

I\_135\_1092-1

135th General Assembly  
Regular Session  
2023-2024

Sub. H. B. No. 151

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**A BILL**

To amend sections 1715.51, 3335.02, 3337.01, 1  
3339.01, 3341.02, 3343.02, 3344.01, 3345.45, 2  
3350.10, 3352.01, 3354.05, 3354.24, 3356.01, 3  
3357.022, 3357.05, 3358.03, 3359.01, 3361.01, 4  
3362.01, 3364.01, 4117.14, 4117.15, and 5813.06; 5  
to enact new section 3333.045 and sections 6  
1715.551, 3345.029, 3345.0216, 3345.0217, 7  
3345.0218, 3345.382, 3345.451, 3345.452, 8  
3345.453, 3345.454, 3345.455, 3345.591, 3345.80, 9  
and 3345.87; and to repeal section 3333.045 of 10  
the Revised Code to enact the Ohio Higher 11  
Education Enhancement Act regarding the 12  
operation of state institutions of higher 13  
education and to revise the Uniform Prudent 14  
Management of Institutional Funds Act. 15

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

**Section 1.** That sections 1715.51, 3335.02, 3337.01, 16  
3339.01, 3341.02, 3343.02, 3344.01, 3345.45, 3350.10, 3352.01, 17  
3354.05, 3354.24, 3356.01, 3357.022, 3357.05, 3358.03, 3359.01, 18



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3361.01, 3362.01, 3364.01, 4117.14, 4117.15, and 5813.06 be 19  
amended and new section 3333.045 and sections 1715.551, 20  
3345.029, 3345.0216, 3345.0217, 3345.0218, 3345.382, 3345.451, 21  
3345.452, 3345.453, 3345.454, 3345.455, 3345.591, 3345.80, and 22  
3345.87 of the Revised Code be enacted to read as follows: 23

**Sec. 1715.51.** As used in sections 1715.51 to 1715.59 of 24  
the Revised Code: 25

~~(A)~~ (A) (1) "Benefactor representative" means either of the 26  
following: 27

(a) The administrator or executor of a person's estate; 28

(b) A person designated in an endowment agreement, whether 29  
or not born or existing at the time of such designation, to act 30  
in place of a party to the agreement for the purpose of 31  
resolving disputes about the agreement, including without 32  
limitation, its validity, interpretation, performance, 33  
enforcement, and any action that it contemplates. 34

(2) "Benefactor representative" does not mean the 35  
institution receiving or administering property under an 36  
endowment agreement or any person designated by such institution 37  
for any purpose. 38

(3) A benefactor representative named in an endowment 39  
agreement shall be the only benefactor representative for 40  
purposes of sections 1715.51 to 1715.59 of the Revised Code, 41  
regardless of the existence of an administrator or executor of a 42  
person's estate. 43

(B) "Charitable purpose" means any purpose the achievement 44  
of which is beneficial to the community, including the relief of 45  
poverty, the advancement of education or religion, the promotion 46  
of health, and the promotion of a governmental purpose. 47

<del>(B)</del> -(C) "Institution" means any of the following:	48
(1) A person, other than an individual, organized and operated exclusively for charitable purposes;	49 50
(2) A governmental organization to the extent that it holds funds exclusively for a charitable purpose;	51 52
(3) A trust that had both charitable and noncharitable interests and the noncharitable interests have terminated.	53 54
<del>(C)</del> -(D) "Institutional fund" means a fund that is held by an institution exclusively for charitable purposes.	55 56
"Institutional fund" does not include any of the following:	57
(1) <del>Programrelated</del> <u>Program-related</u> assets;	58
(2) A fund held for an institution by a trustee that is not an institution;	59 60
(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.	61 62 63 64
<del>(D)</del> -(E) <u>"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, spending, or purpose contained in the endowment agreement.</u>	65 66 67 68 69 70 71
<u>(F)</u> "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.	72 73 74
"Endowment fund" does not include assets that an institution	75

designates as an endowment fund for its own use. 76

~~(E)~~ (G) "Gift instrument" means a record or records, 77  
including an institutional solicitation, under which property is 78  
granted to, transferred to, or held by an institution as an 79  
institutional fund. 80

~~(F)~~ (H) "Person" means an individual, corporation, 81  
business trust, estate, trust, partnership, limited liability 82  
company, association, joint venture, public corporation, 83  
governmental organization, or any other legal or commercial 84  
entity. 85

~~(G)~~ (I) "~~Program-related~~ Program-related asset" means an 86  
asset held by an institution primarily to accomplish a 87  
charitable purpose of the institution and not primarily for 88  
investment. 89

~~(H)~~ (J) "Record" means information that is inscribed on a 90  
tangible medium or that is stored in an electronic or other 91  
medium and is retrievable in perceivable form. 92

**Sec. 1715.551.** (A) If an institution violates a 93  
restriction contained in an endowment agreement on the 94  
management, investment, spending, or purpose of the endowment 95  
fund, the person who transferred property to an institution 96  
under the agreement, or the benefactor representative of such 97  
person, may notify the charitable law section of the office of 98  
the attorney general in writing of the violation. 99

(B) (1) If, within one hundred eighty days after receiving 100  
the notice, the attorney general has not obtained full 101  
compliance with the restriction, and restitution to the 102  
endowment fund of property approximately equal to any value lost 103  
due to the violated restriction, the person who notified the 104

<u>attorney general, or the benefactor representative of such</u>	105
<u>person, may file a complaint:</u>	106
<u>(a) For breach of the endowment agreement; or</u>	107
<u>(b) To obtain a declaration of rights and duties expressed</u>	108
<u>in the agreement and as to all of the actions it contemplates,</u>	109
<u>including, without limitation, the interpretation, performance,</u>	110
<u>and enforcement of the agreement and determination of its</u>	111
<u>validity.</u>	112
<u>(2) Each of the following applies to the complaint:</u>	113
<u>(a) It may be filed regardless of whether the agreement</u>	114
<u>expressly reserves a right to sue or enforce.</u>	115
<u>(b) It shall not seek a judgment awarding to the plaintiff</u>	116
<u>damages, court costs, attorney's fees, or any other award of</u>	117
<u>money or other property.</u>	118
<u>(c) It shall seek only one or both of the following:</u>	119
<u>(i) Declaratory relief;</u>	120
<u>(ii) Equitable relief consistent with the charitable</u>	121
<u>purposes expressed in the endowment agreement and consistent</u>	122
<u>with the charitable purposes of the institution.</u>	123
<u>(C) The attorney general may enforce the interests of the</u>	124
<u>beneficiaries of an endowment agreement by filing a complaint</u>	125
<u>for breach or to obtain a declaration of rights and duties</u>	126
<u>expressed in the agreement and as to all of the actions it</u>	127
<u>contemplates, including, without limitation, the interpretation,</u>	128
<u>performance, and enforcement of the agreement and determination</u>	129
<u>of its validity.</u>	130
<u>(D) An institution may obtain a judicial declaration of</u>	131

rights and duties expressed in an endowment agreement and as to 132  
all of the actions it contemplates, including, without 133  
limitation, the interpretation, performance, and enforcement of 134  
the agreement and determination of its validity. The institution 135  
shall seek such declaration in any suit brought under this 136  
section or by filing a complaint. 137

(E) Every complaint authorized by this section shall be 138  
filed in a court of general jurisdiction in the county where the 139  
institution named as a party has its principal office or 140  
principal place of carrying out its charitable purpose, or in a 141  
court of the United States whose district includes such county. 142  
Every such complaint shall: 143

(1) Name the attorney general as a party; 144

(2) Name as parties the institution that signed the 145  
agreement or its successor, and each institution that currently 146  
administers property subject to the agreement; 147

(3) If the attorney general or institution files the 148  
complaint within fifty years after the effective date of the 149  
endowment agreement, name as parties each person who transferred 150  
property under the agreement or the benefactor representative of 151  
each such person if the persons or benefactor representatives 152  
can be located and identified after diligent inquiry. 153

(F) The failure to name or join as a party a person who 154  
transferred property under the endowment agreement, or the 155  
benefactor representative of such person, is not jurisdictional. 156  
The court, however, shall not act on the merits of the complaint 157  
or on any motion for an order to address its merits without 158  
first ensuring that the plaintiff has acted diligently to notify 159  
such person or the benefactor representative of such person of 160

the complaint and, if the person or benefactor representative is 161  
located and identified, affords such person or benefactor 162  
representative an opportunity to be heard or to intervene. 163

(G) The interest of a person who transferred property 164  
under an endowment agreement, and the interest represented by 165  
the benefactor representative of such person, shall not be 166  
presumed to be identical with the interest of either the 167  
attorney general or an institution. 168

(H)(1) Subject to division (H)(2) of this section, a 169  
person who transferred property under an endowment agreement, or 170  
the benefactor representative of such person, shall file a 171  
complaint authorized by this section within six years after 172  
discovery of the accrual of the cause of action, but in no event 173  
shall such a person or the benefactor representative of such 174  
person file a complaint authorized by this section more than 175  
fifty years after the effective date of the endowment agreement. 176

(2) If, during the sixth year after discovery of the 177  
accrual of the cause of action, a person who transferred 178  
property under an endowment agreement, or the benefactor 179  
representative of such person, notifies the charitable law 180  
section of the office of the attorney general in writing of a 181  
violation by an institution of a restriction contained in an 182  
endowment agreement as authorized by this section, the period 183  
within which such person or benefactor representative must file 184  
a complaint authorized by this section shall be extended 185  
automatically by two hundred ten days. 186

(I) This section applies only to the following: 187

(1) Endowment funds established on and after the one 188  
hundred twentieth day following the effective date of this 189

section; 190

(2) Endowment funds established before the one hundred 191  
twentieth day following the effective date of this section, but 192  
only with respect to breaches of the related endowment 193  
agreements, if those breaches occur on or after that date. 194

Sec. 3333.045. As used in this section, "state institution 195  
of higher education" has the same meaning as in section 3345.011 196  
of the Revised Code. 197

The chancellor of higher education, in consultation with 198  
state institutions of higher education and members of their 199  
boards of trustees, shall develop and annually deliver 200  
educational programs for members of a board of trustees of each 201  
state institution. The chancellor may deliver the programs 202  
virtually and may offer the programs periodically throughout 203  
each year. New members of a board of trustees shall participate 204  
in the programs at least once in their first two years in 205  
office. Current members of a board of trustees shall participate 206  
in continuing trustee training at levels to be determined by the 207  
chancellor. 208

The educational programs shall be designed to address the 209  
role, duties, and responsibilities of a member of a board of 210  
trustees and may include in-service programs on current issues 211  
in higher education. In developing the educational programs, the 212  
chancellor may consider similar programs offered in other states 213  
or through a recognized trustee group. 214

The educational programs shall include presentations and 215  
content related to all of the following: 216

(A) Each board member's duty to the state of Ohio; 217

(B) The committee structure and function of a board of 218



<u>trustees;</u>	219
<u>(C) The duties of the executive committee of a board of</u>	220
<u>trustees;</u>	221
<u>(D) Professional accounting and reporting standards;</u>	222
<u>(E) Methods for meeting the statutory, regulatory, and</u>	223
<u>fiduciary obligations of a board of trustees;</u>	224
<u>(F) The requirements of the public records law;</u>	225
<u>(G) Institutional ethics and conflicts of interest;</u>	226
<u>(H) Creating and implementing institution-wide rules and</u>	227
<u>regulations;</u>	228
<u>(I) Business operations, administration, budgeting,</u>	229
<u>financing, financial reporting, and financial reserves,</u>	230
<u>including a segment on endowment management;</u>	231
<u>(J) Fixing student general and instructional fees, and</u>	232
<u>other necessary charges, including a review of student debt</u>	233
<u>trends;</u>	234
<u>(K) Overseeing planning, construction, maintenance,</u>	235
<u>expansion, and renovation projects that impact the state</u>	236
<u>institution's consolidated infrastructure, physical facilities,</u>	237
<u>and natural environment, including its lands, improvements, and</u>	238
<u>capital equipment;</u>	239
<u>(L) Workforce planning, strategy, and investment;</u>	240
<u>(M) Institutional advancement, including philanthropic</u>	241
<u>giving, fundraising initiatives, alumni programming,</u>	242
<u>communications and media, government and public relations, and</u>	243
<u>community affairs;</u>	244
<u>(N) Student welfare issues, including academic studies,</u>	245

curriculum, residence life, student governance and activities, 246  
and the general physical and psychological well-being of 247  
undergraduate and graduate students; 248

(O) Current national and state issues in higher education; 249

(P) Future national and state issues in higher education. 250

**Sec. 3335.02.** (A) The government of the Ohio state 251  
university shall be vested in a board of fourteen trustees in 252  
2005, and seventeen trustees beginning in 2006, who shall be 253  
appointed by the governor, with the advice and consent of the 254  
senate. Two of the seventeen trustees shall be students at the 255  
Ohio state university, and their selection and terms shall be in 256  
accordance with division (B) of this section. ~~Except~~ 257

(1) For trustees appointed prior to January 1, 2024, 258  
except as provided in division (D) of this section and except 259  
for the terms of student members, terms of office shall be for 260  
nine years, commencing on the fourteenth day of May and ending 261  
on the thirteenth day of May. 262

(2) For trustees appointed on or after January 1, 2024, 263  
except for the terms of student members, terms of office shall 264  
be for four years, commencing on the fourteenth day of May and 265  
ending on the thirteenth day of May. 266

Each trustee shall hold office from the date of 267  
appointment until the end of the term for which the trustee was 268  
appointed. Any trustee appointed to fill a vacancy occurring 269  
prior to the expiration of the term for which the trustee's 270  
predecessor was appointed shall hold office for the remainder of 271  
such term. Any trustee shall continue in office subsequent to 272  
the expiration date of the trustee's term until the trustee's 273  
successor takes office, or until a period of sixty days has 274

elapsed, whichever occurs first. ~~No person who has served a full~~ 275  
~~nine year term or more than six years of such a term shall be~~ 276  
~~eligible for reappointment until a period of four years has~~ 277  
~~elapsed since the last day of the term for which the person~~ 278  
~~previously served.~~ The trustees shall not receive compensation 279  
for their services, but shall be paid their reasonable necessary 280  
expenses while engaged in the discharge of their official 281  
duties. 282

(B) The student members of the board of trustees of the 283  
Ohio state university shall be students at the Ohio state 284  
university. Unless student members have been granted voting 285  
power under division (C) of this section, they shall have no 286  
voting power on the board, shall not be considered as members of 287  
the board in determining whether a quorum is present, and shall 288  
not be entitled to attend executive sessions of the board. The 289  
student members of the board shall be appointed by the governor, 290  
with the advice and consent of the senate, from a group of five 291  
candidates selected pursuant to a procedure adopted by the 292  
university's student governments and approved by the 293  
university's board of trustees. The initial term of office of 294  
one of the student members shall commence on May 14, 1988, and 295  
shall expire on May 13, 1989, and the initial term of office of 296  
the other student member shall commence on May 14, 1988, and 297  
expire on May 13, 1990. Thereafter, terms of office of student 298  
members shall be for two years, each term ending on the same day 299  
of the same month of the year as the term it succeeds. In the 300  
event a student member cannot fulfill a two-year term, a 301  
replacement shall be selected to fill the unexpired term in the 302  
same manner used to make the original selection. 303

(C) Not later than ninety days after ~~the effective date of~~ 304  
~~this amendment~~ September 29, 2015, the board of trustees shall 305

adopt a resolution that does one of the following: 306

(1) Grants the student members of the board voting power 307  
on the board. If so granted, in addition to having voting power, 308  
the student members shall be considered as members of the board 309  
in determining whether a quorum is present and shall be entitled 310  
to attend executive sessions of the board. 311

(2) Declares that student members do not have voting power 312  
on the board. 313

Thereafter, the board may change the voting status of 314  
student trustees by adopting a subsequent resolution. Each 315  
resolution adopted under this division shall take effect on the 316  
fourteenth day of May following the adoption of the resolution. 317  
All members with voting power at the time of the adoption of a 318  
resolution may vote on the resolution. 319

If student members are granted voting power under this 320  
division, no student shall be disqualified from membership on 321  
the board of trustees because the student receives a 322  
scholarship, grant, loan, or any other financial assistance 323  
payable out of the state treasury or a university fund, or 324  
because the student is employed by the university in a position 325  
pursuant to a work-study program or other student employment, 326  
including as a graduate teaching assistant, graduate 327  
administrative assistant, or graduate research assistant, the 328  
compensation for which is payable out of the state treasury or a 329  
university fund. 330

Acceptance of such financial assistance or employment by a 331  
student trustee shall not be considered a violation of Chapter 332  
102. or section 2921.42 or 2921.43 of the Revised Code. 333

(D) (1) The initial terms of office for the three 334

additional trustees appointed in 2005 shall commence on a date 335  
in 2005 that is selected by the governor with one term of office 336  
expiring on May 13, 2009, one term of office expiring on May 13, 337  
2010, and one term of office expiring on May 13, 2011, as 338  
designated by the governor upon appointment. Thereafter terms of 339  
office for trustees appointed prior to January 1, 2024, shall be 340  
for nine years, as provided in division ~~(A)~~ (A) (1) of this 341  
section. Terms of office for trustees appointed on or after 342  
January 1, 2024, shall be for four years, as provided in 343  
division (A) (2) of this section. 344

(2) The initial terms of office for the three additional 345  
trustees appointed in 2006 shall commence on May 14, 2006, with 346  
one term of office expiring on May 13, 2012, one term of office 347  
expiring on May 13, 2013, and one term of office expiring on May 348  
13, 2014, as designated by the governor upon appointment. 349  
Thereafter terms of office for trustees appointed prior to 350  
January 1, 2024, shall be for nine years, as provided in 351  
division ~~(A)~~ (A) (1) of this section. Terms of office for 352  
trustees appointed on or after January 1, 2024, shall be for 353  
four years, as provided in division (A) (2) of this section. 354

