

**As Reported by the Senate Workforce and Higher Education Committee**

**134th General Assembly**

**Regular Session**

**2021-2022**

**Sub. S. B. No. 135**

**Senator Cirino**

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**A BILL**

To amend sections 9.76, 1715.51, 1715.53, 1  
3313.6020, 3314.03, 3326.11, 3328.24, 3333.04,  
3333.051, 3333.122, 3345.0212, 3345.21, 2  
3345.481, 3354.01, 3357.09, and 3358.01 and to 3  
enact sections 1715.551, 3320.04, 3333.0418, 4  
3333.0419, 3333.073, 3333.125, 3333.126, 5  
3333.168, 3345.024, 3345.027, 3345.028, 6  
3345.0215, 3345.063, 3345.241, 3345.381, 7  
3345.461, 3345.52, and 3365.16 of the Revised 8  
Code regarding the operation of state 9  
institutions of higher education and regarding 10  
free speech in public universities, colleges, 11  
and schools. 12  
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**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That sections 9.76, 1715.51, 1715.53, 14  
3313.6020, 3314.03, 3326.11, 3328.24, 3333.04, 3333.051, 15  
3333.122, 3345.0212, 3345.21, 3345.481, 3354.01, 3357.09, and 16  
3358.01 be amended and sections 1715.551, 3320.04, 3333.0418, 17  
3333.0419, 3333.073, 3333.125, 3333.126, 3333.168, 3345.024, 18  
3345.027, 3345.028, 3345.0215, 3345.063, 3345.241, 3345.381, 19  
3345.461, 3345.52, and 3365.16 of the Revised Code be enacted to 20

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

agency, institution, or other entity established by the laws of 48  
the state for the exercise of a function of state government, 49  
and includes a "state institution of higher education" as 50  
defined in section 3345.011 of the Revised Code. 51

(B) A state agency may not enter into or renew a contract 52  
with a company for the acquisition or provision of supplies, 53  
equipment, or services, or for construction services, unless the 54  
contract declares that the company is not boycotting any 55  
jurisdiction with whom this state can enjoy open trade, 56  
including Israel, and will not do so during the contract period. 57

**Sec. 1715.51.** As used in sections 1715.51 to 1715.59 of 58  
the Revised Code: 59

(A) "Charitable purpose" means any purpose the achievement 60  
of which is beneficial to the community, including the relief of 61  
poverty, the advancement of education or religion, the promotion 62  
of health, and the promotion of a governmental purpose. 63

(B) "Institution" means any of the following: 64

(1) A person, other than an individual, organized and 65  
operated exclusively for charitable purposes; 66

(2) A governmental organization to the extent that it 67  
holds funds exclusively for a charitable purpose; 68

(3) A trust that had both charitable and noncharitable 69  
interests and the noncharitable interests have terminated. 70

(C) "Institutional fund" means a fund that is held by an 71  
institution exclusively for charitable purposes. "Institutional 72  
fund" does not include any of the following: 73

(1) Program-related assets; 74

(2) A fund held for an institution by a trustee that is not an institution;

(3) A fund in which a beneficiary that is not an institution has an interest other than an interest that may arise upon a violation of or the failure of the purposes of the fund.

(D) "Endowment agreement" means a gift instrument, signed by a person and an institution, under which the person commits to transfer property to that or another institution and the institution commits that it or another institution will hold or administer the property as an endowment fund, subject to any restrictions on management, investment, or purpose contained in the endowment agreement.

(E) "Endowment fund" means an institutional fund or any part thereof that, under the terms of a gift instrument, is not wholly expendable by the institution on a current basis. "Endowment fund" does not include assets that an institution designates as an endowment fund for its own use.

~~(E)~~-(F) "Gift instrument" means a record or records, including an institutional solicitation, under which property is granted to, transferred to, or held by an institution as an institutional fund.

~~(F)~~-(G) (1) "Legal representative" means:

(a) The administrator or executor of a person's estate;

(b) A surviving spouse if a court judgment has settled the accounts of the estate; or

(c) A person designated in an endowment agreement, whether or not born at the time of such designation, to act in place of

a party to the agreement for all matters expressed in the 103  
agreement and all of the actions it contemplates, including 104  
without limitation, interpreting, performing, and enforcing the 105  
agreement and defending its validity. 106

(2) A legal representative is not the institution 107  
receiving or administering property under the endowment 108  
agreement. If a person who signed an endowment agreement has 109  
more than one legal representative, the representative whose 110  
authority most specifically applies to the endowment agreement 111  
shall be the legal representative for purposes of this chapter. 112

(H) "Person" means an individual, corporation, business 113  
trust, estate, trust, partnership, limited liability company, 114  
association, joint venture, public corporation, governmental 115  
organization, or any other legal or commercial entity. 116

~~(G)~~(I) "Program-related asset" means an asset held by an 117  
institution primarily to accomplish a charitable purpose of the 118  
institution and not primarily for investment. 119

~~(H)~~(J) "Record" means information that is inscribed on a 120  
tangible medium or that is stored in an electronic or other 121  
medium and is retrievable in perceivable form. 122

(K) "State institution of higher education" has the same 123  
meaning as in section 3345.011 of the Revised Code. 124

**Sec. 1715.53.** (A) Subject to the intent of a donor 125  
expressed in the gift instrument and to division (D) of this 126  
section, an institution may appropriate for expenditure or 127  
accumulate so much of an endowment fund as the institution 128  
determines is prudent for the uses, benefits, purposes, and 129  
duration for which an endowment fund is established. Unless 130  
stated otherwise in the gift instrument, the assets in an 131

endowment fund are donor-restricted assets until appropriated	132
for expenditure by the institution. In making a determination to	133
appropriate or accumulate, the institution shall act in good	134
faith, with the care that an ordinarily prudent person in a like	135
position would exercise under similar circumstances, and shall	136
consider, if relevant, the following factors:	137
(1) The duration and preservation of the endowment fund;	138
(2) The purposes of the institution and the endowment	139
fund;	140
(3) General economic conditions;	141
(4) The possible effect of inflation or deflation;	142
(5) The expected total return from income and the	143
appreciation of investments;	144
(6) Other resources of the institution;	145
(7) The investment policy of the institution.	146
(B) To limit the authority to appropriate for expenditure	147
or accumulate under division (A) of this section, a gift	148
instrument shall specifically state the limitation.	149
(C) Terms in a gift instrument designating a gift as an	150
endowment, or a direction or authorization in the gift	151
instrument to use only "income," "interest," "dividends," or	152
"rents, issues, or profits" or "to preserve the principal	153
intact," or words of similar import, create an endowment fund of	154
permanent duration, unless other language in the gift instrument	155
limits the duration or purpose of the fund, and do not otherwise	156
limit the authority under division (A) of this section to	157
appropriate for expenditure or accumulate.	158

(D) (1) ~~The Except for an endowment fund held by state~~ 159  
~~institutions of higher education, as described in division (E)~~ 160  
~~of this section, the appropriation for expenditure in any year~~ 161  
of an amount not greater than five per cent of the fair market 162  
value of an endowment fund, whether or not the total expenditure 163  
from it exceeds five per cent, calculated on the basis of market 164  
values that are determined at least quarterly and averaged over 165  
a period of not less than three years immediately preceding the 166  
year in which the appropriation for expenditure was made, 167  
creates an irrebuttable presumption of prudence. With respect to 168  
an endowment fund in existence for fewer than three years, the 169  
fair market value of the endowment fund shall be calculated for 170  
the period the endowment fund has been in existence. 171

(2) Nothing in division (D) (1) of this section shall be 172  
construed to restrict an appropriation for expenditure permitted 173  
by the gift instrument or to create a presumption of imprudence 174  
or prudence for that part, if any, of an appropriation for 175  
expenditure that exceeds five per cent of the fair market value 176  
of the endowment fund. 177

(E) (1) For an endowment fund held by a state institution 178  
of higher education, the appropriation for expenditure in any 179  
year of an amount greater than seven per cent of the fair market 180  
value of an endowment fund calculated on the basis of market 181  
values that are determined at least quarterly and averaged over 182  
a period of not less than three years immediately preceding the 183  
year in which the appropriation for expenditure was made, 184  
creates a rebuttable presumption of imprudence. With respect to 185  
an endowment fund in existence for fewer than three years, the 186  
fair market value of the endowment fund shall be calculated for 187  
the period the endowment fund has been in existence. 188

(2) Nothing in division (E) (1) of this section shall be 189  
construed to create a presumption of prudence for an 190  
appropriation for expenditure of an amount less than or equal to 191  
seven per cent of the fair market value of the endowment fund. 192

**Sec. 1715.551.** (A) If a state institution of higher 193  
education violates a restriction contained in an endowment 194  
agreement on the management, investment, or purpose of the 195  
endowment fund, the person who transferred property under the 196  
agreement, or that person's legal representative, may notify the 197  
charitable law section of the office of the attorney general of 198  
the violation. 199

(B) (1) If, within one hundred eighty days after receiving 200  
the notice, the attorney general has not obtained full 201  
compliance with the restriction, and restitution to the 202  
endowment fund of property approximately equal to any value lost 203  
due to the violated restriction, the party who notified the 204  
attorney general, or that party's legal representative, may file 205  
a complaint: 206

(a) For breach of the endowment agreement; or 207

(b) To obtain a declaration of rights and duties expressed 208  
in the agreement and as to all of the actions it contemplates, 209  
including without limitation, the interpretation, performance, 210  
and enforcement of the agreement and determination of its 211  
validity. 212

(2) Both of the following apply to the complaint: 213

(a) It may be filed regardless of whether the agreement 214  
expressly reserves a right to sue or enforce. 215

(b) It shall not seek a judgment awarding damages to the 216  
plaintiff. 217



(C) The attorney general may enforce the interests of the 218  
beneficiaries of an endowment agreement by filing a complaint 219  
for breach or to obtain a declaration of rights and duties 220  
expressed in the agreement and as to all of the actions it 221  
contemplates, including without limitation, the interpretation, 222  
performance, and enforcement of the agreement and determination 223  
of its validity. 224

(D) A state institution of higher education may obtain a 225  
judicial declaration of rights and duties expressed in an 226  
endowment agreement and as to all of the actions it 227  
contemplates, including without limitation, the interpretation, 228  
performance, and enforcement of the agreement and determination 229  
of its validity. The state institution of higher education shall 230  
seek such declaration in any suit brought under this section or 231  
by filing a complaint. 232

(E) Every complaint authorized by this section shall be 233  
filed in a court of general jurisdiction in the county where a 234  
state institution of higher education named as a party has its 235  
principal office or principal place of carrying out its 236  
charitable purpose, or in a court of the United States whose 237  
district includes such county. Every such complaint shall: 238

(1) Name the attorney general as a party; 239

(2) Name as parties the state institution of higher 240  
education that signed the agreement or its successor; and each 241  
institution that currently administers property transferred 242  
under the agreement; 243

(3) If the attorney general or state institution of higher 244  
education files the complaint within fifty years after the 245  
effective date of the endowment agreement, name as parties each 246

person who transferred property under the agreement or the legal 247  
representative of each such person if the persons or legal 248  
representatives can be located and identified after diligent 249  
inquiry. 250

(F) The failure to name or join as a party a person who 251  
transferred property under the endowment agreement, or that 252  
person's legal representative, is not jurisdictional. The court, 253  
however, shall not act on the merits of the complaint or on any 254  
motion for an order to address its merits without first ensuring 255  
that the plaintiff has acted diligently to notify such person or 256  
legal representative of the complaint and, if the person or 257  
legal representative is located and identified, affords such 258  
person or legal representative an opportunity to be heard or to 259  
intervene. 260

(G) The interest of a person who transferred property 261  
under an endowment agreement, and the interest of that person's 262  
legal representative, shall not be presumed to be identical with 263  
the interest of either the attorney general or a state 264  
institution of higher education. 265

(H) If the court determines that a state institution of 266  
higher education violated a restriction in an endowment 267  
agreement on the management, investment, or purpose of an 268  
endowment fund, the court may order one or more of the following 269  
remedies: 270

(1) An accounting; 271

(2) Declaratory relief; 272

(3) Restoration of property to the endowment fund; 273

(4) Restoration of a name required by the endowment 274  
agreement, or a change to its name; 275

<u>(5) Future compliance with a restriction in the endowment agreement;</u>	276 277
<u>(6) Measures to preserve the property and value of the endowment fund;</u>	278 279
<u>(7) Modification or release of the restriction as allowed under section 1715.55 of the Revised Code;</u>	280 281
<u>(8) Reformation or dissolution of the endowment agreement;</u>	282
<u>(9) The transfer of property from the endowment fund to such other institution as the party, or the party's legal representative, directs in writing;</u>	283 284 285
<u>(10) The transfer of property from the endowment fund to the estate of a person who transferred property under the endowment agreement to be redirected by the estate administrator to an institution for charitable purposes consistent with those expressed in the endowment agreement;</u>	286 287 288 289 290
<u>(11) Any other equitable remedy consistent with the charitable purposes expressed in the endowment agreement and consistent with the charitable purpose of the state institution of higher education.</u>	291 292 293 294
<u>(I) If a court orders the transfer of property from an endowment fund, the court may require that the value of the property to be transferred approximate the value of property lost to the fund due to the breach, based on the value of the lost property when originally received by the fund. The court may increase the amount to be transferred by the approximate value of earnings lost due to the breach. The court, however, shall not order the transfer of property from an endowment fund to the extent that the current value of such property exceeds that of the fund.</u>	295 296 297 298 299 300 301 302 303 304

