

As Passed by the Senate

136th General Assembly

Regular Session

2025-2026

Sub. S. B. No. 1

Senator Cirino

**Cosponsors: Senators Brenner, Chavez, Cutrona, Johnson, Koehler, Lang,
Manchester, O'Brien, Reineke, Roegner, Romanchuk, Schaffer, Wilkin, Huffman,
Timken**

A BILL

To amend sections 3335.02, 3335.09, 3337.01, 1
3339.01, 3341.02, 3343.02, 3344.01, 3345.45, 2
3350.10, 3352.01, 3356.01, 3359.01, 3361.01, 3
3362.01, 3364.01, 4117.14, and 4117.15; to enact 4
new section 3333.045 and sections 3345.029, 5
3345.0216, 3345.0217, 3345.0218, 3345.0219, 6
3345.382, 3345.451, 3345.452, 3345.453, 7
3345.454, 3345.455, 3345.456, 3345.591, 3345.80, 8
and 3345.88; and to repeal section 3333.045 of 9
the Revised Code to enact the Advance Ohio 10
Higher Education Act regarding the operation of 11
state institutions of higher education. 12

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

Section 1. That sections 3335.02, 3335.09, 3337.01, 13
3339.01, 3341.02, 3343.02, 3344.01, 3345.45, 3350.10, 3352.01, 14
3356.01, 3359.01, 3361.01, 3362.01, 3364.01, 4117.14, and 15
4117.15 be amended and new section 3333.045 and sections 16
3345.029, 3345.0216, 3345.0217, 3345.0218, 3345.0219, 3345.382, 17

3345.451, 3345.452, 3345.453, 3345.454, 3345.455, 3345.456, 18
3345.591, 3345.80, and 3345.88 of the Revised Code be enacted to 19
read as follows: 20

Sec. 3333.045. As used in this section, "state institution 21
of higher education" has the same meaning as in section 3345.011 22
of the Revised Code. 23

The chancellor of higher education, in consultation with 24
state institutions of higher education and members of their 25
boards of trustees, shall develop and annually deliver 26
educational programs for members of a board of trustees of each 27
state institution. The chancellor may deliver the programs 28
virtually and may offer the programs periodically throughout 29
each year. New members of a board of trustees shall participate 30
in the programs at least once in their first two years in 31
office. Current members of a board of trustees shall participate 32
in continuing trustee training at levels to be determined by the 33
chancellor. 34

The educational programs shall be designed to address the 35
role, duties, and responsibilities of a member of a board of 36
trustees and may include in-service programs on current issues 37
in higher education. In developing the educational programs, the 38
chancellor may consider similar programs offered in other states 39
or through a recognized trustee group. 40

The educational programs shall include presentations and 41
content related to all of the following: 42

(A) Each board member's duty to the state of Ohio; 43

(B) The committee structure and function of a board of 44
trustees; 45

(C) The duties of the executive committee of a board of 46

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| <u>trustees;</u> | 47 |
| <u>(D) Professional accounting and reporting standards;</u> | 48 |
| <u>(E) Methods for meeting the statutory, regulatory, and fiduciary obligations of a board of trustees;</u> | 49 50 |
| <u>(F) The requirements of the public records law;</u> | 51 |
| <u>(G) Institutional ethics and conflicts of interest;</u> | 52 |
| <u>(H) Creating and implementing institution-wide rules and regulations;</u> | 53 54 |
| <u>(I) Business operations, administration, budgeting, financing, financial reporting, and financial reserves, including a segment on endowment management;</u> | 55 56 57 |
| <u>(J) Fixing student general and instructional fees, and other necessary charges, including a review of student debt trends;</u> | 58 59 60 |
| <u>(K) Overseeing planning, construction, maintenance, expansion, and renovation projects that impact the state institution's consolidated infrastructure, physical facilities, and natural environment, including its lands, improvements, and capital equipment;</u> | 61 62 63 64 65 |
| <u>(L) Workforce planning, strategy, and investment;</u> | 66 |
| <u>(M) Institutional advancement, including philanthropic giving, fundraising initiatives, alumni programming, communications and media, government and public relations, and community affairs;</u> | 67 68 69 70 |
| <u>(N) Student welfare issues, including academic studies, curriculum, residence life, student governance and activities, and the general physical and psychological well-being of</u> | 71 72 73 |

undergraduate and graduate students; 74

(O) Current national and state issues in higher education; 75

(P) Future national and state issues in higher education; 76

(Q) State and federal anti-discrimination laws and a state 77
institution's obligations under sections 3345.0217, 3345.0218, 78
and 3345.88 of the Revised Code. 79

Sec. 3335.02. (A) The government of the Ohio state 80
university shall be vested in a board of fourteen trustees in 81
2005, and seventeen trustees beginning in 2006, who shall be 82
appointed by the governor, with the advice and consent of the 83
senate. Two of the seventeen trustees shall be students at the 84
Ohio state university, and their selection and terms shall be in 85
accordance with division (B) of this section. ~~Except~~ 86

(1) For trustees appointed prior to July 1, 2025, except 87
as provided in division ~~(D)~~(C) of this section and except for 88
the terms of student members, terms of office shall be for nine 89
years, commencing on the fourteenth day of May and ending on the 90
thirteenth day of May. 91

(2) For trustees appointed on or after July 1, 2025, 92
except for the terms of student members, terms of office shall 93
be for six years, commencing on the fourteenth day of May and 94
ending on the thirteenth day of May. 95

Each trustee shall hold office from the date of 96
appointment until the end of the term for which the trustee was 97
appointed. Any trustee appointed to fill a vacancy occurring 98
prior to the expiration of the term for which the trustee's 99
predecessor was appointed shall hold office for the remainder of 100
such term. Any trustee shall continue in office subsequent to 101
the expiration date of the trustee's term until the trustee's 102

successor takes office, or until a period of sixty days has 103
elapsed, whichever occurs first. ~~No person who has served a full~~ 104
~~nine-year term or more than six years of such a term shall be~~ 105
~~eligible for reappointment until a period of four years has~~ 106
~~elapsed since the last day of the term for which the person~~ 107
~~previously served.~~ The trustees shall not receive compensation 108
for their services, but shall be paid their reasonable necessary 109
expenses while engaged in the discharge of their official 110
duties. 111

(B) The student members of the board of trustees of the 112
Ohio state university shall be students at the Ohio state 113
university. ~~Unless student members have been granted voting~~ 114
~~power under division (C) of this section, they~~ Student members 115
shall have no voting power on the board, shall not be considered 116
as members of the board in determining whether a quorum is 117
present, and shall not be entitled to attend executive sessions 118
of the board. The student members of the board shall be 119
appointed by the governor, with the advice and consent of the 120
senate, from a group of five candidates selected pursuant to a 121
procedure adopted by the university's student governments and 122
approved by the university's board of trustees. The initial term 123
of office of one of the student members shall commence on May 124
14, 1988, and shall expire on May 13, 1989, and the initial term 125
of office of the other student member shall commence on May 14, 126
1988, and expire on May 13, 1990. Thereafter, terms of office of 127
student members shall be for two years, each term ending on the 128
same day of the same month of the year as the term it succeeds. 129
In the event a student member cannot fulfill a two-year term, a 130
replacement shall be selected to fill the unexpired term in the 131
same manner used to make the original selection. 132

~~(C) Not later than ninety days after the effective date of~~ 133

~~this amendment, the board of trustees shall adopt a resolution that does one of the following:~~ 134
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~~(1) Grants the student members of the board voting power on the board. If so granted, in addition to having voting power, the student members shall be considered as members of the board in determining whether a quorum is present and shall be entitled to attend executive sessions of the board.~~ 136
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~~(2) Declares that student members do not have voting power on the board.~~ 141
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~~Thereafter, the board may change the voting status of student trustees by adopting a subsequent resolution. Each resolution adopted under this division shall take effect on the fourteenth day of May following the adoption of the resolution. All members with voting power at the time of the adoption of a resolution may vote on the resolution.~~ 143
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~~If student members are granted voting power under this division, no student shall be disqualified from membership on the board of trustees because the student receives a scholarship, grant, loan, or any other financial assistance payable out of the state treasury or a university fund, or because the student is employed by the university in a position pursuant to a work-study program or other student employment, including as a graduate teaching assistant, graduate administrative assistant, or graduate research assistant, the compensation for which is payable out of the state treasury or a university fund.~~ 149
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~~Acceptance of such financial assistance or employment by a student trustee shall not be considered a violation of Chapter 102. or section 2921.42 or 2921.43 of the Revised Code.~~ 160
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~~(D) (1)~~ (C) (1) The initial terms of office for the three 163
additional trustees appointed in 2005 shall commence on a date 164
in 2005 that is selected by the governor with one term of office 165
expiring on May 13, 2009, one term of office expiring on May 13, 166
2010, and one term of office expiring on May 13, 2011, as 167
designated by the governor upon appointment. Thereafter terms of 168
office for trustees appointed prior to July 1, 2025, shall be 169
for nine years, as provided in division ~~(A)~~ (A) (1) of this 170
section. Terms of office for trustees appointed on or after July 171
1, 2025, shall be for six years, as provided in division (A) (2) 172
of this section. 173

(2) The initial terms of office for the three additional 174
trustees appointed in 2006 shall commence on May 14, 2006, with 175
one term of office expiring on May 13, 2012, one term of office 176
expiring on May 13, 2013, and one term of office expiring on May 177
13, 2014, as designated by the governor upon appointment. 178
Thereafter terms of office for trustees appointed prior to July 179
1, 2025, shall be for nine years, as provided in division ~~(A)~~ 180
(A) (1) of this section. Terms of office for trustees appointed 181
on or after July 1, 2025, shall be for six years, as provided in 182
division (A) (2) of this section. 183

Sec. 3335.09. The board of trustees of the Ohio state 184
university shall elect, fix the compensation of, and remove, the 185
president and such number of professors, teachers, and other 186
employees as are necessary. ~~Except as provided under division~~ 187
~~(C) of section 3335.02 of the Revised Code, no~~ No trustee, or 188
relative of a trustee by blood or marriage, shall be eligible to 189
a professorship or position in the university, the compensation 190
for which is payable out of the state treasury or a university 191
fund. The board shall fix and regulate the course of instruction 192
and prescribe the extent and character of experiments to be made 193

at the university. 194

Sec. 3337.01. (A) The body politic and corporate by the 195
name and style of "The President and Trustees of the Ohio 196
University" now in the university instituted and established in 197
Athens by the name and style of "The Ohio University" shall 198
consist of a board of trustees composed of eleven members, who 199
shall be appointed by the governor, with the advice and consent 200
of the senate. At least five of the trustees who are not 201
students shall be graduates of Ohio university. Two of the 202
trustees shall be students at Ohio university, and their 203
selection and terms shall be in accordance with division (B) of 204
this section. A majority of the board constitutes a quorum. 205
~~Except~~ For trustees appointed prior to July 1, 2025, except for 206
the terms of student members, terms of office shall be for nine 207
years, commencing on the fourteenth day of May and ending on the 208
thirteenth day of May, except that upon expiration of the term 209
ending on May 14, 1978, the new term which succeeds it shall 210
commence on May 15, 1978, and end on May 13, 1987. For trustees 211
appointed on or after July 1, 2025, except for the terms of 212
student members, terms of office shall be for six years, 213
commencing on the fourteenth day of May and ending on the 214
thirteenth day of May. Each member shall hold office from the 215
date of appointment until the end of the term for which the 216
member was appointed. Any member appointed to fill a vacancy 217
occurring prior to the expiration of the term for which the 218
member's predecessor was appointed shall hold office for the 219
remainder of such term. Any member shall continue in office 220
subsequent to the expiration date of the member's term until the 221
member's successor takes office, or until a period of sixty days 222
has elapsed, whichever occurs first. ~~No person who has served a~~ 223
~~full nine-year term or more than six years of such a term shall~~ 224