**Sec. 3337.01.** (A) The body politic and corporate by the 355  
name and style of "The President and Trustees of the Ohio 356  
University" now in the university instituted and established in 357  
Athens by the name and style of "The Ohio University" shall 358  
consist of a board of trustees composed of eleven members, who 359  
shall be appointed by the governor, with the advice and consent 360  
of the senate. At least five of the trustees who are not 361  
students shall be graduates of Ohio university. Two of the 362  
trustees shall be students at Ohio university, and their 363  
selection and terms shall be in accordance with division (B) of 364  
this section. A majority of the board constitutes a quorum. 365

~~Except For trustees appointed prior to January 1, 2024, except~~ 366  
for the terms of student members, terms of office shall be for 367  
nine years, commencing on the fourteenth day of May and ending 368  
on the thirteenth day of May, except that upon expiration of the 369  
term ending on May 14, 1978, the new term which succeeds it 370  
shall commence on May 15, 1978, and end on May 13, 1987. For 371  
trustees appointed on or after January 1, 2024, except for the 372  
terms of student members, terms of office shall be for four 373  
years, commencing on the fourteenth day of May and ending on the 374  
thirteenth day of May. Each member shall hold office from the 375  
date of appointment until the end of the term for which the 376  
member was appointed. Any member appointed to fill a vacancy 377  
occurring prior to the expiration of the term for which the 378  
member's predecessor was appointed shall hold office for the 379  
remainder of such term. Any member shall continue in office 380  
subsequent to the expiration date of the member's term until the 381  
member's successor takes office, or until a period of sixty days 382  
has elapsed, whichever occurs first. ~~No person who has served a~~ 383  
~~full nine-year term or more than six years of such a term shall~~ 384  
~~be eligible for reappointment until a period of four years has~~ 385  
~~elapsed since the last day of the term for which the person~~ 386  
~~previously served.~~ Such trustees shall receive no compensation 387  
for their services, but shall be paid their actual and necessary 388  
expenses while engaged in the discharge of their official 389  
duties. 390

(B) The student members of the board of trustees of the 391  
Ohio university have no voting power on the board. Student 392  
members shall not be considered as members of the board in 393  
determining whether a quorum is present. Student members shall 394  
not be entitled to attend executive sessions of the board. The 395  
student members of the board shall be appointed by the governor, 396

with the advice and consent of the senate, from a group of five 397  
candidates selected pursuant to a procedure adopted by the 398  
university's student governments and approved by the 399  
university's board of trustees. The initial term of office of 400  
one of the student members shall commence on May 14, 1988, and 401  
shall expire on May 13, 1989, and the initial term of office of 402  
the other student member shall commence on May 14, 1988, and 403  
expire on May 13, 1990. Thereafter, terms of office of student 404  
members shall be for two years, each term ending on the same day 405  
of the same month of the year as the term it succeeds. In the 406  
event that a student member cannot fulfill the student member's 407  
two-year term, a replacement shall be selected to fill the 408  
unexpired term in the same manner used to make the original 409  
selection. 410

**Sec. 3339.01.** (A) The government of Miami university shall 411  
be vested in eleven trustees, who shall be appointed by the 412  
governor with the advice and consent of the senate. Two of the 413  
trustees shall be students at Miami university, and their 414  
selection and terms shall be in accordance with division (B) of 415  
this section. A majority of the board constitutes a quorum. 416  
~~Except~~ For trustees appointed prior to January 1, 2024, except 417  
for the terms of student members, terms of office shall be for 418  
nine years, commencing on the first day of March and ending on 419  
the last day of February, except that upon expiration of the 420  
trustee term ending on March 1, 1974, the trustee term which 421  
succeeds it shall commence on March 2, 1974, and end on February 422  
28, 1983; upon expiration of the trustee term ending on March 1, 423  
1977, the trustee term which succeeds it shall commence on March 424  
2, 1977, and end on February 28, 1986; upon expiration of the 425  
trustee term ending on March 1, 1978, the trustee term which 426  
succeeds it shall commence on March 2, 1978, and end on February 427

28, 1987; and upon expiration of the trustee term ending on 428  
March 1, 1979, the trustee term which succeeds it shall commence 429  
on March 2, 1979, and end on February 29, 1988. For trustees 430  
appointed on or after January 1, 2024, except for the terms of 431  
student members, terms of office shall be for four years, 432  
commencing on the first day of March and ending on the last day 433  
of February. Each trustee shall hold office from the date of 434  
appointment until the end of the term for which the trustee was 435  
appointed. Any trustee appointed to fill a vacancy occurring 436  
prior to the end of the term for which the trustee's predecessor 437  
was appointed shall hold office for the remainder of such term. 438  
Any trustee shall continue in office subsequent to the 439  
expiration date of the trustee's term until a successor takes 440  
office, or until a period of sixty days has elapsed, whichever 441  
occurs first. ~~No person who has served a full nine year term or~~ 442  
~~more than six years of such a term shall be eligible for~~ 443  
~~reappointment until a period of four years has elapsed since the~~ 444  
~~last day of the term for which the person previously served.~~ The 445  
trustees shall receive no compensation for their services but 446  
shall be paid their reasonable necessary expenses while engaged 447  
in the discharge of their official duties. 448

(B) The student members of the board of trustees of Miami 449  
university have no voting power on the board. Student members 450  
shall not be considered as members of the board in determining 451  
whether a quorum is present. Student members shall not be 452  
entitled to attend executive sessions of the board. The student 453  
members of the board shall be appointed by the governor, with 454  
the advice and consent of the senate, from a group of five 455  
candidates selected pursuant to a procedure adopted by the 456  
university's student governments and approved by the 457  
university's board of trustees. The initial term of office of 458



one of the student members shall commence on March 1, 1988, and 459  
shall expire on February 28, 1989, and the initial term of 460  
office of the other student member shall commence on March 1, 461  
1988, and expire on February 28, 1990. Thereafter, terms of 462  
office of student members shall be for two years, each term 463  
ending on the last day of February. In the event that a student 464  
member cannot fulfill the student member's two-year term, a 465  
replacement shall be selected to fill the unexpired term in the 466  
same manner used to make the original selection. 467

**Sec. 3341.02.** (A) The government of Bowling Green state 468  
university is vested in a board of eleven trustees, who shall be 469  
appointed by the governor, with the advice and consent of the 470  
senate. Two of the trustees shall be students at Bowling Green 471  
state university, and their selection and terms shall be in 472  
accordance with division (B) of this section. A majority of the 473  
board constitutes a quorum. ~~Except for trustees appointed prior~~ 474  
~~to January 1, 2024, except for the terms of student members,~~ 475  
terms of office shall be for nine years, commencing on the 476  
seventeenth day of May and ending on the sixteenth day of May.- 477  
~~No person who has served a full nine-year term or more than six-~~ 478  
~~years of such a term shall be eligible for reappointment until a~~ 479  
~~period of four years has elapsed since the last day of the term-~~ 480  
~~for which the person previously served. For trustees appointed~~ 481  
~~on or after January 1, 2024, except for the terms of student~~ 482  
~~members, terms of office shall be for four years, commencing on~~ 483  
~~the seventeenth day of May and ending on the sixteenth day of~~ 484  
~~May.~~ 485

(B) The student members of the board of trustees of 486  
Bowling Green state university have no voting power on the 487  
board. Student members shall not be considered as members of the 488  
board in determining whether a quorum is present. Student 489

members shall not be entitled to attend executive sessions of 490  
the board. The student members of the board shall be appointed 491  
by the governor, with the advice and consent of the senate, from 492  
a group of five candidates selected pursuant to a procedure 493  
adopted by the university's student governments and approved by 494  
the university's board of trustees. The initial term of office 495  
of one of the student members shall commence on March 17, 1988, 496  
and shall expire on March 16, 1989, and the initial term of 497  
office of the other student member shall commence on March 17, 498  
1988, and expire on March 16, 1990. After September 22, 2000, 499  
terms of office shall commence on the seventeenth day of May and 500  
shall end on the sixteenth day of May. Terms of office of 501  
student members shall be for two years, each term ending on the 502  
same day of the same month of the year as the term it succeeds. 503  
In the event that a student member cannot fulfill the student 504  
member's two-year term, a replacement shall be selected in the 505  
manner used for the original selection to fill the unexpired 506  
term. 507

(C) The government of Kent state university is vested in a 508  
board of eleven trustees, who shall be appointed by the 509  
governor, with the advice and consent of the senate. Two of the 510  
trustees shall be students at Kent state university, and their 511  
selection and terms shall be in accordance with division (D) of 512  
this section. A majority of the board constitutes a quorum. 513  
~~Except For trustees appointed prior to January 1, 2024, except~~ 514  
for the terms of student members, terms of office shall be for 515  
nine years, commencing on the seventeenth day of May and ending 516  
on the sixteenth day of May. ~~No person who has served a full-~~ 517  
~~nine year term or more than six years of such a term shall be~~ 518  
~~eligible for reappointment until a period of four years has~~ 519  
~~elapsed since the last day of the term for which the person-~~ 520

~~previously served. For trustees appointed on or after January 1, 2024, except for the terms of student members, terms of office shall be for four years, commencing on the seventeenth day of May and ending on the sixteenth day of May.~~ 521  
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(D) The student members of the board of trustees of Kent state university have no voting power on the board. Student members shall not be considered as members of the board in determining whether a quorum is present. Student members shall not be entitled to attend executive sessions of the board. The student members of the board shall be appointed by the governor, with the advice and consent of the senate, from a group of five candidates selected pursuant to a procedure adopted by the university's student governments and approved by the university's board of trustees. The initial term of office of one of the student members shall commence on May 17, 1988, and shall expire on May 16, 1989, and the initial term of office of the other student member shall commence on May 17, 1988, and expire on May 16, 1990. Thereafter, terms of office of student members shall be for two years, each term ending on the same day of the same month of the year as the term it succeeds. In the event that a student member cannot fulfill the student member's two-year term, a replacement shall be selected to fill the unexpired term in the same manner used to make the original selection. 525  
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(E) The trustees shall receive no compensation for their services but shall be paid their reasonable necessary expenses while engaged in the discharge of their official duties. 545  
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(F) Each trustee shall hold office from the date of appointment until the end of the term for which the trustee was appointed. Any trustee appointed to fill a vacancy occurring 548  
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prior to the expiration of the term for which the trustee's 551  
predecessor was appointed shall hold office for the remainder of 552  
such term. Any trustee shall continue in office subsequent to 553  
the expiration date of the trustee's term until a successor 554  
takes office, or until a period of sixty days has elapsed, 555  
whichever occurs first. 556

**Sec. 3343.02.** (A) The government of Central state 557  
university shall be vested in a board of trustees to be known as 558  
"the board of trustees of the Central state university." Such 559  
board shall consist of eleven members who shall be appointed by 560  
the governor, with the advice and consent of the senate. Two of 561  
the trustees shall be students at Central state university, and 562  
their selection and terms shall be in accordance with division 563  
(B) of this section. A majority of the board constitutes a 564  
quorum. ~~Except for trustees appointed prior to January 1, 2024,~~ 565  
except for the student members, terms of office shall be for 566  
nine years, commencing on the first day of July and ending on 567  
the thirtieth day of June. For trustees appointed on or after 568  
January 1, 2024, except for the student members, terms of office 569  
shall be for four years, commencing on the first day of July and 570  
ending on the thirtieth day of June. Each member shall hold 571  
office from the date of appointment until the end of the term 572  
for which the member was appointed. Any member appointed to fill 573  
a vacancy occurring prior to the expiration of the term for 574  
which the member's predecessor was appointed shall hold office 575  
for the remainder of such term. Any member shall continue in 576  
office subsequent to the expiration date of the member's term 577  
until the member's successor takes office, or until a period of 578  
sixty days has elapsed, whichever occurs first. ~~No person who~~ 579  
~~has served a full nine-year term or more than six years of such~~ 580  
~~a term shall be eligible for reappointment until a period of~~ 581

~~four years has elapsed since the last day of the term for which~~ 582  
~~the person previously served.~~ 583

(B) The student members of the board of trustees of 584  
Central state university have no voting power on the board. 585  
Student members shall not be considered as members of the board 586  
in determining whether a quorum is present. Student members 587  
shall not be entitled to attend executive sessions of the board. 588  
The student members of the board shall be appointed by the 589  
governor, with the advice and consent of the senate, from a 590  
group of five candidates selected pursuant to a procedure 591  
adopted by the university's student governments and approved by 592  
the university's board of trustees. The initial term of office 593  
of one of the student members shall commence on July 1, 1988, 594  
and shall expire on June 30, 1989, and the initial term of 595  
office of the other student member shall commence on July 1, 596  
1988, and expire on June 30, 1990. Thereafter, terms of office 597  
of student members shall be for two years, each term ending on 598  
the same day of the same month of the year as the term it 599  
succeeds. In the event that a student member cannot fulfill a 600  
two-year term, a replacement shall be selected to fill the 601  
unexpired term in the same manner used to make the original 602  
selection. 603

**Sec. 3344.01.** (A) There is hereby created the Cleveland 604  
state university. The government of the Cleveland state 605  
university is vested in a board of eleven trustees, who shall be 606  
appointed by the governor, with the advice and consent of the 607  
senate. Two of the trustees shall be students at the Cleveland 608  
state university, and their selection and terms shall be in 609  
accordance with division (B) of this section. ~~Except For~~ 610  
trustees appointed prior to January 1, 2024, except for the 611  
student members, terms of office shall be for nine years, 612

commencing on the second day of May and ending on the first day 613  
of May. For trustees appointed on or after January 1, 2024, 614  
except for the student members, terms of office shall be for 615  
four years, commencing on the second day of May and ending on 616  
the first day of May. Each trustee shall hold office from the 617  
date of appointment until the end of the term for which the 618  
trustee was appointed. Any trustee appointed to fill a vacancy 619  
occurring prior to the expiration of the term for which the 620  
trustee's predecessor was appointed shall hold office for the 621  
remainder of such term. Any trustee shall continue in office 622  
subsequent to the expiration date of the trustee's term until 623  
the trustee's successor takes office, or until a period of sixty 624  
days has elapsed, whichever occurs first. ~~No person who has~~ 625  
~~served a full nine year term or more than six years of such a~~ 626  
~~term shall be eligible for reappointment until a period of four~~ 627  
~~years has elapsed since the last day of the term for which the~~ 628  
~~person previously served.~~ The trustees shall receive no 629  
compensation for their services but shall be paid their 630  
reasonable necessary expenses while engaged in the discharge of 631  
their official duties. A majority of the board constitutes a 632  
quorum. 633

(B) The student members of the board of trustees of the 634  
Cleveland state university have no voting power on the board. 635  
Student members shall not be considered as members of the board 636  
in determining whether a quorum is present. Student members 637  
shall not be entitled to attend executive sessions of the board. 638  
The student members of the board shall be appointed by the 639  
governor, with the advice and consent of the senate, from a 640  
group of five candidates selected pursuant to a procedure 641  
adopted by the university's student governments and approved by 642  
the university's board of trustees. The initial term of office 643

of one of the student members shall commence on May 2, 1988, and 644  
shall expire on May 1, 1989, and the initial term of office of 645  
the other student member shall commence on May 2, 1988, and 646  
expire on May 1, 1990. Thereafter, terms of office of student 647  
members shall be for two years, each term ending on the same day 648  
of the same month of the year as the term it succeeds. In the 649  
event that a student member cannot fulfill a two-year term, a 650  
replacement shall be selected to fill the unexpired term in the 651  
same manner used to make the original selection. 652

Sec. 3345.029. (A) As used in this section: 653

(1) "State institution of higher education" has the same 654  
meaning as in section 3345.011 of the Revised Code. 655

(2) "Syllabus" means a document produced for students by a 656  
course instructor that includes all of the following: 657

(a) The name of the course instructor; 658

(b) A calendar for the course outlining what materials and 659  
topics will be covered and when during the course they will be 660  
covered; 661

(c) A list of any required or recommended readings for the 662  
course; 663

(d) The course instructor's professional qualifications. 664

(B) Each state institution of higher education shall make 665  
a syllabus for each undergraduate course it offers for college 666  
credit publicly available by doing either of the following: 667

(1) Ensuring that each course instructor posts a syllabus 668  
on a publicly accessible web site. Each such web site shall 669  
include the following information: 670

<u>(a) The course instructor's professional qualifications;</u>	671
<u>(b) The course instructor's contact information;</u>	672
<u>(c) The course instructor's course schedule;</u>	673
<u>(d) The syllabus for each course the instructor is</u>	674
<u>currently teaching, which shall be accessible by link or</u>	675
<u>download through the web site.</u>	676
<u>(2) Posting each course's syllabus on the institution's</u>	677
<u>publicly accessible web site. Each syllabus shall be all of the</u>	678
<u>following:</u>	679
<u>(a) Accessible from the main page of the state</u>	680
<u>institution's web site by use of not more than three links;</u>	681
<u>(b) Searchable by keywords and phrases;</u>	682
<u>(c) Accessible to the public without requiring user</u>	683
<u>registration of any kind.</u>	684
<u>(C) (1) Each state institution shall make a syllabus</u>	685
<u>available in accordance with division (B) of this section not</u>	686
<u>later than the first day of classes for the semester or academic</u>	687
<u>term in which the course is offered.</u>	688
<u>(2) For any syllabus posted under division (B) (1) of this</u>	689
<u>section that is no longer used, the course instructor shall,</u>	690
<u>upon request, make that syllabus available for not less than two</u>	691
<u>years after that syllabus was posted under that division.</u>	692
<u>(3) Any syllabus posted under division (B) (2) of this</u>	693
<u>section shall remain posted on the state institution's web site</u>	694
<u>for not less than two years after it was first posted.</u>	695
<u>(4) To the extent practicable, each state institution</u>	696
<u>shall ensure that the most recently updated syllabus for each</u>	697



undergraduate course it offers for college credit is posted in 698  
accordance with division (B) of this section. 699