(J) A person who transferred property under an endowment agreement, or that person's legal representative, shall file a complaint authorized by this section within six years after discovery of the accrual of the cause of action. 305  
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(K) The estate of a decedent who transferred property under an endowment agreement may be reopened for the purpose of appointing an administrator to file complaint authorized by this section if the applicant to reopen is a surviving spouse or one generation below. 309  
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**Sec. 3313.6020.** (A) (1) Beginning in the 2015-2016 school year, the board of education of each city, local, exempted village, and joint vocational school district shall adopt a policy on career advising that complies with this section. Thereafter, the policy shall be updated at least once every two years. 314  
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(2) The board shall make the policy publicly available to students, parents, guardians, or custodians, local post-secondary institutions, and residents of the district. The district shall post the policy in a prominent location on its web site, if it has one. 320  
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(B) The policy on career advising shall specify how the district will do all of the following: 325  
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(1) Provide students with grade-level examples that link their schoolwork to one or more career fields. A district may use career connections developed under division (B) (2) of section 3301.079 of the Revised Code for this purpose. 327  
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(2) Create a plan to provide career advising to students in grades six through twelve; 331  
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(3) Beginning in the 2015-2016 school year, provide 333

additional interventions and career advising for students who 334  
are identified as at risk of dropping out of school in 335  
accordance with division (C) of this section; 336

(4) Train its employees on how to advise students on 337  
career pathways, including training on advising students using 338  
online tools; 339

(5) Develop multiple, clear academic pathways through high 340  
school that students may choose in order to earn a high school 341  
diploma; 342

(6) Identify and publicize courses that can award students 343  
both traditional academic and career-technical credit; 344

(7) Document the career advising provided to each student 345  
for review by the student, the student's parent, guardian, or 346  
custodian, and future schools that the student may attend. A 347  
district shall not otherwise release this information without 348  
the written consent of the student's parent, guardian, or 349  
custodian, if the student is less than eighteen years old, or 350  
the written consent of the student, if the student is at least 351  
eighteen years old. 352

(8) Prepare students for their transition from high school 353  
to their post-secondary destinations, including any special 354  
interventions that are necessary for students in need of 355  
remediation in mathematics or English language arts; 356

(9) Include information regarding career fields that 357  
require an industry-recognized credential, certificate, 358  
associate's degree, bachelor's degree, graduate degree, or 359  
professional degree; 360

(10) Provide students with information about ways a 361  
student may offset the costs of a post-secondary education, 362

<u>including programs such as all of the following:</u>	363
<u>(a) The reserve officer training corps;</u>	364
<u>(b) The college credit plus program established under</u> <u>Chapter 3365. of the Revised Code;</u>	365 366
<u>(c) The Ohio guaranteed transfer pathways initiative</u> <u>established under section 3333.168 of the Revised Code;</u>	367 368
<u>(d) Joint academic programming or dual enrollment</u> <u>opportunities required under section 3333.168 of the Revised</u> <u>Code.</u>	369 370 371
<u>The chancellor of higher education shall develop</u>	372
<u>informational materials that illustrate cost saving estimates</u>	373
<u>for each of the options listed under division (B) (10) of this</u>	374
<u>section based on instructional fees and total cost of</u>	375
<u>attendance, including room and board and other fees. The</u>	376
<u>chancellor shall develop a list of individual college courses</u>	377
<u>that are transferable under section 3333.16 of the Revised Code.</u>	378
(C) (1) Beginning in the 2015-2016 school year, each	379
district shall identify students who are at risk of dropping out	380
of school using a method that is both research-based and	381
locally-based and that is developed with input from the	382
district's classroom teachers and guidance counselors. If a	383
student is identified as at risk of dropping out of school, the	384
district shall develop a student success plan that addresses the	385
student's academic pathway to a successful graduation and the	386
role of career-technical education, competency-based education,	387
and experiential learning, as appropriate, in that pathway.	388
(2) Prior to developing a student success plan for a	389
student, the district shall invite the student's parent,	390
guardian, or custodian to assist in developing the plan. If the	391

student's parent, guardian, or custodian does not participate in 392  
the development of the plan, the district shall provide to the 393  
parent, guardian, or custodian a copy of the student's success 394  
plan and a statement of the importance of a high school diploma 395  
and the academic pathways available to the student in order to 396  
successfully graduate. 397

(3) Following the development of a student success plan 398  
for a student, the district shall provide career advising to the 399  
student that is aligned with the plan and, beginning in the 400  
2015-2016 school year, the district's plan to provide career 401  
advising created under division (B) (2) of this section. 402

(D) (1) Not later than December 1, 2014, the department of 403  
education shall develop and post on its web site model policies 404  
on career advising and model student success plans. 405

(2) Not later than July 1, 2015, the department shall 406  
create an online clearinghouse of research related to proven 407  
practices for policies on career advising and student success 408  
plans that districts may access when fulfilling the requirements 409  
of this section. 410

**Sec. 3314.03.** A copy of every contract entered into under 411  
this section shall be filed with the superintendent of public 412  
instruction. The department of education shall make available on 413  
its web site a copy of every approved, executed contract filed 414  
with the superintendent under this section. 415

(A) Each contract entered into between a sponsor and the 416  
governing authority of a community school shall specify the 417  
following: 418

(1) That the school shall be established as either of the 419  
following: 420

(a) A nonprofit corporation established under Chapter 1702. of the Revised Code, if established prior to April 8, 2003;	421 422 423
(b) A public benefit corporation established under Chapter 1702. of the Revised Code, if established after April 8, 2003.	424 425
(2) The education program of the school, including the school's mission, the characteristics of the students the school is expected to attract, the ages and grades of students, and the focus of the curriculum;	426 427 428 429
(3) The academic goals to be achieved and the method of measurement that will be used to determine progress toward those goals, which shall include the statewide achievement assessments;	430 431 432 433
(4) Performance standards, including but not limited to all applicable report card measures set forth in section 3302.03 or 3314.017 of the Revised Code, by which the success of the school will be evaluated by the sponsor;	434 435 436 437
(5) The admission standards of section 3314.06 of the Revised Code and, if applicable, section 3314.061 of the Revised Code;	438 439 440
(6) (a) Dismissal procedures;	441
(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.	442 443 444 445 446 447
(7) The ways by which the school will achieve racial and	448



ethnic balance reflective of the community it serves;	449
(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.	450 451 452 453 454 455
(9) An addendum to the contract outlining the facilities to be used that contains at least the following information:	456 457
(a) A detailed description of each facility used for instructional purposes;	458 459
(b) The annual costs associated with leasing each facility that are paid by or on behalf of the school;	460 461
(c) The annual mortgage principal and interest payments that are paid by the school;	462 463
(d) The name of the lender or landlord, identified as such, and the lender's or landlord's relationship to the operator, if any.	464 465 466
(10) Qualifications of teachers, including a requirement that the school's classroom teachers be licensed in accordance with sections 3319.22 to 3319.31 of the Revised Code, except that a community school may engage noncertificated persons to teach up to twelve hours or forty hours per week pursuant to section 3319.301 of the Revised Code.	467 468 469 470 471 472
(11) That the school will comply with the following requirements:	473 474
(a) The school will provide learning opportunities to a minimum of twenty-five students for a minimum of nine hundred	475 476

twenty hours per school year. 477

(b) The governing authority will purchase liability 478  
insurance, or otherwise provide for the potential liability of 479  
the school. 480

(c) The school will be nonsectarian in its programs, 481  
admission policies, employment practices, and all other 482  
operations, and will not be operated by a sectarian school or 483  
religious institution. 484

(d) The school will comply with sections 9.90, 9.91, 485  
109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710, 486  
3301.0711, 3301.0712, 3301.0715, 3301.0729, 3301.948, 3313.472, 487  
3313.50, 3313.539, 3313.5310, 3313.608, 3313.609, 3313.6012, 488  
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3321.01, 3321.041, 3321.13, 3321.14, 3321.141, 3321.17, 3321.18, 497  
3321.19, 3323.251, 3327.10, 4111.17, 4113.52, 5502.262, and 498  
5705.391 and Chapters 117., 1347., 2744., 3365., 3742., 4112., 499  
4123., 4141., and 4167. of the Revised Code as if it were a 500  
school district and will comply with section 3301.0714 of the 501  
Revised Code in the manner specified in section 3314.17 of the 502  
Revised Code. 503

(e) The school shall comply with Chapter 102. and section 504  
2921.42 of the Revised Code. 505

(f) The school will comply with sections 3313.61, 506  
3313.611, 3313.614, 3313.617, 3313.618, and 3313.6114 of the 507  
Revised Code, except that for students who enter ninth grade for 508  
the first time before July 1, 2010, the requirement in sections 509  
3313.61 and 3313.611 of the Revised Code that a person must 510  
successfully complete the curriculum in any high school prior to 511  
receiving a high school diploma may be met by completing the 512  
curriculum adopted by the governing authority of the community 513  
school rather than the curriculum specified in Title XXXVIII of 514  
the Revised Code or any rules of the state board of education. 515  
Beginning with students who enter ninth grade for the first time 516  
on or after July 1, 2010, the requirement in sections 3313.61 517  
and 3313.611 of the Revised Code that a person must successfully 518  
complete the curriculum of a high school prior to receiving a 519  
high school diploma shall be met by completing the requirements 520  
prescribed in division (C) of section 3313.603 of the Revised 521  
Code, unless the person qualifies under division (D) or (F) of 522  
that section. Each school shall comply with the plan for 523  
awarding high school credit based on demonstration of subject 524  
area competency, and beginning with the 2017-2018 school year, 525  
with the updated plan that permits students enrolled in seventh 526  
and eighth grade to meet curriculum requirements based on 527  
subject area competency adopted by the state board of education 528  
under divisions (J)(1) and (2) of section 3313.603 of the 529  
Revised Code. Beginning with the 2018-2019 school year, the 530  
school shall comply with the framework for granting units of 531  
high school credit to students who demonstrate subject area 532  
competency through work-based learning experiences, internships, 533  
or cooperative education developed by the department under 534  
division (J)(3) of section 3313.603 of the Revised Code. 535

(g) The school governing authority will submit within four 536

months after the end of each school year a report of its 537  
activities and progress in meeting the goals and standards of 538  
divisions (A) (3) and (4) of this section and its financial 539  
status to the sponsor and the parents of all students enrolled 540  
in the school. 541

(h) The school, unless it is an internet- or computer- 542  
based community school, will comply with section 3313.801 of the 543  
Revised Code as if it were a school district. 544

(i) If the school is the recipient of moneys from a grant 545  
awarded under the federal race to the top program, Division (A), 546  
Title XIV, Sections 14005 and 14006 of the "American Recovery 547  
and Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, 548  
the school will pay teachers based upon performance in 549  
accordance with section 3317.141 and will comply with section 550  
3319.111 of the Revised Code as if it were a school district. 551

(j) If the school operates a preschool program that is 552  
licensed by the department of education under sections 3301.52 553  
to 3301.59 of the Revised Code, the school shall comply with 554  
sections 3301.50 to 3301.59 of the Revised Code and the minimum 555  
standards for preschool programs prescribed in rules adopted by 556  
the state board under section 3301.53 of the Revised Code. 557

(k) The school will comply with sections 3313.6021 and 558  
3313.6023 of the Revised Code as if it were a school district 559  
unless it is either of the following: 560

(i) An internet- or computer-based community school; 561

(ii) A community school in which a majority of the 562  
enrolled students are children with disabilities as described in 563  
division (A) (4) (b) of section 3314.35 of the Revised Code. 564

(l) The school will comply with section 3321.191 of the 565

Revised Code, unless it is an internet- or computer-based	566
community school that is subject to section 3314.261 of the	567
Revised Code.	568
(12) Arrangements for providing health and other benefits	569
to employees;	570
(13) The length of the contract, which shall begin at the	571
beginning of an academic year. No contract shall exceed five	572
years unless such contract has been renewed pursuant to division	573
(E) of this section.	574
(14) The governing authority of the school, which shall be	575
responsible for carrying out the provisions of the contract;	576
(15) A financial plan detailing an estimated school budget	577
for each year of the period of the contract and specifying the	578
total estimated per pupil expenditure amount for each such year.	579
(16) Requirements and procedures regarding the disposition	580
of employees of the school in the event the contract is	581
terminated or not renewed pursuant to section 3314.07 of the	582
Revised Code;	583
(17) Whether the school is to be created by converting all	584
or part of an existing public school or educational service	585
center building or is to be a new start-up school, and if it is	586
a converted public school or service center building,	587
specification of any duties or responsibilities of an employer	588
that the board of education or service center governing board	589
that operated the school or building before conversion is	590
delegating to the governing authority of the community school	591
with respect to all or any specified group of employees provided	592
the delegation is not prohibited by a collective bargaining	593
agreement applicable to such employees;	594

(18) Provisions establishing procedures for resolving 595  
disputes or differences of opinion between the sponsor and the 596  
governing authority of the community school; 597

(19) A provision requiring the governing authority to 598  
adopt a policy regarding the admission of students who reside 599  
outside the district in which the school is located. That policy 600  
shall comply with the admissions procedures specified in 601  
sections 3314.06 and 3314.061 of the Revised Code and, at the 602  
sole discretion of the authority, shall do one of the following: 603

(a) Prohibit the enrollment of students who reside outside 604  
the district in which the school is located; 605

(b) Permit the enrollment of students who reside in 606  
districts adjacent to the district in which the school is 607  
located; 608

(c) Permit the enrollment of students who reside in any 609  
other district in the state. 610

(20) A provision recognizing the authority of the 611  
department of education to take over the sponsorship of the 612  
school in accordance with the provisions of division (C) of 613  
section 3314.015 of the Revised Code; 614

(21) A provision recognizing the sponsor's authority to 615  
assume the operation of a school under the conditions specified 616  
in division (B) of section 3314.073 of the Revised Code; 617

(22) A provision recognizing both of the following: 618

(a) The authority of public health and safety officials to 619  
inspect the facilities of the school and to order the facilities 620  
closed if those officials find that the facilities are not in 621  
compliance with health and safety laws and regulations; 622