~~be eligible for reappointment until a period of four years has~~ 225
~~elapsed since the last day of the term for which the person~~ 226
~~previously served.~~ Such trustees shall receive no compensation 227
for their services, but shall be paid their actual and necessary 228
expenses while engaged in the discharge of their official 229
duties. 230

(B) The student members of the board of trustees of the 231
Ohio university have no voting power on the board. Student 232
members shall not be considered as members of the board in 233
determining whether a quorum is present. Student members shall 234
not be entitled to attend executive sessions of the board. The 235
student members of the board shall be appointed by the governor, 236
with the advice and consent of the senate, from a group of five 237
candidates selected pursuant to a procedure adopted by the 238
university's student governments and approved by the 239
university's board of trustees. The initial term of office of 240
one of the student members shall commence on May 14, 1988, and 241
shall expire on May 13, 1989, and the initial term of office of 242
the other student member shall commence on May 14, 1988, and 243
expire on May 13, 1990. Thereafter, terms of office of student 244
members shall be for two years, each term ending on the same day 245
of the same month of the year as the term it succeeds. In the 246
event that a student member cannot fulfill the student member's 247
two-year term, a replacement shall be selected to fill the 248
unexpired term in the same manner used to make the original 249
selection. 250

Sec. 3339.01. (A) The government of Miami university shall 251
be vested in eleven trustees, who shall be appointed by the 252
governor with the advice and consent of the senate. Two of the 253
trustees shall be students at Miami university, and their 254
selection and terms shall be in accordance with division (B) of 255

this section. A majority of the board constitutes a quorum. 256

~~Except~~ For trustees appointed prior to July 1, 2025, except for 257

the terms of student members, terms of office shall be for nine 258

years, commencing on the first day of March and ending on the 259

last day of February, except that upon expiration of the trustee 260

term ending on March 1, 1974, the trustee term which succeeds it 261

shall commence on March 2, 1974, and end on February 28, 1983; 262

upon expiration of the trustee term ending on March 1, 1977, the 263

trustee term which succeeds it shall commence on March 2, 1977, 264

and end on February 28, 1986; upon expiration of the trustee 265

term ending on March 1, 1978, the trustee term which succeeds it 266

shall commence on March 2, 1978, and end on February 28, 1987; 267

and upon expiration of the trustee term ending on March 1, 1979, 268

the trustee term which succeeds it shall commence on March 2, 269

1979, and end on February 29, 1988. For trustees appointed on or 270

after July 1, 2025, except for the terms of student members, 271

terms of office shall be for six years, commencing on the first 272

day of March and ending on the last day of February. Each 273

trustee shall hold office from the date of appointment until the 274

end of the term for which the trustee was appointed. Any trustee 275

appointed to fill a vacancy occurring prior to the end of the 276

term for which the trustee's predecessor was appointed shall 277

hold office for the remainder of such term. Any trustee shall 278

continue in office subsequent to the expiration date of the 279

trustee's term until a successor takes office, or until a period 280

of sixty days has elapsed, whichever occurs first. ~~No person who~~ 281

~~has served a full nine-year term or more than six years of such~~ 282

~~a term shall be eligible for reappointment until a period of~~ 283

~~four years has elapsed since the last day of the term for which~~ 284

~~the person previously served.~~ The trustees shall receive no 285

compensation for their services but shall be paid their 286

reasonable necessary expenses while engaged in the discharge of 287

their official duties. 288

(B) The student members of the board of trustees of Miami 289
university have no voting power on the board. Student members 290
shall not be considered as members of the board in determining 291
whether a quorum is present. Student members shall not be 292
entitled to attend executive sessions of the board. The student 293
members of the board shall be appointed by the governor, with 294
the advice and consent of the senate, from a group of five 295
candidates selected pursuant to a procedure adopted by the 296
university's student governments and approved by the 297
university's board of trustees. The initial term of office of 298
one of the student members shall commence on March 1, 1988, and 299
shall expire on February 28, 1989, and the initial term of 300
office of the other student member shall commence on March 1, 301
1988, and expire on February 28, 1990. Thereafter, terms of 302
office of student members shall be for two years, each term 303
ending on the last day of February. In the event that a student 304
member cannot fulfill the student member's two-year term, a 305
replacement shall be selected to fill the unexpired term in the 306
same manner used to make the original selection. 307

Sec. 3341.02. (A) The government of Bowling Green state 308
university is vested in a board of eleven trustees, who shall be 309
appointed by the governor, with the advice and consent of the 310
senate. Two of the trustees shall be students at Bowling Green 311
state university, and their selection and terms shall be in 312
accordance with division (B) of this section. A majority of the 313
board constitutes a quorum. ~~Except For trustees appointed prior~~ 314
~~to July 1, 2025, except for the terms of student members, terms~~ 315
of office shall be for nine years, commencing on the seventeenth 316
day of May and ending on the sixteenth day of May. ~~No person who~~ 317
~~has served a full nine-year term or more than six years of such~~ 318

~~a term shall be eligible for reappointment until a period of~~ 319
~~four years has elapsed since the last day of the term for which~~ 320
~~the person previously served.~~ For trustees appointed on or after 321
July 1, 2025, except for the terms of student members, terms of 322
office shall be for six years, commencing on the seventeenth day 323
of May and ending on the sixteenth day of May. 324

(B) The student members of the board of trustees of 325
Bowling Green state university have no voting power on the 326
board. Student members shall not be considered as members of the 327
board in determining whether a quorum is present. Student 328
members shall not be entitled to attend executive sessions of 329
the board. The student members of the board shall be appointed 330
by the governor, with the advice and consent of the senate, from 331
a group of five candidates selected pursuant to a procedure 332
adopted by the university's student governments and approved by 333
the university's board of trustees. The initial term of office 334
of one of the student members shall commence on March 17, 1988, 335
and shall expire on March 16, 1989, and the initial term of 336
office of the other student member shall commence on March 17, 337
1988, and expire on March 16, 1990. After September 22, 2000, 338
terms of office shall commence on the seventeenth day of May and 339
shall end on the sixteenth day of May. Terms of office of 340
student members shall be for two years, each term ending on the 341
same day of the same month of the year as the term it succeeds. 342
In the event that a student member cannot fulfill the student 343
member's two-year term, a replacement shall be selected in the 344
manner used for the original selection to fill the unexpired 345
term. 346

(C) The government of Kent state university is vested in a 347
board of eleven trustees, who shall be appointed by the 348
governor, with the advice and consent of the senate. Two of the 349

trustees shall be students at Kent state university, and their 350
selection and terms shall be in accordance with division (D) of 351
this section. A majority of the board constitutes a quorum. 352
~~Except~~ For trustees appointed prior to July 1, 2025, except for 353
the terms of student members, terms of office shall be for nine 354
years, commencing on the seventeenth day of May and ending on 355
the sixteenth day of May. ~~No person who has served a full nine-~~ 356
~~year term or more than six years of such a term shall be-~~ 357
~~eligible for reappointment until a period of four years has-~~ 358
~~elapsed since the last day of the term for which the person-~~ 359
~~previously served.~~ For trustees appointed on or after July 1, 360
2025, except for the terms of student members, terms of office 361
shall be for six years, commencing on the seventeenth day of May 362
and ending on the sixteenth day of May. 363

(D) The student members of the board of trustees of Kent 364
state university have no voting power on the board. Student 365
members shall not be considered as members of the board in 366
determining whether a quorum is present. Student members shall 367
not be entitled to attend executive sessions of the board. The 368
student members of the board shall be appointed by the governor, 369
with the advice and consent of the senate, from a group of five 370
candidates selected pursuant to a procedure adopted by the 371
university's student governments and approved by the 372
university's board of trustees. The initial term of office of 373
one of the student members shall commence on May 17, 1988, and 374
shall expire on May 16, 1989, and the initial term of office of 375
the other student member shall commence on May 17, 1988, and 376
expire on May 16, 1990. Thereafter, terms of office of student 377
members shall be for two years, each term ending on the same day 378
of the same month of the year as the term it succeeds. In the 379
event that a student member cannot fulfill the student member's 380

two-year term, a replacement shall be selected to fill the 381
unexpired term in the same manner used to make the original 382
selection. 383

(E) The trustees shall receive no compensation for their 384
services but shall be paid their reasonable necessary expenses 385
while engaged in the discharge of their official duties. 386

(F) Each trustee shall hold office from the date of 387
appointment until the end of the term for which the trustee was 388
appointed. Any trustee appointed to fill a vacancy occurring 389
prior to the expiration of the term for which the trustee's 390
predecessor was appointed shall hold office for the remainder of 391
such term. Any trustee shall continue in office subsequent to 392
the expiration date of the trustee's term until a successor 393
takes office, or until a period of sixty days has elapsed, 394
whichever occurs first. 395

Sec. 3343.02. (A) The government of Central state 396
university shall be vested in a board of trustees to be known as 397
"the board of trustees of the Central state university." Such 398
board shall consist of eleven members who shall be appointed by 399
the governor, with the advice and consent of the senate. Two of 400
the trustees shall be students at Central state university, and 401
their selection and terms shall be in accordance with division 402
(B) of this section. A majority of the board constitutes a 403
quorum. Except For trustees appointed prior to July 1, 2025, 404
except for the student members, terms of office shall be for 405
nine years, commencing on the first day of July and ending on 406
the thirtieth day of June. For trustees appointed on or after 407
July 1, 2025, except for the student members, terms of office 408
shall be for six years, commencing on the first day of July and 409
ending on the thirtieth day of June. Each member shall hold 410

office from the date of appointment until the end of the term 411
for which the member was appointed. Any member appointed to fill 412
a vacancy occurring prior to the expiration of the term for 413
which the member's predecessor was appointed shall hold office 414
for the remainder of such term. Any member shall continue in 415
office subsequent to the expiration date of the member's term 416
until the member's successor takes office, or until a period of 417
sixty days has elapsed, whichever occurs first. ~~No person who~~ 418
~~has served a full nine-year term or more than six years of such~~ 419
~~a term shall be eligible for reappointment until a period of~~ 420
~~four years has elapsed since the last day of the term for which~~ 421
~~the person previously served.~~ 422