(D) Divisions (B) and (C) of this section do not apply to 700  
a college course that is offered through the college credit plus 701  
program established under Chapter 3365. of the Revised Code, 702  
delivered in a secondary school, and taught by a high school 703  
teacher. 704

(E) Each state institution shall designate an 705  
administrator to implement the institution's responsibilities 706  
under this section. The administrator may assign duties for that 707  
purpose to one or more administrative employees. 708

(F) Not later than the first day of January of each year, 709  
all of the following apply: 710

(1) Each state institution shall submit a written report 711  
regarding its compliance with the requirements under this 712  
section to the chancellor of higher education. 713

(2) The chancellor shall prepare a report that includes 714  
each report received from a state institution under this 715  
division. 716

(3) The chancellor shall submit the chancellor's report to 717  
the governor, speaker of the house of representatives, president 718  
of the senate, and chairpersons of the senate and house of 719  
representatives standing committees that consider higher 720  
education legislation. 721

**Sec. 3345.0216.** Each state institution of higher 722  
education, as defined in section 3345.011 of the Revised Code, 723  
shall incorporate all of the following statements into the 724  
institution's mission statement: 725

(A) The institution declares that it will educate students 726  
by means of free, open, and rigorous intellectual inquiry to 727  
seek the truth. 728

(B) The institution declares that its duty is to equip 729  
students with the opportunity to develop the intellectual skills 730  
they need to reach their own, informed conclusions. 731

(C) The institution declares that its duty is to ensure 732  
that, within or outside the classroom, the institution shall not 733  
require, favor, disfavor, or prohibit speech or lawful assembly. 734

(D) The institution declares it is committed to create a 735  
community dedicated to an ethic of civil and free inquiry, which 736  
respects the autonomy of each member, supports individual 737  
capacities for growth, and tolerates the differences in opinion 738  
that naturally occur in a public higher education community. 739

(E) The institution declares that its duty is to treat all 740  
faculty, staff, and students as individuals, to hold them to 741  
equal standards, and to provide them equality of opportunity. 742

**Sec. 3345.0217.** (A) As used in this section: 743

(1) "Controversial belief or policy" means any belief or 744  
policy that is the subject of political controversy, including 745  
issues such as climate policies, electoral politics, foreign 746  
policy, diversity, equity, and inclusion programs, immigration 747  
policy, marriage, or abortion. 748

(2) "Intellectual diversity" means multiple, divergent, 749  
and varied perspectives on an extensive range of public policy 750  
issues. 751

(3) "Specified concept" means a concept such as allyship, 752  
diversity, social justice, sustainability, systematic racism, 753

gender identity, equity, or inclusion. 754

(4) "Specified ideology" means any ideology that 755  
classifies individuals within identity groups, divides identity 756  
groups into oppressed and oppressors, and prescribes advantages, 757  
disadvantages, or segregation based upon identity group 758  
membership. 759

(5) "State institution of higher education" has the same 760  
meaning as in section 3345.011 of the Revised Code. 761

(B) Not later than ninety days after the effective date of 762  
this section, the board of trustees of each state institution of 763  
higher education shall adopt and enforce a policy that requires 764  
the institution to do all of the following: 765

(1) Prohibit any mandatory programs or training courses 766  
regarding diversity, equity, and inclusion, unless the 767  
institution receives an exemption under division (C) of this 768  
section for a diversity, equity, and inclusion program or 769  
training course that is required to do any of the following: 770

(a) Comply with state and federal laws or regulations; 771

(b) Comply with professional licensure requirements; 772

(c) Obtain or retain accreditation; 773

(d) Secure or retain grants or cooperative agreements. 774

(2) Affirm and declare that its primary function is to 775  
practice, or support the practice, discovery, improvement, 776  
transmission, and dissemination of knowledge by means of 777  
research, teaching, discussion, and debate; 778

(3) Affirm and declare that, to fulfill the function 779  
described in division (B) (2) of this section, the institution 780

shall ensure the fullest degree of intellectual diversity; 781

(4) Affirm and declare that faculty and staff shall allow 782  
and encourage students to reach their own conclusions about all 783  
controversial beliefs or policies and shall not seek to 784  
inculcate any social, political, or religious point of view; 785

(5) Demonstrate intellectual diversity for course 786  
approval, approval of courses to satisfy general education 787  
requirements, student course evaluations, common reading 788  
programs, annual reviews, strategic goals for each department, 789  
and student learning outcomes. 790

Divisions (B) (2) to (5) of this section do not apply to 791  
the exercise of professional judgment about how to accomplish 792  
intellectual diversity within an academic discipline, unless 793  
that exercise is misused to constrict intellectual diversity. 794

(6) Declare that it will not endorse or oppose, as an 795  
institution, any controversial belief or policy, specified 796  
concept, or specified ideology, although it may endorse the 797  
Congress of the United States when it establishes a state of 798  
armed hostility against a foreign power. 799

This division does not include the recognition of national 800  
and state holidays, support for the Constitution and laws of the 801  
United States or the state of Ohio, or the display of the 802  
American or Ohio flag. 803

(7) Affirm and declare that the institution will not 804  
encourage, discourage, require, or forbid students, faculty, or 805  
administrators to endorse, assent to, or publicly express a 806  
given ideology, political stance, or view of a social policy, 807  
nor will the institution require students to do any of those 808  
things to obtain an undergraduate or post-graduate degree; 809

Divisions (B) (6) and (7) of this section do not apply to 810  
the exercise of professional judgement about whether to endorse 811  
the consensus or foundational beliefs of an academic discipline, 812  
unless that exercise is misused to take an action prohibited in 813  
division (B) (6) of this section. 814

(8) Prohibit political and ideological litmus tests in all 815  
hiring, promotion, and admissions decisions, including diversity 816  
statements and any other requirement that applicants describe 817  
their commitment to a specified concept, specified ideology, or 818  
any other ideology, principle, concept, or formulation that 819  
requires commitment to any controversial belief or policy; 820

(9) Affirm and declare that no hiring, promotion, or 821  
admissions process or decision shall encourage, discourage, 822  
require, or forbid students, faculty, or administrators to 823  
endorse, assent to, or publicly express a given ideology or 824  
political stance; 825

(10) Affirm and declare that the institution will not use 826  
a diversity statement or any other assessment of an applicant's 827  
political or ideological views in any hiring, promotions, or 828  
admissions process or decision; 829

(11) Affirm and declare that no process or decision 830  
regulating conditions of work or study, such as committee 831  
assignments, course scheduling, or workload adjustment policies, 832  
shall encourage, discourage, require, or forbid students, 833  
faculty, or administrators to endorse, assent to, or publicly 834  
express a given ideology or political stance; 835

(12) Affirm and declare that the institution will seek out 836  
invited speakers who have diverse ideological or political 837  
views; 838

(13) Post prominently on its web site a complete list of 839  
all speaker fees, honoraria, and other emoluments in excess of 840  
five hundred dollars for events that are sponsored by the state 841  
institution. That information shall be all of the following: 842

(a) Accessible from the main page of the institution's web 843  
site by use of not more than three links; 844

(b) Searchable by keywords and phrases; 845

(c) Accessible to the public without requiring user 846  
registration of any kind. 847

(C) (1) Prior to the initial offering of a diversity, 848  
equity, and inclusion program or training course, a state 849  
institution of higher education shall request from the 850  
chancellor of higher education an exemption for that program or 851  
training course from the prohibition prescribed in division (B) 852  
(1) of this section. The request shall include all of the 853  
following: 854

(a) The specific law, licensure requirement, 855  
accreditation, grant, or cooperative agreement at issue; 856

(b) The specific language in the law, licensure 857  
requirement, accreditation, grant, or cooperative agreement that 858  
requires the training; 859

(c) A detailed description of the diversity, equity, and 860  
inclusion program or training to be taught, including any 861  
materials that will be used; 862

(d) The specific population of individuals who will be 863  
mandated to take the training; 864

(e) The number of times the training is expected to be 865  
offered on a six-month basis; 866

(f) An estimate of the cost of the program or training; 867

(g) In the case of an exemption sought for an 868  
accreditation, proof that alternative accreditation has been 869  
researched and evaluated. An alternative accreditation is an 870  
accreditation that would obtain the same or similar results for 871  
the institution while not requiring a diversity, equity, and 872  
inclusion program or training. 873

(2) The chancellor shall approve a request under division 874  
(C)(1) of this section if the chancellor determines the request 875  
satisfies at least one of the conditions listed in division (B) 876  
(1) of this section. 877

(3) If a state institution of higher education makes a 878  
change to a diversity, equity, and inclusion program or training 879  
course approved by the chancellor under this division due to a 880  
change in the information listed in division (C)(1) of this 881  
section, the institution shall submit a new request for approval 882  
under this division with respect to that program or training. 883

(D) At least once every six months, the chancellor shall 884  
prepare a report that summarizes all exemptions sought under 885  
division (C) of this section during that six month period, 886  
including how many exemptions were granted and rejected. The 887  
chancellor shall submit each report to the chairpersons of the 888  
standing committees of the senate and the house of 889  
representatives that consider higher education legislation. 890

(E) Nothing in this section prohibits faculty or students 891  
from classroom instruction, discussion, or debate, so long as 892  
faculty members remain committed to expressing intellectual 893  
diversity and allowing intellectual diversity to be expressed. 894

Sec. 3345.0218. (A) As used in this section: 895

(1) "Intellectual diversity" has the same meaning as in 896  
section 3345.0217 of the Revised Code. 897

(2) "State institution of higher education" has the same 898  
meaning as in section 3345.011 of the Revised Code. 899

(B) Each state institution of higher education shall 900  
implement a range of disciplinary sanctions for any 901  
administrator, faculty member, staff, or student who interferes 902  
with the intellectual diversity rights, prescribed under section 903  
3345.0217 of the Revised Code, of another. 904

(C) Each state institution shall inform all of its 905  
students and employees of the protections afforded to them under 906  
section 3345.0217 of the Revised Code and any policies it has 907  
adopted to put them into practice, including by providing the 908  
information to new employees and to each student during any new 909  
student orientation the institution offers. 910

(D) Each state institution shall issue an annual report on 911  
any violations of the intellectual diversity rights prescribed 912  
under section 3345.0217 of the Revised Code by any individual 913  
under the institution's jurisdiction and any consequent 914  
disciplinary sanctions issued for that violation. 915

(E) Each state institution shall post the information 916  
described in division (C) of this section and a report issued 917  
under division (D) of this section on the institution's publicly 918  
accessible web site. Both the information and report shall be 919  
all of the following: 920

(1) Accessible from the main page of the institution's web 921  
site by use of not more than three links; 922

(2) Searchable by keywords and phrases; 923



(3) Accessible to the public without requiring user registration of any kind. 924  
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**Sec. 3345.382.** (A) As used in this section, "state institution of higher education" has the same meaning as in section 3345.011 of the Revised Code. 926  
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(B) The chancellor of higher education shall develop a course with not fewer than three credit hours in the subject area of American government or American history. The course shall comply with the criteria, policies, and procedures established under section 3333.16 of the Revised Code. The course may be offered under the college credit plus program established under Chapter 3365. of the Revised Code. The course shall, at a minimum, require each student to read all the following: 929  
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(1) The entire Constitution of the United States; 938

(2) The entire Declaration of Independence; 939

(3) A minimum of five essays in their entirety from the Federalist Papers. The essays shall be selected by the department chair. 940  
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(4) The entire Emancipation Proclamation; 943

(5) The entire Gettysburg Address; 944

(6) The entire Letter from Birmingham Jail written by Dr. Martin Luther King Jr. 945  
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Any student who takes the course shall be required to pass a cumulative final examination at the conclusion of the course that assesses student proficiency about the documents described in divisions (B)(1) to (6) of this section. 947  
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(C) Beginning with students who graduate from a state 951  
institution of higher education in the spring semester, or 952  
equivalent quarter, of the 2028-2029 academic year, no state 953  
institution of higher education shall grant a bachelor's degree 954  
to any student unless the student completes a course described 955  
in division (B) of this section or is a student described in 956  
division (D) of this section. 957

(D) The president of a state institution, or the 958  
president's designee, may exempt a student from the requirement 959  
to complete a course described in division (B) of this section 960  
if the president or designee determines that the student has 961  
either: 962

(1) Completed at least three credit hours, or the 963  
equivalent, in a course in the subject area of American history 964  
or American government; 965

(2) Passed an examination, developed by the chancellor, 966  
that assesses the student's competence in the documents and 967  
concepts described in division (B) of this section. 968

(E) This section does not apply to associate's degrees 969  
programs. 970

**Sec. 3345.45.** (A) ~~On or before January 1, 1994, the~~ The 971  
chancellor of higher education jointly with all state- 972  
~~universities~~ institutions of higher education, as defined in 973  
section 3345.011 of the Revised Code, shall develop standards 974  
for instructional workloads for full-time and part-time faculty 975  
in keeping with the ~~universities'~~ institutions' missions and 976  
with special emphasis on the undergraduate learning experience. 977  
The standards shall contain clear guidelines for institutions to 978  
determine a range of acceptable undergraduate teaching by 979

faculty. 980

(B) ~~On or before June 30, 1994, the~~ The board of trustees 981  
of each state ~~university~~ institution of higher education shall 982  
take formal action to adopt a faculty workload policy consistent 983  
with the standards developed under this section. ~~Notwithstanding~~ 984  
~~section 4117.08 of the Revised Code, the policies adopted under~~ 985  
~~this section are not appropriate subjects for collective~~ 986  
~~bargaining. Notwithstanding division (A) of section 4117.10 of~~ 987  
~~the Revised Code, any policy adopted under this section by a~~ 988  
~~board of trustees prevails over any conflicting provisions of~~ 989  
~~any collective bargaining agreement between an employees~~ 990  
~~organization and that board of trustees.~~ 991

(C) (1) The board of trustees of each state ~~university~~ 992  
institution of higher education shall review the ~~university's~~ 993  
institution's policy on faculty tenure and update that policy to 994  
promote excellence in instruction, research, service, or 995  
commercialization, or any combination thereof. 996

(2) ~~Beginning on July 1, 2018, as~~ As a condition for a 997  
state ~~university~~ institution of higher education to receive any 998  
state funds for research that are allocated to the department of 999  
higher education under the appropriation line items referred to 1000  
as either "research incentive third frontier fund" or "research 1001  
incentive third frontier-tax," the chancellor shall require the 1002  
~~university~~ institution to include multiple pathways for faculty 1003  
tenure, one of which may be a commercialization pathway, in its 1004  
policy. 1005

(D) (1) At least once every five years, each state 1006  
institution of higher education shall update its faculty 1007  
workload policy and submit the policy to the chancellor. The 1008  
updated policies shall be approved by the state institution's 1009

board of trustees each time it is submitted to the chancellor. 1010

(2) Each state institution of higher education's faculty workload policy shall include all of the following: 1011  
1012

(a) An objective and numerically defined teaching workload expectation based on credit hours as defined in 34 C.F.R. 600.2; 1013  
1014

(b) A definition of all faculty workload elements in terms of credit hours as defined in 34 CFR 600.2 with a full-time workload minimum equal to thirty credit hours. Full-time faculty shall have a workload minimum equal to thirty credit hours. Faculty with less than a full-time appointment will have their workload prorated based on the thirty credit hour formula. Each state institution board of trustees shall approve the institution's definition of full-time and include it in the workload policy. 1015  
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(c) A definition of justifiable credit hour equivalents for activities other than teaching, including research, clinical care, administration, service, and other activities as determined by the state institution of higher education; 1024  
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(d) Administrative action that a state institution of higher education may take, including censure, remedial training, for-cause termination, or other disciplinary action, regardless of tenure status, if a faculty member fails to comply with the policy's requirements. Termination under these circumstances requires the recommendation of the dean, provost, or equivalent official, concurrence of the state institution of higher education's president, and approval of the state institution of higher education's board of trustees. 1028  
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**Sec. 3345.451.** (A) As used in this section, "state institution of higher education" has the same meaning as in 1037  
1038

section 3345.011 of the Revised Code. 1039

(B) The chancellor of higher education shall develop a 1040  
minimum set of standard questions for use by state institutions 1041  
of higher education in student evaluations of faculty members. 1042  
The questions shall include the following: 1043

"Does the faculty member create a classroom atmosphere 1044  
free of political, racial, gender, and religious bias?" 1045

(C) Each state institution of higher education shall 1046  
establish a written system of faculty evaluations completed by 1047  
students with a focus on teaching effectiveness and student 1048  
learning. Each state institution shall include in its student 1049  
evaluations of faculty the minimum set of standard questions 1050  
developed by the department in division (B) of this section. 1051

(D) Each state institution of higher education shall 1052  
establish a written system of peer evaluations for faculty 1053  
members with emphasis placed on the faculty member's 1054  
professional development regarding the faculty member's teaching 1055  
responsibilities. 1056

**Sec. 3345.452.** (A) As used in this section, "state 1057  
institution of higher education" has the same meaning as in 1058  
section 3345.011 of the Revised Code. 1059

(B) The board of trustees of each state institution of 1060  
higher education shall adopt a faculty annual performance 1061  
evaluation policy and submit the policy to the chancellor of 1062  
higher education. Each state institution's board of trustees 1063  
shall review and update its policy every five years. 1064

