

Sub. H.B. 33

As Passed by the Senate
BORCD122, BORCD123,
BORCD124, BORCD125,
BORCD127,
BORCD129, BORCD130,
BORCD131, BORCD132,
BORCD133,
BORCD134, BORCD135,
BORCD136, BORCD137,
BORCD138,
BORCD139, BORDCD140

moved to amend as follows:

In line 93 of the title, after "3333.044," insert "3333.045," 1
In line 96 of the title, delete "3337.01, 3339.01," 2
In line 97 of the title, delete "3341.02, 3343.02, 3344.01," 3
In line 98 of the title, delete "3345.45," 4
In line 99 of the title, delete "3350.10, 3352.01," 5
In line 100 of the title, delete "3356.01,"; delete 6
"3359.01," 7
In line 101 of the title, delete "3361.01, 3362.01, 3364.01," 8
In line 218 of the title, delete "5813.06," 9

In line 229 of the title, after "718.021," insert "and";	10
delete ", and 3333.045"	11
In line 242 of the title, delete "1715.551,"	12
Delete lines 256 and 257 of the title	13
In line 258 of the title, delete "3345.455, 3345.591,";	14
delete "3345.80, 3345.87,"	15
In line 288 of the title, delete "3333.045,"	16
In line 831, after "3333.044," insert "3333.045,"	17
In line 833, delete "3337.01, 3339.01, 3341.02, 3343.02,"	18
In line 834, delete "3344.01,"; delete "3345.45,"	19
In line 835, delete "3350.10, 3352.01,"; delete "3356.01,"	20
In line 836, delete "3359.01, 3361.01, 3362.01, 3364.01,"	21
In line 921, delete "5813.06,"	22
In line 929, after "718.021," insert "and"; delete ", and	23
3333.045"	24
In line 939, delete "1715.551,"	25
Delete line 949	26
In line 950, delete "3345.452, 3345.453, 3345.454, 3345.455,	27
3345.591,"	28
In line 951, delete "3345.80, 3345.87,"	29
Delete lines 33811 through 33955	30
Delete lines 56369 through 56422 and insert:	31
" Sec. 3333.045. As used in this section, "state university or	32
college" means any state university listed in section 3345.011 of	33
the Revised Code, the northeast Ohio medical university, any	34

community college under Chapter 3354. of the Revised Code, any 35
 university branch district under Chapter 3355. of the Revised 36
 Code, any technical college under Chapter 3357. of the Revised 37
 Code, and any state community college under Chapter 3358. of the 38
 Revised Code. 39

The chancellor of higher education shall work with the 40
 attorney general, the auditor of state, and the Ohio ethics 41
 commission to develop a model for training members of the boards 42
 of trustees of all state universities and colleges ~~and members of~~ 43
~~the board of regents~~ regarding the authority and responsibilities 44
 of a board of trustees ~~or the board of regents~~. This model shall 45
 include a review of fiduciary responsibilities, ethics, and fiscal 46
 management. Use of this model by members of boards of trustees ~~and~~ 47
~~the board of regents~~ shall be voluntary." 48

In line 57472, reinsert "Except" 49

Delete line 57473 50

Delete lines 57478 through 57481 51

In line 57490, reinsert all after the period 52

Reinsert lines 57491 and 57492 53

In line 57493, reinsert "for which the person previously 54
 served." 55

In line 57500, delete "student" and insert "Student" 56

In line 57553, delete "for trustees appointed prior to 57
January 1, 2024," 58

In line 57554, reinsert "(A)"; delete "(A)(1)" 59

Delete lines 57555 through 57557 60

In line 57563, delete "for trustees appointed prior to 61
January" 62

In line 57564, delete " <u>1, 2024,</u> "	63
In line 57565, reinsert "(A)"; delete " <u>(A)(1)</u> "; delete " <u>Terms of office for trustees appointed</u> "	64 65
Delete lines 57566 and 57567	66
Delete lines 57666 through 57950	67
Delete lines 57987 through 58283	68
Delete lines 58416 through 58661	69
Delete lines 58782 through 58833	70
Delete lines 58857 through 59149	71
Delete lines 59341 through 59387	72
Delete lines 59652 through 59969	73
In line 73589, reinsert the comma; reinsert "members of a police or fire"	74 75
Reinsert lines 73590 through 73595	76
In line 73596, reinsert "employees of"	77
In line 73597, after " blind " insert " <u>Ohio deaf and blind education services</u> " and reinsert the balance of the line	78 79
Reinsert lines 73598 through 73604	80
In line 73605, reinsert "are employed by that board, "; delete " <u>prohibited from striking under this</u> "	81 82
In line 73606, delete " <u>division</u> "	83
Delete lines 73617 through 73641	84
In line 73749, reinsert "members of a police or"	85
Reinsert lines 73750 through 73755	86
In line 73756, reinsert "exclusive nurse's unit, employees"	87