(B) The student members of the board of trustees of 423
Central state university have no voting power on the board. 424
Student members shall not be considered as members of the board 425
in determining whether a quorum is present. Student members 426
shall not be entitled to attend executive sessions of the board. 427
The student members of the board shall be appointed by the 428
governor, with the advice and consent of the senate, from a 429
group of five candidates selected pursuant to a procedure 430
adopted by the university's student governments and approved by 431
the university's board of trustees. The initial term of office 432
of one of the student members shall commence on July 1, 1988, 433
and shall expire on June 30, 1989, and the initial term of 434
office of the other student member shall commence on July 1, 435
1988, and expire on June 30, 1990. Thereafter, terms of office 436
of student members shall be for two years, each term ending on 437
the same day of the same month of the year as the term it 438
succeeds. In the event that a student member cannot fulfill a 439
two-year term, a replacement shall be selected to fill the 440
unexpired term in the same manner used to make the original 441

selection. 442

Sec. 3344.01. (A) There is hereby created the Cleveland 443
state university. The government of the Cleveland state 444
university is vested in a board of eleven trustees, who shall be 445
appointed by the governor, with the advice and consent of the 446
senate. Two of the trustees shall be students at the Cleveland 447
state university, and their selection and terms shall be in 448
accordance with division (B) of this section. ~~Except For~~ 449
trustees appointed prior to July 1, 2025, except for the student 450
members, terms of office shall be for nine years, commencing on 451
the second day of May and ending on the first day of May. For 452
trustees appointed on or after July 1, 2025, except for the 453
student members, terms of office shall be for six years, 454
commencing on the second day of May and ending on the first day 455
of May. Each trustee shall hold office from the date of 456
appointment until the end of the term for which the trustee was 457
appointed. Any trustee appointed to fill a vacancy occurring 458
prior to the expiration of the term for which the trustee's 459
predecessor was appointed shall hold office for the remainder of 460
such term. Any trustee shall continue in office subsequent to 461
the expiration date of the trustee's term until the trustee's 462
successor takes office, or until a period of sixty days has 463
elapsed, whichever occurs first. ~~No person who has served a full~~ 464
~~nine-year term or more than six years of such a term shall be~~ 465
~~eligible for reappointment until a period of four years has~~ 466
~~elapsed since the last day of the term for which the person~~ 467
~~previously served.~~ The trustees shall receive no compensation 468
for their services but shall be paid their reasonable necessary 469
expenses while engaged in the discharge of their official 470
duties. A majority of the board constitutes a quorum. 471

(B) The student members of the board of trustees of the 472

Cleveland state university have no voting power on the board. 473
Student members shall not be considered as members of the board 474
in determining whether a quorum is present. Student members 475
shall not be entitled to attend executive sessions of the board. 476
The student members of the board shall be appointed by the 477
governor, with the advice and consent of the senate, from a 478
group of five candidates selected pursuant to a procedure 479
adopted by the university's student governments and approved by 480
the university's board of trustees. The initial term of office 481
of one of the student members shall commence on May 2, 1988, and 482
shall expire on May 1, 1989, and the initial term of office of 483
the other student member shall commence on May 2, 1988, and 484
expire on May 1, 1990. Thereafter, terms of office of student 485
members shall be for two years, each term ending on the same day 486
of the same month of the year as the term it succeeds. In the 487
event that a student member cannot fulfill a two-year term, a 488
replacement shall be selected to fill the unexpired term in the 489
same manner used to make the original selection. 490

Sec. 3345.029. (A) As used in this section: 491

(1) "Community college" has the same meaning as in section 492
3333.168 of the Revised Code. 493

(2) "Course syllabus" means a document produced for 494
students by a course instructor that includes all of the 495
following: 496

(a) The name of the course instructor; 497

(b) A calendar for the course outlining what materials and 498
topics will be covered and when during the course they will be 499
covered; 500

(c) A list of any required or recommended readings for the 501

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|---|-----|
| <u>course;</u> | 502 |
| <u>(d) The course instructor's professional qualifications.</u> | 503 |
| <u>(3) "General syllabus" means a document produced for</u> | 504 |
| <u>students by a community college regarding a course that includes</u> | 505 |
| <u>both of the following:</u> | 506 |
| <u>(a) A calendar for the course outlining what materials and</u> | 507 |
| <u>topics will be covered and when during the course they will be</u> | 508 |
| <u>covered;</u> | 509 |
| <u>(b) A list of any required or recommended readings for the</u> | 510 |
| <u>course.</u> | 511 |
| <u>(4) "State institution of higher education" has the same</u> | 512 |
| <u>meaning as in section 3345.011 of the Revised Code.</u> | 513 |
| <u>(B) Beginning in the 2026-2027 academic year, each state</u> | 514 |
| <u>institution of higher education shall make a syllabus for each</u> | 515 |
| <u>undergraduate course it offers for college credit publicly</u> | 516 |
| <u>available by doing one of the following:</u> | 517 |
| <u>(1) Ensuring that each course instructor posts a course</u> | 518 |
| <u>syllabus on a publicly accessible web site. Each such web site</u> | 519 |
| <u>shall include the following information:</u> | 520 |
| <u>(a) The course instructor's professional qualifications;</u> | 521 |
| <u>(b) The course instructor's contact information;</u> | 522 |
| <u>(c) The course instructor's course schedule;</u> | 523 |
| <u>(d) The course syllabus for each course the instructor is</u> | 524 |
| <u>currently teaching, which shall be accessible by link or</u> | 525 |
| <u>download through the web site.</u> | 526 |
| <u>(2) Posting a course syllabus for each course on the</u> | 527 |
| <u>institution's publicly accessible web site. Each course syllabus</u> | 528 |

| | |
|---|-----|
| <u>shall be all of the following:</u> | 529 |
| <u>(a) Accessible from the main page of the state</u> | 530 |
| <u>institution's web site by use of not more than three links;</u> | 531 |
| <u>(b) Searchable by keywords and phrases;</u> | 532 |
| <u>(c) Accessible to the public without requiring user</u> | 533 |
| <u>registration of any kind.</u> | 534 |
| <u>(3) If the institution is a community college, posting a</u> | 535 |
| <u>general syllabus for a course on the college's publicly</u> | 536 |
| <u>accessible web site. Each general syllabus shall be all of the</u> | 537 |
| <u>following:</u> | 538 |
| <u>(a) Accessible from the main page of the college's web</u> | 539 |
| <u>site by use of not more than three links;</u> | 540 |
| <u>(b) Searchable by keywords and phrases;</u> | 541 |
| <u>(c) Accessible to the public without requiring user</u> | 542 |
| <u>registration of any kind.</u> | 543 |
| <u>(C) (1) Each state institution shall make a syllabus</u> | 544 |
| <u>available in accordance with division (B) of this section not</u> | 545 |
| <u>later than the first day of classes for the semester or academic</u> | 546 |
| <u>term in which the course is offered.</u> | 547 |
| <u>(2) For any syllabus posted under division (B) (1) of this</u> | 548 |
| <u>section that is no longer used, the course instructor shall,</u> | 549 |
| <u>upon request, make that syllabus available for not less than two</u> | 550 |
| <u>years after that syllabus was posted under that division.</u> | 551 |
| <u>(3) Any syllabus posted under division (B) (2) or (3) of</u> | 552 |
| <u>this section shall remain posted on the state institution's web</u> | 553 |
| <u>site for not less than two years after it was first posted.</u> | 554 |
| <u>(4) To the extent practicable, each state institution</u> | 555 |

shall ensure that the most recently updated syllabus for each 556
undergraduate course it offers for college credit is posted in 557
accordance with division (B) of this section. 558

(D) Divisions (B) and (C) of this section do not apply to 559
a college course that is offered through the college credit plus 560
program established under Chapter 3365. of the Revised Code, 561
delivered in a secondary school, and taught by a high school 562
teacher. 563

(E) Each state institution shall designate an 564
administrator to implement the institution's responsibilities 565
under this section. The administrator may assign duties for that 566
purpose to one or more administrative employees. 567

(F) Each state institution shall prepare a written report 568
regarding its compliance with the requirements under this 569
section for the chancellor of higher education in accordance 570
with guidelines established under section 3345.0219 of the 571
Revised Code. 572

The chancellor shall prepare a report that includes each 573
report received from a state institution under this division. 574

(G) Nothing in this section shall be construed to require 575
a publicly available syllabus to include the location or time of 576
day at which a course is being held. 577

Sec. 3345.0216. (A) Each state institution of higher 578
education, as defined in section 3345.011 of the Revised Code, 579
shall incorporate all of the following statements into a 580
statement of commitment: 581

(1) The institution declares that it will educate students 582
by means of free, open, and rigorous intellectual inquiry to 583
seek the truth. 584

(2) The institution declares that its duty is to equip 585
students with the opportunity to develop the intellectual skills 586
they need to reach their own, informed conclusions. 587

(3) The institution declares its commitment to not 588
requiring, favoring, disfavoring, or prohibiting speech or 589
lawful assembly. 590

(4) The institution declares it is committed to create a 591
community dedicated to an ethic of civil and free inquiry, which 592
respects the autonomy of each member, supports individual 593
capacities for growth, and tolerates the differences in opinion 594
that naturally occur in a public higher education community. 595

(5) The institution declares that its duty is to treat all 596
faculty, staff, and students as individuals, to hold them to 597
equal standards, and to provide them equality of opportunity, 598
with regard to those individuals' race, ethnicity, religion, 599
sex, sexual orientation, gender identity, or gender expression. 600

(B) Each state institution of higher education shall 601
prominently post the statement of commitment developed under 602
this section on its publicly accessible web site and alongside 603
the state institution's mission statement in any place in which 604
the mission statement appears, including when it is published or 605
posted. Each institution shall include the statement of 606
commitment in any solicitations and offers of admission to 607
students and any offers of employment to faculty. 608

Sec. 3345.0217. (A) As used in this section: 609

(1) "Controversial belief or policy" means any belief or 610
policy that is the subject of political controversy, including 611
issues such as climate policies, electoral politics, foreign 612
policy, diversity, equity, and inclusion programs, immigration 613

policy, marriage, or abortion. 614

(2) "Intellectual diversity" means multiple, divergent, 615
and varied perspectives on an extensive range of public policy 616
issues. 617

(3) "State institution of higher education" has the same 618
meaning as in section 3345.011 of the Revised Code. 619

(B) Not later than ninety days after the effective date of 620
this section, the board of trustees of each state institution of 621
higher education shall adopt and the institution shall enforce a 622
policy that requires the institution to do all of the following: 623

(1) (a) Prohibit all of the following: 624

(i) Any orientation or training course regarding 625
diversity, equity, and inclusion; 626

(ii) The continuation of existing diversity, equity, and 627
inclusion offices or departments; 628

(iii) Establishing new diversity, equity, and inclusion 629
offices or departments; 630

(iv) Using diversity, equity, and inclusion in job 631
descriptions; 632

(v) Contracting with consultants or third-parties whose 633
role is or would be to promote admissions, hiring, or promotion 634
on the basis of race, ethnicity, religion, sex, sexual 635
orientation, gender identity, or gender expression; 636