(b) The authority of the department of education as the 623  
community school oversight body to suspend the operation of the 624  
school under section 3314.072 of the Revised Code if the 625  
department has evidence of conditions or violations of law at 626  
the school that pose an imminent danger to the health and safety 627  
of the school's students and employees and the sponsor refuses 628  
to take such action. 629

(23) A description of the learning opportunities that will 630  
be offered to students including both classroom-based and non- 631  
classroom-based learning opportunities that is in compliance 632  
with criteria for student participation established by the 633  
department under division (H) (2) of section 3314.08 of the 634  
Revised Code; 635

(24) The school will comply with sections 3302.04 and 636  
3302.041 of the Revised Code, except that any action required to 637  
be taken by a school district pursuant to those sections shall 638  
be taken by the sponsor of the school. However, the sponsor 639  
shall not be required to take any action described in division 640  
(F) of section 3302.04 of the Revised Code. 641

(25) Beginning in the 2006-2007 school year, the school 642  
will open for operation not later than the thirtieth day of 643  
September each school year, unless the mission of the school as 644  
specified under division (A) (2) of this section is solely to 645  
serve dropouts. In its initial year of operation, if the school 646  
fails to open by the thirtieth day of September, or within one 647  
year after the adoption of the contract pursuant to division (D) 648  
of section 3314.02 of the Revised Code if the mission of the 649  
school is solely to serve dropouts, the contract shall be void. 650

(26) Whether the school's governing authority is planning 651  
to seek designation for the school as a STEM school equivalent 652

under section 3326.032 of the Revised Code;	653
(27) That the school's attendance and participation policies will be available for public inspection;	654 655
(28) That the school's attendance and participation records shall be made available to the department of education, auditor of state, and school's sponsor to the extent permitted under and in accordance with the "Family Educational Rights and Privacy Act of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended, and any regulations promulgated under that act, and section 3319.321 of the Revised Code;	656 657 658 659 660 661 662
(29) If a school operates using the blended learning model, as defined in section 3301.079 of the Revised Code, all of the following information:	663 664 665
(a) An indication of what blended learning model or models will be used;	666 667
(b) A description of how student instructional needs will be determined and documented;	668 669
(c) The method to be used for determining competency, granting credit, and promoting students to a higher grade level;	670 671
(d) The school's attendance requirements, including how the school will document participation in learning opportunities;	672 673 674
(e) A statement describing how student progress will be monitored;	675 676
(f) A statement describing how private student data will be protected;	677 678
(g) A description of the professional development	679



activities that will be offered to teachers. 680

(30) A provision requiring that all moneys the school's 681  
operator loans to the school, including facilities loans or cash 682  
flow assistance, must be accounted for, documented, and bear 683  
interest at a fair market rate; 684

(31) A provision requiring that, if the governing 685  
authority contracts with an attorney, accountant, or entity 686  
specializing in audits, the attorney, accountant, or entity 687  
shall be independent from the operator with which the school has 688  
contracted. 689

(32) A provision requiring the governing authority to 690  
adopt an enrollment and attendance policy that requires a 691  
student's parent to notify the community school in which the 692  
student is enrolled when there is a change in the location of 693  
the parent's or student's primary residence. 694

(33) A provision requiring the governing authority to 695  
adopt a student residence and address verification policy for 696  
students enrolling in or attending the school. 697

(B) The community school shall also submit to the sponsor 698  
a comprehensive plan for the school. The plan shall specify the 699  
following: 700

(1) The process by which the governing authority of the 701  
school will be selected in the future; 702

(2) The management and administration of the school; 703

(3) If the community school is a currently existing public 704  
school or educational service center building, alternative 705  
arrangements for current public school students who choose not 706  
to attend the converted school and for teachers who choose not 707

to teach in the school or building after conversion;	708
(4) The instructional program and educational philosophy	709
of the school;	710
(5) Internal financial controls.	711
When submitting the plan under this division, the school	712
shall also submit copies of all policies and procedures	713
regarding internal financial controls adopted by the governing	714
authority of the school.	715
(C) A contract entered into under section 3314.02 of the	716
Revised Code between a sponsor and the governing authority of a	717
community school may provide for the community school governing	718
authority to make payments to the sponsor, which is hereby	719
authorized to receive such payments as set forth in the contract	720
between the governing authority and the sponsor. The total	721
amount of such payments for monitoring, oversight, and technical	722
assistance of the school shall not exceed three per cent of the	723
total amount of payments for operating expenses that the school	724
receives from the state.	725
(D) The contract shall specify the duties of the sponsor	726
which shall be in accordance with the written agreement entered	727
into with the department of education under division (B) of	728
section 3314.015 of the Revised Code and shall include the	729
following:	730
(1) Monitor the community school's compliance with all	731
laws applicable to the school and with the terms of the	732
contract;	733
(2) Monitor and evaluate the academic and fiscal	734
performance and the organization and operation of the community	735
school on at least an annual basis;	736

(3) Report on an annual basis the results of the	737
evaluation conducted under division (D) (2) of this section to	738
the department of education and to the parents of students	739
enrolled in the community school;	740
(4) Provide technical assistance to the community school	741
in complying with laws applicable to the school and terms of the	742
contract;	743
(5) Take steps to intervene in the school's operation to	744
correct problems in the school's overall performance, declare	745
the school to be on probationary status pursuant to section	746
3314.073 of the Revised Code, suspend the operation of the	747
school pursuant to section 3314.072 of the Revised Code, or	748
terminate the contract of the school pursuant to section 3314.07	749
of the Revised Code as determined necessary by the sponsor;	750
(6) Have in place a plan of action to be undertaken in the	751
event the community school experiences financial difficulties or	752
closes prior to the end of a school year.	753
(E) Upon the expiration of a contract entered into under	754
this section, the sponsor of a community school may, with the	755
approval of the governing authority of the school, renew that	756
contract for a period of time determined by the sponsor, but not	757
ending earlier than the end of any school year, if the sponsor	758
finds that the school's compliance with applicable laws and	759
terms of the contract and the school's progress in meeting the	760
academic goals prescribed in the contract have been	761
satisfactory. Any contract that is renewed under this division	762
remains subject to the provisions of sections 3314.07, 3314.072,	763
and 3314.073 of the Revised Code.	764
(F) If a community school fails to open for operation	765

within one year after the contract entered into under this 766  
section is adopted pursuant to division (D) of section 3314.02 767  
of the Revised Code or permanently closes prior to the 768  
expiration of the contract, the contract shall be void and the 769  
school shall not enter into a contract with any other sponsor. A 770  
school shall not be considered permanently closed because the 771  
operations of the school have been suspended pursuant to section 772  
3314.072 of the Revised Code. 773

Sec. 3320.04. (A) As used in this section, "constitutional 774  
time, place, and manner restrictions" and "free speech" have the 775  
same meanings as in section 3345.0215 of the Revised Code. 776

(B) In addition to complying with sections 3320.01 to 777  
3320.03 of the Revised Code, the board of education of each 778  
city, local, exempted village, and joint vocational school 779  
district shall adopt a policy that affirms the following 780  
principles of free speech, which are the public policy of this 781  
state: 782

(1) Students have a fundamental constitutional right to 783  
free speech. 784

(2) A school district shall be committed to giving 785  
students the broadest possible latitude to speak, write, listen, 786  
challenge, learn, and discuss any issue, subject to division (E) 787  
of this section. 788

(3) A school district shall be committed to maintaining 789  
its school buildings as a marketplace of ideas for all students 790  
and all teachers in which the free exchange of ideas is not to 791  
be suppressed because the ideas put forth are thought by some or 792  
even by most members of the district's community to be 793  
offensive, unwise, immoral, indecent, disagreeable, 794

conservative, liberal, traditional, radical, or wrong-headed. 795

(4) It is for a school district's individual students and teachers to make judgments about ideas for themselves, and act on those judgments not by seeking to suppress free speech but by openly and vigorously contesting the ideas that they oppose. 796  
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(5) It is not the proper role of a school district to attempt to shield individuals from free speech, including ideas and opinions they find offensive, unwise, immoral, indecent, disagreeable, conservative, liberal, traditional, radical, or wrong-headed. 800  
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(6) Although a school district should greatly value civility and mutual respect, concerns about civility and mutual respect shall never be used by a school district as a justification for closing off the discussion of ideas, however offensive, unwise, immoral, indecent, disagreeable, conservative, liberal, traditional, radical, or wrong-headed those ideas may be to some students or faculty. 805  
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(7) Although all students and all teachers are free to state their own views about and contest the views expressed on school property, and to state their own views about and contest speakers who are invited to express their views on school property, they may not substantially obstruct or otherwise substantially interfere with the freedom of others to express views they reject or even loathe. To this end, a school district has a responsibility to promote a lively and fearless freedom of debate and deliberation and protect that freedom. 812  
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(8) A school district shall be committed to providing an atmosphere that is most conducive to speculation, experimentation, and creation by all students and all teachers, 821  
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who shall always remain free to inquire, to study and to 824  
evaluate, and to gain new understanding. 825

(9) The primary responsibility of teachers is to engage an 826  
honest, courageous, and persistent effort to search out and 827  
communicate the truth that lies in the areas of their 828  
competence. 829

(C) Each school district board of education shall 830  
establish a process under which a student or teacher may submit 831  
a complaint about an alleged violation by a school district 832  
employee of the policy established under this section, including 833  
any penalty imposed on a student's grade for an assignment or 834  
coursework that is unrelated to ordinary academic standards of 835  
substance and relevance, including any legitimate pedagogical 836  
concerns, and is instead based on the contents of student's free 837  
speech. The process shall comply with standards adopted by the 838  
department of education. 839

Under the process, a school district shall investigate the 840  
alleged violation and conduct a fair and impartial hearing 841  
regarding the alleged violation. If the hearing determines the 842  
district's policy was violated, the district board shall 843  
determine a resolution to address the violation and prevent any 844  
further violation of the district's policy. 845

(D) Each school district annually shall report to the 846  
department, in a form and manner prescribed by the department, 847  
both of the following regarding complaints submitted in the 848  
school year under the process prescribed under division (C) of 849  
this section: 850

(1) The total number of submitted complaints; 851

(2) For each submitted complaint, a description of all of 852

<u>the following:</u>	853
<u>(a) The school district's investigation regarding the complaint;</u>	854 855
<u>(b) The outcome of the hearing conducted by the school district regarding the complaint;</u>	856 857
<u>(c) If the hearing determines the complaint included a violation of the state institution's policy, the resolution determined by the district board to address the violation.</u>	858 859 860
<u>(E) Nothing contained in this section shall be construed as prohibiting a school district from imposing measures that do not violate the First Amendment to the United States Constitution or Article I, Sections 3 and 11 of the Ohio Constitution such as:</u>	861 862 863 864 865
<u>(1) Constitutional time, place, and manner restrictions;</u>	866
<u>(2) Reasonable and viewpoint-neutral restrictions in nonpublic forums;</u>	867 868
<u>(3) Restricting the use of the school district's property to protect the free speech rights of students and teachers and preserve the use of the property for the advancement of the district's mission;</u>	869 870 871 872
<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; or</u>	873 874 875 876
<u>(5) Content restrictions on speech that are reasonably related to a legitimate pedagogical purpose, such as classroom rules enacted by teachers.</u>	877 878 879

(F) The policy adopted under this section shall be made 880  
available to students and teachers annually through one or more 881  
of the following methods: 882

(1) Published annually in the school district's student 883  
handbook and teacher handbook, whether paper or electronic; 884

(2) Made available to students and teachers by way of a 885  
prominent notice on the school district's web site other than 886  
through the electronic publication of the policy in the student 887  
handbook and teacher handbook; 888

(3) Sent annually to students and employees to their 889  
electronic mail address; 890

(4) Addressed by the school district in orientation 891  
programs for new students and new teachers. 892

(G) Nothing in this section shall be construed to grant 893  
students the right to disrupt previously scheduled or reserved 894  
activities occurring in a traditional public forum. 895

**Sec. 3326.11.** Each science, technology, engineering, and 896  
mathematics school established under this chapter and its 897  
governing body shall comply with sections 9.90, 9.91, 109.65, 898  
121.22, 149.43, 2151.357, 2151.421, 2313.19, 2921.42, 2921.43, 899  
3301.0714, 3301.0715, 3301.0729, 3301.948, 3313.14, 3313.15, 900  
3313.16, 3313.18, 3313.201, 3313.26, 3313.472, 3313.48, 901  
3313.481, 3313.482, 3313.50, 3313.539, 3313.5310, 3313.608, 902  
3313.6012, 3313.6013, 3313.6014, 3313.6015, 3313.6020, 903  
3313.6021, 3313.6024, 3313.6025, 3313.61, 3313.611, 3313.614, 904  
3313.615, 3313.617, 3313.618, 3313.6114, 3313.643, 3313.648, 905  
3313.6411, 3313.66, 3313.661, 3313.662, 3313.666, 3313.667, 906  
3313.668, 3313.669, 3313.6610, 3313.67, 3313.671, 3313.672, 907  
3313.673, 3313.69, 3313.71, 3313.716, 3313.718, 3313.719, 908



3313.7112, 3313.721, 3313.80, 3313.801, 3313.814, 3313.816, 909  
3313.817, 3313.818, 3313.86, 3313.89, 3313.96, 3319.073, 910  
3319.077, 3319.078, 3319.21, 3319.32, 3319.321, 3319.35, 911  
3319.39, 3319.391, 3319.41, 3319.45, 3319.46, 3320.01, 3320.02, 912  
3320.03, 3320.04, 3321.01, 3321.041, 3321.05, 3321.13, 3321.14, 913  
3321.141, 3321.17, 3321.18, 3321.19, 3321.191, 3323.251, 914  
3327.10, 4111.17, 4113.52, 5502.262, and 5705.391 and Chapters 915  
102., 117., 1347., 2744., 3307., 3309., 3365., 3742., 4112., 916  
4123., 4141., and 4167. of the Revised Code as if it were a 917  
school district. 918