of"	88
In line 73757, after " blind " insert " <u>Ohio deaf and blind education services</u> " and reinsert the balance of the line	89 90
Reinsert lines 73758 through 73764	91
In line 73765, reinsert "commissioners and whose members are employed by that board" and delete " <u>public</u> "	92 93
Delete line 73766	94
In line 73767, delete " <u>of section 4117.14 of the Revised Code</u> "	95 96
Delete lines 124019 through 124035	97
In line 124654, after "3333.044," insert "3333.045,"	98
In line 124656, delete "3337.01, 3339.01,"	99
In line 124657, delete "3341.02, 3343.02, 3344.01,"	100
In line 124658, delete "3345.45, "; delete "3350.10, 3352.01,"	101
In line 124659, delete "3356.01, "; delete "3359.01, 3361.01,"	102
In line 124660, delete "3362.01, 3364.01,"	103
In line 124744, delete "5813.06,"	104
In line 124755, delete "3333.045,"	105
Delete lines 281041 through 281063	106

The motion was _____ agreed to.

SYNOPSIS

Removes provisions of the Senate-passed bill that would have done the following:	107 108
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Diversity, equity, and inclusion (DEI) and intellectual	109
diversity policy	110
R.C. 3345.0217	111
Required state institutions of higher education to adopt and	112
enforce a policy requiring the institution to:	113
- Prohibit any mandatory programs or training courses	114
regarding DEI, except that a state institution may report an	115
exemption if such a program or course is required for certain	116
specified purposes;	117
- Affirm and declare a primary function to the pursuit of	118
knowledge;	119
- Affirm and declare that the institution will ensure full	120
intellectual diversity;	121
- Demonstrate intellectual diversity for course approval,	122
approval of general education courses, student course evaluations,	123
common reading programs, annual reviews, strategic goals for each	124
department, and student learning outcomes;	125
- Seek out invited speakers who have diverse ideological and	126
political views;	127
- Post a complete list of all speaker fees, honoraria, and	128
other emoluments in excess of \$500 that are sponsored by the state	129
institution prominently on its website.	130
Required each state institution's policy to affirm and	131
declare that the state institution will not:	132
- Endorse or oppose, as an institution, any controversial	133
beliefs or policies, specified concepts, or specified ideologies;	134
- Influence or require students, faculty, or administrators	135
to endorse or express a given ideology, political stance, or view	136

of a social policy;	137
- Require a student to endorse or express a given ideology,	138
political stance, or view to obtain an undergraduate or	139
post-graduate degree;	140
- Use political and ideological litmus tests in any hiring,	141
promotion, and admissions decisions, including diversity	142
statements and other requirements that applicants describe	143
commitment to a specified concept, specified ideology, or	144
controversial belief;	145
- Influence or require students, faculty, or administrators	146
to endorse or express a given ideology or political stance in any	147
hiring, promotion, or admissions process or decision;	148
- Use a diversity statement or any other assessment of an	149
applicant's political or ideological views in any hiring,	150
promotions, or admissions process or decision;	151
- Influence or require students, faculty, or administrators	152
to endorse or express a given ideology or political stance in any	153
process or decision regulating conditions of work or study.	154
Required state institutions to establish a process by which a	155
student, student group, or faculty member may submit complaints	156
about alleged violations of the state institution's policy.	157
Intellectual diversity protections and disciplinary sanctions	158
R.C. 3345.0218	159
Required each state institution to do all of the following:	160
- Implement a range of disciplinary sanctions for any an	161
administrator, faculty member, staff, or student who interferes	162
with the intellectual diversity rights of another;	163
- Inform all students and employees of their intellectual	164