(vi) The establishment of any new institutional 637
scholarships that use diversity, equity, and inclusion in any 638
manner. For any institutional scholarships existing on the 639
effective date of this section, a state institution shall, to 640

the extent possible, eliminate diversity, equity, and inclusion 641
requirements. If the state institution is unable to do so 642
because of donor requirements, the institution may continue to 643
offer those institutional scholarships. However, the state 644
institution shall not accept any additional funds for the 645
operation of institutional scholarships that have diversity, 646
equity, and inclusion requirements. 647

(b) A state institution shall not replace any orientation, 648
training, office, or position designated for the purpose of 649
diversity, equity, and inclusion that is prohibited under this 650
division with an orientation, training, office, or position 651
under a different designation that serves the same or similar 652
purposes, or that uses the same or similar means. 653

(c) In the event that the requirements to obtain a 654
research grant conflict with the prohibitions listed under 655
division (B) (1) (a) of this section, a state institution shall 656
endeavor, to the extent possible, to comply with division (B) (1) 657
(a) of this section while retaining eligibility for the research 658
grant, including by consulting with legal counsel. A state 659
institution that is unable to comply with division (B) (1) (a) of 660
this section with respect to a research grant shall submit a 661
written request for an exception to the chancellor of higher 662
education. The exception request shall include an explanation of 663
the circumstances and the effort made by the state institution 664
to comply with division (B) (1) (a) of this section while 665
retaining eligibility for the research grant. 666

(d) Divisions (B) (1) (a) and (c) of this section do not 667
apply to agreements or contracts regarding any research grants 668
entered into prior to the effective date of this section. 669
Divisions (B) (1) (a) and (c) of this section apply to any renewal 670

of such agreements or contracts occurring on or after the 671
effective date of this section. 672

(2) Affirm and declare that its primary function is to 673
practice, or support the practice, discovery, improvement, 674
transmission, and dissemination of knowledge and citizenship 675
education by means of research, teaching, discussion, and 676
debate; 677

(3) Affirm and declare that, to fulfill the function 678
described in division (B) (2) of this section, the state 679
institution shall ensure the fullest degree of intellectual 680
diversity; 681

(4) Affirm and declare that faculty and staff shall allow 682
and encourage students to reach their own conclusions about all 683
controversial beliefs or policies and shall not seek to 684
indoctrinate any social, political, or religious point of view; 685

(5) Demonstrate intellectual diversity for course 686
approval, approval of courses to satisfy general education 687
requirements, student course evaluations, common reading 688
programs, annual reviews, strategic goals for each department, 689
and student learning outcomes. 690

Divisions (B) (2) to (5) of this section do not apply to 691
the exercise of professional judgment about how to accomplish 692
intellectual diversity within an academic discipline, unless 693
that exercise is misused to constrict intellectual diversity. 694

(6) Declare that it will not endorse or oppose, as an 695
institution, any controversial belief or policy, except on 696
matters that directly impact the institution's funding or 697
mission of discovery, improvement, and dissemination of 698
knowledge. The institution may also endorse the congress of the 699

United States when it establishes a state of armed hostility 700
against a foreign power. 701

This division does not include the recognition of national 702
and state holidays, support for the Constitution and laws of the 703
United States or the state of Ohio, or the display of the 704
American or Ohio flag. 705

(7) Affirm and declare that the state institution will not 706
encourage, discourage, require, or forbid students, faculty, or 707
administrators to endorse, assent to, or publicly express a 708
given ideology, political stance, or view of a social policy, 709
nor will the institution require students to do any of those 710
things to obtain an undergraduate or post-graduate degree. 711

Divisions (B) (6) and (7) of this section do not apply to 712
the exercise of professional judgment about whether to endorse 713
the consensus or foundational beliefs of an academic discipline, 714
unless that exercise is misused to take an action prohibited in 715
division (B) (6) of this section. 716

(8) Prohibit political and ideological litmus tests in all 717
hiring, promotion, and admissions decisions, including diversity 718
statements and any other requirement that applicants describe 719
their commitment to any ideology, principle, concept, or 720
formulation that requires commitment to any controversial belief 721
or policy; 722

(9) Affirm and declare that no hiring, promotion, or 723
admissions process or decision shall encourage, discourage, 724
require, or forbid students, faculty, or administrators to 725
endorse, assent to, or publicly express a given ideology or 726
political stance; 727

(10) Affirm and declare that the state institution will 728

not use a diversity statement or any other assessment of an 729
applicant's political or ideological views in any hiring, 730
promotions, or admissions process or decision; 731

(11) Affirm and declare that no process or decision 732
regulating conditions of work or study, such as committee 733
assignments, course scheduling, or workload adjustment policies, 734
shall encourage, discourage, require, or forbid students, 735
faculty, or administrators to endorse, assent to, or publicly 736
express a given ideology or political stance; 737

(12) Affirm and declare that the state institution will 738
seek out invited speakers who have diverse ideological or 739
political views; 740

(13) Post prominently on its web site a complete list of 741
all speaker fees, honoraria, and other emoluments in excess of 742
five hundred dollars for events that are sponsored by the state 743
institution. That information shall be all of the following: 744

(a) Accessible from the main page of the institution's web 745
site by use of not more than three links; 746

(b) Searchable by keywords and phrases; 747

(c) Accessible to the public without requiring user 748
registration of any kind. 749

(C) Each state institution of higher education shall 750
respond to complaints from any student, student group, or 751
faculty member about an alleged violation of the prohibitions 752
and requirements included in the policy adopted under this 753
section using the process established under division (C) of 754
section 3345.0215 of the Revised Code. 755

(D) Nothing in this section prohibits faculty or students 756

from classroom instruction, discussion, or debate, so long as 757
faculty members allow students to express intellectual 758
diversity. 759

(E) The general assembly may withhold or reduce any state 760
operating subsidy payments, state capital improvement funds, or 761
other state appropriation to a state institution of higher 762
education if the general assembly determines the institution has 763
failed to comply with the requirements established under this 764
section. 765

Sec. 3345.0218. (A) As used in this section: 766

(1) "Intellectual diversity" has the same meaning as in 767
section 3345.0217 of the Revised Code. 768

(2) "State institution of higher education" has the same 769
meaning as in section 3345.011 of the Revised Code. 770

(B) Each state institution of higher education shall 771
respond to complaints regarding any administrator, faculty 772
member, staff, or student who interferes with the intellectual 773
diversity rights, prescribed under section 3345.0217 of the 774
Revised Code, of another using the process established under 775
division (C) of section 3345.0215 of the Revised Code. 776

(C) Each state institution shall inform all of its 777
students and employees of the protections afforded to them under 778
section 3345.0217 of the Revised Code and any policies it has 779
adopted to put them into practice, including by providing the 780
information to new employees and to each student during any new 781
student orientation the institution offers. 782

(D) Each state institution shall comply with any reporting 783
guidelines established by the chancellor under section 3345.0219 784
of the Revised Code regarding any violations of the intellectual 785

diversity rights prescribed under section 3345.0217 of the 786
Revised Code by any individual under the institution's 787
jurisdiction and any consequent disciplinary sanctions issued 788
for that violation. 789

Sec. 3345.0219. Each state institution of higher 790
education, as defined in section 3345.011 of the Revised Code, 791
shall comply with guidelines established by the chancellor of 792
higher education when the institution adopts policies or issues 793
reports under sections 3345.029, 3345.0217, 3345.0218, 3345.452, 794
3345.453, 3345.454, 3345.591, 3345.80, and 3345.88 of the 795
Revised Code. The guidelines shall address the form and manner 796
by which the state institution shall submit a policy or report 797
to the chancellor when the institution is required to do so by 798
one of those sections. The chancellor shall post each such 799
policy or report that the chancellor receives on the 800
chancellor's publicly accessible web site. 801

Sec. 3345.382. (A) As used in this section, "state 802
institution of higher education" has the same meaning as in 803
section 3345.011 of the Revised Code. 804

(B) Each state institution of higher education shall 805
develop a course with not fewer than three credit hours in the 806
subject area of American civic literacy. The course shall 807
include a study of the American economic system and capitalism. 808
The course shall comply with the criteria, policies, and 809
procedures established under section 3333.16 of the Revised 810
Code. The course may be offered under the college credit plus 811
program established under Chapter 3365. of the Revised Code. The 812
course shall, at a minimum, require each student to read all the 813
following: 814

(1) The entire Constitution of the United States; 815

| | |
|---|-----|
| <u>(2) The entire Declaration of Independence;</u> | 816 |
| <u>(3) A minimum of five essays in their entirety from the</u> | 817 |
| <u>Federalist Papers. The essays shall be selected by the</u> | 818 |
| <u>department chair.</u> | 819 |
| <u>(4) The entire Emancipation Proclamation;</u> | 820 |
| <u>(5) The entire Gettysburg Address;</u> | 821 |
| <u>(6) The entire Letter from Birmingham Jail written by Dr.</u> | 822 |
| <u>Martin Luther King Jr;</u> | 823 |
| <u>(7) The writings of Adam Smith, including a study of the</u> | 824 |
| <u>principles written in The Wealth of Nations.</u> | 825 |
| <u>Any student who takes the course shall be required to pass</u> | 826 |
| <u>a cumulative final examination at the conclusion of the course</u> | 827 |
| <u>that assesses student proficiency about the documents described</u> | 828 |
| <u>in divisions (B) (1) to (7) of this section.</u> | 829 |
| <u>Each state institution of higher education board of</u> | 830 |
| <u>trustees shall adopt a resolution approving a plan to offer the</u> | 831 |
| <u>course developed under this section. Each state institution</u> | 832 |
| <u>shall submit that plan to the chancellor of higher education.</u> | 833 |
| <u>The chancellor shall review and approve each plan. Prior to</u> | 834 |
| <u>approving a plan, the chancellor may require a state institution</u> | 835 |
| <u>to revise the plan and the course.</u> | 836 |
| <u>(C) Beginning with students who graduate from a state</u> | 837 |
| <u>institution of higher education in the spring semester, or</u> | 838 |
| <u>equivalent quarter, of the 2029-2030 academic year, no state</u> | 839 |
| <u>institution of higher education shall grant a bachelor's degree</u> | 840 |
| <u>to any student unless the student completes a course described</u> | 841 |
| <u>in division (B) of this section. A state institution may require</u> | 842 |
| <u>students to complete the course as part of the institution's</u> | 843 |

general education courses of study. 844

(D) The president of a state institution of higher 845
education, or the president's designee, may exempt a student 846
from the requirement to complete a course described in division 847
(B) of this section, if the president or designee determines 848
that the student has completed either of the following: 849

(1) A course offered under the college credit plus program 850
established under Chapter 3365. of the Revised Code that 851
satisfies the content requirements described in division (B) of 852
this section and is approved by the chancellor; 853

(2) An advanced placement course and examination that 854
satisfy the content requirements described in division (B) of 855
this section and are approved by the chancellor, and the student 856
receives a score of three or higher on that examination. 857

