for costs associated with employing students under
the subprogram. The amount paid for each student participating
in the subprogram shall be subtracted from moneys specifically
appropriated by the general assembly for such purpose. 1889
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(8) The method for making payments to participating
businesses; 1895
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(9) A method by which credits for a certificate or
certificates earned in an apprenticeship under the subprogram
may transfer for college credit. Each college shall determine
whether or not to accept work credits under the subprogram. 1897
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1900

Section 2. That existing sections 9.76, 3313.6020, 1901
3314.03, 3326.11, 3328.24, 3333.04, 3333.051, 3333.122, 1902
3345.0212, 3345.21, 3345.48, and 3345.481 of the Revised Code 1903

are hereby repealed. 1904

Section 3. Upon receipt of funds from the federal 1905
"Coronavirus Aid, Relief, and Economic Security Act," Pub. L. 1906
No. 116-136, and after payments from those funds are made 1907
pursuant to required higher education priorities, the Chancellor 1908
of Higher Education shall, to the extent permitted by federal 1909
law, distribute any unused funds to state-supported community 1910
colleges, state community colleges, and technical colleges to 1911
provide support to students enrolled in a program that may be 1912
completed in less than one year and for which a certificate or 1913
industry-recognized credential is awarded in an in-demand job. 1914

Section 4. The General Assembly, applying the principle 1915
stated in division (B) of section 1.52 of the Revised Code that 1916
amendments are to be harmonized if reasonably capable of 1917
simultaneous operation, finds that the following sections, 1918
presented in this act as composites of the sections as amended 1919
by the acts indicated, are the resulting versions of the 1920
sections in effect prior to the effective date of the sections 1921
as presented in this act: 1922

Section 3314.03 of the Revised Code as amended by H.B. 1923
123, H.B. 164, H.B. 166, H.B. 409, H.B. 436, S.B. 68, and S.B. 1924
89, all of the 133rd General Assembly. 1925

Section 3326.11 of the Revised Code as amended by H.B. 1926
123, H.B. 164, H.B. 166, H.B. 436, and S.B. 68, all of the 133rd 1927
General Assembly. 1928

Section 3328.24 of the Revised Code as amended by H.B. 1929
123, H.B. 164, H.B. 166, H.B. 436, and S.B. 68, all of the 133rd 1930
General Assembly. 1931