**Sec. 3328.24.** A college-preparatory boarding school 919  
established under this chapter and its board of trustees shall 920  
comply with sections 102.02, 3301.0710, 3301.0711, 3301.0712, 921  
3301.0714, 3301.0729, 3301.948, 3313.6013, 3313.6021, 3313.6024, 922  
3313.6025, 3313.617, 3313.618, 3313.6114, 3313.6411, 3313.668, 923  
3313.669, 3313.6610, 3313.7112, 3313.721, 3313.89, 3319.073, 924  
3319.077, 3319.078, 3319.39, 3319.391, 3319.46, 3320.01, 925  
3320.02, 3320.03, 3320.04, 3323.251, and 5502.262, and Chapter 926  
3365. of the Revised Code as if the school were a school 927  
district and the school's board of trustees were a district 928  
board of education. 929

**Sec. 3333.04.** The chancellor of higher education shall: 930

(A) Make studies of state policy in the field of higher 931  
education and formulate a master plan for higher education for 932  
the state, considering the needs of the people, the needs of the 933  
state, and the role of individual public and private 934  
institutions within the state in fulfilling these needs; 935

(B) (1) Report annually to the governor and the general 936  
assembly on the findings from the chancellor's studies and the 937  
master plan for higher education for the state; 938

(2) Report at least semiannually to the general assembly	939
and the governor the enrollment numbers at each state-assisted	940
institution of higher education.	941
(C) Approve or disapprove the establishment of new	942
branches or academic centers of state colleges and universities;	943
(D) Approve or disapprove the establishment of state	944
technical colleges or any other state institution of higher	945
education;	946
(E) Recommend the nature of the programs, undergraduate,	947
graduate, professional, state-financed research, and public	948
services which should be offered by the state colleges,	949
universities, and other state-assisted institutions of higher	950
education in order to utilize to the best advantage their	951
facilities and personnel;	952
(F) Recommend to the state colleges, universities, and	953
other state-assisted institutions of higher education graduate	954
or professional programs, including, but not limited to, doctor	955
of philosophy, doctor of education, and juris doctor programs,	956
that could be eliminated because they constitute unnecessary	957
duplication, as shall be determined using the process developed	958
pursuant to this division, or for other good and sufficient	959
cause. Prior to recommending a program for elimination, the	960
chancellor shall request the board of regents to hold at least	961
one public hearing on the matter and advise the chancellor on	962
whether the program should be recommended for elimination. The	963
board shall provide notice of each hearing within a reasonable	964
amount of time prior to its scheduled date. Following the	965
hearing, the board shall issue a recommendation to the	966
chancellor. The chancellor shall consider the board's	967
recommendation but shall not be required to accept it.	968

For purposes of determining the amounts of any state 969  
instructional subsidies paid to state colleges, universities, 970  
and other state-assisted institutions of higher education, the 971  
chancellor may exclude students enrolled in any program that the 972  
chancellor has recommended for elimination pursuant to this 973  
division except that the chancellor shall not exclude any such 974  
student who enrolled in the program prior to the date on which 975  
the chancellor initially commences to exclude students under 976  
this division. 977

The chancellor and state colleges, universities, and other 978  
state-assisted institutions of higher education shall jointly 979  
develop a process for determining which existing graduate or 980  
professional programs constitute unnecessary duplication. 981

(G) Recommend to the state colleges, universities, and 982  
other state-assisted institutions of higher education programs 983  
which should be added to their present programs; 984

(H) Conduct studies for the state colleges, universities, 985  
and other state-assisted institutions of higher education to 986  
assist them in making the best and most efficient use of their 987  
existing facilities and personnel; 988

(I) Make recommendations to the governor and general 989  
assembly concerning the development of state-financed capital 990  
plans for higher education; the establishment of new state 991  
colleges, universities, and other state-assisted institutions of 992  
higher education; and the establishment of new programs at the 993  
existing state colleges, universities, and other institutions of 994  
higher education; 995

(J) Review the appropriation requests of the public 996  
community colleges and the state colleges and universities and 997

submit to the office of budget and management and to the 998  
chairpersons of the finance committees of the house of 999  
representatives and of the senate the chancellor's 1000  
recommendations in regard to the biennial higher education 1001  
appropriation for the state, including appropriations for the 1002  
individual state colleges and universities and public community 1003  
colleges. For the purpose of determining the amounts of 1004  
instructional subsidies to be paid to state-assisted colleges 1005  
and universities, the chancellor shall define "full-time 1006  
equivalent student" by program per academic year. The definition 1007  
may take into account the establishment of minimum enrollment 1008  
levels in technical education programs below which support 1009  
allowances will not be paid. Except as otherwise provided in 1010  
this section, the chancellor shall make no change in the 1011  
definition of "full-time equivalent student" in effect on 1012  
November 15, 1981, which would increase or decrease the number 1013  
of subsidy-eligible full-time equivalent students, without first 1014  
submitting a fiscal impact statement to the president of the 1015  
senate, the speaker of the house of representatives, the 1016  
legislative service commission, and the director of budget and 1017  
management. The chancellor shall work in close cooperation with 1018  
the director of budget and management in this respect and in all 1019  
other matters concerning the expenditures of appropriated funds 1020  
by state colleges, universities, and other institutions of 1021  
higher education. 1022

(K) Seek the cooperation and advice of the officers and 1023  
trustees of both public and private colleges, universities, and 1024  
other institutions of higher education in the state in 1025  
performing the chancellor's duties and making the chancellor's 1026  
plans, studies, and recommendations; 1027

(L) Appoint advisory committees consisting of persons 1028

associated with public or private secondary schools, members of 1029  
the state board of education, or personnel of the state 1030  
department of education; 1031

(M) Appoint advisory committees consisting of college and 1032  
university personnel, or other persons knowledgeable in the 1033  
field of higher education, or both, in order to obtain their 1034  
advice and assistance in defining and suggesting solutions for 1035  
the problems and needs of higher education in this state; 1036

(N) Approve or disapprove all new degrees and new degree 1037  
programs at all state colleges, universities, and other state- 1038  
assisted institutions of higher education. 1039

When considering approval of a new degree or degree 1040  
program for a state institution of higher education, as defined 1041  
in section 3345.011 of the Revised Code, the chancellor shall 1042  
take into account the extent to which the degree or degree 1043  
program aligns with in-demand jobs, as defined in section 1044  
3333.94 of the Revised Code. 1045

(O) Adopt such rules as are necessary to carry out the 1046  
chancellor's duties and responsibilities. The rules shall 1047  
prescribe procedures for the chancellor to follow when taking 1048  
actions associated with the chancellor's duties and 1049  
responsibilities and shall indicate which types of actions are 1050  
subject to those procedures. The procedures adopted under this 1051  
division shall be in addition to any other procedures prescribed 1052  
by law for such actions. However, if any other provision of the 1053  
Revised Code or rule adopted by the chancellor prescribes 1054  
different procedures for such an action, the procedures adopted 1055  
under this division shall not apply to that action to the extent 1056  
they conflict with the procedures otherwise prescribed by law. 1057  
The procedures adopted under this division shall include at 1058

least the following:	1059
(1) Provision for public notice of the proposed action;	1060
(2) An opportunity for public comment on the proposed action, which may include a public hearing on the action by the board of regents;	1061 1062 1063
(3) Methods for parties that may be affected by the proposed action to submit comments during the public comment period;	1064 1065 1066
(4) Submission of recommendations from the board of regents regarding the proposed action, at the request of the chancellor;	1067 1068 1069
(5) Written publication of the final action taken by the chancellor and the chancellor's rationale for the action;	1070 1071
(6) A timeline for the process described in divisions (O) (1) to (5) of this section.	1072 1073
(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;	1074 1075 1076 1077
(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;	1078 1079 1080 1081
(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;	1082 1083 1084 1085 1086

(S) Conduct enrollment audits of state-supported 1087  
institutions of higher education; 1088

(T) Appoint consortia of college and university personnel 1089  
to advise or participate in the development and operation of 1090  
statewide collaborative efforts, including the Ohio 1091  
supercomputer center, the Ohio academic resources network, 1092  
OhioLink, and the Ohio learning network. For each consortium, 1093  
the chancellor shall designate a college or university to serve 1094  
as that consortium's fiscal agent, financial officer, and 1095  
employer. Any funds appropriated for the consortia shall be 1096  
distributed to the fiscal agents for the operation of the 1097  
consortia. A consortium shall follow the rules of the college or 1098  
university that serves as its fiscal agent. The chancellor may 1099  
restructure existing consortia, appointed under this division, 1100  
in accordance with procedures adopted under divisions (O) (1) to 1101  
(6) of this section. 1102

(U) Adopt rules establishing advisory duties and 1103  
responsibilities of the board of regents not otherwise 1104  
prescribed by law; 1105

(V) Respond to requests for information about higher 1106  
education from members of the general assembly and direct staff 1107  
to conduct research or analysis as needed for this purpose. 1108

**Sec. 3333.0418.** (A) As used in this section: 1109

(1) "In-demand jobs" has the same meaning as in section 1110  
3333.94 of the Revised Code. 1111

(2) "State institution of higher education" has the same 1112  
meaning as in section 3345.011 of the Revised Code. 1113

(B) Not later than the first day of November of each even- 1114  
numbered year, the chancellor of higher education shall issue a 1115

report regarding the extent to which degree and certificate attainment at state institutions of higher education align with in-demand jobs in the state. 1116  
1117  
1118

(C) After a report is issued under this section, the chancellor shall consider the report's findings and, in collaboration with the office of budget and management, shall consider developing or changing the weights or allocations in the state share of instruction formula to ensure that degree and certificate attainment at state institutions of higher education align with in-demand jobs in the state. 1119  
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1121  
1122  
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1125

**Sec. 3333.0419.** (A) As used in this section: 1126

(1) "Ohio resident" means a resident of this state under rules adopted by the chancellor of higher education under section 3333.31 of the Revised Code. 1127  
1128  
1129

(2) "State institution of higher education" has the same meaning as in section 3345.011 of the Revised Code. 1130  
1131

(B) The chancellor of higher education annually shall issue all of the following, to the extent practicable: 1132  
1133

(1) A report regarding student admissions to state institutions of higher education during the academic year, including information regarding student demographics and qualifications, including grade point averages, scores on nationally standardized assessments that are used for college admission, and other data used by institutions in making admissions decisions. Information in the report shall be disaggregated by students who are and are not Ohio residents. 1134  
1135  
1136  
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1140  
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(2) A report regarding the revenue state institutions of higher education received from instructional and general fees during the academic year and how the institutions used such 1142  
1143  
1144



revenue. The report shall categorize the expenditure of such 1145  
revenue, including for teaching costs and administrative costs. 1146  
The report also shall compare student enrollment trends with 1147  
instructional and general fee revenue trends. 1148

(3) A report about the mental health and wellness services 1149  
and initiatives of state institutions of higher education. The 1150  
report shall include all of the following: 1151

(a) A description of each state institution of higher 1152  
education's mental health and wellness services and initiatives; 1153

(b) An analysis of how much funding each state institution 1154  
of higher education dedicates to mental health and wellness 1155  
services and initiatives, including the percentage of that 1156  
funding that is used for administrative costs; 1157

(c) An analysis of the aggregate amount of funding state 1158  
institutions of higher education dedicate to mental health and 1159  
wellness services and initiatives, including the percentage of 1160  
that funding that is used for administrative costs; 1161

(d) Any other information the chancellor determines 1162  
appropriate. 1163

(C) Each state institution of higher education shall 1164  
submit to the chancellor, in a form and manner prescribed by the 1165  
chancellor, any information or data the chancellor requires to 1166  
issue the reports prescribed under division (B) of this section. 1167

(D) Each state institution of higher education annually 1168  
shall issue reports similar to those prescribed under divisions 1169  
(B) (1) and (2) of this section. Each state institution of higher 1170  
education shall post those reports on its publicly accessible 1171  
web site. 1172

(E) The chancellor shall submit each report the chancellor issues under this section to the general assembly in accordance with section 101.68 of the Revised Code. 1173  
1174  
1175

(F) The chancellor shall adopt rules to implement this section. 1176  
1177

**Sec. 3333.051.** ~~(A)~~—The chancellor of higher education 1178  
shall establish a program under which a community college 1179  
established under Chapter 3354., technical college established 1180  
under Chapter 3357., or state community college established 1181  
under Chapter 3358. of the Revised Code may apply to the 1182  
chancellor for authorization to offer applied bachelor's degree 1183  
programs. 1184

(A) The chancellor may approve programs under this section 1185  
that demonstrate all of the following: 1186

(1) Evidence of an agreement between the college and a 1187  
regional business or industry to train students in an in-demand 1188  
field and to employ students upon their successful completion of 1189  
the program; 1190

(2) That the workforce need of the regional business or 1191  
industry is in an in-demand field with long-term sustainability 1192  
based upon data provided by the governor's office of workforce 1193  
transformation; 1194

(3) Supporting data that identifies the specific workforce 1195  
need the program will address; 1196

(4) The absence of a bachelor's degree program that meets 1197  
the workforce need addressed by the proposed program that is 1198  
offered by a state university or private college or university; 1199

(5) Willingness of an industry partner to offer workplace- 1200

based learning and employment opportunities to students enrolled 1201  
in the proposed program. 1202

~~(B) Before approving a program under this section, the 1203  
chancellor shall consult with the governor's office of workforce 1204  
transformation, the inter-university council of Ohio, the Ohio 1205  
association of community colleges, and the association of 1206  
independent colleges and universities of Ohio, or any successor 1207  
to those organizations. The chancellor shall approve all nursing 1208  
bachelor's degree programs that meet the requirements prescribed 1209  
in divisions (A) (1) to (5) of this section and the standards and 1210  
procedures for academic program approval pursuant to section 1211  
3333.04 of the Revised Code. 1212~~

(C) As used in this section: 1213

(1) "Applied bachelor's degree" means a bachelor's degree 1214  
that is both of the following: 1215