(E) This section does not apply to associate's degree 858
programs. 859

Sec. 3345.45. ~~(A) On or before January 1, 1994, the~~ The 860
chancellor of higher education jointly with all state- 861
~~universities~~ institutions of higher education, as defined in 862
section 3345.011 of the Revised Code, shall develop standards 863
for instructional workloads for full-time and part-time faculty 864
in keeping with the ~~universities'~~ institutions' missions and 865
with special emphasis on the undergraduate learning experience. 866
The standards shall contain clear guidelines for institutions to 867
determine a range of acceptable undergraduate teaching by 868
faculty. 869

~~(B) On or before June 30, 1994, the~~ The board of trustees 870
of each state ~~university~~ institution of higher education shall 871
take formal action to adopt a faculty workload policy consistent 872

with the standards developed under this section. ~~Notwithstanding~~ 873
~~section 4117.08 of the Revised Code, the policies adopted under~~ 874
~~this section are not appropriate subjects for collective~~ 875
~~bargaining. Notwithstanding division (A) of section 4117.10 of~~ 876
~~the Revised Code, any policy adopted under this section by a~~ 877
~~board of trustees prevails over any conflicting provisions of~~ 878
~~any collective bargaining agreement between an employees~~ 879
~~organization and that board of trustees.~~ 880

(C) (1) The board of trustees of each state ~~university~~ 881
~~institution of higher education~~ shall review the ~~university's~~ 882
~~institution's~~ policy on faculty tenure and update that policy to 883
promote excellence in instruction, research, service, or 884
commercialization, or any combination thereof. 885

(2) ~~Beginning on July 1, 2018, as~~ As a condition for a 886
state ~~university~~ institution of higher education to receive any 887
state funds for research that are allocated to the department of 888
higher education under the appropriation line items referred to 889
as either "research incentive third frontier fund" or "research 890
incentive third frontier-tax," the chancellor shall require the 891
~~university~~ institution to include multiple pathways for faculty 892
tenure, one of which may be a commercialization pathway, in its 893
policy. 894

(D) (1) At least once every five years, each state 895
institution of higher education shall update its faculty 896
workload policy and submit the policy to the chancellor. The 897
updated policies shall be approved by the state institution's 898
board of trustees each time it is submitted to the chancellor. 899

(2) Each state institution of higher education's faculty 900
workload policy shall include all of the following: 901

| | |
|---|-----|
| <u>(a) An objective and numerically defined teaching workload</u> | 902 |
| <u>expectation based on credit hours as defined in 34 C.F.R. 600.2;</u> | 903 |
| <u>(b) A definition of all faculty workload elements in terms</u> | 904 |
| <u>of credit hours as defined in 34 CFR 600.2 with a full-time</u> | 905 |
| <u>workload minimum standard established by the board of trustees</u> | 906 |
| <u>and made publicly accessible on the state institution's web</u> | 907 |
| <u>site;</u> | 908 |
| <u>(c) A definition of justifiable credit hour equivalents</u> | 909 |
| <u>for activities other than teaching, including research, clinical</u> | 910 |
| <u>care, administration, service, and other activities as</u> | 911 |
| <u>determined by the state institution of higher education;</u> | 912 |
| <u>(d) Administrative action that a state institution of</u> | 913 |
| <u>higher education may take, including censure, remedial training,</u> | 914 |
| <u>for-cause termination, or other disciplinary action, regardless</u> | 915 |
| <u>of tenure status, if a faculty member fails to comply with the</u> | 916 |
| <u>policy's requirements. Termination under these circumstances</u> | 917 |
| <u>requires the recommendation of the dean, provost, or equivalent</u> | 918 |
| <u>official, concurrence of the state institution of higher</u> | 919 |
| <u>education's president, and approval of the state institution of</u> | 920 |
| <u>higher education's board of trustees.</u> | 921 |
| Sec. 3345.451. <u>(A) As used in this section, "state</u> | 922 |
| <u>institution of higher education" has the same meaning as in</u> | 923 |
| <u>section 3345.011 of the Revised Code.</u> | 924 |
| <u>(B) The chancellor of higher education shall develop a</u> | 925 |
| <u>minimum set of standard questions for use by state institutions</u> | 926 |
| <u>of higher education in student evaluations of faculty members.</u> | 927 |
| <u>The questions shall include the following:</u> | 928 |
| <u>"Does the faculty member create a classroom atmosphere</u> | 929 |
| <u>free of political, racial, gender, and religious bias?"</u> | 930 |

(C) Each state institution of higher education shall 931
establish a written system of faculty evaluations completed by 932
students with a focus on teaching effectiveness and student 933
learning. Each state institution shall include in its student 934
evaluations of faculty the minimum set of standard questions 935
developed by the chancellor in division (B) of this section. 936

(D) Each state institution of higher education shall 937
establish a written system of peer evaluations for faculty 938
members with emphasis placed on the faculty member's 939
professional development regarding the faculty member's teaching 940
responsibilities. 941

Sec. 3345.452. (A) As used in this section, "state 942
institution of higher education" has the same meaning as in 943
section 3345.011 of the Revised Code. 944

(B) The board of trustees of each state institution of 945
higher education shall adopt a faculty annual performance 946
evaluation policy and submit the policy to the chancellor of 947
higher education. Each policy must contain an appeals process 948
for faculty to appeal the final evaluation. Each state 949
institution's board of trustees shall review and update its 950
policy every five years. 951

(C) Each state institution of higher education shall 952
conduct an annual evaluation for each full-time faculty member 953
who it directly compensates. 954

(D) Each faculty annual performance evaluation shall meet 955
all of the following: 956

(1) The evaluation is comprehensive and includes 957
standardized, objective, and measurable performance metrics. 958

(2) The evaluation includes an assessment of performance 959

for each of the following areas that the faculty member has 960
spent at least five per cent of their annual work time on over 961
the preceding year: 962

(a) Teaching; 963

(b) Research; 964

(c) Service; 965

(d) Clinical care; 966

(e) Administration; 967

(f) Other categories, as determined by the state 968
institution of higher education. 969

(3) The evaluation includes a summary assessment of the 970
performance areas listed in division (D) (2) of this section 971
including the parameters "exceeds performance expectations," 972
"meets performance expectations," or "does not meet performance 973
expectations." 974

(4) Student evaluations conducted pursuant to section 975
3345.451 of the Revised Code account for at least twenty-five 976
per cent of the teaching area component of the evaluation. 977

(5) The evaluation establishes a projected work effort 978
distribution for the faculty member for the next year which 979
shall be used during the next year's evaluation. The 980
distribution shall be compliant with the state institution's 981
established workload policies adopted under section 3345.45 of 982
the Revised Code and shall receive approval from the dean of 983
faculty or the equivalent. 984

(E) Evaluations shall be conducted by the department 985
chairperson or equivalent administrator, reviewed and approved 986

or disapproved by the dean, and submitted to the provost for 987
review. If there is disagreement between the chairperson and 988
dean, the provost shall have final decision authority. 989

Sec. 3345.453. This section applies only to state 990
institutions of higher education that have tenured faculty 991
members. 992

(A) As used in this section, "state institution of higher 993
education" has the same meaning as in section 3345.011 of the 994
Revised Code. 995

(B) The board of trustees of each state institution of 996
higher education shall adopt a post-tenure review policy and 997
submit the policy to the chancellor of higher education. Each 998
policy must contain an appeals process for tenured faculty whose 999
post-tenure review process results in a recommendation for 1000
administrative action pursuant to division (G) of this section. 1001
Each state institution's board of trustees shall update the 1002
post-tenure review policy every five years. 1003

(C) A state institution of higher education shall conduct 1004
a post-tenure review if a tenured faculty member receives a 1005
"does not meet performance expectations" evaluation within the 1006
same evaluative category for a minimum of two of the past three 1007
consecutive years on the faculty member's annual performance 1008
evaluation conducted pursuant to section 3345.452 of the Revised 1009
Code. 1010

(D) A state institution of higher education shall subject 1011
any faculty member who maintains tenure after a post-tenure 1012
review and receives an additional "does not meet performance 1013
expectations" assessment on any area of the faculty member's 1014
annual performance evaluation in the subsequent two years to an 1015

additional post-tenure review. 1016

(E) The department chairperson, dean of faculty, or 1017
provost of a state institution of higher education may require 1018
an immediate and for cause post-tenure review at any time for a 1019
faculty member who has a documented and sustained record of 1020
significant underperformance outside of the faculty member's 1021
annual performance evaluation. For this purpose, for cause shall 1022
not be based on a faculty member's allowable expression of 1023
academic freedom as defined by the state institution of higher 1024
education or Ohio law. 1025

(F) The state institution of higher education's post- 1026
tenure review due process period, from beginning to end, shall 1027
not exceed six months, except that a one-time two-month 1028
extension may be granted by the state institution's president. 1029

(G) The state institution of higher education's provost 1030
shall submit a recommended outcome of the post-tenure review 1031
process to the institution's entity that is responsible for the 1032
final decision of post-tenure review pursuant to the 1033
institution's policy. The administrative action that a state 1034
institution of higher education may take includes censure, 1035
remedial training, or for-cause termination, regardless of 1036
tenure status, and any other action permitted by the 1037
institution's post-tenure review policy. 1038

Sec. 3345.454. This section applies only to state 1039
institutions of higher education that have tenured faculty 1040
members. 1041

(A) As used in this section: 1042

(1) "State institution of higher education" has the same 1043
meaning as in section 3345.011 of the Revised Code. 1044

(2) "Retrenchment" means a process by which a state 1045
institution of higher education reduces programs or services, 1046
thus resulting in a temporary suspension or permanent separation 1047
of one or more institution faculty, to account for a reduction 1048
in student population or overall funding, a change to 1049
institutional missions or programs, or other fiscal pressures or 1050
emergencies facing the institution. 1051

(B) In addition to the policies described in sections 1052
3345.45 to 3345.453 of the Revised Code, each state institution 1053
of higher education board of trustees shall develop policies on 1054
tenure and retrenchment. Each state institution shall submit 1055
those policies to the chancellor of higher education. Each state 1056
institution's board of trustees shall update those policies 1057
every five years. 1058

(C) A state institution of higher education shall 1059
eliminate any undergraduate degree program it offers if the 1060
institution confers an average of fewer than five degrees in 1061
that program annually over any three-year period. A state 1062
institution shall not consider any academic year prior to the 1063
first academic year in which an undergraduate degree is 1064
conferred in determining whether this division applies to the 1065
program offering that degree. 1066

The chancellor may grant a waiver to a state institution 1067
for a program to which this division applies. State institutions 1068
shall appeal for a waiver in a form and manner determined by the 1069
chancellor. If the chancellor grants a waiver to a state 1070
institution, the chancellor shall establish terms under which 1071
the state institution may conditionally continue the program, 1072
including whether the program is eligible to be supported by 1073
state share of instruction funds. 1074