(C) Each state institution of higher education shall 1065  
conduct an annual evaluation for each faculty member who it 1066  
directly compensates. 1067

(D) Each faculty annual performance evaluation shall meet 1068  
all of the following: 1069

(1) The evaluation is comprehensive and includes 1070  
standardized, objective, and measurable performance metrics. 1071

(2) The evaluation includes an assessment of performance 1072  
for each of the following areas that the faculty member has 1073  
spent at least five per cent of their annual work time on over 1074  
the preceding year: 1075

(a) Teaching; 1076

(b) Research; 1077

(c) Service; 1078

(d) Clinical care; 1079

(e) Administration; 1080

(f) Other categories, as determined by the state 1081  
institution of higher education. 1082

(3) The evaluation includes a summary assessment of the 1083  
performance areas listed in division (D)(2) of this section 1084  
including the parameters "exceeds performance expectations," 1085  
"meets performance expectations," or "does not meet performance 1086  
expectations." 1087

(4) Student evaluations conducted pursuant to section 1088  
3345.451 of the Revised Code account for at least fifty per cent 1089  
of the teaching area component of the evaluation. 1090

(5) The evaluation establishes a projected work effort 1091  
distribution for the faculty member for the next year which 1092  
shall be used during the next year's evaluation. The 1093  
distribution shall be compliant with the state institution's 1094

established workload policies adopted under section 3345.45 of 1095  
the Revised Code and shall receive approval from the dean of 1096  
faculty or the equivalent. 1097

(E) Evaluations shall be conducted by the department 1098  
chairperson or equivalent administrator, reviewed and approved 1099  
or disapproved by the dean, and submitted to the provost for 1100  
review. If there is disagreement between the chairperson and 1101  
dean, the provost shall have final decision authority. 1102

**Sec. 3345.453.** This section applies only to state 1103  
institutions of higher education that have tenured faculty 1104  
members. 1105

(A) As used in this section, "state institution of higher 1106  
education" has the same meaning as in section 3345.011 of the 1107  
Revised Code. 1108

(B) The board of trustees of each state institution of 1109  
higher education shall adopt a post-tenure review policy and 1110  
submit the policy to the chancellor of higher education. Each 1111  
state institution's board of trustees shall update the post- 1112  
tenure review policy every five years. 1113

(C) A state institution of higher education shall conduct 1114  
a post-tenure review if a tenured faculty member receives a 1115  
"does not meet performance expectations" evaluation within the 1116  
same evaluative category for a minimum of two of the past three 1117  
consecutive years on the faculty member's annual performance 1118  
evaluation conducted pursuant to section 3345.452 of the Revised 1119  
Code. 1120

(D) A state institution of higher education shall subject 1121  
any faculty member who maintains tenure after a post-tenure 1122  
review and receives an additional "does not meet performance 1123

expectations" assessment on any area of the faculty member's 1124  
annual performance evaluation in the subsequent two years to an 1125  
additional post-tenure review. 1126

(E) The department chairperson, dean of faculty, or 1127  
provost of a state institution of higher education may require 1128  
an immediate and for cause post-tenure review at any time for a 1129  
faculty member who has a documented and sustained record of 1130  
significant underperformance outside of the faculty member's 1131  
annual performance evaluation. For this purpose, for cause shall 1132  
not be based on a faculty member's allowable expression of 1133  
academic freedom as defined by the state institution of higher 1134  
education or Ohio law. 1135

(F) The state institution of higher education's post- 1136  
tenure review due process period, from beginning to end, shall 1137  
not exceed six months, except that a one-time two-month 1138  
extension may be granted by the state institution's president. 1139

(G) The state institution of higher education's provost 1140  
shall submit a recommended outcome of the post-tenure review 1141  
process to the institution's entity that is responsible for the 1142  
final decision of post-tenure review pursuant to the 1143  
institution's policy. The administrative action that a state 1144  
institution of higher education may take includes censure, 1145  
remedial training, or for-cause termination, regardless of 1146  
tenure status, and any other action permitted by the 1147  
institution's post-tenure review policy. 1148

**Sec. 3345.454. This section applies only to state** 1149  
**institutions of higher education that have tenured faculty** 1150  
**members.** 1151

(A) As used in this section, "state institution of higher 1152



education" has the same meaning as in section 3345.011 of the 1153  
Revised Code. 1154

(B) In addition to the policies described in sections 1155  
3345.45 to 3345.454 of the Revised Code, each state institution 1156  
of higher education board of trustees shall develop policies on 1157  
tenure and retrenchment. Each state institution shall submit 1158  
those policies to the chancellor of higher education. Each state 1159  
institution's board of trustees shall update those policies 1160  
every five years. 1161

**Sec. 3345.455.** With respect to a collective bargaining 1162  
agreement entered into on or after the effective date of this 1163  
section, both of the following apply to the standards, policies, 1164  
and systems adopted under sections 3345.45 to 3345.454 of the 1165  
Revised Code: 1166

(A) Notwithstanding section 4117.08 of the Revised Code, 1167  
the standards, policies, and systems are not appropriate 1168  
subjects for collective bargaining. 1169

(B) Notwithstanding division (A) of section 4117.10 of the 1170  
Revised Code, the standards, policies, and systems prevail over 1171  
any conflicting provision of a collective bargaining agreement. 1172

**Sec. 3345.591.** (A) As used in this section: 1173

(1) "Confucius institute" means a public education 1174  
partnership that is both of the following: 1175

(a) Established by an institution of higher education in 1176  
China and an institution of higher education in a different 1177  
country; 1178

(b) Funded and arranged by an entity affiliated with the 1179  
People's Republic of China. 1180

(2) "People's Republic of China" means the government of 1181  
China, the Chinese Communist Party, the People's Liberation 1182  
Army, or any other extension of, or entity affiliated with, the 1183  
government of China. 1184

(3) "State institution of higher education" has the same 1185  
meaning as in section 3345.011 of the Revised Code. 1186

(B) No state institution of higher education shall accept 1187  
gifts, donations, or contributions from the People's Republic of 1188  
China or any organization the institution reasonably suspects is 1189  
acting on behalf of the People's Republic of China. 1190

Nothing in this section prohibits a state institution of 1191  
higher education from accepting payments from Chinese citizens 1192  
related to instructional fees, general fees, special fees, cost 1193  
of instruction, or educational expenses or donations from the 1194  
institution's alumni. 1195

(C) Each state institution shall submit to the chancellor 1196  
of higher education a copy of the report it submits to the 1197  
United States department of education pursuant to 20 U.S.C. 1198  
1011(f). 1199

(D) Upon the request, the chancellor shall make any 1200  
information reported under division (C) of this section 1201  
available to any member of the general assembly. 1202

(E) Subject to the approval of the chancellor, a state 1203  
institution shall only enter into a new or renewed academic 1204  
partnership with an academic or research institution located in 1205  
China if the state institution maintains sufficient structural 1206  
safeguards to protect the state institution's intellectual 1207  
property, the security of the state of Ohio, and the national 1208  
security interests of the United States. The chancellor shall 1209

only approve a state institution's partnership if the 1210  
chancellor, in consultation with the attorney general, 1211  
determines the partnership meets the safeguard requirements 1212  
prescribed under this division. The safeguard requirements shall 1213  
include, at a minimum, all of the following: 1214

(1) Compliance with all federal requirements, including 1215  
the requirements of federal research sponsors and federal export 1216  
control agencies, including regulations regarding international 1217  
traffic in arms and export administration regulations, and 1218  
economic and trade sanctions administered by the federal office 1219  
of foreign assets control; 1220

(2) Annual formal institution-level programs for faculty 1221  
on conflicts of interest and conflicts of commitment; 1222

(3) A formalized foreign visitor process and uniform 1223  
visiting scholar agreement. 1224

(F) The auditor of state shall audit the safeguards 1225  
implemented by state institutions of higher education under 1226  
division (E) of this section in the course of a normal audit 1227  
conducted under section 117.46 of the Revised Code. The auditor 1228  
of state shall make an overall finding on whether the state 1229  
institution's agreements with any academic or research 1230  
institutions located in China pose a security risk to national 1231  
security, the state of Ohio, or the state institution itself. If 1232  
the auditor of state is unable to conclude that a state 1233  
institution is meeting sufficient safeguards and the state 1234  
institution's agreements do not pose a security risk to national 1235  
security, the state of Ohio, or the state institution itself, 1236  
then the state institution shall discontinue any program as soon 1237  
as legally practicable. 1238

Sec. 3345.80. (A) As used in this section, "state institution of higher education" has the same meaning as in section 3345.011 of the Revised Code. 1239  
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(B) For each biennial main operating appropriations bill and capital appropriations bill, each state institution of higher education shall prepare and submit to the chancellor of higher education, by a date determined by the chancellor, a rolling five-year summary of its institutional costs to be considered by the general assembly when evaluating operating and capital project funding. The chancellor shall submit a report including each state institution's five-year institutional cost summaries to the general assembly under section 101.68 of the Revised Code. 1242  
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(C) Each state institution of higher education's five-year institutional cost summary shall consist of the following categories: 1252  
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1254

(1) All costs related to student instruction, including instructor salaries, benefits, and related operating costs; 1255  
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(2) All general staff costs related to maintenance, grounds, utilities, food service, and other areas as determined by the institution; 1257  
1258  
1259

(3) All other costs for staff, including academic administrators, counseling, financial aid assistance, healthcare services, and housing management. 1260  
1261  
1262

(D) Each of the categories presented in the five-year institutional cost summary shall include all of the following: 1263  
1264

(1) A detailed breakdown of annual costs and employee headcounts; 1265  
1266

<u>(2) A complete accounting of all spending on diversity,</u>	1267
<u>equity, and inclusion, or related subjects;</u>	1268
<u>(3) An annual count of all faculty, administration, and</u>	1269
<u>employees.</u>	1270
<u>(E) The chancellor shall consult with state institutions</u>	1271
<u>of higher education to develop a standardized reporting format</u>	1272
<u>for the institutional cost summaries and a uniform approach to</u>	1273
<u>completing the categories required in division (C) of this</u>	1274
<u>section.</u>	1275
<u>(F) During the general assembly's consideration of the</u>	1276
<u>main operating appropriations and capital appropriations bills,</u>	1277
<u>the president of each state institution of higher education or</u>	1278
<u>the chancellor of higher education shall have the opportunity to</u>	1279
<u>present in the appropriate hearings conducted by committees that</u>	1280
<u>consider higher education legislation to provide commentary on</u>	1281
<u>trends, potential justifications, or other explanations</u>	1282
<u>regarding the institution's five-year summary of institutional</u>	1283
<u>costs.</u>	1284
<u>(G) Prior to the enactment of the main operating</u>	1285
<u>appropriations and capital appropriations bills, the chancellor</u>	1286
<u>shall create and present to the general assembly an aggregation</u>	1287
<u>report summarizing the total institutional costs for state</u>	1288
<u>universities and community colleges separately.</u>	1289
<b><u>Sec. 3345.87. (A) As used in this section:</u></b>	1290
<u>(1) "Position, policy, program, and activity" includes all</u>	1291
<u>of the following:</u>	1292
<u>(a) All forms of employment, including staff positions,</u>	1293
<u>internships, and work studies;</u>	1294

<u>(b) All policies, including mission statements, hiring</u>	1295
<u>policies, promotion policies, and tenure policies;</u>	1296
<u>(c) All programs and positions, including deanships,</u>	1297
<u>provostships, offices, programs, programs presented by residence</u>	1298
<u>halls, and committees;</u>	1299
<u>(d) All activities, including those conducted by the</u>	1300
<u>administrative units of orientation, first-year experience,</u>	1301
<u>student life, and residential life.</u>	1302
<u>(2) "State institution of higher education" has the same</u>	1303
<u>meaning as in section 3345.011 of the Revised Code.</u>	1304
<u>(B) With respect to every position, policy, program, and</u>	1305
<u>activity, each state institution of higher education shall do</u>	1306
<u>both of the following:</u>	1307
<u>(1) Treat all faculty, staff, and students as individuals,</u>	1308
<u>hold every individual to equal standards, and provide those</u>	1309
<u>individuals with equality of opportunity with regard to those</u>	1310
<u>individuals' race, ethnicity, religion, sex, sexual orientation,</u>	1311
<u>gender identity, or gender expression;</u>	1312
<u>(2) Provide no advantage or disadvantage to faculty,</u>	1313
<u>staff, or students on the basis of race, ethnicity, religion,</u>	1314
<u>sex, sexual orientation, gender identity, or gender expression</u>	1315
<u>in admissions, hiring, promotion, tenuring, or workplace</u>	1316
<u>conditions.</u>	1317
<u>(C) No state institution of higher education shall provide</u>	1318
<u>or require training for any administrator, teacher, staff</u>	1319
<u>member, or employee that advocates or promotes any of the</u>	1320
<u>following concepts:</u>	1321
<u>(1) One race or sex is inherently superior to another race</u>	1322

or sex. 1323

(2) An individual, by virtue of his or her race or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously. 1324  
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(3) An individual should be discriminated against or receive adverse treatment solely or partly because of the individual's race. 1327  
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(4) Members of one race cannot nor should not attempt to treat others without respect to race. 1330  
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(5) An individual's moral standing or worth is necessarily determined by the individual's race or sex. 1332  
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(6) An individual, by virtue of the individual's race or sex, bears responsibility for actions committed in the past by other members of the same race or sex. 1334  
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(7) An individual should feel discomfort, guilt, anguish, or any other form of psychological distress on account of his or her race or sex. 1337  
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(8) Meritocracy or traits such as hard work ethic are racist or sexist, or were created by members of a particular race to oppress members of another race. 1340  
1341  
1342

(9) Fault, blame, or bias should be assigned to a race or sex, or to members of a race or sex because of their race or sex. 1343  
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(D) Each state institution of higher education shall implement a range of disciplinary sanctions for any administrator, teacher, staff member, or employee who authorizes or engages in a training prohibited in division (C) of this section. 1346  
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(E) Each state institution of higher education shall issue 1351  
an annual report regarding each of the following: 1352

(1) All violations of division (D) of this section 1353  
committed by anyone under the institution's jurisdiction and of 1354  
all consequent disciplinary sanctions; 1355

(2) Statistics on the academic qualifications of accepted 1356  
and matriculating students, disaggregated by race and sex. The 1357  
statistics shall include information correlating students' 1358  
academic qualifications and retention rates, disaggregated by 1359  
race and sex. 1360

(F) Each state institution of higher education shall post 1361  
the reports prescribed under division (E) of this section in a 1362  
prominent place on the institution's web site. The reports shall 1363  
be: 1364

(1) Accessible from the main page of the institution's web 1365  
site by use of not more than three links; 1366

(2) Searchable by keywords and phrases; 1367

(3) Accessible to the public without requiring user 1368  
registration of any kind. 1369

(G) Each state institution of higher education shall 1370  
prohibit all policies designed explicitly to segregate faculty, 1371  
staff, or students based on those individuals' race, ethnicity, 1372  
religion, sex, sexual orientation, gender identity, or gender 1373  
expression in credit-earning classroom settings, formal 1374  
orientation ceremonies, and formal graduation ceremonies. 1375

**Sec. 3350.10.** (A) There is hereby created the northeast 1376  
Ohio medical university. The principal goal of the medical 1377  
university shall be to collaborate with the university of Akron, 1378



Cleveland state university, Kent state university, and 1379  
Youngstown state university to graduate physicians oriented to 1380  
the practice of medicine at the community level, especially 1381  
family physicians. To accomplish this goal, the medical 1382  
university may incorporate in the clinical experience provided 1383  
its students the several community hospitals in the cities and 1384  
areas served by the medical university; utilize practicing 1385  
physicians as teachers; and to the fullest extent possible 1386  
utilize the basic science capabilities of the university of 1387  
Akron, Cleveland state university, Kent state university, and 1388  
Youngstown state university. 1389

(1) Until December 22, 2008, the government of the 1390  
northeast Ohio medical university is vested in a nine-member 1391  
board of trustees consisting of the presidents of the university 1392  
of Akron, Kent state university, and Youngstown state 1393  
university; one member each of the boards of trustees of the 1394  
university of Akron, Kent state university, and Youngstown state 1395  
university, to be appointed by their respective boards of 1396  
trustees for a term of six years ending on the first day of May 1397  
or until the trustee's term on the respective university board 1398  
of trustees expires, whichever occurs first; and one person each 1399  
to be appointed by the boards of trustees of the university of 1400  
Akron, Kent state university, and Youngstown state university, 1401  
for a term of nine years ending on the first day of May; except 1402  
that the term of those first appointed by the several boards of 1403  
trustees shall expire on the first day of May next following 1404  
their appointment. Vacancies shall be filled for the unexpired 1405  
term in the manner provided for original appointment. The 1406  
trustees shall receive no compensation for their services but 1407  
shall be paid their reasonable necessary expenses while engaged 1408  
in the discharge of their official duties. A majority of the 1409

board constitutes a quorum. 1410

(2) Beginning December 22, 2008, the government of the 1411  
northeast Ohio medical university is vested in a board of eleven 1412  
trustees, who shall be appointed by the governor, with the 1413  
advice and consent of the senate. Two of the trustees shall be 1414  
current students of the medical university, and their selection 1415  
and terms shall be in accordance with division (B) of this 1416  
section. ~~Except~~ For trustees appointed prior to January 1, 2024, 1417  
except as provided in division (A) (3) of this section and except 1418  
for the student members, terms of office shall be for nine 1419  
years. For trustees appointed on or after January 1, 2024, 1420  
except for the student members, terms of office shall be for 1421  
four years. Each trustee shall hold office from the date of 1422  
appointment until the end of the term for which the trustee was 1423  
appointed. Any trustee appointed to fill a vacancy occurring 1424  
prior to the expiration of the term for which the trustee's 1425  
predecessor was appointed shall hold office for the remainder of 1426  
such term. Any trustee shall continue in office subsequent to 1427  
the expiration date of the trustee's term until the trustee's 1428  
successor takes office, or until a period of sixty days has 1429  
elapsed, whichever occurs first. ~~No person who has served a full~~ 1430  
~~nine-year term or more than six years of such a term shall be~~ 1431  
~~eligible for reappointment until a period of four years has~~ 1432  
~~elapsed since the last day of the term for which the person~~ 1433  
~~previously served.~~ The trustees shall receive no compensation 1434  
for their services but shall be paid their reasonable necessary 1435  
expenses while engaged in the discharge of their official 1436  
duties. A majority of the board constitutes a quorum. 1437