diversity protections and any applicable policies adopted by the	165
state institution to put the protections into practice;	166
- Issue and post to its website an annual report on any	167
violations of intellectual diversity rights and resulting	168
disciplinary sanctions.	169
Statements of commitment	170
R.C. 3345.0216	171
Required each state institution to incorporate specified	172
statements declaring commitment to free and open intellectual	173
inquiry, independence of thought, tolerance of differing	174
viewpoints, and equality of opportunity into a statement of	175
commitment.	176
Policies on equal opportunity	177
R.C. 3345.87	178
Required state institutions to do both of the following with	179
regard to every position, policy, program, and activity:	180
- Treat all faculty, staff, and students as individuals, hold	181
all individuals to equal standards, and provide every individual	182
with equality of opportunity with regard to those individuals'	183
race, ethnicity, religion, or sex;	184
- Provide no advantage or disadvantage to faculty, staff, or	185
students on the basis of race, ethnicity, religion, or sex in	186
admissions, hiring, promotion, tenuring, or workplace conditions.	187
Prohibition on support and training for certain concepts	188
R.C. 3345.87	189
Prohibited state institutions from providing or requiring	190
training for any administrator, teacher, or staff member that	191

advocates or promotes certain prescribed concepts regarding race and sex.	192 193
Required state institutions to implement a range of disciplinary sanctions for any administrator, teacher, staff member, or employee who authorizes or engages in a training that violates the above prohibitions.	194 195 196 197
Required state institutions to issue and post on their websites an annual report regarding violations of the above prohibitions, resulting disciplinary sanctions, and statistics on the academic qualifications of accepted and matriculating students, disaggregated by race and sex.	198 199 200 201 202
Required state institutions to establish a process by which a student, student group, or faculty member may submit complaints about alleged violations of the state institution's policy.	203 204 205
Segregation prohibition	206
R.C. 3345.87	207
Required state institutions to prohibit all policies designed explicitly to segregate faculty, staff, or students based on those individuals' race, ethnicity, religion, or sex in credit-earning classroom settings, formal orientation ceremonies, and formal graduation ceremonies.	208 209 210 211 212
Higher education employee strikes	213
R.C. 4117.14 and 4117.15	214
Prohibited state institutions of higher education employees from striking and instead requires them to submit unresolved collective bargaining disputes to a final offer settlement procedure.	215 216 217 218
Faculty evaluations	219

R.C. 3345.451, 3345.452, 3345.453, and 3345.454	220
Required the Department of Higher Education (DHE) to develop	221
a minimum set of standard questions to be used in student	222
evaluations, including a question about whether a faculty member	223
creates a classroom atmosphere free of bias.	224
Required each state institution to establish a written system	225
of faculty evaluations completed by students that uses the	226
questions developed by DHE.	227
Required state institutions to establish a written system of	228
peer evaluations for faculty members with a focus on professional	229
development regarding the faculty member's teaching	230
responsibilities.	231
Required state institutions to adopt and, every five years,	232
submit to the Chancellor of Higher Education a faculty annual	233
performance evaluation policy.	234
Required state institutions to conduct an annual evaluation	235
for each full-time faculty member directly compensated by the	236
state institution.	237
Required state institutions with tenured faculty to adopt	238
and, every five years, submit to the Chancellor a post-tenure	239
review policy.	240
Required state institutions with tenured faculty to adopt	241
and, every five years, submit to the Chancellor policies on tenure	242
and retrenchment.	243
Required these policies to contain an appeals process for	244
faculty.	245
Uniform Prudent Management of Institutional Funds Act	246
R.C. 1715.551	247

Allowed the Attorney General and, in some cases, a donor who transferred property to a state institution of higher education under a "qualified endowment agreement," or the benefactor representative of such a donor, to initiate a civil action when a state institution of higher education (or a foundation that administers charitable contributions on its behalf) breaches the agreement.

Limited the civil action to endowment agreements involving a gift of at least \$3 million and signed before the provision's effective date.

Specified that the civil action applies only to breaches that occur after the provision's effective date.

Permitted the Attorney General and any party to an endowment agreement, including the recipient state institution of higher education, to file a complaint to obtain a declaration of rights and duties under the agreement.

Required complaints to be filed within six years of discovering the violation, or within 25 years after the effective date of the endowment agreement, whichever is sooner.

Five-year institutional cost summaries

R.C. 3345.80

Required state institutions to submit to the Chancellor a rolling five-year summary of institutional costs to be considered by the General Assembly when evaluating operating and capital project funding for each biennial main operating appropriations bill and capital appropriations bill.

Required the Chancellor to submit a report to the General Assembly including all state institutions' five-year institutional cost summaries.