Sec. 3345.455. With respect to a collective bargaining agreement entered into on or after the effective date of this section, both of the following apply to the standards, policies, and systems adopted under sections 3345.45 to 3345.454 of the Revised Code: 1075
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(A) Notwithstanding section 4117.08 of the Revised Code, the standards, policies, and systems are not appropriate subjects for collective bargaining. 1080
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(B) Notwithstanding division (A) of section 4117.10 of the Revised Code, the standards, policies, and systems prevail over any conflicting provision of a collective bargaining agreement. 1083
1084
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Sec. 3345.456. (A) As used in this section: 1086

(1) "State institution of higher education" has the same meaning as in section 3345.011 of the Revised Code. 1087
1088

(2) "Retrenchment" has the same meaning as in section 3345.454 of the Revised Code. 1089
1090

(B) Notwithstanding anything to the contrary in section 3345.454 or 3345.455 of the Revised Code, a state institution of higher education that is a party to a collective bargaining agreement in effect on the effective date of this section containing a provision regarding retrenchment shall only continue to bargain over retrenchment policies for a new or renewed collective bargaining agreement with respect to institution faculty that have at least thirty years, but not more than thirty-five years, of service in one of the state retirement systems at the time of any retrenchment determination. 1091
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(C) Nothing in this section prohibits a faculty member from accepting any separation incentive that may otherwise be 1102
1103

offered by a state institution of higher education, regardless 1104
of whether the incentive is contained in a collective bargaining 1105
agreement. 1106

Sec. 3345.591. (A) As used in this section: 1107

(1) "People's Republic of China" means the government of 1108
China, the Chinese Communist Party, the People's Liberation 1109
Army, or any other extension of, or entity affiliated with, the 1110
government of China. 1111

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

(B) No state institution of higher education shall accept 1114
gifts, donations, or contributions from the People's Republic of 1115
China or any organization the institution reasonably suspects is 1116
acting on behalf of the People's Republic of China. 1117

Nothing in this section prohibits a state institution of 1118
higher education from accepting payments from Chinese citizens 1119
related to instructional fees, general fees, special fees, cost 1120
of instruction, or educational expenses or donations from the 1121
institution's alumni. 1122

Nothing in this section prohibits a state institution of 1123
higher education from receiving philanthropic or unrestricted 1124
grants so long as it maintains the structural safeguard 1125
requirements provided for in division (E) of this section. 1126

(C) Each state institution shall submit to the chancellor 1127
of higher education a copy of the report it submits to the 1128
United States department of education pursuant to 20 U.S.C. 1129
1011(f). 1130

(D) Upon request, the chancellor shall make any 1131

information reported under division (C) of this section 1132
available to any member of the general assembly. 1133

(E) A state institution shall notify the chancellor of any 1134
new or renewed academic partnership with an academic or research 1135
institution located in China. A state institution shall only 1136
enter into a new or renewed academic partnership with an 1137
academic or research institution located in China if the state 1138
institution maintains sufficient structural safeguards to 1139
protect the state institution's intellectual property, the 1140
security of the state of Ohio, and the national security 1141
interests of the United States. The safeguards shall include, at 1142
a minimum, all of the following: 1143

(1) Compliance with all federal requirements, including 1144
the requirements of federal research sponsors and federal export 1145
control agencies, including regulations regarding international 1146
traffic in arms and export administration regulations, and 1147
economic and trade sanctions administered by the federal office 1148
of foreign assets control; 1149

(2) Annual formal institution-level programs for faculty 1150
on conflicts of interest and conflicts of commitment; 1151

(3) A formalized foreign visitor process and uniform 1152
visiting scholar agreement. 1153

(F) The auditor of state shall audit the safeguards 1154
implemented by state institutions of higher education under 1155
division (E) of this section in the course of a normal audit 1156
conducted under section 117.46 of the Revised Code. 1157

Sec. 3345.80. (A) As used in this section, "state 1158
institution of higher education" and "state university" have the 1159
same meanings as in section 3345.011 of the Revised Code. 1160

(B) For each biennial main operating appropriations bill 1161
and capital appropriations bill, each state institution of 1162
higher education shall prepare, in accordance with guidelines 1163
established under section 3345.0219 of the Revised Code, a 1164
rolling five-year summary of its institutional costs to be 1165
considered by the general assembly when evaluating operating and 1166
capital project funding. The chancellor shall submit a report 1167
including each state institution's five-year institutional cost 1168
summaries to the general assembly under section 101.68 of the 1169
Revised Code. 1170

(C) Each state institution of higher education's five-year 1171
institutional cost summary shall consist of the following 1172
categories: 1173

(1) All costs related to student instruction, including 1174
instructor salaries, benefits, and related operating costs; 1175

(2) All general staff costs related to maintenance, 1176
grounds, utilities, food service, and other areas as determined 1177
by the institution; 1178

(3) All other costs for staff, including academic 1179
administrators, counseling, financial aid assistance, healthcare 1180
services, and housing management. 1181

(D) Each of the categories presented in the five-year 1182
institutional cost summary shall include all of the following: 1183

(1) A detailed breakdown of annual costs and employee 1184
headcounts; 1185

(2) A complete accounting of all spending on diversity, 1186
equity, and inclusion, or related subjects; 1187

(3) An annual count of all faculty, administration, and 1188

employees. 1189

(E) The chancellor shall consult with state institutions 1190
of higher education to develop a standardized reporting format 1191
for the institutional cost summaries and a uniform approach to 1192
completing the categories required in division (C) of this 1193
section. 1194

(F) During the general assembly's consideration of the 1195
main operating appropriations and capital appropriations bills, 1196
if requested by the chairperson of the senate or house committee 1197
that considers higher education legislation, the president of 1198
each state university and the chancellor of higher education 1199
shall present in the appropriate hearings conducted by that 1200
committee to provide commentary on trends, potential 1201
justifications, or other explanations regarding the university's 1202
five-year summary of institutional costs. 1203

(G) Prior to the enactment of the main operating 1204
appropriations and capital appropriations bills, the chancellor 1205
shall create and present to the general assembly an aggregation 1206
report summarizing the total institutional costs for state 1207
universities and community colleges separately. 1208

Sec. 3345.88. (A) As used in this section: 1209

(1) "Position, policy, program, and activity" includes all 1210
of the following: 1211

(a) All forms of employment, including staff positions, 1212
internships, and work studies; 1213

(b) All policies, including mission statements, hiring 1214
policies, promotion policies, and tenure policies; 1215

(c) All programs and positions, including deanships, 1216

| | |
|---|------|
| <u>provostships, offices, programs, programs presented by residence</u> | 1217 |
| <u>halls, and committees;</u> | 1218 |
| <u>(d) All activities, including those conducted by the</u> | 1219 |
| <u>administrative units of orientation, first-year experience,</u> | 1220 |
| <u>student life, and residential life.</u> | 1221 |
| <u>(2) "State institution of higher education" has the same</u> | 1222 |
| <u>meaning as in section 3345.011 of the Revised Code.</u> | 1223 |
| <u>(B) With respect to every position, policy, program, and</u> | 1224 |
| <u>activity, each state institution of higher education shall do</u> | 1225 |
| <u>both of the following:</u> | 1226 |
| <u>(1) Treat all faculty, staff, and students as individuals,</u> | 1227 |
| <u>hold every individual to equal standards, and provide those</u> | 1228 |
| <u>individuals with equality of opportunity, with regard to those</u> | 1229 |
| <u>individuals' race, ethnicity, religion, sex, sexual orientation,</u> | 1230 |
| <u>gender identity, or gender expression;</u> | 1231 |
| <u>(2) Provide no advantage or disadvantage to faculty,</u> | 1232 |
| <u>staff, or students on the basis of race, ethnicity, religion,</u> | 1233 |
| <u>sex, sexual orientation, gender identity, or gender expression</u> | 1234 |
| <u>in admissions, hiring, promotion, tenuring, or workplace</u> | 1235 |
| <u>conditions.</u> | 1236 |
| <u>(C) No state institution of higher education shall provide</u> | 1237 |
| <u>or require training for any administrator, teacher, staff</u> | 1238 |
| <u>member, or employee that advocates or promotes any of the</u> | 1239 |
| <u>following concepts:</u> | 1240 |
| <u>(1) One race or sex is inherently superior to another race</u> | 1241 |
| <u>or sex.</u> | 1242 |
| <u>(2) An individual, by virtue of his or her race or sex, is</u> | 1243 |
| <u>inherently racist, sexist, or oppressive, whether consciously or</u> | 1244 |

unconsciously. 1245

(3) An individual should be discriminated against or 1246
receive adverse treatment solely or partly because of the 1247
individual's race. 1248

(4) Members of one race cannot nor should not attempt to 1249
treat others without respect to race. 1250

(5) An individual's moral standing or worth is necessarily 1251
determined by the individual's race or sex. 1252

(6) An individual, by virtue of the individual's race or 1253
sex, bears responsibility for actions committed in the past by 1254
other members of the same race or sex. 1255

(7) An individual should feel discomfort, guilt, anguish, 1256
or any other form of psychological distress on account of his or 1257
her race or sex. 1258

(8) Meritocracy or traits such as hard work ethic are 1259
racist or sexist, or were created by members of a particular 1260
race to oppress members of another race. 1261

(9) Fault, blame, or bias should be assigned to a race or 1262
sex, or to members of a race or sex because of their race or 1263
sex. 1264

Division (C) of this section shall not be construed to 1265
preclude a state institution of higher education from providing 1266
or facilitating continuing education that complies with this 1267
division's requirements to public safety officers. 1268

(D) Each state institution of higher education shall 1269
implement a range of disciplinary sanctions for any 1270
administrator, teacher, staff member, or employee who authorizes 1271
or engages in a training prohibited in division (C) of this 1272

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|---|------|
| <u>section.</u> | 1273 |
| <u>(E) Each state institution of higher education shall issue</u> | 1274 |
| <u>a report in accordance with guidelines established under section</u> | 1275 |
| <u>3345.0219 of the Revised Code regarding each of the following:</u> | 1276 |
| <u>(1) All violations of division (D) of this section</u> | 1277 |
| <u>committed by anyone under the institution's jurisdiction and of</u> | 1278 |
| <u>all consequent disciplinary sanctions;</u> | 1279 |
| <u>(2) Statistics on the academic qualifications of accepted</u> | 1280 |
| <u>and matriculating students, disaggregated by race and sex. The</u> | 1281 |
| <u>statistics shall include information correlating students'</u> | 1282 |
| <u>academic qualifications and retention rates, disaggregated by</u> | 1283 |
| <u>race and sex.</u> | 1284 |
| <u>(F) Each state institution of higher education shall</u> | 1285 |
| <u>prohibit all policies designed explicitly to segregate faculty,</u> | 1286 |
| <u>staff, or students based on those individuals' race, ethnicity,</u> | 1287 |
| <u>religion, sex, sexual orientation, gender identity, or gender</u> | 1288 |
| <u>expression in credit-earning classroom settings, formal</u> | 1289 |
| <u>orientation ceremonies, and formal graduation ceremonies.</u> | 1290 |
| <u>(G) Each state institution of higher education shall</u> | 1291 |
| <u>respond to complaints from any student, student group, or</u> | 1292 |
| <u>faculty member about an alleged violation of the prohibitions</u> | 1293 |
| <u>and requirements under this section by an employee of the state</u> | 1294 |
| <u>institution of higher education using the process established</u> | 1295 |
| <u>under division (C) of section 3345.0215 of the Revised Code.</u> | 1296 |
| Sec. 3350.10. (A) There is hereby created the northeast | 1297 |
| Ohio medical university. The principal goal of the medical- | 1298 |
| university shall be to collaborate with the university of Akron, | 1299 |
| Cleveland state university, Kent state university, and | 1300 |
| Youngstown state university to graduate physicians oriented to | 1301 |