(a) Specifically designed for an individual who holds an 1216  
associate of applied science degree, or its equivalent, in order 1217  
to maximize application of the individual's technical course 1218  
credits toward the bachelor's degree; 1219

(b) Based on curriculum that incorporates both theoretical 1220  
and applied knowledge and skills in a specific technical field. 1221

(2) "Private college or university" means a nonprofit 1222  
institution that holds a certificate of authorization pursuant 1223  
to Chapter 1713. of the Revised Code. 1224

(3) "State university" has the same meaning as in section 1225  
3345.011 of the Revised Code. 1226

**Sec. 3333.073.** The chancellor of higher education may 1227  
suspend or limit enrollment in any degree program offered by a 1228

state institution of higher education, as defined in section 1229  
3345.011 of the Revised Code, if the chancellor determines that 1230  
the degree program has a low completion rate at that 1231  
institution. The chancellor may adopt rules to implement this 1232  
section. 1233

**Sec. 3333.122.** (A) The chancellor of higher education 1234  
shall adopt rules to carry out this section and as authorized 1235  
under section 3333.123 of the Revised Code. The rules shall 1236  
include definitions of the terms "resident," "expected family 1237  
contribution," "full-time student," "three-quarters-time 1238  
student," "half-time student," "one-quarter-time student," 1239  
"state cost of attendance," and "accredited" for the purpose of 1240  
those sections. 1241

(B) Only an Ohio resident who meets both of the following 1242  
is eligible for a grant awarded under this section: 1243

(1) The resident has an expected family contribution of 1244  
two thousand one hundred ninety or less; 1245

(2) The resident enrolls in one of the following: 1246

(a) An undergraduate program, or a nursing diploma program 1247  
approved by the board of nursing under section 4723.06 of the 1248  
Revised Code, at a state-assisted state institution of higher 1249  
education, as defined in section 3345.12 of the Revised Code, 1250  
that meets the requirements of Title VI of the Civil Rights Act 1251  
of 1964; 1252

(b) An undergraduate program, or a nursing diploma program 1253  
approved by the board of nursing under section 4723.06 of the 1254  
Revised Code, at a private, nonprofit institution in this state 1255  
holding a certificate of authorization pursuant to Chapter 1713. 1256  
of the Revised Code; 1257

(c) An undergraduate program, or a nursing diploma program 1258  
approved by the board of nursing under section 4723.06 of the 1259  
Revised Code, at a career college in this state that holds a 1260  
certificate of registration from the state board of career 1261  
colleges and schools under Chapter 3332. of the Revised Code or 1262  
at a private institution exempt from regulation under Chapter 1263  
3332. of the Revised Code as prescribed in section 3333.046 of 1264  
the Revised Code, if the program has a certificate of 1265  
authorization pursuant to Chapter 1713. of the Revised Code. 1266

(d) A comprehensive transition and postsecondary program 1267  
that is certified by the United States department of education. 1268  
For purposes of this section, a "comprehensive transition and 1269  
postsecondary program" means a degree, certificate, or non- 1270  
degree program that is designed to support persons with 1271  
intellectual disabilities who are receiving academic, career, 1272  
technical, and independent living instruction at an institution 1273  
of higher education in order to prepare for gainful employment 1274  
as defined in 20 U.S.C. 1140. 1275

(C) (1) The chancellor shall establish and administer a 1276  
needs-based financial aid grants program based on the United 1277  
States department of education's method of determining financial 1278  
need. The program shall be known as the Ohio college opportunity 1279  
grant program. The general assembly shall support the needs- 1280  
based financial aid program by such sums and in such manner as 1281  
it may provide, but the chancellor also may receive funds from 1282  
other sources to support the program. If, for any academic year, 1283  
the amounts available for support of the program are inadequate 1284  
to provide grants to all eligible students, the chancellor shall 1285  
do one of the following: 1286

(a) Give preference in the payment of grants based upon 1287

expected family contribution, beginning with the lowest expected 1288  
family contribution category and proceeding upward by category 1289  
to the highest expected family contribution category; 1290

(b) Proportionately reduce the amount of each grant to be 1291  
awarded for the academic year under this section; 1292

(c) Use an alternate formula for such grants that 1293  
addresses the shortage of available funds and has been submitted 1294  
to and approved by the controlling board. 1295

(2) The needs-based financial aid grant shall be paid to 1296  
the eligible student through the institution in which the 1297  
student is enrolled, except that no needs-based financial aid 1298  
grant shall be paid to any person serving a term of 1299  
imprisonment. Applications for the grants shall be made as 1300  
prescribed by the chancellor, and such applications may be made 1301  
in conjunction with and upon the basis of information provided 1302  
in conjunction with student assistance programs funded by 1303  
agencies of the United States government or from financial 1304  
resources of the institution of higher education. The 1305  
institution shall certify that the student applicant meets the 1306  
requirements set forth in division (B) of this section. Needs- 1307  
based financial aid grants shall be provided to an eligible 1308  
student only as long as the student is making appropriate 1309  
progress toward a nursing diploma, an associate or bachelor's 1310  
degree, or completion of a comprehensive transition and 1311  
postsecondary program. No student shall be eligible to receive a 1312  
grant for more than ten semesters, fifteen quarters, or the 1313  
equivalent of five academic years. A grant made to an eligible 1314  
student on the basis of less than full-time enrollment shall be 1315  
based on the number of credit hours for which the student is 1316  
enrolled and shall be computed in accordance with a formula 1317

adopted by rule issued by the chancellor. No student shall 1318  
receive more than one grant on the basis of less than full-time 1319  
enrollment. 1320

(D) (1) Except as provided in divisions (D) (4) and (5) of 1321  
this section, no grant awarded under this section shall exceed 1322  
the total state cost of attendance. 1323

(2) Subject to divisions (D) (1), (3), (4), and (5) of this 1324  
section, the chancellor shall determine the maximum per student 1325  
award amount for each institutional sector by subtracting the 1326  
sum of the maximum Pell grant and maximum expected family 1327  
contribution amounts, as determined by the chancellor, from the 1328  
average instructional and general fees charged by the 1329  
institutional sector. The department of higher education shall 1330  
publish on its web site an annual Ohio college opportunity award 1331  
table. ~~In~~ Except as provided for in section 3333.125 of the 1332  
Revised Code, in no case, shall the grant amount for such a 1333  
student exceed any maximum that the chancellor may set by rule. 1334

(3) For a student enrolled for a semester or quarter in 1335  
addition to the portion of the academic year covered by a grant 1336  
under this section, the maximum grant amount shall be a 1337  
percentage of the maximum specified in any table established in 1338  
rules adopted by the chancellor as provided in division (A) of 1339  
this section. The maximum grant for a fourth quarter shall be 1340  
one-third of the maximum amount so prescribed. The maximum grant 1341  
for a third semester shall be one-half of the maximum amount so 1342  
prescribed. 1343

(4) If a student is enrolled in a two-year institution of 1344  
higher education and is eligible for an education and training 1345  
voucher through the Ohio education and training voucher program 1346  
that receives federal funding under the John H. Chafee foster 1347

care independence program, 42 U.S.C. 677, the amount of a grant 1348  
awarded under this section may exceed the total state cost of 1349  
attendance to additionally cover housing costs. 1350

(5) For a student who is receiving federal veterans' 1351  
benefits under the "All-Volunteer Force Educational Assistance 1352  
Program," 38 U.S.C. 3001 et seq., or "Post-9/11 Veterans 1353  
Educational Assistance Program," 38 U.S.C. 3301 et seq., or any 1354  
successor program, the amount of a grant awarded under this 1355  
section shall be applied toward the total state cost of 1356  
attendance and the student's housing costs and living expenses. 1357  
Living expenses shall include reasonable costs for room and 1358  
board. 1359

(E) No grant shall be made to any student in a course of 1360  
study in theology, religion, or other field of preparation for a 1361  
religious profession unless such course of study leads to an 1362  
accredited bachelor of arts, bachelor of science, associate of 1363  
arts, or associate of science degree. 1364

(F) (1) Except as provided in division (F) (2) of this 1365  
section, no grant shall be made to any student for enrollment 1366  
during a fiscal year in an institution with a cohort default 1367  
rate determined by the United States secretary of education 1368  
pursuant to the "Higher Education Amendments of 1986," 100 Stat. 1369  
1278, 1408, 20 U.S.C.A. 1085, as amended, as of the fifteenth 1370  
day of June preceding the fiscal year, equal to or greater than 1371  
thirty per cent for each of the preceding two fiscal years. 1372

(2) Division (F) (1) of this section does not apply in the 1373  
case of either of the following: 1374

(a) The institution pursuant to federal law appeals its 1375  
loss of eligibility for federal financial aid and the United 1376



States secretary of education determines its cohort default rate 1377  
after recalculation is lower than the rate specified in division 1378  
(F) (1) of this section or the secretary determines due to 1379  
mitigating circumstances that the institution may continue to 1380  
participate in federal financial aid programs. The chancellor 1381  
shall adopt rules requiring any such appellant to provide 1382  
information to the chancellor regarding an appeal. 1383

(b) Any student who has previously received a grant 1384  
pursuant to any provision of this section, including prior to 1385  
the section's amendment by H.B. 1 of the 128th general assembly, 1386  
effective July 17, 2009, and who meets all other eligibility 1387  
requirements of this section. 1388

(3) The chancellor shall adopt rules for the notification 1389  
of all institutions whose students will be ineligible to 1390  
participate in the grant program pursuant to division (F) (1) of 1391  
this section. 1392

(4) A student's attendance at any institution whose 1393  
students are ineligible for grants due to division (F) (1) of 1394  
this section shall not affect that student's eligibility to 1395  
receive a grant when enrolled in another institution. 1396

(G) Institutions of higher education that enroll students 1397  
receiving needs-based financial aid grants under this section 1398  
shall report to the chancellor all students who have received 1399  
such needs-based financial aid grants but are no longer eligible 1400  
for all or part of those grants and shall refund any moneys due 1401  
the state within thirty days after the beginning of the quarter 1402  
or term immediately following the quarter or term in which the 1403  
student was no longer eligible to receive all or part of the 1404  
student's grant. There shall be an interest charge of one per 1405  
cent per month on all moneys due and payable after such thirty- 1406

day period. The chancellor shall immediately notify the office 1407  
of budget and management and the legislative service commission 1408  
of all refunds so received. 1409

**Sec. 3333.125.** (A) As used in this section, "eligible 1410  
student" means a student to whom all of the following apply: 1411

(1) The student receives an Ohio college opportunity grant 1412  
under section 3333.122 of the Revised Code. 1413

(2) The student has completed at least two years of a 1414  
bachelor's degree program. 1415

(3) The student is making progress toward completing the 1416  
student's bachelor's degree program. 1417

(B) In addition to the Ohio college opportunity grant a 1418  
student is awarded under section 3333.122 of the Revised Code, 1419  
the chancellor shall award an eligible student with a 1420  
supplemental grant. Funding for this supplemental grant shall be 1421  
paid for from funds appropriated for grants awarded under 1422  
section 3333.122 of the Revised Code. Supplemental grants 1423  
awarded under this section shall be subject to the same 1424  
requirements as a grant awarded under section 3333.122 of the 1425  
Revised Code, including divisions (D)(1) and (E) of that 1426  
section. 1427

(C) The chancellor shall adopt rules to implement this 1428  
section. The rules shall include a method to calculate 1429  
supplemental grant amounts. 1430

**Sec. 3333.126.** (A) As used in this section: 1431

(1) "Cost of attendance" has the same meaning as in 20 1432  
U.S.C. 108711. 1433

(2) "Eligible student" means a student to whom all of the 1434

following apply: 1435

(a) The student is a resident of this state under rules 1436  
adopted by the chancellor of higher education under section 1437  
3333.31 of the Revised Code. 1438

(b) The student has not attained a bachelor's degree from 1439  
a qualifying institution or an institution of higher education 1440  
in another state prior to applying for a grant under this 1441  
section. 1442

(c) The student, while in good standing, disenrolled from 1443  
a state university and did not transfer to a qualifying 1444  
institution or an institution of higher education in another 1445  
state in the three semesters immediately following the student's 1446  
disenrollment. For the purposes of this division, "good 1447  
standing" includes being in good academic standing and not 1448  
having a record of disciplinary issues, including being 1449  
suspended or expelled from the state university. 1450

(d) Subject to division (A) (2) (c) of this section, the 1451  
student enrolls in a qualifying institution within five years of 1452  
disenrolling from the state university. 1453

(e) The student is not enrolled in the college credit plus 1454  
program established under Chapter 3365. of the Revised Code. 1455

(f) The student meets any other eligibility criteria 1456  
determined necessary by the chancellor. 1457

(3) "Qualifying institution" means any of the following: 1458

(a) A state institution of higher education, as defined in 1459  
section 3345.011 of the Revised Code; 1460

(b) A private nonprofit institution of higher education 1461  
that holds a certificate of authorization pursuant to Chapter 1462