(3) Not later than December 22, 2008, the governor, with 1438  
the advice and consent of the senate, shall appoint the two 1439  
student trustees and successors for the trustees serving under 1440

division (A) (1) of this section. Except for the student 1441  
trustees, who shall serve terms pursuant to division (B) of this 1442  
section, the initial terms of office for trustees appointed 1443  
under division (A) (2) of this section shall be as follows: one 1444  
term ending September 23, 2009; one term ending September 23, 1445  
2010; one term ending September 23, 2011; one term ending 1446  
September 23, 2012; one term ending September 23, 2013; one term 1447  
ending September 23, 2014; one term ending September 23, 2015; 1448  
one term ending September 23, 2016; one term ending September 1449  
23, 2017. Thereafter, for trustees appointed prior to January 1, 1450  
2024, terms of office shall be for nine years, as provided in 1451  
division (A) (2) of this section. For trustees appointed on or 1452  
after January 1, 2024, terms of office shall be for four years, 1453  
as provided in division (A) (2) of this section. 1454

(B) The student members of the board of trustees of the 1455  
northeast Ohio medical university have no voting power on the 1456  
board. Student members shall not be considered as members of the 1457  
board in determining whether a quorum is present. Student 1458  
members shall not be entitled to attend executive sessions of 1459  
the board. The student members of the board shall be appointed 1460  
by the governor, with the advice and consent of the senate, from 1461  
a group of five candidates selected pursuant to a procedure 1462  
adopted by the university's student governments and approved by 1463  
the university's board of trustees. The initial term of office 1464  
of one of the student members shall commence December 22, 2008, 1465  
and shall expire on June 30, 2009, and the initial term of 1466  
office of the other student member shall commence December 22, 1467  
2008, and shall expire on June 30, 2010. Thereafter, terms of 1468  
office of student members shall be for two years, each term 1469  
ending on the same day of the same month of the year as the term 1470  
it succeeds. In the event that a student member cannot fulfill a 1471

two-year term, a replacement shall be selected to fill the 1472  
unexpired term in the same manner used to make the original 1473  
selection. 1474

**Sec. 3352.01.** (A) There is hereby created a state 1475  
university to be known as "Wright state university." The 1476  
government of Wright state university is vested in a board of 1477  
eleven trustees, who shall be appointed by the governor, with 1478  
the advice and consent of the senate. Two of the trustees shall 1479  
be students at Wright state university, and their selection and 1480  
terms shall be in accordance with division (B) of this section. 1481  
~~Except For trustees appointed prior to January 1, 2024, except~~ 1482  
for the terms of student members, terms of office shall be for 1483  
nine years, commencing on the first day of July and ending on 1484  
the thirtieth day of June. For trustees appointed on or after 1485  
January 1, 2024, except for the terms of student members, terms 1486  
of office shall be for four years, commencing on the first day 1487  
of July and ending on the thirtieth day of June. Each trustee 1488  
shall hold office from the date of appointment until the end of 1489  
the term for which the trustee was appointed. Any trustee 1490  
appointed to fill a vacancy occurring prior to the expiration of 1491  
the term for which the trustee's predecessor was appointed shall 1492  
hold office for the remainder of such term. Any trustee shall 1493  
continue in office subsequent to the expiration date of the 1494  
trustee's term until the trustee's successor takes office, or 1495  
until a period of sixty days has elapsed, whichever occurs 1496  
first. ~~No person who has served a full nine year term or more~~ 1497  
~~than six years of such a term shall be eligible for~~ 1498  
~~reappointment until a period of four years has elapsed since the~~ 1499  
~~last day of the term for which the person previously served.~~The 1500  
trustees shall receive no compensation for their services but 1501  
shall be paid their reasonable necessary expenses while engaged 1502

in the discharge of their official duties. A majority of the 1503  
board constitutes a quorum. 1504

(B) The student members of the board of trustees of Wright 1505  
state university have no voting power on the board. Student 1506  
members shall not be considered as members of the board in 1507  
determining whether a quorum is present. Student members shall 1508  
not be entitled to attend executive sessions of the board. The 1509  
student members of the board shall be appointed by the governor, 1510  
with the advice and consent of the senate, from a group of five 1511  
candidates selected pursuant to a procedure adopted by the 1512  
university's student governments and approved by the 1513  
university's board of trustees. The initial term of office of 1514  
one of the student members shall commence on July 1, 1988, and 1515  
shall expire on June 30, 1989, and the initial term of office of 1516  
the other student member shall commence on July 1, 1988, and 1517  
shall expire on June 30, 1990. Thereafter, terms of office of 1518  
student members shall be for two years, each term ending on the 1519  
same day of the same month of the year as the term it succeeds. 1520  
In the event that a student member cannot fulfill a two-year 1521  
term, a replacement shall be selected to fill the unexpired term 1522  
in the same manner used to make the original selection. 1523

**Sec. 3354.05.** (A) Within ninety days after a community 1524  
college district has been declared to be established, pursuant 1525  
to sections 3354.02 to 3354.04 of the Revised Code, nine 1526  
persons, all of whom shall be residents of the district, shall 1527  
be appointed as a board of trustees of the community college 1528  
district. Six trustees shall be appointed by the board of county 1529  
commissioners or boards of county commissioners of such district 1530  
and three trustees shall be appointed by the governor, with the 1531  
advice and consent of the senate. At the time of the initial 1532  
meeting of the trustees a drawing shall be held to determine the 1533

initial term of each appointee, one trustee to serve for a term 1534  
ending two years after the date upon which the community college 1535  
district had been declared established, three for terms ending 1536  
three years after that date, three for terms ending four years 1537  
after that date, and two for terms ending five years after that 1538  
date. 1539

(B) At the expiration of each of the three terms appointed 1540  
by the governor, and thereafter, the governor shall make 1541  
appointments, with the advice and consent of the senate. At the 1542  
expiration of each of the remaining six terms, and thereafter, 1543  
the board of county commissioners or boards of county 1544  
commissioners shall make appointments. Except as provided in 1545  
division (C) of this section, the successive terms of trustees 1546  
appointed prior to January 1, 2024, shall be for five years, 1547  
each term ending on the same day of the same month of the year 1548  
as did the term which it succeeds. For trustees appointed by the 1549  
board of county commissioners or boards of county commissioners 1550  
on or after January 1, 2024, the term shall be for five years. 1551  
For trustees appointed by the governor on or after January 1, 1552  
2024, the term shall be for four years. Each trustee shall hold 1553  
office from the date of ~~his~~ appointment until the end of the 1554  
term for which ~~he was~~ appointed. Any trustee appointed to fill a 1555  
vacancy occurring prior to the expiration of the term for which ~~his~~ 1556  
the trustee's predecessor was appointed shall hold office 1557  
for the remainder of such term. Any trustee shall continue in 1558  
office subsequent to the expiration date of ~~his~~ the trustee's 1559  
term until ~~his~~ the trustee's successor takes office, or until a 1560  
period of sixty days has elapsed, whichever occurs first. 1561

(C) Upon expiration of the Cuyahoga county community 1562  
college district trustee term which ends on January 19, 1974 and 1563  
for which the governor is required to appoint a successor, the 1564

new term which succeeds it shall commence on January 20, 1974 1565  
and end on October 12, 1978. Upon expiration of the Mahoning 1566  
county community college district trustee terms which end on 1567  
February 22, 1975 and for which the governor is required to 1568  
appoint successors, the new terms which succeed them shall 1569  
commence on February 23, 1975 and end on February 10, 1980. Upon 1570  
expiration of the Lorain county community college district 1571  
trustee terms which end on October 12, 1977 and for which the 1572  
governor is required to appoint successors, the new terms which 1573  
succeed them shall commence on October 13, 1977 and end on 1574  
August 30, 1982. Upon expiration of the Montgomery county 1575  
community college district trustee term which ends on July 1, 1576  
1973 and for which the governor is required to appoint a 1577  
successor, the new term which succeeds it shall commence on July 1578  
2, 1973 and end on October 12, 1977. Upon expiration of the 1579  
Lakeland community college district trustee term which ends on 1580  
March 6, 1978, and for which the governor is required to appoint 1581  
a successor, the new term which succeeds it shall commence on 1582  
March 7, 1978 and end on October 12, 1982. 1583

**Sec. 3354.24.** (A) The provisions of this section prevail 1584  
over conflicting provisions of this chapter; however, except as 1585  
otherwise provided in this section, the eastern gateway 1586  
community college district and its board of trustees shall 1587  
comply with the provisions of this chapter. 1588

(B) The territory of Columbiana, Mahoning, and Trumbull 1589  
counties is hereby added to the territory of the community 1590  
college district of Jefferson county, creating a new community 1591  
college district to replace the former community college 1592  
district of Jefferson county. The district created under this 1593  
section shall be known as and operate under the name of "eastern 1594  
gateway community college district," and its charter shall be 1595

amended to this name. The Jefferson county campus is hereby part 1596  
of the eastern gateway community college district and shall 1597  
remain in operation unless otherwise specified by the board of 1598  
trustees of the community college. 1599

The eastern gateway community college district is divided 1600  
into two taxing subdistricts, one consisting of the territory of 1601  
Jefferson county, and the other consisting of the territories of 1602  
Columbiana, Mahoning, and Trumbull counties. 1603

(C) ~~On the effective date of this section as enacted by~~ 1604  
~~H.B. 1 of the 128th general assembly, October 16, 2009,~~ the 1605  
government of the eastern gateway community college district 1606  
shall be vested in a board of eleven trustees to be appointed by 1607  
the governor, with the advice and consent of the senate. The 1608  
board of trustees of the former community college district of 1609  
Jefferson county is abolished on that date. 1610

The governor shall appoint the members of the board of 1611  
trustees of the eastern gateway community college district as 1612  
successors to the board of trustees of Jefferson community 1613  
college as follows: Three members of the board of trustees shall 1614  
be residents of Jefferson county. (The initial Jefferson county 1615  
members shall be members of the board of trustees of the former 1616  
community college district of Jefferson county, as it existed 1617  
~~before the effective date of this section, October 16, 2009.~~) 1618  
Eight members of the board of trustees shall be residents of 1619  
Columbiana, Mahoning, and Trumbull counties. 1620

The initial board of trustees shall be appointed within 1621  
ninety days after ~~the effective date of this section, October 16,~~ 1622  
2009, for terms as follows: Of the trustees who are residents of 1623  
Jefferson county, one trustee shall be appointed for a one-year 1624  
term, one trustee shall be appointed for a three-year term, and 1625



one trustee shall be appointed for a five-year term. Of the 1626  
trustees who are residents of Columbiana, Mahoning, and Trumbull 1627  
counties, one trustee shall be appointed for a one-year term, 1628  
two trustees shall be appointed for two-year terms, two trustees 1629  
shall be appointed for three-year terms, two trustees shall be 1630  
appointed for four-year terms, and one trustee shall be 1631  
appointed for a five-year term. 1632

At the conclusion of each initial term, the term of office 1633  
of each trustee appointed prior to January 1, 2024, shall be 1634  
five years, each term ending on the same day of the same month 1635  
of the year as did the term that it succeeds. For trustees 1636  
appointed on or after January 1, 2024, the terms of office shall 1637  
be four years, each term ending on the same day of the same 1638  
month of the year as did the term that it succeeds. 1639

Each trustee shall hold office from the date of the 1640  
trustee's appointment until the end of the term for which the 1641  
trustee was appointed. Any trustee appointed to fill a vacancy 1642  
occurring before the expiration of the term for which the 1643  
trustee's predecessor was appointed shall hold office for the 1644  
remainder of that term. Any trustee shall continue in office 1645  
subsequent to the expiration date of the trustee's term until 1646  
the trustee's successor takes office, or until a period of sixty 1647  
days has elapsed, whichever occurs first. 1648

If a vacancy occurs and the Jefferson county tax levy is 1649  
no longer in place or a conversion under division (H) of this 1650  
section has occurred, the governor shall fill the vacancy with a 1651  
person residing within the eastern gateway community college 1652  
district. 1653

(D) The board of trustees of the eastern gateway community 1654  
college district shall continue to comply with division (G) of 1655

section 3354.09 of the Revised Code regarding tuition for 1656  
students who are residents of Ohio but not residents of the 1657  
district, and for students who are nonresidents of Ohio. The 1658  
tuition rate shall be based on the student's county of residence 1659  
and shall apply to all eastern gateway community college 1660  
district classes in all district locations. Except as provided 1661  
in division (F) (3) of this section, students who are residents 1662  
of Columbiana, Mahoning, or Trumbull county shall continue to be 1663  
charged tuition at the same rate as Ohio residents who are not 1664  
residents of the district. 1665

(E) (1) Except as provided in divisions (E) (2) and (3) of 1666  
this section, each member of the board of trustees shall have 1667  
full voting rights on all matters that come before the board. 1668

(2) The three trustees representing Jefferson county shall 1669  
have sole authority to vote on the following matters: 1670

(a) The Jefferson county tax levy; 1671

(b) The expenditure of revenue from that tax levy; 1672

(c) Levy-subsidized tuition rates. 1673

(3) The voting restrictions under division (E) (2) of this 1674  
section apply until the electors of the Columbiana, Mahoning, 1675  
and Trumbull county taxing subdistrict approve a tax levy under 1676  
division (F) (3) of this section that is equivalent to the tax 1677  
levy approved by the electors of Jefferson county for the 1678  
support of the former community college district of Jefferson 1679  
county ~~on the effective date of this section~~ October 16, 2009. 1680  
For the purposes of this division, the tax levy is an equivalent 1681  
tax levy if either: 1682

(a) In the first tax year for which the tax is collected, 1683  
it yields revenue per capita equal to or greater than the yield 1684

per capita of levies of the community college district in effect 1685  
that year in Jefferson county, as jointly determined by the 1686  
county auditors of Jefferson, Columbiana, Mahoning, and Trumbull 1687  
counties; or 1688

(b) In the first tax year for which the tax is collected, 1689  
the effective tax rate of the tax is equal to or greater than 1690  
the effective tax rate of levies of the community college 1691  
district in effect that tax year in Jefferson county, as jointly 1692  
determined by the county auditors of Jefferson, Columbiana, 1693  
Mahoning, and Trumbull counties. 1694

As used in this division, "effective tax rate" means the 1695  
quotient obtained by dividing the total taxes charged and 1696  
payable for a taxing subdistrict for a tax year after the 1697  
reduction prescribed by section 319.301 of the Revised Code but 1698  
before the reduction prescribed by section 319.302 or 323.152 of 1699  
the Revised Code, by the taxable value for the taxing 1700  
subdistrict for that tax year. 1701

(F) (1) For each taxing subdistrict of the eastern gateway 1702  
community college district, the board of trustees may propose to 1703  
levy a tax in accordance with the procedures prescribed in 1704  
section 3354.12 of the Revised Code, except the following terms 1705  
used in that section shall have the meanings given them in this 1706  
section: 1707

(a) "District" and "community college district" mean the 1708  
appropriate taxing subdistrict defined in this section; 1709

(b) "Board of trustees of the community college district" 1710  
means the board of trustees for the entire eastern gateway 1711  
community college district. That board of trustees may propose 1712  
separate levies for either of the two taxing subdistricts. 1713

(c) "Tax duplicate" means the tax duplicate of only the 1714  
appropriate taxing subdistrict and not the tax duplicate of the 1715  
entire eastern gateway community college district. 1716

(2) The board of trustees may propose to levy a tax on 1717  
taxable property in Jefferson county to be voted on by the 1718  
electors of Jefferson county as provided in division (F)(1) of 1719  
this section. An affirmative vote by a majority of the electors 1720  
of the subdistrict voting on the question is necessary for 1721  
passage. Any money raised by a tax levied by the former 1722  
community college district of Jefferson county or a subsequent 1723  
tax levied in Jefferson county in accordance with division (F) 1724  
(1) of this section shall be used solely for the benefit of 1725  
Jefferson county residents attending the eastern gateway 1726  
community college in the form of student tuition subsidies, 1727  
student scholarships, and instructional facilities, equipment, 1728  
and support services located within Jefferson county, or for any 1729  
purpose approved by the electors. Such amounts shall be 1730  
deposited into a separate fund of the taxing subdistrict, and 1731  
shall be budgeted separately. 1732

(3) The board of trustees may propose to levy a tax on 1733  
taxable property in Columbiana, Mahoning, and Trumbull counties 1734  
to be voted on by the electors of the counties as provided in 1735  
division (F)(1) of this section. An affirmative vote by a 1736  
majority of the electors of the subdistrict voting on the 1737  
question is necessary for passage. Any amounts raised by such a 1738  
tax in the tax subdistrict shall be used solely for the benefit 1739  
of residents of the subdistrict attending the eastern gateway 1740  
community college in the form of student tuition subsidies, 1741  
student scholarships, and instructional facilities, equipment, 1742  
and support services located within Columbiana, Mahoning, and 1743  
Trumbull counties, or for any purpose approved by the electors. 1744