~~the practice of medicine at the community level, especially~~ 1302
~~family physicians. To accomplish this goal, the medical~~ 1303
~~university may incorporate in the clinical experience provided~~ 1304
~~its students the several community hospitals in the cities and~~ 1305
~~areas served by the medical university; utilize practicing~~ 1306
~~physicians as teachers; and to the fullest extent possible~~ 1307
~~utilize the basic science capabilities of the university of~~ 1308
~~Akron, Cleveland state university, Kent state university, and~~ 1309
~~Youngstown state university~~ The government of northeast Ohio 1310
medical university is vested in a board of eleven trustees, who 1311
shall be appointed by the governor with the advice and consent 1312
of the senate pursuant to division (A) (2) of this section. 1313

(1) Until December 22, 2008, the government of the 1314
northeast Ohio medical university is vested in a nine-member 1315
board of trustees consisting of the presidents of the university 1316
of Akron, Kent state university, and Youngstown state 1317
university; one member each of the boards of trustees of the 1318
university of Akron, Kent state university, and Youngstown state 1319
university, to be appointed by their respective boards of 1320
trustees for a term of six years ending on the first day of May 1321
or until the trustee's term on the respective university board 1322
of trustees expires, whichever occurs first; and one person each 1323
to be appointed by the boards of trustees of the university of 1324
Akron, Kent state university, and Youngstown state university, 1325
for a term of nine years ending on the first day of May; except 1326
that the term of those first appointed by the several boards of 1327
trustees shall expire on the first day of May next following 1328
their appointment. Vacancies shall be filled for the unexpired 1329
term in the manner provided for original appointment. The 1330
trustees shall receive no compensation for their services but 1331
shall be paid their reasonable necessary expenses while engaged 1332

in the discharge of their official duties. A majority of the 1333
board constitutes a quorum. 1334

(2) Beginning December 22, 2008, the government of the 1335
northeast Ohio medical university is vested in a board of eleven 1336
trustees, who shall be appointed by the governor, with the 1337
advice and consent of the senate. Two of the trustees shall be 1338
current students of the medical university, and their selection 1339
and terms shall be in accordance with division (B) of this 1340
section. ~~Except~~ For trustees appointed prior to July 1, 2025, 1341
except as provided in division (A) (3) of this section and except 1342
for the student members, terms of office shall be for nine 1343
years. For trustees appointed on or after July 1, 2025, except 1344
for the student members, terms of office shall be for six years. 1345
Each trustee shall hold office from the date of appointment 1346
until the end of the term for which the trustee was appointed. 1347
Any trustee appointed to fill a vacancy occurring prior to the 1348
expiration of the term for which the trustee's predecessor was 1349
appointed shall hold office for the remainder of such term. Any 1350
trustee shall continue in office subsequent to the expiration 1351
date of the trustee's term until the trustee's successor takes 1352
office, or until a period of sixty days has elapsed, whichever 1353
occurs first. ~~No person who has served a full nine-year term or~~ 1354
~~more than six years of such a term shall be eligible for~~ 1355
~~reappointment until a period of four years has elapsed since the~~ 1356
~~last day of the term for which the person previously served.~~ 1357
The trustees shall receive no compensation for their services but 1358
shall be paid their reasonable necessary expenses while engaged 1359
in the discharge of their official duties. A majority of the 1360
board constitutes a quorum. 1361

(3) Not later than December 22, 2008, the governor, with 1362
the advice and consent of the senate, shall appoint the two 1363

student trustees and successors for the trustees serving under 1364
division (A) (1) of this section. Except for the student 1365
trustees, who shall serve terms pursuant to division (B) of this 1366
section, the initial terms of office for trustees appointed 1367
under division (A) (2) of this section shall be as follows: one 1368
term ending September 23, 2009; one term ending September 23, 1369
2010; one term ending September 23, 2011; one term ending 1370
September 23, 2012; one term ending September 23, 2013; one term 1371
ending September 23, 2014; one term ending September 23, 2015; 1372
one term ending September 23, 2016; one term ending September 1373
23, 2017. Thereafter, for trustees appointed prior to July 1, 1374
2025, terms of office shall be for nine years, as provided in 1375
division (A) (2) of this section. For trustees appointed on or 1376
after July 1, 2025, terms of office shall be for six years, as 1377
provided in division (A) (2) of this section. 1378

(B) The student members of the board of trustees of the 1379
northeast Ohio medical university have no voting power on the 1380
board. Student members shall not be considered as members of the 1381
board in determining whether a quorum is present. Student 1382
members shall not be entitled to attend executive sessions of 1383
the board. The student members of the board shall be appointed 1384
by the governor, with the advice and consent of the senate, from 1385
a group of five candidates selected pursuant to a procedure 1386
adopted by the university's student governments and approved by 1387
the university's board of trustees. The initial term of office 1388
of one of the student members shall commence December 22, 2008, 1389
and shall expire on June 30, 2009, and the initial term of 1390
office of the other student member shall commence December 22, 1391
2008, and shall expire on June 30, 2010. Thereafter, terms of 1392
office of student members shall be for two years, each term 1393
ending on the same day of the same month of the year as the term 1394

it succeeds. In the event that a student member cannot fulfill a 1395
two-year term, a replacement shall be selected to fill the 1396
unexpired term in the same manner used to make the original 1397
selection. 1398

Sec. 3352.01. (A) There is hereby created a state 1399
university to be known as "Wright state university." The 1400
government of Wright state university is vested in a board of 1401
eleven trustees, who shall be appointed by the governor, with 1402
the advice and consent of the senate. Two of the trustees shall 1403
be students at Wright state university, and their selection and 1404
terms shall be in accordance with division (B) of this section. 1405
~~Except~~ For trustees appointed prior to July 1, 2025, except for 1406
the terms of student members, terms of office shall be for nine 1407
years, commencing on the first day of July and ending on the 1408
thirtieth day of June. For trustees appointed on or after July 1409
1, 2025, except for the terms of student members, terms of 1410
office shall be for six years, commencing on the first day of 1411
July and ending on the thirtieth day of June. Each trustee shall 1412
hold office from the date of appointment until the end of the 1413
term for which the trustee was appointed. Any trustee appointed 1414
to fill a vacancy occurring prior to the expiration of the term 1415
for which the trustee's predecessor was appointed shall hold 1416
office for the remainder of such term. Any trustee shall 1417
continue in office subsequent to the expiration date of the 1418
trustee's term until the trustee's successor takes office, or 1419
until a period of sixty days has elapsed, whichever occurs 1420
first. ~~No person who has served a full nine-year term or more~~ 1421
~~than six years of such a term shall be eligible for~~ 1422
~~reappointment until a period of four years has elapsed since the~~ 1423
~~last day of the term for which the person previously served.~~ The 1424
trustees shall receive no compensation for their services but 1425

shall be paid their reasonable necessary expenses while engaged 1426
in the discharge of their official duties. A majority of the 1427
board constitutes a quorum. 1428

(B) The student members of the board of trustees of Wright 1429
state university have no voting power on the board. Student 1430
members shall not be considered as members of the board in 1431
determining whether a quorum is present. Student members shall 1432
not be entitled to attend executive sessions of the board. The 1433
student members of the board shall be appointed by the governor, 1434
with the advice and consent of the senate, from a group of five 1435
candidates selected pursuant to a procedure adopted by the 1436
university's student governments and approved by the 1437
university's board of trustees. The initial term of office of 1438
one of the student members shall commence on July 1, 1988, and 1439
shall expire on June 30, 1989, and the initial term of office of 1440
the other student member shall commence on July 1, 1988, and 1441
shall expire on June 30, 1990. Thereafter, terms of office of 1442
student members shall be for two years, each term ending on the 1443
same day of the same month of the year as the term it succeeds. 1444
In the event that a student member cannot fulfill a two-year 1445
term, a replacement shall be selected to fill the unexpired term 1446
in the same manner used to make the original selection. 1447

Sec. 3356.01. (A) There is hereby created Youngstown state 1448
university. The government of Youngstown state university is 1449
vested in a board of eleven trustees, who shall be appointed by 1450
the governor, with the advice and consent of the senate. Two of 1451
the trustees shall be students at Youngstown state university, 1452
and their selection and terms shall be in accordance with 1453
division (B) of this section. ~~Except~~ For trustees appointed 1454
prior to July 1, 2025, except for the terms of student members, 1455
terms of office shall be for nine years, commencing on the 1456

second day of May and ending on the first day of May. For 1457
trustees appointed on or after July 1, 2025, except for the 1458
terms of student members, terms of office shall be for six 1459
years, commencing on the second day of May and ending on the 1460
first day of May. Each trustee shall hold office from the date 1461
of appointment until the end of the term for which the trustee 1462
was appointed. Any trustee appointed to fill a vacancy occurring 1463
prior to the expiration of the term for which the trustee's 1464
predecessor was appointed shall hold office for the remainder of 1465
such term. Any trustee shall continue in office subsequent to 1466
the expiration date of the trustee's term until the trustee's 1467
successor takes office, or until a period of sixty days has 1468
elapsed, whichever occurs first. ~~No person who has served a full~~ 1469
~~nine-year term or more than six years of such a term shall be~~ 1470
~~eligible to reappointment until a period of four years has~~ 1471
~~elapsed since the last day of the term for which the person~~ 1472
~~previously served.~~ The trustees shall receive no compensation 1473
for their services but shall be paid their reasonable necessary 1474
expenses while engaged in the discharge of their duties. A 1475
majority of the board constitutes a quorum. 1476

(B) The student members of the board of trustees of 1477
Youngstown state university have no voting power on the board. 1478
Student members shall not be considered as members of the board 1479
in determining whether a quorum is present. Student members 1480
shall not be entitled to attend executive sessions of the board. 1481
The student members of the board shall be appointed by the 1482
governor, with the advice and consent of the senate, from a 1483
group of five candidates selected pursuant to a procedure 1484
adopted by the university's student governments and approved by 1485
the university's board of trustees. The initial term of office 1486
of one of the student members shall commence on May 2, 1988, and 1487

shall expire on May 1, 1989, and the initial term of office of 1488
the other student member shall commence on May 2, 1988, and 1489
expire on May 1, 1990. Thereafter, terms of office of student 1490
members shall be for two years, each term ending on the same day 1491
of the same month of the year as the term it succeeds. In the 1492
event that a student member cannot fulfill a two-year term, a 1493
replacement shall be selected to fill the unexpired term in the 1494
same manner used to make the original selection. 1495