<u>1713. of the Revised Code;</u>	1463
<u>(c) An institution with a certificate of registration from</u>	1464
<u>the state board of career colleges and schools under Chapter</u>	1465
<u>3332. of the Revised Code;</u>	1466
<u>(d) A private institution exempt from regulation under</u>	1467
<u>Chapter 3332. of the Revised Code as prescribed in section</u>	1468
<u>3333.046 of the Revised Code;</u>	1469
<u>(e) An Ohio technical center, as defined in section</u>	1470
<u>3333.94 of the Revised Code.</u>	1471
<u>(4) "State university" has the same meaning as in section</u>	1472
<u>3345.011 of the Revised Code.</u>	1473
<u>(B) The chancellor shall establish the second chance grant</u>	1474
<u>pilot program, which shall operate in the 2021-2022 and 2022-</u>	1475
<u>2023 academic years. Under the pilot program, the chancellor</u>	1476
<u>shall award a one-time grant of two thousand dollars to each</u>	1477
<u>eligible student approved to participate in the program.</u>	1478
<u>(C) Eligible students shall apply to participate in the</u>	1479
<u>pilot program in a form and manner prescribed by the chancellor.</u>	1480
<u>The chancellor shall approve each applicant who is enrolled in a</u>	1481
<u>qualifying institution and who has a cost of attendance</u>	1482
<u>remaining for the academic year in which the application is</u>	1483
<u>approved after all other financial aid for which that applicant</u>	1484
<u>qualifies has been applied to the applicant's account at the</u>	1485
<u>institution. However, the chancellor shall not approve more than</u>	1486
<u>three thousand applicants to participate in the program. The</u>	1487
<u>chancellor shall approve applications in the order in which they</u>	1488
<u>are received.</u>	1489
<u>(D) The chancellor shall pay grants to the qualifying</u>	1490
<u>institution in which a participant is enrolled in the academic</u>	1491

year in which the participant's application is approved. The 1492  
qualifying institution shall apply the grant to a participant's 1493  
cost of attendance for that academic year. If any amount of the 1494  
grant remains after it is applied to the participant's cost of 1495  
attendance for that year, the qualifying institution shall apply 1496  
that remaining amount to the participant's cost of attendance 1497  
for any other academic year in which the student is enrolled in 1498  
the institution and in which the pilot program established under 1499  
this section operates. The qualifying institution shall return 1500  
to the chancellor any grant amount remaining after a participant 1501  
graduates or disenrolls from the institution, or after the pilot 1502  
program established under this section ceases to operate. 1503

(E) In each academic year in which the pilot program 1504  
established under this section operates, the chancellor shall 1505  
submit to the general assembly, in accordance with section 1506  
101.68 of the Revised Code, a report that contains all of the 1507  
following: 1508

(1) The number of eligible students participating in the 1509  
pilot program established under this section who received a 1510  
grant under the program in that academic year; 1511

(2) The state universities from which the participants 1512  
disenrolled, as described in division (A)(2)(c) of this section; 1513

(3) The types of academic programs in which the 1514  
participants were enrolled prior to disenrolling from state 1515  
universities; 1516

(4) The types of academic programs in which participants 1517  
were enrolled when they received grants under the pilot program; 1518

(5) Information regarding how the grants were used. 1519

(F) The second chance grant pilot program fund is hereby 1520

created in the state treasury, to consist of such amounts 1521  
designated for the purposes of the fund by the general assembly. 1522  
The fund shall be administered by the chancellor and shall be 1523  
used to pay grants under the pilot program established under 1524  
this section. The fund also may be used by the chancellor to 1525  
implement and administer the second chance grant pilot program. 1526

(G) The chancellor shall adopt rules to administer the 1527  
pilot program established under this section. 1528

**Sec. 3333.168.** (A) As used in this section: 1529

(1) "Community college" means a community college 1530  
established under Chapter 3345., a technical college established 1531  
under Chapter 3357., or a state community college established 1532  
under Chapter 3358. of the Revised Code. 1533

(2) "Dual enrollment" means concurrent enrollment by an 1534  
individual at both a state university and a community college. 1535

(3) "Guaranteed pathway" means an articulation or transfer 1536  
agreement included in the initiative established under this 1537  
section that a state university and community college enter into 1538  
in accordance with the policies and procedures adopted under 1539  
section 3333.16 of the Revised Code. 1540

(4) "Joint academic programming" means a structured 1541  
pathway curriculum agreement that permits an individual to 1542  
attain a specific degree that has been jointly developed by at 1543  
least one community college and at least one state university. 1544

(5) "State university" has the same meaning as in section 1545  
3345.011 of the Revised Code. 1546

(B) Pursuant to section 3333.16 of the Revised Code, the 1547  
chancellor of higher education shall establish the Ohio 1548

guaranteed transfer pathways initiative. Each state university 1549  
shall participate in the initiative. Under the initiative, a 1550  
student shall be permitted to do both of the following: 1551

(1) Complete an associate's degree at a community college 1552  
and transfer those credits to a state university to continue 1553  
making progress toward a bachelor's degree; 1554

(2) Transfer credits from a community college to a state 1555  
university, regardless of the geographic proximity between the 1556  
college and university. 1557

(C) Each state university shall enter into agreements with 1558  
multiple community colleges to establish both joint academic 1559  
programming and dual enrollment opportunities to assist students 1560  
in completing their degrees in a timely and cost-effective 1561  
manner. 1562

(D) Each community college and state university annually 1563  
shall report to the Ohio articulation and transfer network 1564  
oversight board established by the chancellor the number of 1565  
guaranteed pathways and joint academic programming or dual 1566  
enrollment opportunities the college or university offers. The 1567  
oversight board shall compile that reported information and 1568  
provide a summary of it to the chancellor. That summary shall 1569  
include both of the following: 1570

(1) Confirmation that each community college and state 1571  
university is in compliance with the requirements prescribed 1572  
under this section; 1573

(2) Any recommendations necessary to enhance and 1574  
strengthen the guaranteed pathways and joint academic 1575  
programming or dual enrollment opportunities offered by 1576  
community colleges and state universities. 1577

(E) The chancellor shall adopt rules to implement this 1578  
section. 1579

**Sec. 3345.024.** (A) Beginning in the academic year that 1580  
follows the effective date of this section, each state 1581  
institution of higher education, as defined in section 3345.011 1582  
of the Revised Code, annually shall prepare and post on its 1583  
publicly accessible web site a report that includes all of the 1584  
following information, to the extent practicable: 1585

(1) An itemized list of the estimated or actual charges of 1586  
the instructional fees, general fees, special purpose fees, 1587  
service charges, fines, and other fees or surcharges applicable 1588  
to enrolled students; 1589

(2) The estimated or actual average cost of attendance; 1590

(3) Student degree completion rates; 1591

(4) Post-graduation student debt rates; 1592

(5) Post-graduation employment rates of students. 1593

The information prescribed in divisions (A) (3) to (5) of 1594  
this section shall include the overall rates of the university 1595  
or college, and rates disaggregated by degree, by student 1596  
demographics, and by students who receive and do not receive 1597  
Ohio college opportunity grants under section 3333.122 of the 1598  
Revised Code, if applicable. For any rates involving post- 1599  
graduation data, each state institution of higher education 1600  
shall collect information from its alumni, as available. 1601

(B) Each state institution of higher education shall 1602  
provide prospective students and their parents or guardians with 1603  
a copy of the most recent report prepared under division (A) of 1604  
this section. 1605



(C) Each state institution of higher education shall 1606  
submit to the chancellor of higher education, in a form and 1607  
manner prescribed by the chancellor, the data used to prepare a 1608  
report prescribed under division (A) of this section. The 1609  
chancellor shall use that data to prepare and issue an annual 1610  
report that includes the information prescribed under divisions 1611  
(A) (1) to (5) of this section for all state institutions of 1612  
higher education. The chancellor shall submit each report the 1613  
chancellor issues under this section to the general assembly in 1614  
accordance with section 101.68 of the Revised Code. 1615

(D) The chancellor shall adopt rules to implement this 1616  
section. 1617

**Sec. 3345.027.** A state institution of higher education, as 1618  
defined in section 3345.011 of the Revised Code, shall not 1619  
withhold a student's official transcripts from a potential 1620  
employer because the student owes money to the institution, 1621  
provided the student has authorized the transcripts to be sent 1622  
to the employer and the employer affirms to the institution that 1623  
the transcripts are a prerequisite of employment. 1624

**Sec. 3345.028.** No state institution of higher education, 1625  
as defined in section 3345.011 of the Revised Code, shall charge 1626  
an additional fee to a student for an employee of the 1627  
university, or an entity contracting with the institution, to 1628  
complete any academic activity associated with regular 1629  
coursework, including grading student assignments. 1630

**Sec. 3345.0212.** (A) Except as permitted by this section 1631  
and sections 3345.0213 and 3345.12 of the Revised Code, no state 1632  
institution of higher education, or any of its administrators 1633  
acting in their official capacity, shall prohibit any individual 1634  
from engaging in noncommercial expressive activity on campus, so 1635

long as the individual's conduct is lawful and does not 1636  
materially and substantially disrupt the functioning of the 1637  
institution. 1638

(B) No state institution of higher education shall charge 1639  
security fees to a student or a student group based on the 1640  
content of their expression, the content of the expression of 1641  
their invited guest, or the anticipated reaction to an invited 1642  
guest's expression. 1643

(C) Each state institution of higher education shall do 1644  
all of the following: 1645

(1) Adopt a policy on harassment that is consistent with 1646  
and adheres strictly to its definition in section 3345.0211 of 1647  
the Revised Code; 1648

(2) Make public in its handbook, on its web site, and in 1649  
its orientation programs for students the policies, regulations, 1650  
and expectations of students regarding free expression on 1651  
campus, including the state institution's policy adopted under 1652  
section 3345.0215 of the Revised Code; 1653

(3) Develop and distribute materials, programs, and 1654  
procedures to individuals responsible for the education or 1655  
discipline of students, such as administrators, campus police 1656  
officers, residence life officials, and professors, to inform 1657  
them of the policies, regulations, and duties of the institution 1658  
regarding free expression on campus. 1659

(D) (1) Nothing in this section shall be interpreted as 1660  
preventing state institutions of higher education from 1661  
restricting expressive activities that the First Amendment to 1662  
the United States Constitution or Article I, Sections 3 and 11 1663  
of the Ohio Constitution does not protect. 1664

(2) Nothing in this section shall enable individuals to 1665  
engage in conduct that intentionally, materially, and 1666  
substantially disrupts another individual's expressive activity 1667  
if it occurs in a campus space reserved for exclusive use or 1668  
control of a particular individual or group. 1669

Sec. 3345.0215. (A) As used in this section: 1670

(1) "Constitutional time, place, and manner restrictions" 1671  
means restrictions on the time, place, and manner of free speech 1672  
that do not violate the First Amendment to the United States 1673  
Constitution or Article I, Sections 3 and 11 of the Ohio 1674  
Constitution that are reasonable, content- and viewpoint- 1675  
neutral, narrowly tailored to satisfy a significant 1676  
institutional interest, and leave open ample alternative 1677  
channels for the communication of the information or message to 1678  
its intended audience. 1679

(2) "Faculty" or "faculty member" means any person, 1680  
whether or not the person is compensated by a state institution 1681  
of higher education, and regardless of political affiliation, 1682  
who is tasked with providing scholarship, academic research, or 1683  
teaching. For purposes of this part, the term "faculty" includes 1684  
tenured and nontenured professors, adjunct professors, visiting 1685  
professors, lecturers, graduate student instructors, and those 1686  
in comparable positions, however titled. For purposes of this 1687  
section, the term "faculty" does not include persons whose 1688  
primary responsibilities are administrative or managerial. 1689

(3) "Free speech" means speech, expression, or assemblies 1690  
protected by the First Amendment to the United States 1691  
Constitution or Article I, Sections 3 and 11 of the Ohio 1692  
Constitution, verbal or written, including, but not limited to, 1693  
all forms of peaceful assembly, protests, demonstrations, 1694

rallies, vigils, marches, public speaking, distribution of 1695  
printed materials, carrying signs, displays, or circulating 1696  
petitions. "Free speech" does not include the promotion, sale, 1697  
or distribution of any product or service. 1698

(4) "State institution of higher education" has the same 1699  
meaning as in section 3345.011 of the Revised Code. 1700

(5) "Student" has the same meaning as in section 3345.0211 1701  
of the Revised Code, except that "student" also includes 1702  
"student group." 1703

(6) "Student group" has the same meaning as in section 1704  
3345.0211 of the Revised Code. 1705

(B) In addition to complying with sections 3345.0212 to 1706  
3345.0214 of the Revised Code, each state institution of higher 1707  
education board of trustees shall adopt a policy that affirms 1708  
the following principles, which are the public policy of this 1709  
state: 1710

(1) Students have a fundamental constitutional right to 1711  
free speech. 1712

(2) A state institution of higher education shall be 1713  
committed to giving students the broadest possible latitude to 1714  
speak, write, listen, challenge, learn, and discuss any issue, 1715  
subject to division (E) of this section. 1716

(3) A state institution of higher education shall be 1717  
committed to maintaining a campus as a marketplace of ideas for 1718  
all students and all faculty in which the free exchange of ideas 1719  
is not to be suppressed because the ideas put forth are thought 1720  
by some or even by most members of the institution's community 1721  
to be offensive, unwise, immoral, indecent, disagreeable, 1722  
conservative, liberal, traditional, radical, or wrong-headed. 1723

(4) It is for a state institution of higher education's individual students and faculty to make judgments about ideas for themselves, and to act on those judgments not by seeking to suppress free speech, but by openly and vigorously contesting the ideas that they oppose. 1724  
1725  
1726  
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(5) It is not the proper role of a state institution of higher education to attempt to shield individuals from free speech, including ideas and opinions they find offensive, unwise, immoral, indecent, disagreeable, conservative, liberal, traditional, radical, or wrong-headed. 1729  
1730  
1731  
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(6) Although a state institution of higher education should greatly value civility and mutual respect, concerns about civility and mutual respect shall never be used by an institution as a justification for closing off the discussion of ideas, however offensive, unwise, immoral, indecent, disagreeable, conservative, liberal, traditional, radical, or wrong-headed those ideas may be to some students or faculty. 1734  
1735  
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(7) Although all students and all faculty are free to state their own views about and contest the views expressed on campus, and to state their own views about and contest speakers who are invited to express their views on the campus of a state institution of higher education, they may not substantially obstruct or otherwise substantially interfere with the freedom of others to express views they reject or even loathe. To this end, a state institution of higher education has a responsibility to promote a lively and fearless freedom of debate and deliberation and protect that freedom. 1741  
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(8) A state institution of higher education shall be committed to providing an atmosphere that is most conducive to speculation, experimentation, and creation by all students and 1751  
1752  
1753

all faculty, who shall always remain free to inquire, to study 1754  
and to evaluate, and to gain new understanding. 1755