Amounts collected shall be deposited into a separate fund from 1745  
all other revenues collected by each taxing subdistrict. 1746

The board of trustees may adjust the rate of tuition 1747  
charged to each taxing subdistrict's residents to an amount 1748  
commensurate with the amount of tax the board of trustees 1749  
dedicates for instructional and general services provided to the 1750  
residents of the subdistrict. 1751

(G) The board of trustees of the eastern gateway community 1752  
college district may issue bonds in accordance with section 1753  
3354.11 of the Revised Code, but the board may limit the 1754  
question of approval of the issue of those bonds to the electors 1755  
of only one of the two taxing subdistricts, in which case the 1756  
board also may limit the use of the property or improvements to 1757  
the residents of that subdistrict. 1758

(H) If the tax levy in Jefferson county expires, is not 1759  
renewed, or is not approved by the electors of Jefferson county 1760  
and the other taxing subdistrict does not levy a tax for the 1761  
purposes of this section, the board of trustees of the eastern 1762  
gateway community college district shall submit a proposal to 1763  
the chancellor of the board of regents to convert to a state 1764  
community college and, upon the chancellor's approval of the 1765  
proposal, enter into a transition agreement with the chancellor 1766  
following the procedures set forth in section 3358.05 of the 1767  
Revised Code for a technical college district. 1768

**Sec. 3356.01.** (A) There is hereby created Youngstown state 1769  
university. The government of Youngstown state university is 1770  
vested in a board of eleven trustees, who shall be appointed by 1771  
the governor, with the advice and consent of the senate. Two of 1772  
the trustees shall be students at Youngstown state university, 1773  
and their selection and terms shall be in accordance with 1774

division (B) of this section. ~~Except For trustees appointed~~ 1775  
~~prior to January 1, 2024, except~~ for the terms of student 1776  
members, terms of office shall be for nine years, commencing on 1777  
the second day of May and ending on the first day of May. ~~For~~ 1778  
~~trustees appointed on or after January 1, 2024, except for the~~ 1779  
~~terms of student members, terms of office shall be for four~~ 1780  
~~years, commencing on the second day of May and ending on the~~ 1781  
~~first day of May.~~ Each trustee shall hold office from the date 1782  
of appointment until the end of the term for which the trustee 1783  
was appointed. Any trustee appointed to fill a vacancy occurring 1784  
prior to the expiration of the term for which the trustee's 1785  
predecessor was appointed shall hold office for the remainder of 1786  
such term. Any trustee shall continue in office subsequent to 1787  
the expiration date of the trustee's term until the trustee's 1788  
successor takes office, or until a period of sixty days has 1789  
elapsed, whichever occurs first. ~~No person who has served a full~~ 1790  
~~nine year term or more than six years of such a term shall be~~ 1791  
~~eligible to reappointment until a period of four years has~~ 1792  
~~elapsed since the last day of the term for which the person~~ 1793  
~~previously served.~~ The trustees shall receive no compensation 1794  
for their services but shall be paid their reasonable necessary 1795  
expenses while engaged in the discharge of their duties. A 1796  
majority of the board constitutes a quorum. 1797

(B) The student members of the board of trustees of 1798  
Youngstown state university have no voting power on the board. 1799  
Student members shall not be considered as members of the board 1800  
in determining whether a quorum is present. Student members 1801  
shall not be entitled to attend executive sessions of the board. 1802  
The student members of the board shall be appointed by the 1803  
governor, with the advice and consent of the senate, from a 1804  
group of five candidates selected pursuant to a procedure 1805

adopted by the university's student governments and approved by 1806  
the university's board of trustees. The initial term of office 1807  
of one of the student members shall commence on May 2, 1988, and 1808  
shall expire on May 1, 1989, and the initial term of office of 1809  
the other student member shall commence on May 2, 1988, and 1810  
expire on May 1, 1990. Thereafter, terms of office of student 1811  
members shall be for two years, each term ending on the same day 1812  
of the same month of the year as the term it succeeds. In the 1813  
event that a student member cannot fulfill a two-year term, a 1814  
replacement shall be selected to fill the unexpired term in the 1815  
same manner used to make the original selection. 1816

**Sec. 3357.022.** (A) The provisions of this section prevail 1817  
over conflicting provisions of this chapter; however, except as 1818  
otherwise provided in this section, the stark state college 1819  
district and its board of trustees shall comply with the 1820  
provisions of this chapter. 1821

(B) The territory of Summit county is hereby added to the 1822  
territory of the technical college district of Stark county, 1823  
creating a new technical college district to replace the former 1824  
technical college district of Stark county. The district created 1825  
under this section shall be known as and operate under the name 1826  
of "stark state college district," and its charter shall be 1827  
amended to reflect this name. The Stark county campus is hereby 1828  
part of the stark state college district and shall remain in 1829  
operation unless otherwise specified by the board of trustees of 1830  
the technical college. 1831

(C) ~~On the effective date of this section~~ November 2, 1832  
2018, the government of the stark state college district shall 1833  
be vested in a board of nine trustees. Appointees shall be 1834  
qualified electors residing in the stark state college district 1835

and shall not be employees of the college. No new trustee may be 1836  
appointed who is a member of any board of education or 1837  
educational service center governing board. The term of office 1838  
shall be three years for trustees appointed prior to January 1, 1839  
2024. On and after January 1, 2024, the terms of office of 1840  
trustees appointed by the governor shall be four years and the 1841  
terms of office for all other trustees shall be three years. 1842  
Each trustee shall hold office from the date of appointment 1843  
until the end of the appointed term. Any trustee appointed to 1844  
fill a vacancy occurring prior to the expiration of the term for 1845  
which the trustee's predecessor was appointed shall hold office 1846  
for the remainder of such term. Any trustee shall continue in 1847  
office subsequent to the expiration date of the trustee's term 1848  
until a successor takes office, or until a period of sixty days 1849  
has elapsed, whichever occurs first. 1850

(1) Three trustees shall be appointed by the governor with 1851  
the advice and consent of the senate. 1852

The governor shall appoint members of the board of 1853  
trustees that are residents of the stark state college district. 1854  
Not more than one member of the board of trustees appointed by 1855  
the governor shall be an employee of a government agency. The 1856  
members of the board of trustees of the former technical college 1857  
district of Stark county shall remain members of the board until 1858  
the expiration of their terms as each existed prior to ~~the~~ 1859  
~~effective date of this section~~ November 2, 2018. 1860

(2) Six trustees shall be appointed by the presidents, or 1861  
their representatives, of the city and exempted village school 1862  
district boards of education and of the educational service 1863  
center governing boards whose territories are included in the 1864  
stark state college district. Prior to the appointment of 1865



trustees, the president of the governing board of the 1866  
educational service center serving Stark county or, if more than 1867  
one service center serves the county, the president of the 1868  
governing board of the educational service center serving the 1869  
largest portion of Stark county shall call a caucus of those 1870  
board presidents at a time and place designated by the service 1871  
center board president. At such caucus, the board presidents or 1872  
their representatives shall select trustees by majority vote of 1873  
those attending. Not more than one member of the board of 1874  
trustees selected in this manner shall be a resident of Summit 1875  
county, and not more than two members of the board of trustees 1876  
selected in this manner shall be employees of government 1877  
agencies. The members of the board of trustees of the former 1878  
technical college district of Stark county shall remain members 1879  
of the board until the expiration of their terms as each existed 1880  
prior to ~~the effective date of this section~~ November 2, 2018. 1881

(D) The board of trustees of the stark state college 1882  
district shall continue to comply with division (G) of section 1883  
3357.09 of the Revised Code regarding tuition for students who 1884  
are residents of Ohio, but not residents of the district, and 1885  
for students who are nonresidents of Ohio. The tuition rate 1886  
shall be based on the student's county of residence and shall 1887  
apply to all stark state college district classes in all 1888  
district locations. 1889

(E) Each member of the board of trustees shall have full 1890  
voting rights on all matters that come before the board. 1891

**Sec. 3357.05.** Within ninety days after a technical college 1892  
district is created pursuant to section 3357.02 of the Revised 1893  
Code, trustees shall be appointed to serve as a board of 1894  
trustees of the technical college district. Appointees shall be 1895

qualified electors residing in the technical college district 1896  
and shall not be employees of that technical college. No new 1897  
trustee may be appointed who is a member of any board of 1898  
education or educational service center governing board. The 1899  
term of office shall be three or four years with the exception 1900  
of initial appointments as provided in this section and section 1901  
3357.021 of the Revised Code. Trustees shall be appointed in the 1902  
manner and for the terms provided by this section. Each trustee 1903  
shall hold office from the date of appointment until the end of 1904  
the appointed term. Any trustee appointed to fill a vacancy 1905  
occurring prior to the expiration of the term for which the 1906  
trustee's predecessor was appointed shall hold office for the 1907  
remainder of such term. Any trustee shall continue in office 1908  
subsequent to the expiration date of ~~his~~ the trustee's term 1909  
until a successor takes office, or until a period of sixty days 1910  
has elapsed, whichever occurs first. 1911

(A) If a technical college district embraces the territory 1912  
of one or more school districts and more than half of the 1913  
territory of each such district is in the same county, seven 1914  
trustees shall be appointed. Two trustees shall be appointed by 1915  
the governor with the advice and consent of the senate. Not more 1916  
than one of such trustees appointed shall be an employee of a 1917  
governmental agency. Of the initial appointments, one shall be 1918  
for a term ending two years after the date upon which the 1919  
technical college district was created and one for a term ending 1920  
three years after that date. The successive terms of trustees 1921  
appointed by the governor shall be for three years for trustees 1922  
appointed prior to January 1, 2024, and four years for trustees 1923  
appointed on or after that date, with each term ending on the 1924  
same day of the same month of the year as did the term which it 1925  
succeeds. Five trustees shall be appointed by the presidents or 1926

their representatives of the city and exempted village boards of 1927  
education of school districts and the governing boards of 1928  
service centers whose territories are embraced in the technical 1929  
college district. Prior to the appointment of the trustees, the 1930  
president of the board of education of the city school district 1931  
having the largest pupil enrollment shall call a caucus of the 1932  
presidents of the aforementioned boards of education at a time 1933  
and place designated by such president. At such caucus, the 1934  
board presidents or their representatives shall select five 1935  
trustees by majority vote of those attending. Not more than two 1936  
of such trustees selected shall be employees of any governmental 1937  
agency. Of the initial appointments, two shall be for one year 1938  
terms, two shall be for two year terms, and one shall be for a 1939  
three year term. The successive terms of trustees appointed by 1940  
the board presidents or their representatives shall be for three 1941  
years. If there is a vacancy, such vacancy shall be filled by 1942  
the authority making the original appointment for the balance of 1943  
the unexpired term. 1944

(B) If a technical college district embraces territory 1945  
other than described in division (A) of this section, nine 1946  
trustees shall be appointed. Three trustees shall be appointed 1947  
by the governor with the advice and consent of the senate. Not 1948  
more than one of such trustees appointed shall be an employee of 1949  
a governmental agency. Of the initial appointments, one shall be 1950  
for a term ending one year after the date upon which the 1951  
technical college district was created, one for a term ending 1952  
two years after that date, and one for a term ending three years 1953  
after that date. ~~The successive terms of trustees appointed by~~ 1954  
~~the governor shall be for three created, one for a term ending~~ 1955  
~~two years after that date, and one for a term ending three years~~ 1956  
~~after that date.~~ The successive terms of trustees appointed by 1957

the governor shall be for three years for trustees appointed 1958  
prior to January 1, 2024, and four years for trustees appointed 1959  
on or after that date, with each term ending on the same day of 1960  
the same month of the year as did the term which it succeeds. 1961  
Six trustees shall be appointed by the presidents or their 1962  
representatives of the city and exempted village boards of 1963  
education of school districts and the governing boards of 1964  
service districts whose territories are embraced in the 1965  
technical college district. Prior to the appointment of the 1966  
trustees, the president of the board of education of the city 1967  
school district having the largest pupil enrollment shall call a 1968  
caucus of the presidents of the foregoing boards of education at 1969  
a time and place designated by such president. At such caucus, 1970  
the board presidents or their representatives shall select six 1971  
trustees by majority vote of those attending. Not more than two 1972  
of such trustees selected shall be employees of any governmental 1973  
agency. Of the initial appointments, two shall be for one year 1974  
terms, two shall be for two year terms, and two shall be for 1975  
three year terms. The successive terms of trustees appointed by 1976  
the board presidents or their representatives shall be for three 1977  
years. If there is a vacancy, such vacancy shall be filled by 1978  
the authority making the original appointment for the balance of 1979  
the unexpired term. 1980

(C) A board of trustees of a technical college district 1981  
established prior to November 5, 1965, may, by a resolution 1982  
approved by a majority of the members of the board, abolish such 1983  
board. Immediately thereafter, a new board shall be appointed 1984  
under division (A) of this section, except that the persons 1985  
serving on the board at the time of its dissolution shall be 1986  
appointed to initial appointments which most nearly coincide in 1987  
length with the time remaining in their terms at the time those 1988

terms were terminated under this division. 1989

**Sec. 3358.03.** The government of a state community college 1990  
district is vested in a board of nine trustees who shall be 1991  
appointed by the governor with the advice and consent of the 1992  
senate. Within ninety days after a state community college 1993  
district is created pursuant to section 3358.02 of the Revised 1994  
Code, the governor shall make initial appointments to the board. 1995  
Of these appointments three shall be for terms ending two years 1996  
after the date upon which the district was created, three shall 1997  
be for terms ending four years after that date, and three shall 1998  
be for terms ending six years after that date. Thereafter, the 1999  
successive terms of trustees appointed prior to January 1, 2024, 2000  
shall be for six years, each term ending on the same day of the 2001  
same month of the year as did the term which it succeeds. For 2002  
trustees appointed on or after January 1, 2024, the terms shall 2003  
be for four years. Each trustee shall hold office from the date 2004  
of appointment until the end of the term for which the trustee 2005  
was appointed. Any trustee appointed to fill a vacancy occurring 2006  
prior to the expiration of the term for which the trustee's 2007  
predecessor was appointed shall hold office for the remainder of 2008  
such term. Any trustee shall continue in office subsequent to 2009  
the expiration date of the trustee's term until the trustee's 2010  
successor takes office, or until a period of sixty days has 2011  
elapsed, whichever occurs first. Where a state community college 2012  
district succeeds to the operations of a state general and 2013  
technical college, or a technical college district, the initial 2014  
board of trustees of the district shall be composed of the 2015  
members of the board of trustees of the state general and 2016  
technical college, or a technical college district, to serve for 2017  
the balance of their existing terms, and such additional number 2018  
appointed by the governor, with the advice and consent of the 2019

senate, as will total nine members; and the terms of such 2020  
members appointed by the governor originally and to all 2021  
succeeding terms shall be such that, in combination with the 2022  
original remaining terms of the members from the technical 2023  
college district, the eventual result will be that three terms 2024  
will expire every second year. Appointees shall be qualified 2025  
electors of the state. The trustees shall receive no 2026  
compensation for their services, but may be paid for their 2027  
reasonably necessary expenses while engaged in the discharge of 2028  
their official duties. A majority of the board constitutes a 2029  
quorum. 2030

**Sec. 3359.01.** (A) There is hereby created a state 2031  
university to be known as "The University of Akron." The 2032  
government of the university of Akron is vested in a board of 2033  
eleven trustees who shall be appointed by the governor, with the 2034  
advice and consent of the senate. Two of the trustees shall be 2035  
students at the university of Akron, and their selection and 2036  
terms shall be in accordance with division (B) of this section. 2037  
~~Except~~ For trustees appointed prior to January 1, 2024, except 2038  
for the terms of student members, terms of office shall be for 2039  
nine years, commencing on the second day of July and ending on 2040  
the first day of July. For trustees appointed on or after 2041  
January 1, 2024, except for the terms of student members, terms 2042  
of office shall be for four years. Each trustee shall hold 2043  
office from the date of appointment until the end of the term 2044  
for which the trustee was appointed. Any trustee appointed to 2045  
fill a vacancy occurring prior to the expiration of the term for 2046  
which the trustee's predecessor was appointed shall hold office 2047  
for the remainder of such term. Any trustee shall continue in 2048  
office subsequent to the expiration date of the trustee's term 2049  
until the trustee's successor takes office, or until a period of 2050

sixty days has elapsed, whichever occurs first. ~~No person who~~ 2051  
~~has served a full nine year term or more than six years of such~~ 2052  
~~a term shall be eligible for reappointment until a period of~~ 2053  
~~four years has elapsed since the last day of the term for which~~ 2054  
~~the person previously served.~~ The trustees shall receive no 2055  
compensation for their services but shall be paid their 2056  
reasonable necessary expenses while engaged in the discharge of 2057  
their official duties. A majority of the board constitutes a 2058  
quorum. 2059

(B) The student members of the board of trustees of the 2060  
university of Akron have no voting power on the board. Student 2061  
members shall not be considered as members of the board in 2062  
determining whether a quorum is present. Student members shall 2063  
not be entitled to attend executive sessions of the board. The 2064  
student members of the board shall be appointed by the governor, 2065  
with the advice and consent of the senate, from a group of five 2066  
candidates selected pursuant to a procedure adopted by the 2067  
university's student governments and approved by the 2068  
university's board of trustees. The initial term of office of 2069  
one of the student members shall commence on July 2, 1988, and 2070  
shall expire on July 1, 1989, and the initial term of office of 2071  
the other student member shall commence on July 2, 1988, and 2072  
expire on July 1, 1990. Thereafter, terms of office of student 2073  
members shall be for two years, each term ending on the same day 2074  
of the same month of the year as the term it succeeds. In the 2075  
event that a student member cannot fulfill a two-year term, a 2076  
replacement shall be selected to fill the unexpired term in the 2077  
same manner used to make the original selection. 2078