Required that the president of each state institution or the Chancellor have the opportunity to present in the appropriate hearings conducted by committees considering higher education legislation regarding the institutions' five-year summaries.

Required the Chancellor to, prior to the enactment of each main operating appropriations and capital appropriations bill, create and present a report to the General Assembly including the total institutional costs for state universities and community colleges separately.

Faculty workload policy

R.C. 3345.45

Required each state institution to take formal action to adopt a faculty workload policy consistent with standards adopted by the Chancellor, review and update its policy on faculty tenure, require multiple pathways to tenure to receive certain state funds, and update its faculty workload policy every five years.

Required each state institution to include in its faculty workload policy a teaching workload expectation based on credit hours, a definition of all faculty workload elements in terms of credit hours including a full-time minimum standard established by the board of trustees, justifiable credit hour equivalents, and any administrative action that the state institution may take if a faculty member fails to comply with the policy's requirements.

American government or history course requirement

R.C. 3345.382

Required the Chancellor of Higher Education to develop a three credit hour course in the subject of American government or American history with mandatory reading assignments including the United States Constitution, Declaration of Independence, five

essays from the Federalist Papers, the Emancipation Proclamation,	306
Gettysburg Address, and Letter from Birmingham Jail by Dr. Martin	307
Luther King, Jr.	308
Required state institutions to require all students seeking a	309
bachelor's degree to take the course or receive an exemption,	310
beginning with students who graduate in the spring of the	311
2028-2029 academic year.	312
Permitted state institutions to offer the course under the	313
College Credit Plus Program.	314
Syllabus requirements	315
R.C. 3345.029	316
Required each state institution to either post a syllabus for	317
each undergraduate course offered for college credit on its	318
website or ensure that each course instructor posts the syllabus	319
on a publicly accessible website that has specified information	320
about the instructor and each syllabus the instructor is teaching.	321
Permitted a community, state community, or technical college,	322
in lieu of posting a syllabus for a course it offers for college	323
credit, to post a general syllabus for a course that does not	324
include any information regarding a course instructor.	325
Required each state institution and the Chancellor to prepare	326
reports regarding state institution compliance with syllabus	327
posting requirements.	328
Interactions with the People's Republic of China	329
R.C. 3345.591	330
Prohibited state institutions from accepting gifts,	331
donations, or contributions from the People's Republic of China or	332
any organization that the institution reasonably suspects is	333

acting on behalf of the People's Republic of China.	334
Required state institutions to submit to the Chancellor a	335
copy of the foreign gifts report it sends to the United States	336
Department of Education.	337
Required state institutions to notify the Chancellor of any	338
new or renewed academic partnerships with an academic or research	339
institution located in China.	340
Prohibited state institutions from entering into new or	341
renewed academic partnerships with an academic or research	342
institution located in China unless the state institution	343
maintains sufficient structural safeguards to protect the state	344
institution's intellectual property, the security of Ohio, and	345
national security interests.	346
Required the Auditor of State to audit state institutions'	347
structural safeguards during the course of a normal audit.	348
Board of trustees training	349
R.C. 3333.045	350
Repealed a requirement that the Chancellor develop voluntary,	351
model training for state institution board of trustee members.	352
Required the Chancellor to develop and provide annual	353
training to the board of trustees of each state institution.	354
Board of trustees terms of office	355
R.C. 3335.02, 3337.01, 3339.01, 3341.02, 3343.02, 3344.01,	356
3350.10, 3352.01, 3356.01, 3359.01, 3361.01, 3362.01, and 3364.01.	357
Changed the term of office to four years for all nonstudent	358
trustees at state universities who are appointed by the Governor	359
on or after January 1, 2024.	360

Eliminated a prohibition on state university trustees who	361
served at least six years of a term being reappointed as a trustee	362
before four years have elapsed since the end of the trustee's	363
previous term.	364
Northeast Ohio Medical University principal goals	365
R.C. 3350.10	366
Removed language establishing the principal goals of the	367
Northeast Ohio Medical University to work in collaboration with	368
area state universities.	369
Three-year bachelor's degree study	370
Section 733.60	371
Required the Department of Higher Education to conduct a	372
study on the feasibility of implementing three-year bachelor's	373
degree programs in Ohio.	374
The Ohio Higher Education Enhancement Act title	375
Section 733.70	376
Entitled the sections amended or enacted by this amendment as	377
the "Ohio Higher Education Enhancement Act."	378