(9) The primary responsibility of faculty is to engage an 1756  
honest, courageous, and persistent effort to search out and 1757  
communicate the truth that lies in the areas of their 1758  
competence. 1759

(C) Each board of trustees shall establish a process under 1760  
which a student, student group, or faculty member may submit a 1761  
complaint about an alleged violation by an employee of the state 1762  
institution of higher education of the policy established under 1763  
this section, including any penalty imposed on a student's grade 1764  
for an assignment or coursework that is unrelated to ordinary 1765  
academic standards of substance and relevance, including any 1766  
legitimate pedagogical concerns, and is instead based on the 1767  
contents of student's free speech. The process shall comply with 1768  
standards adopted by the chancellor of higher education. 1769

Under the process, the state institution of higher 1770  
education shall investigate the alleged violation and conduct a 1771  
fair and impartial hearing regarding the alleged violation. If 1772  
the hearing determines the state institution of higher 1773  
education's policy was violated, the board of trustees shall 1774  
determine a resolution to address the violation and prevent any 1775  
further violation of the state institution of higher education's 1776  
policy. 1777

(D) Each state institution of higher education annually 1778  
shall report to the chancellor, in a form and manner prescribed 1779  
by the chancellor, both of the following regarding complaints 1780  
submitted in the academic year under the process prescribed 1781  
under division (C) of this section: 1782

<u>(1) The total number of submitted complaints;</u>	1783
<u>(2) For each submitted complaint, a description of all of the following:</u>	1784
<u>(a) The state institution's investigation regarding the complaint;</u>	1785
<u>(a) The state institution's investigation regarding the complaint;</u>	1786
<u>(a) The state institution's investigation regarding the complaint;</u>	1787
<u>(b) The outcome of the hearing conducted by the state institution regarding the complaint;</u>	1788
<u>(b) The outcome of the hearing conducted by the state institution regarding the complaint;</u>	1789
<u>(c) If the hearing determines the state institution's policy was violated, the resolution determined by the board of trustees to address that violation.</u>	1790
<u>(c) If the hearing determines the state institution's policy was violated, the resolution determined by the board of trustees to address that violation.</u>	1791
<u>(c) If the hearing determines the state institution's policy was violated, the resolution determined by the board of trustees to address that violation.</u>	1792
<u>(E) Nothing contained in this section shall be construed as prohibiting a state institution of higher education from imposing measures that do not violate the First Amendment to the United States Constitution or Article I, Sections 3 and 11 of the Ohio Constitution such as:</u>	1793
<u>(E) Nothing contained in this section shall be construed as prohibiting a state institution of higher education from imposing measures that do not violate the First Amendment to the United States Constitution or Article I, Sections 3 and 11 of the Ohio Constitution such as:</u>	1794
<u>(E) Nothing contained in this section shall be construed as prohibiting a state institution of higher education from imposing measures that do not violate the First Amendment to the United States Constitution or Article I, Sections 3 and 11 of the Ohio Constitution such as:</u>	1795
<u>(E) Nothing contained in this section shall be construed as prohibiting a state institution of higher education from imposing measures that do not violate the First Amendment to the United States Constitution or Article I, Sections 3 and 11 of the Ohio Constitution such as:</u>	1796
<u>(E) Nothing contained in this section shall be construed as prohibiting a state institution of higher education from imposing measures that do not violate the First Amendment to the United States Constitution or Article I, Sections 3 and 11 of the Ohio Constitution such as:</u>	1797
<u>(1) Constitutional time, place, and manner restrictions;</u>	1798
<u>(2) Reasonable and viewpoint-neutral restrictions in nonpublic forums;</u>	1799
<u>(2) Reasonable and viewpoint-neutral restrictions in nonpublic forums;</u>	1800
<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>	1801
<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>	1802
<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>	1803
<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>	1804
<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>	1805
<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>	1806
<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>	1807
<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>	1808
<u>(5) Content restrictions on speech that are reasonably</u>	1809

related to a legitimate pedagogical purpose, such as classroom 1810  
rules enacted by teachers. 1811

(F) Nothing in this section shall be construed to grant 1812  
students the right to disrupt previously scheduled or reserved 1813  
activities occurring in a traditional public forum. 1814

**Sec. 3345.063.** (A) As used in this section: 1815

(1) "Ohio resident" has the same meaning as in section 1816  
3333.0419 of the Revised Code. 1817

(2) "State university" has the same meaning as in section 1818  
3345.011 of the Revised Code. 1819

(B) Each state university shall endeavor to avoid 1820  
prioritizing the admission of an applicant who is not an Ohio 1821  
resident over an applicant who is an Ohio resident if both 1822  
applicants apply in the same general timeframe, as determined by 1823  
the university, and have substantially similar qualifications 1824  
that satisfy the university's admissions criteria. To the extent 1825  
practicable, a state university shall ensure that Ohio resident 1826  
applicants are given ample and sufficient opportunity to be 1827  
admitted, as compared to applicants who are not Ohio residents, 1828  
if the Ohio resident applicants satisfy the university's 1829  
admissions criteria. 1830

**Sec. 3345.21.** The board of trustees of any college or 1831  
university which receives any state funds in support thereof, 1832  
shall regulate the use of the grounds, buildings, equipment, and 1833  
facilities of such college or university and the conduct of the 1834  
students, staff, faculty, and visitors to the campus so that law 1835  
and order are maintained and the college or university may 1836  
pursue its educational objectives and programs in an orderly 1837  
manner. 1838



The board of trustees of each such college or university 1839  
shall adopt rules for the conduct of the students, faculty, 1840  
visitors, and staff, and may provide for the ejection from 1841  
college or university property, suspension or expulsion of a 1842  
person who violates such regulations. All such rules shall be 1843  
published in a manner reasonably designed to come to the 1844  
attention of, and be available to, all faculty, staff, visitors, 1845  
and students. 1846

The board of trustees shall provide for the administration 1847  
and enforcement of its rules and may authorize the use of state 1848  
university law enforcement officers provided for in section 1849  
3345.04 of the Revised Code to assist in enforcing the rules and 1850  
the law on the campus of the college or university. The board of 1851  
trustees, or appropriate officials of such college or university 1852  
when the authority to do so has been delegated by the board of 1853  
trustees, may seek the assistance of other appropriate law 1854  
enforcement officers to enforce the rules and to enforce laws 1855  
for the preservation of good order on the campus, and to prevent 1856  
the disruption of the educational functions of the college or 1857  
university. 1858

In accordance with ~~section~~ sections 3345.0213 and 1859  
3345.0215 of the Revised Code, the rules of the board of 1860  
trustees shall not restrict freedom of speech nor the right of 1861  
persons on the campus to assemble peacefully. 1862

**Sec. 3345.241.** Except as provided in sections 3345.22 to 1863  
3345.24 of the Revised Code, a state university, as defined in 1864  
section 3345.011 of the Revised Code, shall provide a student 1865  
who is subject to a disciplinary action by the university with a 1866  
notice of the disciplinary action, the reasons for that 1867  
disciplinary action, and the student's right to appeal the 1868

disciplinary action under this section. If the student elects to 1869  
appeal the disciplinary action, the state university shall 1870  
afford the student with a fair and impartial hearing within a 1871  
reasonable time thereafter under regular procedures of the state 1872  
university. 1873

**Sec. 3345.381.** A state institution of higher education, as 1874  
defined in section 3345.011 of the Revised Code, shall accept 1875  
and provide credit for coursework in the same manner across all 1876  
instructional models, except in the case of courses that require 1877  
in-person observations and experiences, such as laboratories and 1878  
clinicals, which may necessitate instruction through an in- 1879  
person component rather than online instruction. 1880

**Sec. 3345.461.** A state institution of higher education, as 1881  
defined in section 3345.011 of the Revised Code, shall not 1882  
charge more in general and instructional fees for an online 1883  
course than for a course taught in an in-person, classroom 1884  
setting. Special fees charged for an online course at a state 1885  
institution of higher education, if applicable, shall be based 1886  
on the actual demonstrated cost incurred by the institution to 1887  
provide those courses. 1888

**Sec. 3345.481.** (A) As used in this section: 1889

(1) "Eligible student" means an undergraduate student 1890  
enrolled in a bachelor's degree program at a state institution 1891  
of higher education. 1892

(2) "~~Final-year~~ two academic years" means the last two 1893  
academic year-years of full-time study that a bachelor's degree 1894  
program is typically designed to require, as determined by the 1895  
chancellor of higher education. 1896

(3) "Requisite course" means a course that is necessary to 1897

complete an eligible student's bachelor's degree program, but 1898  
that is not a general elective. 1899

~~(3)~~ (4) "State institution of higher education" has the 1900  
same meaning as in section 3345.011 of the Revised Code. 1901

(B) The board of trustees of a state institution of higher 1902  
education shall ~~waive an eligible student's general and~~ 1903  
~~instructional fees for a course necessary to complete the~~ 1904  
~~student's bachelor's degree program if~~ provide an eligible 1905  
student with an accommodation prescribed under division (C) of 1906  
this section if that student was unable to register for a 1907  
requisite course in one of the student's final two academic 1908  
years and all of the following apply: 1909

(1) ~~The necessary course is not a general elective~~ 1910  
eligible student has not completed the requisite course prior to 1911  
that academic year. 1912

(2) The eligible student was enrolled full time, as 1913  
defined by the chancellor, in ~~the student's final year~~ that 1914  
academic year. 1915

(3) The eligible student was unable to register for the 1916  
~~necessary requisite course in the student's final~~ that academic 1917  
year because of either of the following: 1918

(a) The course was not offered by the state institution of 1919  
higher education ~~in the eligible student's final year.~~ 1920

(b) Circumstances beyond the eligible student's control 1921  
made registration for the ~~necessary~~ course unfeasible, as 1922  
determined by the chancellor. 1923

(4) The eligible student successfully paid all general and 1924  
instructional fees and did not receive a refund for the courses 1925

for which the student registered in ~~the student's final~~ that 1926  
academic year at the start of that year. 1927

~~(5) The eligible student successfully registers for the~~ 1928  
~~necessary course in the next academic year in which the course~~ 1929  
~~is offered.~~ 1930

~~(6)~~ The eligible student did not enroll in the maximum 1931  
amount of credit hours in ~~the student's final~~ that academic 1932  
year, as determined by the state institution of higher 1933  
education. 1934

(C) ~~Qualifying for~~ A board of trustees shall offer an 1935  
eligible student described in division (B) of this section one 1936  
of the following accommodations: 1937

(1) The board of trustees shall waive the eligible 1938  
student's general and instructional fees for the requisite 1939  
course if the student successfully registers for that course in 1940  
the next academic year in which the course is offered. However, 1941  
a waiver of fees ~~under division (B) of this section~~ shall not 1942  
grant an eligible student guaranteed or priority registration 1943  
for ~~the necessary~~ that course described in that division. 1944

(2) The board of trustees shall reimburse the eligible 1945  
student for any general and instructional fees the student paid 1946  
in order to register for a course equivalent to the requisite 1947  
course that is offered by an institution of higher education 1948  
with a similar accreditation. To qualify for a reimbursement, 1949  
the student must have registered for the equivalent course in 1950  
the academic year in which the student was unable to register 1951  
for the requisite course. 1952

(3) The board of trustees shall permit the eligible 1953  
student to complete an independent study that meets specified 1954

guidelines in lieu of the requisite course in order to meet the 1955  
requirements of the student's bachelor's degree program. 1956

(D) The chancellor shall establish rules to implement this 1957  
section. 1958

**Sec. 3345.52.** Prior to the commencement of a capital 1959  
facilities project involving state capital appropriations for 1960  
the construction, reconstruction, improvement, renovation, 1961  
enlargement, or alteration of a public improvement within the 1962  
jurisdiction of a state institution of higher education, as 1963  
defined in section 3345.011 of the Revised Code, the board of 1964  
trustees of that institution shall submit to the chancellor of 1965  
higher education a written statement explaining how the project 1966  
advances the master plan for higher education prescribed by 1967  
section 3333.04 of the Revised Code. 1968

**Sec. 3354.01.** As used in sections 3354.01 to 3354.18 of 1969  
the Revised Code: 1970

(A) "Community college district" means a political 1971  
subdivision of the state and a body corporate with all the 1972  
powers of a corporation, comprised of the territory of one or 1973  
more contiguous counties having together a total population of 1974  
not less than seventy-five thousand preceding the establishment 1975  
of such district, and organized for the purpose of establishing, 1976  
owning, and operating a community college within the territory 1977  
of such district. 1978

(B) "Contiguous counties" means counties so located that 1979  
each such county shares at least one boundary in common with at 1980  
least one other such county in the group of counties referred to 1981  
as being "contiguous." 1982

(C) "Community college" means a public institution of 1983

education beyond the high school organized for the principal 1984  
purpose of providing for the people of the community college 1985  
district wherein such college is situated the instructional 1986  
programs defined in this section as "arts and sciences" and 1987  
"technical," or either, and may include the "adult-education" 1988  
program as defined in this section. Except for applied 1989  
bachelor's degree programs or nursing bachelor's degree programs 1990  
approved by the chancellor of higher education under section 1991  
3333.051 of the Revised Code, instructional programs shall not 1992  
exceed two years in duration. 1993

A university maintained and operated by a municipality 1994  
located in a county having a total population equal to the 1995  
requirement for a community college district as set forth in 1996  
division (A) of section 3354.01 of the Revised Code and is found 1997  
by the chancellor of higher education to offer instructional 1998  
programs which are needed in the community and which are 1999  
equivalent to those required of community colleges shall be, for 2000  
the purposes of receiving state or federal financial aid only, 2001  
considered a community college and shall receive the same state 2002  
financial assistance granted to community colleges but only in 2003  
respect to students enrolled in their first and second year of 2004  
post high school education in the kinds of instructional 2005  
programs offered by the municipal university. 2006