**Sec. 3361.01.** (A) There is hereby created a state 2079  
university to be known as the "university of Cincinnati." The 2080  
government of the university of Cincinnati is vested in a board 2081

of eleven trustees who shall be appointed by the governor with 2082  
the advice and consent of the senate. Two of the trustees shall 2083  
be students at the university of Cincinnati, and their selection 2084  
and terms shall be in accordance with division (B) of this 2085  
section. The terms of the first nine members of the board of 2086  
trustees shall commence upon the effective date of the transfer 2087  
of assets of the state-affiliated university of Cincinnati to 2088  
the university of Cincinnati hereby created. One of such 2089  
trustees shall be appointed for a term ending on the first day 2090  
of January occurring at least twelve months after such date of 2091  
transfer, and each of the other trustees shall be appointed for 2092  
respective terms ending on each succeeding first day of January, 2093  
so that one term will expire on each first day of January after 2094  
expiration of the shortest term. ~~Except For trustees appointed~~ 2095  
prior to January 1, 2024, except for the two student trustees, 2096  
each successor trustee shall be appointed for a term ending on 2097  
the first day of January, nine years from the expiration date of 2098  
the term the trustee succeeds, except that any person appointed 2099  
to fill a vacancy shall be appointed to serve only for the 2100  
unexpired term. For trustees appointed on or after January 1, 2101  
2024, except for the two student trustees, each trustee shall be 2102  
appointed for a term ending on the first day of January, four 2103  
years from the expiration date of the term the trustee succeeds, 2104  
except that any person appointed to fill a vacancy shall be 2105  
appointed to serve only for the unexpired term. 2106

Any trustee shall continue in office subsequent to the 2107  
expiration date of the trustee's term until the trustee's 2108  
successor takes office, or until a period of sixty days has 2109  
elapsed, whichever occurs first. 2110

~~No person who has served a full nine-year term or longer~~ 2111  
~~or more than six years of such a term shall be eligible to~~ 2112



~~reappointment until a period of four years has elapsed since the~~ 2113  
~~last day of the term for which the person previously served.~~ 2114

The trustees shall receive no compensation for their 2115  
services but shall be paid their reasonable necessary expenses 2116  
while engaged in the discharge of their official duties. A 2117  
majority of the board constitutes a quorum. 2118

(B) The student members of the board of trustees of the 2119  
university of Cincinnati have no voting power on the board. 2120  
Student members shall not be considered as members of the board 2121  
in determining whether a quorum is present. Student members 2122  
shall not be entitled to attend executive sessions of the board. 2123  
The student members of the board shall be appointed by the 2124  
governor, with the advice and consent of the senate, from a 2125  
group of five candidates selected pursuant to a procedure 2126  
adopted by the university's student governments and approved by 2127  
the university's board of trustees. The initial term of office 2128  
of one of the student members shall commence on May 14, 1988, 2129  
and shall expire on May 13, 1989, and the initial term of office 2130  
of the other student member shall commence on May 14, 1988, and 2131  
expire on May 13, 1990. Thereafter, terms of office of student 2132  
members shall be for two years, each term ending on the same day 2133  
of the same month of the year as the term it succeeds. In the 2134  
event that a student cannot fulfill a two-year term, a 2135  
replacement shall be selected to fill the unexpired term in the 2136  
same manner used to make the original selection. 2137

**Sec. 3362.01.** (A) There is hereby created a state 2138  
university to be known as "Shawnee state university." The 2139  
government of Shawnee state university is vested in a board of 2140  
eleven trustees who shall be appointed by the governor with the 2141  
advice and consent of the senate. Two of the trustees shall be 2142

students at Shawnee state university, and their selection and 2143  
terms shall be in accordance with division (B) of this section. 2144  
The remaining trustees shall be appointed as follows: one for a 2145  
term of one year, one for a term of two years, one for a term of 2146  
three years, one for a term of four years, one for a term of 2147  
five years, one for a term of six years, one for a term of seven 2148  
years, one for a term of eight years, and one for a term of nine 2149  
years. Thereafter, for trustees appointed prior to January 1, 2150  
2024, terms shall be for nine years. For trustees appointed on 2151  
or after January 1, 2024, terms shall be for four years. All 2152  
terms of office shall commence on the first day of July and end 2153  
on the thirtieth day of June. 2154

Each trustee shall hold office from the date of 2155  
appointment until the end of the term for which the trustee was 2156  
appointed. Any trustee appointed to fill a vacancy occurring 2157  
prior to the expiration of the term for which the trustee's 2158  
predecessor was appointed shall hold office for the remainder of 2159  
such term. Any trustee shall continue in office subsequent to 2160  
the expiration date of the trustee's term until the trustee's 2161  
successor takes office, or until a period of sixty days has 2162  
elapsed, whichever occurs first. ~~No person who has served a full~~ 2163  
~~nine-year term or more than six years of such a term shall be~~ 2164  
~~eligible for reappointment until a period of four years has~~ 2165  
~~elapsed since the last day of the term for which the person~~ 2166  
~~previously served.~~ 2167

The trustees shall receive no compensation for their 2168  
services but shall be paid their reasonable and necessary 2169  
expenses while engaged in the discharge of their official 2170  
duties. 2171

A majority of the board constitutes a quorum. 2172

(B) The student members of the board of trustees of Shawnee state university have no voting power on the board. Student members shall not be considered as members of the board in determining whether a quorum is present. Student members shall not be entitled to attend executive sessions of the board. The student members of the board shall be appointed by the governor, with the advice and consent of the senate, from a group of five candidates selected pursuant to a procedure adopted by the university's student governments and approved by the university's board of trustees. The initial term of office of one of the student members shall commence on July 1, 1988, and shall expire on June 30, 1989, and the initial term of office of the other student member shall commence on July 1, 1988, and expire on June 30, 1990. Thereafter, terms of office of student members shall be for two years, each term ending on the same day of the same month of the year as the term it succeeds. In the event a student member cannot fulfill a two-year term, a replacement shall be selected to fill the unexpired term in the same manner used to make the original selection.

**Sec. 3364.01.** (A) The university of Toledo, as authorized under former Chapter 3360. of the Revised Code, and the medical university of Ohio at Toledo, as authorized under former sections 3350.01 to 3350.05 of the Revised Code, shall be combined as one state university to be known as the "university of Toledo."

(B) (1) The government of the combined university of Toledo is vested in a board of trustees which, except as prescribed in division (B) (2) of this section, shall be appointed by the governor with the advice and consent of the senate. The initial board of trustees of the combined university shall be as prescribed in division (B) (2) of this section. After the

abolishment of offices as prescribed in division (B) (2) (a) of 2204  
this section, the board of trustees of the combined university 2205  
shall consist of nine voting members, who, if appointed prior to 2206  
January 1, 2024, shall serve for terms of nine years, or, if 2207  
appointed on or after January 1, 2024, shall serve for terms of 2208  
four years, and two nonvoting members, who shall be students of 2209  
the combined university and who shall serve for terms of two 2210  
years. Terms of office of trustees shall begin on the second day 2211  
of July and end on the first day of July. 2212

(2) The initial board of trustees of the combined 2213  
university shall consist of seventeen voting members who are the 2214  
eight members who made up the board of trustees of the medical 2215  
university of Ohio at Toledo prior to May 1, 2006, under former 2216  
section 3350.01 of the Revised Code, and whose terms would 2217  
expire under that section after May 1, 2006; the eight voting 2218  
members who made up the board of trustees of the university of 2219  
Toledo, under former section 3360.01 of the Revised Code, and 2220  
whose terms would expire under that section after July 1, 2006; 2221  
and one additional member appointed by the governor with the 2222  
advice and consent of the senate. The terms of office, 2223  
abolishment of office, and succession of the voting members of 2224  
the initial board shall be as prescribed in division (B) (2) (a) 2225  
of this section. The initial board also shall consist of two 2226  
nonvoting members who are students of the combined university, 2227  
as prescribed in division (B) (2) (b) of this section. 2228

(a) The term of office of the voting member of the initial 2229  
board of trustees of the combined university who was not 2230  
formerly a member of either the board of trustees of the medical 2231  
university of Ohio at Toledo or the board of trustees of the 2232  
university of Toledo shall be for nine years, beginning on July 2233  
2, 2006, and ending on July 1, 2015. 2234

The terms of office of the sixteen other voting members of the initial board of trustees shall expire on July 1 of the year they otherwise would expire under former section 3350.01 or 3360.01 of the Revised Code.

The office of one voting member whose term expires on July 1, 2007, shall be abolished on that date. The governor, with the advice and consent of the senate, shall appoint a successor to the office of the other voting member whose term expires on that date to a nine-year term beginning on July 2, 2007.

The office of one voting member whose term expires on July 1, 2008, shall be abolished on that date. The governor, with the advice and consent of the senate, shall appoint a successor to the office of the other voting member whose term expires on that date to a nine-year term beginning on July 2, 2008.

The office of one voting member whose term expires on July 1, 2009, shall be abolished on that date. The governor, with the advice and consent of the senate, shall appoint a successor to the office of the other voting member whose term expires on that date to a nine-year term beginning on July 2, 2009.

The office of one voting member whose term expires on July 1, 2010, shall be abolished on that date. The governor, with the advice and consent of the senate, shall appoint a successor to the office of the other voting member whose term expires on that date to a nine-year term beginning on July 2, 2010.

The office of one voting member whose term expires on July 1, 2011, shall be abolished on that date. The governor, with the advice and consent of the senate, shall appoint a successor to the office of the other voting member whose term expires on that date to a nine-year term beginning on July 2, 2011.

The office of one voting member whose term expires on July 1, 2012, shall be abolished on that date. The governor, with the advice and consent of the senate, shall appoint a successor to the office of the other voting member whose term expires on that date to a nine-year term beginning on July 2, 2012.

The office of one voting member whose term expires on July 1, 2013, shall be abolished on that date. The governor, with the advice and consent of the senate, shall appoint a successor to the office of the other voting member whose term expires on that date to a nine-year term beginning on July 2, 2013.

The office of one voting member whose term expires on July 1, 2014, shall be abolished on that date. The governor, with the advice and consent of the senate, shall appoint a successor to the office of the other voting member whose term expires on that date to a nine-year term beginning on July 2, 2014.

The governor, with the advice and consent of the senate, shall appoint a successor to the office of the voting member whose term expires on July 1, 2015, to a nine-year term beginning on July 2, 2015.

Thereafter the terms of office of all subsequent voting members of the board of trustees who are appointed prior to January 1, 2024, shall be for nine years beginning on the second day of July and ending on the first day of July. The terms of office for voting members of the board of trustees who are appointed on or after January 1, 2024, shall be for four years beginning on the second day of July and ending on the first day of July.

(b) One of the student members of the initial board of trustees shall be the student member of the former university of

Toledo board of trustees, appointed under former section 3360.01 2293  
of the Revised Code, whose term would expire under that section 2294  
on July 1, 2007. The term of that student member shall expire on 2295  
July 1, 2007. The other student member shall be a new appointee, 2296  
representing the portion of the combined university that made up 2297  
the former medical university of Ohio at Toledo, appointed to a 2298  
two-year term beginning on July 2, 2006, and ending on July 1, 2299  
2008. That student trustee shall be appointed by the governor, 2300  
with the advice and consent of the senate, from a group of three 2301  
candidates selected pursuant to a procedure adopted by the 2302  
university's student governments and approved by the 2303  
university's board of trustees. Thereafter appointment and terms 2304  
of office of student members of the board of trustees shall be 2305  
as prescribed by division (B) (3) of this section. 2306

(3) The student members of the board of trustees of the 2307  
combined university shall be appointed by the governor, with the 2308  
advice and consent of the senate, from a group of six candidates 2309  
selected pursuant to a procedure adopted by the university's 2310  
student governments and approved by the university's board of 2311  
trustees. Terms of office of student members shall be for two 2312  
years, each term ending on the same day of the same month of the 2313  
year as the term it succeeds. In the event that a student member 2314  
cannot fulfill a two-year term, a replacement shall be selected 2315  
to fill the unexpired term in the same manner used to make the 2316  
original selection. 2317

(4) Each trustee shall hold office from the date of 2318  
appointment until the end of the term for which the trustee was 2319  
appointed. Any trustee appointed to fill a vacancy occurring 2320  
prior to the expiration of the term for which the trustee's 2321  
predecessor was appointed shall hold office for the remainder of 2322  
such term. Any trustee shall continue in office subsequent to 2323

the expiration date of the trustee's term until the trustee's 2324  
successor takes office, or until a period of sixty days has 2325  
elapsed, whichever occurs first. 2326

~~(5) No person who has served as a voting member of the 2327  
board of trustees for a full nine-year term or more than six- 2328  
years of such a term and no person who is a voting member of the 2329  
initial board of trustees as prescribed in division (B) (2) (a) of 2330  
this section is eligible for reappointment to the board until a 2331  
period of four years has elapsed since the last day of the term- 2332  
for which the person previously served. 2333~~

~~No person who served as a voting member of the board of 2334  
trustees of the former university of Toledo, as authorized under 2335  
former Chapter 3360. of the Revised Code, for a full nine-year 2336  
term or more than six years of such a term, and no person who 2337  
served on the board of trustees of the former medical university 2338  
of Ohio at Toledo, as authorized under former sections 3350.01- 2339  
to 3350.05 of the Revised Code, for a full nine year term or 2340  
more than six years of such a term is eligible for appointment- 2341  
to the board of trustees of the combined university until a 2342  
period of four years has elapsed since the last day of the term- 2343  
for which the person previously served. 2344~~

(C) The trustees shall receive no compensation for their 2345  
services but shall be paid their reasonable necessary expenses 2346  
while engaged in the discharge of their official duties. A 2347  
majority of the board constitutes a quorum. The student members 2348  
of the board have no voting power on the board. Student members 2349  
shall not be considered as members of the board in determining 2350  
whether a quorum is present. Student members shall not be 2351  
entitled to attend executive sessions of the board. 2352

**Sec. 4117.14.** (A) The procedures contained in this section 2353



govern the settlement of disputes between an exclusive 2354  
representative and a public employer concerning the termination 2355  
or modification of an existing collective bargaining agreement 2356  
or negotiation of a successor agreement, or the negotiation of 2357  
an initial collective bargaining agreement. 2358

(B) (1) In those cases where there exists a collective 2359  
bargaining agreement, any public employer or exclusive 2360  
representative desiring to terminate, modify, or negotiate a 2361  
successor collective bargaining agreement shall: 2362

(a) Serve written notice upon the other party of the 2363  
proposed termination, modification, or successor agreement. The 2364  
party must serve the notice not less than sixty days prior to 2365  
the expiration date of the existing agreement or, in the event 2366  
the existing collective bargaining agreement does not contain an 2367  
expiration date, not less than sixty days prior to the time it 2368  
is proposed to make the termination or modifications or to make 2369  
effective a successor agreement. 2370

(b) Offer to bargain collectively with the other party for 2371  
the purpose of modifying or terminating any existing agreement 2372  
or negotiating a successor agreement; 2373

(c) Notify the state employment relations board of the 2374  
offer by serving upon the board a copy of the written notice to 2375  
the other party and a copy of the existing collective bargaining 2376  
agreement. 2377

(2) In the case of initial negotiations between a public 2378  
employer and an exclusive representative, where a collective 2379  
bargaining agreement has not been in effect between the parties, 2380  
any party may serve notice upon the board and the other party 2381  
setting forth the names and addresses of the parties and 2382

offering to meet, for a period of ninety days, with the other 2383  
party for the purpose of negotiating a collective bargaining 2384  
agreement. 2385

If the settlement procedures specified in divisions (B), 2386  
(C), and (D) of this section govern the parties, where those 2387  
procedures refer to the expiration of a collective bargaining 2388  
agreement, it means the expiration of the sixty-day period to 2389  
negotiate a collective bargaining agreement referred to in this 2390  
subdivision, or in the case of initial negotiations, it means 2391  
the ninety-day period referred to in this subdivision. 2392

(3) The parties shall continue in full force and effect 2393  
all the terms and conditions of any existing collective 2394  
bargaining agreement, without resort to strike or lock-out, for 2395  
a period of sixty days after the party gives notice or until the 2396  
expiration date of the collective bargaining agreement, 2397  
whichever occurs later, or for a period of ninety days where 2398  
applicable. 2399

(4) Upon receipt of the notice, the parties shall enter 2400  
into collective bargaining. 2401

(C) In the event the parties are unable to reach an 2402  
agreement, they may submit, at any time prior to forty-five days 2403  
before the expiration date of the collective bargaining 2404  
agreement, the issues in dispute to any mutually agreed upon 2405  
dispute settlement procedure which supersedes the procedures 2406  
contained in this section. 2407

(1) The procedures may include: 2408

(a) Conventional arbitration of all unsettled issues; 2409

(b) Arbitration confined to a choice between the last 2410  
offer of each party to the agreement as a single package; 2411

(c) Arbitration confined to a choice of the last offer of 2412  
each party to the agreement on each issue submitted; 2413

(d) The procedures described in division (C) (1) (a), (b), 2414  
or (c) of this section and including among the choices for the 2415  
arbitrator, the recommendations of the fact finder, if there are 2416  
recommendations, either as a single package or on each issue 2417  
submitted; 2418