(D) "Arts and sciences program" means both of the 2007  
following: 2008

(1) A curricular program of two years or less duration, 2009  
provided within a community college, planned and intended to 2010  
enable students to gain academic credit for courses generally 2011  
comparable to courses offered in the first two years in 2012  
accredited colleges and universities in the state, and designed 2013

either to enable students to transfer to such colleges and 2014  
universities for the purpose of earning baccalaureate degrees or 2015  
to enable students to terminate academic study after two years 2016  
with a proportionate recognition of academic achievement. 2017

(2) An applied bachelor's degree program or a nursing 2018  
bachelor's degree program approved and offered under section 2019  
3333.051 of the Revised Code. 2020

(E) "Adult-education program" means the dissemination of 2021  
post high school educational service and knowledge, by a 2022  
community college, for the occupational, cultural, or general 2023  
educational benefit of adult persons, such educational service 2024  
and knowledge not being offered for the primary purpose of 2025  
enabling such persons to obtain academic credit or other formal 2026  
academic recognition. 2027

(F) "Charter amendment" means a change in the official 2028  
plan of a community college for the purpose of acquiring 2029  
additional lands or structures, disposing of or transferring 2030  
lands or structures, erection of structures, or creating or 2031  
abolishing of one or more academic departments corresponding to 2032  
generally recognized fields of academic study. 2033

(G) "Technical program" means a post high school 2034  
curricular program of two years or less duration, provided 2035  
within a community college, planned and intended to enable 2036  
students to gain academic credit for courses designed to prepare 2037  
such students to meet the occupational requirements of the 2038  
community. 2039

(H) "Operating costs" means all expenses for all purposes 2040  
of the community college district except expenditures for 2041  
permanent improvements having an estimated life of usefulness of 2042

five years or more as certified by the fiscal officer of the 2043  
community college district. 2044

(I) "Applied bachelor's degree" has the same meaning as in 2045  
section 3333.051 of the Revised Code. 2046

**Sec. 3357.09.** The board of trustees of a technical college 2047  
district may: 2048

(A) Own and operate a technical college, pursuant to an 2049  
official plan prepared and approved in accordance with section 2050  
3357.07 of the Revised Code; 2051

(B) Hold, encumber, control, acquire by donation, 2052  
purchase, or condemnation, construct, own, lease, use, and sell, 2053  
real and personal property as necessary for the conduct of the 2054  
program of the technical college on whatever terms and for 2055  
whatever consideration may be appropriate for the purposes of 2056  
the institution; 2057

(C) Accept gifts, grants, bequests, and devises absolutely 2058  
or in trust for support of the technical college; 2059

(D) Appoint the president, faculty, and such other 2060  
employees as necessary and proper for such technical college, 2061  
and fix their compensation; 2062

(E) Provide for a technical college necessary lands, 2063  
buildings or other structures, equipment, means, and appliances; 2064

(F) Develop and adopt, pursuant to the official plan, any 2065  
one or more of the curricular programs identified in section 2066  
3357.01 of the Revised Code as technical-college programs, or 2067  
adult-education technical programs, and applied bachelor's 2068  
degree programs or nursing bachelor's degree programs under 2069  
section 3333.051 of the Revised Code; 2070



(G) Except as provided in sections 3333.17 and 3333.32 of 2071  
the Revised Code, establish schedules of fees and tuition for: 2072  
students who are residents of the district; students who are 2073  
residents of Ohio but not of the district; students who are 2074  
nonresidents of Ohio. The establishment of rules governing the 2075  
determination of residence shall be subject to approval of the 2076  
chancellor of higher education. Students who are nonresidents of 2077  
Ohio shall be required to pay higher rates of fees and tuition 2078  
than the rates required of students who are residents of Ohio 2079  
but not of the district, and students who are residents of the 2080  
district shall pay smaller tuition and fee rates than the rates 2081  
for either of the above categories of nonresident students, 2082  
except that students who are residents of Ohio but not of the 2083  
district shall be required to pay higher fees and tuition than 2084  
students who are residents of the district only when a district 2085  
tax levy has been adopted and is in effect under the authority 2086  
of section 3357.11, 5705.19, or 5705.191 of the Revised Code. 2087

(H) Authorize, approve, ratify, or confirm, with approval 2088  
of the chancellor, any agreement with the United States 2089  
government, acting through any agency designated to aid in the 2090  
financing of technical college projects, or with any person, 2091  
organization, or agency offering grants-in-aid for technical 2092  
college facilities or operation; 2093

(I) Receive assistance for the cost of equipment and for 2094  
the operation of such technical colleges from moneys 2095  
appropriated for technical education or for matching of Title 2096  
VIII of the "National Defense Education Act," 72 Stat. 1597 2097  
(1958), 20 U.S.C.A. 15a-15e. Moneys shall be distributed by the 2098  
chancellor in accordance with rules which the board shall 2099  
establish governing its allocations to technical colleges 2100  
chartered under section 3357.07 of the Revised Code. 2101

(J) Grant appropriate associate degrees to students	2102
successfully completing the technical college programs,	2103
appropriate applied bachelor's degrees to students successfully	2104
completing applied bachelor's degree programs, <u>or appropriate</u>	2105
<u>nursing bachelor's degrees to students successfully completing</u>	2106
<u>nursing bachelor's degrees programs offered pursuant to section</u>	2107
<u>3333.051 of the Revised Code</u> , and certificates of achievement to	2108
those students who complete other programs;	2109
(K) Prescribe rules for the effective operation of a	2110
technical college, and exercise such other powers as are	2111
necessary for the efficient management of such college;	2112
(L) Enter into contracts and conduct technical college	2113
programs or technical courses outside the technical college	2114
district;	2115
(M) Enter into contracts with the board of education of	2116
any local, exempted village, or city school district or the	2117
governing board of any educational service center to permit the	2118
school district or service center to use the facilities of the	2119
technical college district;	2120
(N) Designate one or more employees of the institution as	2121
state university law enforcement officers, to serve and have	2122
duties as prescribed in section 3345.04 of the Revised Code;	2123
(O) Subject to the approval of the chancellor, offer	2124
technical college programs or technical courses for credit at	2125
locations outside the technical college district. For purposes	2126
of computing state aid, students enrolled in such courses shall	2127
be deemed to be students enrolled in programs and courses at	2128
off-campus locations in the district.	2129
(P) Purchase a policy or policies of liability insurance	2130

from an insurer or insurers licensed to do business in this 2131  
state insuring its members, officers, and employees against all 2132  
civil liability arising from an act or omission by the member, 2133  
officer, or employee, when the member, officer, or employee is 2134  
not acting manifestly outside the scope of the member's, 2135  
officer's, or employee's employment or official responsibilities 2136  
with the institution, with malicious purpose or bad faith, or in 2137  
a wanton or reckless manner, or may otherwise provide for the 2138  
indemnification of such persons against such liability. All or 2139  
any portion of the cost, premium, or charge for such a policy or 2140  
policies or indemnification payment may be paid from any funds 2141  
under the institution's control. The policy or policies of 2142  
liability insurance or the indemnification policy of the 2143  
institution may cover any risks including, but not limited to, 2144  
damages resulting from injury to property or person, 2145  
professional liability, and other special risks, including legal 2146  
fees and expenses incurred in the defense or settlement of 2147  
claims for such damages. 2148

Any instrument by which real property is acquired pursuant 2149  
to this section shall identify the agency of the state that has 2150  
the use and benefit of the real property as specified in section 2151  
5301.012 of the Revised Code. 2152

**Sec. 3358.01.** As used in sections 3358.01 to 3358.10 of 2153  
the Revised Code: 2154

(A) "State community college district" means a political 2155  
subdivision composed of the territory of a county, or of two or 2156  
more contiguous counties, in either case having a total 2157  
population of at least one hundred fifty thousand, and organized 2158  
for the purpose of establishing, owning, and operating a state 2159  
community college within the district or a political subdivision 2160

created pursuant to division (A) of section 3358.02 of the Revised Code. 2161  
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(B) "State community college" means a two-year institution, offering a baccalaureate-oriented program, technical education program, or an adult continuing education program. The extent to which the college offers baccalaureate-oriented and technical programs shall be determined in its charter. However, a state community college may offer applied bachelor's degree programs or nursing bachelor's degree programs pursuant to section 3333.051 of the Revised Code. 2163  
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(C) "Baccalaureate-oriented program" means a curricular program of not more than two years' duration that is planned and intended to enable students to gain academic credit for courses comparable to first- and second-year courses offered by accredited colleges and universities. The purpose of baccalaureate-oriented coursework in state community colleges is to enable students to transfer to colleges and universities and earn baccalaureate degrees or to enable students to terminate academic study after two years with a proportionate recognition of academic achievement through receipt of an associate degree. 2171  
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(D) "Technical education program" means a post high school program of not more than two years' duration that is planned and intended to prepare students to pursue employment or improve technical knowledge in careers generally but not exclusively at the semiprofessional level. Technical education programs include, but are not limited to, programs in the technologies of business, engineering, health, natural science, and public service and are programs which, after two years of academic study, result in proportionate recognition of academic achievement through receipt of an associate degree. 2181  
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(E) "Adult continuing education program" means the offering of short courses, seminars, workshops, exhibits, performances, and other educational activities for the general educational or occupational benefit of adults.

(F) "Applied bachelor's degree" has the same meaning as in section 3333.051 of the Revised Code.

**Sec. 3365.16.** (A) As used in this section:

(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.

(2) "Apprenticeship program" means any apprenticeship program that is certified or registered by the United States department of labor.

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

(C) Not later than December 31, 2021, the chancellor of higher education and the superintendent of public instruction, in consultation with the director of development services and the administrator of workers' compensation, shall develop a proposal to implement the subprogram as prescribed by this section and submit it to the state board of education for consideration. The proposal shall include recommendations on which requirements of the college credit plus program should apply to the subprogram. Not later than June 30, 2022, upon consideration of that proposal, the state board shall adopt

rules, in accordance with Chapter 119. of the Revised Code, to 2220  
implement the subprogram. The rules shall include at least all 2221  
of the following: 2222

(1) Requirements that a student must fulfill in order to 2223  
participate in the subprogram, including a minimum grade point 2224  
average of 2.5 out of a 4.0, or its equivalent; 2225

(2) A process by which a student may secure an 2226  
apprenticeship; 2227

(3) A process for approval of each student's 2228  
apprenticeship, including a method for evaluating the 2229  
educational benefits of the apprenticeship; 2230

(4) A stipulation of the maximum number of hours per week 2231  
a student may work as an apprentice; 2232

(5) A method for determining actual costs to a business 2233  
for participation in the subprogram, including workers' 2234  
compensation and other insurance costs and training costs; 2235

(6) A funding formula for students enrolled in a public 2236  
secondary school, including a maximum amount, to pay businesses 2237  
for costs associated with employing students under the 2238  
subprogram. The amount paid for each student participating in 2239  
the subprogram shall be deducted from the school foundation 2240  
payments made to the participant's school district or, if the 2241  
participant is enrolled in a community school, a STEM school, or 2242  
a college-preparatory boarding school, from the payments made to 2243  
that school under section 3314.08, 3326.33, or 3328.34 of the 2244  
Revised Code. 2245

(7) A funding formula for students enrolled in a chartered 2246  
nonpublic secondary school, including a maximum amount, to pay 2247  
businesses for costs associated with employing students under 2248

the subprogram. The amount paid for each student participating 2249  
in the subprogram shall be subtracted from moneys specifically 2250  
appropriated by the general assembly for such purpose. 2251

(8) The method for making payments to participating 2252  
businesses; 2253

(9) A method by which credits for a certificate or 2254  
certificates earned in an apprenticeship under the subprogram 2255  
may transfer for college credit. Each college shall determine 2256  
whether or not to accept work credits under the subprogram. 2257

**Section 2.** That existing sections 9.76, 1715.51, 1715.53, 2258  
3313.6020, 3314.03, 3326.11, 3328.24, 3333.04, 3333.051, 2259  
3333.122, 3345.0212, 3345.21, 3345.481, 3354.01, 3357.09, and 2260  
3358.01 of the Revised Code are hereby repealed. 2261

**Section 3.** Upon receipt of funds from the federal 2262  
"Coronavirus Aid, Relief, and Economic Security Act," Pub. L. 2263  
No. 116-136, and after payments from those funds are made 2264  
pursuant to required higher education priorities, the Chancellor 2265  
of Higher Education shall, to the extent permitted by federal 2266  
law, distribute any unused funds to state-supported community 2267  
colleges, state community colleges, and technical colleges to 2268  
provide support to students enrolled in a program that may be 2269  
completed in less than one year and for which a certificate or 2270  
industry-recognized credential is awarded in an in-demand job. 2271

**Section 4.** The General Assembly, applying the principle 2272  
stated in division (B) of section 1.52 of the Revised Code that 2273  
amendments are to be harmonized if reasonably capable of 2274  
simultaneous operation, finds that the following sections, 2275  
presented in this act as composites of the sections as amended 2276  
by the acts indicated, are the resulting versions of the 2277

sections in effect prior to the effective date of the sections	2278
as presented in this act:	2279
Section 3314.03 of the Revised Code as amended by H.B.	2280
123, H.B. 164, H.B. 166, H.B. 409, H.B. 436, S.B. 68, and S.B.	2281
89, all of the 133rd General Assembly.	2282
Section 3326.11 of the Revised Code as amended by H.B.	2283
123, H.B. 164, H.B. 166, H.B. 436, and S.B. 68, all of the 133rd	2284
General Assembly.	2285
Section 3328.24 of the Revised Code as amended by H.B.	2286
123, H.B. 164, H.B. 166, H.B. 436, and S.B. 68, all of the 133rd	2287
General Assembly.	2288