(e) Settlement by a citizens' conciliation council 2419  
composed of three residents within the jurisdiction of the 2420  
public employer. The public employer shall select one member and 2421  
the exclusive representative shall select one member. The two 2422  
members selected shall select the third member who shall chair 2423  
the council. If the two members cannot agree upon a third member 2424  
within five days after their appointments, the board shall 2425  
appoint the third member. Once appointed, the council shall make 2426  
a final settlement of the issues submitted to it pursuant to 2427  
division (G) of this section. 2428

(f) Any other dispute settlement procedure mutually agreed 2429  
to by the parties. 2430

(2) If, fifty days before the expiration date of the 2431  
collective bargaining agreement, the parties are unable to reach 2432  
an agreement, any party may request the state employment 2433  
relations board to intervene. The request shall set forth the 2434  
names and addresses of the parties, the issues involved, and, if 2435  
applicable, the expiration date of any agreement. 2436

The board shall intervene and investigate the dispute to 2437  
determine whether the parties have engaged in collective 2438  
bargaining. 2439

If an impasse exists or forty-five days before the 2440

expiration date of the collective bargaining agreement if one 2441  
exists, the board shall appoint a mediator to assist the parties 2442  
in the collective bargaining process. 2443

(3) Any time after the appointment of a mediator, either 2444  
party may request the appointment of a fact-finding panel. 2445  
Within fifteen days after receipt of a request for a fact- 2446  
finding panel, the board shall appoint a fact-finding panel of 2447  
not more than three members who have been selected by the 2448  
parties in accordance with rules established by the board, from 2449  
a list of qualified persons maintained by the board. 2450

(a) The fact-finding panel shall, in accordance with rules 2451  
and procedures established by the board that include the 2452  
regulation of costs and expenses of fact-finding, gather facts 2453  
and make recommendations for the resolution of the matter. The 2454  
board shall by its rules require each party to specify in 2455  
writing the unresolved issues and its position on each issue to 2456  
the fact-finding panel. The fact-finding panel shall make final 2457  
recommendations as to all the unresolved issues. 2458

(b) The board may continue mediation, order the parties to 2459  
engage in collective bargaining until the expiration date of the 2460  
agreement, or both. 2461

(4) The following guidelines apply to fact-finding: 2462

(a) The fact-finding panel may establish times and place 2463  
of hearings which shall be, where feasible, in the jurisdiction 2464  
of the state. 2465

(b) The fact-finding panel shall conduct the hearing 2466  
pursuant to rules established by the board. 2467

(c) Upon request of the fact-finding panel, the board 2468  
shall issue subpoenas for hearings conducted by the panel. 2469

(d) The fact-finding panel may administer oaths. 2470

(e) The board shall prescribe guidelines for the fact- 2471  
finding panel to follow in making findings. In making its 2472  
recommendations, the fact-finding panel shall take into 2473  
consideration the factors listed in divisions (G) (7) (a) to (f) 2474  
of this section. 2475

(f) The fact-finding panel may attempt mediation at any 2476  
time during the fact-finding process. From the time of 2477  
appointment until the fact-finding panel makes a final 2478  
recommendation, it shall not discuss the recommendations for 2479  
settlement of the dispute with parties other than the direct 2480  
parties to the dispute. 2481

(5) The fact-finding panel, acting by a majority of its 2482  
members, shall transmit its findings of fact and recommendations 2483  
on the unresolved issues to the public employer and employee 2484  
organization involved and to the board no later than fourteen 2485  
days after the appointment of the fact-finding panel, unless the 2486  
parties mutually agree to an extension. The parties shall share 2487  
the cost of the fact-finding panel in a manner agreed to by the 2488  
parties. 2489

(6) (a) Not later than seven days after the findings and 2490  
recommendations are sent, the legislative body, by a three- 2491  
fifths vote of its total membership, and in the case of the 2492  
public employee organization, the membership, by a three-fifths 2493  
vote of the total membership, may reject the recommendations; if 2494  
neither rejects the recommendations, the recommendations shall 2495  
be deemed agreed upon as the final resolution of the issues 2496  
submitted and a collective bargaining agreement shall be 2497  
executed between the parties, including the fact-finding panel's 2498  
recommendations, except as otherwise modified by the parties by 2499

mutual agreement. If either the legislative body or the public  
employee organization rejects the recommendations, the board  
shall publicize the findings of fact and recommendations of the  
fact-finding panel. The board shall adopt rules governing the  
procedures and methods for public employees to vote on the  
recommendations of the fact-finding panel.

(b) As used in division (C)(6)(a) of this section,  
"legislative body" means the controlling board when the state or  
any of its agencies, authorities, commissions, boards, or other  
branch of public employment is party to the fact-finding  
process.

(D) If the parties are unable to reach agreement within  
seven days after the publication of findings and recommendations  
from the fact-finding panel or the collective bargaining  
agreement, if one exists, has expired, then the:

~~(1) Public employees, who are members of a police or fire  
department, members of the state highway patrol, deputy  
sheriffs, dispatchers employed by a police, fire, or sheriff's  
department or the state highway patrol or civilian dispatchers  
employed by a public employer other than a police, fire, or  
sheriff's department to dispatch police, fire, sheriff's  
department, or emergency medical or rescue personnel and units,  
an exclusive nurse's unit, employees of the state school for the  
deaf or the state school for the blind, employees of any public  
employee retirement system, corrections officers, guards at  
penal or mental institutions, special police officers appointed  
in accordance with sections 5119.08 and 5123.13 of the Revised  
Code, psychiatric attendants employed at mental health forensic  
facilities, youth leaders employed at juvenile correctional  
facilities, or members of a law enforcement security force that~~

~~is established and maintained exclusively by a board of county~~ 2530  
~~commissioners and whose members are employed by that~~ 2531  
~~board,~~ prohibited from striking under this division shall submit 2532  
the matter to a final offer settlement procedure pursuant to a 2533  
board order issued forthwith to the parties to settle by a 2534  
conciliator selected by the parties. The parties shall request 2535  
from the board a list of five qualified conciliators and the 2536  
parties shall select a single conciliator from the list by 2537  
alternate striking of names. If the parties cannot agree upon a 2538  
conciliator within five days after the board order, the board 2539  
shall on the sixth day after its order appoint a conciliator 2540  
from a list of qualified persons maintained by the board or 2541  
shall request a list of qualified conciliators from the American 2542  
arbitration association and appoint therefrom. 2543

The following public employees shall not strike: 2544

(a) Members of a police or fire department; 2545

(b) Members of the state highway patrol; 2546

(c) Deputy sheriffs; 2547

(d) Dispatchers employed by a police, fire, or sheriff's 2548  
department or the state highway patrol or civilian dispatchers 2549  
employed by a public employer other than a police, fire, or 2550  
sheriff's department to dispatch police, fire, sheriff's 2551  
department, or emergency medical or rescue personnel and units; 2552

(e) Members of an exclusive nurse's unit; 2553

(f) Employees of the state school for the deaf or the 2554  
state school for the blind; 2555

(g) Employees of any public employee retirement system; 2556

(h) Corrections officers; 2557

<u>(i) Guards at penal or mental institutions;</u>	2558
<u>(j) Special police officers appointed in accordance with sections 5119.08 and 5123.13 of the Revised Code;</u>	2559 2560
<u>(k) Psychiatric attendants employed at mental health forensic facilities;</u>	2561 2562
<u>(l) Youth leaders employed at juvenile correctional facilities;</u>	2563 2564
<u>(m) Members of a law enforcement security force that is established and maintained exclusively by a board of county commissioners and whose members are employed by that board;</u>	2565 2566 2567
<u>(n) Employees of any state institution of higher education.</u>	2568 2569
(2) Public employees other than those listed in division (D) (1) of this section have the right to strike under Chapter 4117. of the Revised Code provided that the employee organization representing the employees has given a ten-day prior written notice of an intent to strike to the public employer and to the board, and further provided that the strike is for full, consecutive work days and the beginning date of the strike is at least ten work days after the ending date of the most recent prior strike involving the same bargaining unit; however, the board, at its discretion, may attempt mediation at any time.	2570 2571 2572 2573 2574 2575 2576 2577 2578 2579 2580
(E) Nothing in this section shall be construed to prohibit the parties, at any time, from voluntarily agreeing to submit any or all of the issues in dispute to any other alternative dispute settlement procedure. An agreement or statutory requirement to arbitrate or to settle a dispute pursuant to a final offer settlement procedure and the award issued in	2581 2582 2583 2584 2585 2586



accordance with the agreement or statutory requirement is 2587  
enforceable in the same manner as specified in division (B) of 2588  
section 4117.09 of the Revised Code. 2589

(F) Nothing in this section shall be construed to prohibit 2590  
a party from seeking enforcement of a collective bargaining 2591  
agreement or a conciliator's award as specified in division (B) 2592  
of section 4117.09 of the Revised Code. 2593

(G) The following guidelines apply to final offer 2594  
settlement proceedings under division (D)(1) of this section: 2595

(1) The parties shall submit to final offer settlement 2596  
those issues that are subject to collective bargaining as 2597  
provided by section 4117.08 of the Revised Code and upon which 2598  
the parties have not reached agreement and other matters 2599  
mutually agreed to by the public employer and the exclusive 2600  
representative; except that the conciliator may attempt 2601  
mediation at any time. 2602

(2) The conciliator shall hold a hearing within thirty 2603  
days of the board's order to submit to a final offer settlement 2604  
procedure, or as soon thereafter as is practicable. 2605

(3) The conciliator shall conduct the hearing pursuant to 2606  
rules developed by the board. The conciliator shall establish 2607  
the hearing time and place, but it shall be, where feasible, 2608  
within the jurisdiction of the state. Not later than five 2609  
calendar days before the hearing, each of the parties shall 2610  
submit to the conciliator, to the opposing party, and to the 2611  
board, a written report summarizing the unresolved issues, the 2612  
party's final offer as to the issues, and the rationale for that 2613  
position. 2614

(4) Upon the request by the conciliator, the board shall 2615

issue subpoenas for the hearing. 2616

(5) The conciliator may administer oaths. 2617

(6) The conciliator shall hear testimony from the parties 2618  
and provide for a written record to be made of all statements at 2619  
the hearing. The board shall submit for inclusion in the record 2620  
and for consideration by the conciliator the written report and 2621  
recommendation of the fact-finders. 2622

(7) After hearing, the conciliator shall resolve the 2623  
dispute between the parties by selecting, on an issue-by-issue 2624  
basis, from between each of the party's final settlement offers, 2625  
taking into consideration the following: 2626

(a) Past collectively bargained agreements, if any, 2627  
between the parties; 2628

(b) Comparison of the issues submitted to final offer 2629  
settlement relative to the employees in the bargaining unit 2630  
involved with those issues related to other public and private 2631  
employees doing comparable work, giving consideration to factors 2632  
peculiar to the area and classification involved; 2633

(c) The interests and welfare of the public, the ability 2634  
of the public employer to finance and administer the issues 2635  
proposed, and the effect of the adjustments on the normal 2636  
standard of public service; 2637

(d) The lawful authority of the public employer; 2638

(e) The stipulations of the parties; 2639

(f) Such other factors, not confined to those listed in 2640  
this section, which are normally or traditionally taken into 2641  
consideration in the determination of the issues submitted to 2642  
final offer settlement through voluntary collective bargaining, 2643

mediation, fact-finding, or other impasse resolution procedures 2644  
in the public service or in private employment. 2645

(8) Final offer settlement awards made under Chapter 4117. 2646  
of the Revised Code are subject to Chapter 2711. of the Revised 2647  
Code. 2648

(9) If more than one conciliator is used, the 2649  
determination must be by majority vote. 2650

(10) The conciliator shall make written findings of fact 2651  
and promulgate a written opinion and order upon the issues 2652  
presented to the conciliator, and upon the record made before 2653  
the conciliator and shall mail or otherwise deliver a true copy 2654  
thereof to the parties and the board. 2655

(11) Increases in rates of compensation and other matters 2656  
with cost implications awarded by the conciliator may be 2657  
effective only at the start of the fiscal year next commencing 2658  
after the date of the final offer settlement award; provided 2659  
that if a new fiscal year has commenced since the issuance of 2660  
the board order to submit to a final offer settlement procedure, 2661  
the awarded increases may be retroactive to the commencement of 2662  
the new fiscal year. The parties may, at any time, amend or 2663  
modify a conciliator's award or order by mutual agreement. 2664

(12) The parties shall bear equally the cost of the final 2665  
offer settlement procedure. 2666

(13) Conciliators appointed pursuant to this section shall 2667  
be residents of the state. 2668

(H) All final offer settlement awards and orders of the 2669  
conciliator made pursuant to Chapter 4117. of the Revised Code 2670  
are subject to review by the court of common pleas having 2671  
jurisdiction over the public employer as provided in Chapter 2672

2711. of the Revised Code. If the public employer is located in 2673  
more than one court of common pleas district, the court of 2674  
common pleas in which the principal office of the chief 2675  
executive is located has jurisdiction. 2676

(I) The issuance of a final offer settlement award 2677  
constitutes a binding mandate to the public employer and the 2678  
exclusive representative to take whatever actions are necessary 2679  
to implement the award. 2680

**Sec. 4117.15.** (A) Whenever a strike by ~~members of a police~~ 2681  
~~or fire department, members of the state highway patrol, deputy~~ 2682  
~~sheriffs, dispatchers employed by a police, fire, or sheriff's~~ 2683  
~~department or the state highway patrol or civilian dispatchers~~ 2684  
~~employed by a public employer other than a police, fire, or~~ 2685  
~~sheriff's department to dispatch police, fire, sheriff's~~ 2686  
~~department, or emergency medical or rescue personnel and units,~~ 2687  
~~an exclusive nurse's unit, employees of the state school for the~~ 2688  
~~deaf or the state school for the blind, employees of any public~~ 2689  
~~employee retirement system, correction officers, guards at penal~~ 2690  
~~or mental institutions, or special police officers appointed in~~ 2691  
~~accordance with sections 5119.08 and 5123.13 of the Revised~~ 2692  
~~Code, psychiatric attendants employed at mental health forensic~~ 2693  
~~facilities, youth leaders employed at juvenile correctional~~ 2694  
~~facilities, or members of a law enforcement security force that~~ 2695  
~~is established and maintained exclusively by a board of county~~ 2696  
~~commissioners and whose members are employed by that board~~ 2697  
employees who are prohibited from striking under division (D)(1) 2698  
of section 4117.14 of the Revised Code, a strike by other public 2699  
employees during the pendency of the settlement procedures set 2700  
forth in section 4117.14 of the Revised Code, or a strike during 2701  
the term or extended term of a collective bargaining agreement 2702  
occurs, the public employer may seek an injunction against the 2703

strike in the court of common pleas of the county in which the 2704  
strike is located. 2705

(B) An unfair labor practice by a public employer is not a 2706  
defense to the injunction proceeding noted in division (A) of 2707  
this section. Allegations of unfair labor practices during the 2708  
settlement procedures set forth in section 4117.14 of the 2709  
Revised Code shall receive priority by the state employment 2710  
relations board. 2711

(C) No public employee is entitled to pay or compensation 2712  
from the public employer for the period engaged in any strike. 2713

**Sec. 5813.06.** (A) Nothing in sections 5813.01 to 5813.05 2714  
of the Revised Code affects the construction or interpretation 2715  
of sections 1715.51 to 1715.59 of the Revised Code relating to 2716  
the uniform prudent management of institutional funds act. 2717  
Specifically, neither the percentage set forth in division (B) 2718  
of section 5813.02 of the Revised Code nor the amount actually 2719  
requested by a governing board pursuant to that section shall be 2720  
construed or interpreted to limit or expand what is a prudent 2721  
amount that can be expended by a governing board of an 2722  
institution under sections 1715.51 to 1715.59 of the Revised 2723  
Code. 2724

(B) If an institutional trust fund is also an 2725  
institutional fund as defined in division ~~(C)~~ (D) of section 2726  
1715.51 of the Revised Code with the result that sections 2727  
1715.51 to 1715.59 of the Revised Code also are applicable to 2728  
the institutional trust fund, then sections 1715.51 to 1715.59 2729  
of the Revised Code apply to the institutional trust fund, and 2730  
sections 5813.01 to 5813.07 of the Revised Code do not apply to 2731  
the institutional trust fund. 2732

**Section 2.** That existing sections 1715.51, 3335.02, 2733  
3337.01, 3339.01, 3341.02, 3343.02, 3344.01, 3345.45, 3350.10, 2734  
3352.01, 3354.05, 3354.24, 3356.01, 3357.022, 3357.05, 3358.03, 2735  
3359.01, 3361.01, 3362.01, 3364.01, 4117.14, 4117.15, and 2736  
5813.06 of the Revised Code are hereby repealed. 2737

**Section 3.** That section 3333.045 of the Revised Code is 2738  
hereby repealed. 2739

**Section 4.** The amendment or enactment by this act of 2740  
sections 3345.45, 3345.451, 3345.452, 3345.453, 3345.454, and 2741  
3345.455 of the Revised Code take effect July 1, 2024. 2742

**Section 5.** The Department of Higher Education shall 2743  
conduct a feasibility study about implementing bachelors degree 2744  
programs that require three years to complete in this state. The 2745  
study shall investigate a variety of fields of study and 2746  
determine the feasibility of reducing specific course 2747  
requirements, quantity of electives, and total credit hours 2748  
required for graduation. However, the study shall not include 2749  
the use of College Credit Plus or any other current programs 2750  
used to accelerate degree programs. Finally, the study shall 2751  
present and evaluate potential issues related to accreditation. 2752

Not later than one year after the effective date of this 2753  
section, the Department shall submit to the General Assembly, in 2754  
accordance with section 101.68 of the Revised Code, a report 2755  
about the study's findings. 2756

**Section 6.** This act shall be known as The Ohio Higher 2757  
Education Enhancement Act. 2758