Sec. 3359.01. (A) There is hereby created a state 1496
university to be known as "The University of Akron." The 1497
government of the university of Akron is vested in a board of 1498
eleven trustees who shall be appointed by the governor, with the 1499
advice and consent of the senate. Two of the trustees shall be 1500
students at the university of Akron, and their selection and 1501
terms shall be in accordance with division (B) of this section. 1502
~~Except for trustees appointed prior to July 1, 2025, except for~~ 1503
the terms of student members, terms of office shall be for nine 1504
years, commencing on the second day of July and ending on the 1505
first day of July. For trustees appointed on or after July 1, 1506
2025, except for the terms of student members, terms of office 1507
shall be for six years. Each trustee shall hold office from the 1508
date of appointment until the end of the term for which the 1509
trustee was appointed. Any trustee appointed to fill a vacancy 1510
occurring prior to the expiration of the term for which the 1511
trustee's predecessor was appointed shall hold office for the 1512
remainder of such term. Any trustee shall continue in office 1513
subsequent to the expiration date of the trustee's term until 1514
the trustee's successor takes office, or until a period of sixty 1515
days has elapsed, whichever occurs first. ~~No person who has~~ 1516
~~served a full nine-year term or more than six years of such a~~ 1517
~~term shall be eligible for reappointment until a period of four~~ 1518

~~years has elapsed since the last day of the term for which the~~ 1519
~~person previously served.~~ The trustees shall receive no 1520
compensation for their services but shall be paid their 1521
reasonable necessary expenses while engaged in the discharge of 1522
their official duties. A majority of the board constitutes a 1523
quorum. 1524

(B) The student members of the board of trustees of the 1525
university of Akron have no voting power on the board. Student 1526
members shall not be considered as members of the board in 1527
determining whether a quorum is present. Student members shall 1528
not be entitled to attend executive sessions of the board. The 1529
student members of the board shall be appointed by the governor, 1530
with the advice and consent of the senate, from a group of five 1531
candidates selected pursuant to a procedure adopted by the 1532
university's student governments and approved by the 1533
university's board of trustees. The initial term of office of 1534
one of the student members shall commence on July 2, 1988, and 1535
shall expire on July 1, 1989, and the initial term of office of 1536
the other student member shall commence on July 2, 1988, and 1537
expire on July 1, 1990. Thereafter, terms of office of student 1538
members shall be for two years, each term ending on the same day 1539
of the same month of the year as the term it succeeds. In the 1540
event that a student member cannot fulfill a two-year term, a 1541
replacement shall be selected to fill the unexpired term in the 1542
same manner used to make the original selection. 1543

Sec. 3361.01. (A) There is hereby created a state 1544
university to be known as the "university of Cincinnati." The 1545
government of the university of Cincinnati is vested in a board 1546
of eleven trustees who shall be appointed by the governor with 1547
the advice and consent of the senate. Two of the trustees shall 1548
be students at the university of Cincinnati, and their selection 1549

and terms shall be in accordance with division (B) of this 1550
section. The terms of the first nine members of the board of 1551
trustees shall commence upon the effective date of the transfer 1552
of assets of the state-affiliated university of Cincinnati to 1553
the university of Cincinnati hereby created. One of such 1554
trustees shall be appointed for a term ending on the first day 1555
of January occurring at least twelve months after such date of 1556
transfer, and each of the other trustees shall be appointed for 1557
respective terms ending on each succeeding first day of January, 1558
so that one term will expire on each first day of January after 1559
expiration of the shortest term. ~~Except~~ For trustees appointed 1560
prior to July 1, 2025, except for the two student trustees, each 1561
successor trustee shall be appointed for a term ending on the 1562
first day of January, nine years from the expiration date of the 1563
term the trustee succeeds, except that any person appointed to 1564
fill a vacancy shall be appointed to serve only for the 1565
unexpired term. For trustees appointed on or after July 1, 2025, 1566
except for the two student trustees, each trustee shall be 1567
appointed for a term ending on the first day of January, six 1568
years from the expiration date of the term the trustee succeeds, 1569
except that any person appointed to fill a vacancy shall be 1570
appointed to serve only for the unexpired term. 1571

Any trustee shall continue in office subsequent to the 1572
expiration date of the trustee's term until the trustee's 1573
successor takes office, or until a period of sixty days has 1574
elapsed, whichever occurs first. 1575

~~No person who has served a full nine-year term or longer~~ 1576
~~or more than six years of such a term shall be eligible to~~ 1577
~~reappointment until a period of four years has elapsed since the~~ 1578
~~last day of the term for which the person previously served.~~ 1579

The trustees shall receive no compensation for their 1580
services but shall be paid their reasonable necessary expenses 1581
while engaged in the discharge of their official duties. A 1582
majority of the board constitutes a quorum. 1583

(B) The student members of the board of trustees of the 1584
university of Cincinnati have no voting power on the board. 1585
Student members shall not be considered as members of the board 1586
in determining whether a quorum is present. Student members 1587
shall not be entitled to attend executive sessions of the board. 1588
The student members of the board shall be appointed by the 1589
governor, with the advice and consent of the senate, from a 1590
group of five candidates selected pursuant to a procedure 1591
adopted by the university's student governments and approved by 1592
the university's board of trustees. The initial term of office 1593
of one of the student members shall commence on May 14, 1988, 1594
and shall expire on May 13, 1989, and the initial term of office 1595
of the other student member shall commence on May 14, 1988, 1596
and expire on May 13, 1990. Thereafter, terms of office of student 1597
members shall be for two years, each term ending on the same day 1598
of the same month of the year as the term it succeeds. In the 1599
event that a student cannot fulfill a two-year term, a 1600
replacement shall be selected to fill the unexpired term in the 1601
same manner used to make the original selection. 1602

Sec. 3362.01. (A) There is hereby created a state 1603
university to be known as "Shawnee state university." The 1604
government of Shawnee state university is vested in a board of 1605
eleven trustees who shall be appointed by the governor with the 1606
advice and consent of the senate. Two of the trustees shall be 1607
students at Shawnee state university, and their selection and 1608
terms shall be in accordance with division (B) of this section. 1609
The remaining trustees shall be appointed as follows: one for a 1610

term of one year, one for a term of two years, one for a term of 1611
three years, one for a term of four years, one for a term of 1612
five years, one for a term of six years, one for a term of seven 1613
years, one for a term of eight years, and one for a term of nine 1614
years. Thereafter, for trustees appointed prior to July 1, 2025, 1615
terms shall be for nine years. For trustees appointed on or 1616
after July 1, 2025, terms shall be for six years. All terms of 1617
office shall commence on the first day of July and end on the 1618
thirtieth day of June. 1619

Each trustee shall hold office from the date of 1620
appointment until the end of the term for which the trustee was 1621
appointed. Any trustee appointed to fill a vacancy occurring 1622
prior to the expiration of the term for which the trustee's 1623
predecessor was appointed shall hold office for the remainder of 1624
such term. Any trustee shall continue in office subsequent to 1625
the expiration date of the trustee's term until the trustee's 1626
successor takes office, or until a period of sixty days has 1627
elapsed, whichever occurs first. ~~No person who has served a full~~ 1628
~~nine-year term or more than six years of such a term shall be~~ 1629
~~eligible for reappointment until a period of four years has~~ 1630
~~elapsed since the last day of the term for which the person~~ 1631
~~previously served.~~ 1632

The trustees shall receive no compensation for their 1633
services but shall be paid their reasonable and necessary 1634
expenses while engaged in the discharge of their official 1635
duties. 1636

A majority of the board constitutes a quorum. 1637

(B) The student members of the board of trustees of 1638
Shawnee state university have no voting power on the board. 1639
Student members shall not be considered as members of the board 1640

in determining whether a quorum is present. Student members 1641
shall not be entitled to attend executive sessions of the board. 1642
The student members of the board shall be appointed by the 1643
governor, with the advice and consent of the senate, from a 1644
group of five candidates selected pursuant to a procedure 1645
adopted by the university's student governments and approved by 1646
the university's board of trustees. The initial term of office 1647
of one of the student members shall commence on July 1, 1988, 1648
and shall expire on June 30, 1989, and the initial term of 1649
office of the other student member shall commence on July 1, 1650
1988, and expire on June 30, 1990. Thereafter, terms of office 1651
of student members shall be for two years, each term ending on 1652
the same day of the same month of the year as the term it 1653
succeeds. In the event a student member cannot fulfill a two- 1654
year term, a replacement shall be selected to fill the unexpired 1655
term in the same manner used to make the original selection. 1656

Sec. 3364.01. (A) The university of Toledo, as authorized 1657
under former Chapter 3360. of the Revised Code, and the medical 1658
university of Ohio at Toledo, as authorized under former 1659
sections 3350.01 to 3350.05 of the Revised Code, shall be 1660
combined as one state university to be known as the "university 1661
of Toledo." 1662

(B) (1) The government of the combined university of Toledo 1663
is vested in a board of trustees which, except as prescribed in 1664
division (B) (2) of this section, shall be appointed by the 1665
governor with the advice and consent of the senate. The initial 1666
board of trustees of the combined university shall be as 1667
prescribed in division (B) (2) of this section. After the 1668
abolishment of offices as prescribed in division (B) (2) (a) of 1669
this section, the board of trustees of the combined university 1670
shall consist of nine voting members, who, if appointed prior to 1671

July 1, 2025, shall serve for terms of nine years, or, if 1672
appointed on or after July 1, 2025, shall serve for terms of six 1673
years, and two nonvoting members, who shall be students of the 1674
combined university and who shall serve for terms of two years. 1675
Terms of office of trustees shall begin on the second day of 1676
July and end on the first day of July. 1677

(2) The initial board of trustees of the combined 1678
university shall consist of seventeen voting members who are the 1679
eight members who made up the board of trustees of the medical 1680
university of Ohio at Toledo prior to May 1, 2006, under former 1681
section 3350.01 of the Revised Code, and whose terms would 1682
expire under that section after May 1, 2006; the eight voting 1683
members who made up the board of trustees of the university of 1684
Toledo, under former section 3360.01 of the Revised Code, and 1685
whose terms would expire under that section after July 1, 2006; 1686
and one additional member appointed by the governor with the 1687
advice and consent of the senate. The terms of office, 1688
abolishment of office, and succession of the voting members of 1689
the initial board shall be as prescribed in division (B) (2) (a) 1690
of this section. The initial board also shall consist of two 1691
nonvoting members who are students of the combined university, 1692
as prescribed in division (B) (2) (b) of this section. 1693

(a) The term of office of the voting member of the initial 1694
board of trustees of the combined university who was not 1695
formerly a member of either the board of trustees of the medical 1696
university of Ohio at Toledo or the board of trustees of the 1697
university of Toledo shall be for nine years, beginning on July 1698
2, 2006, and ending on July 1, 2015. 1699

The terms of office of the sixteen other voting members of 1700
the initial board of trustees shall expire on July 1 of the year 1701

they otherwise would expire under former section 3350.01 or 1702
3360.01 of the Revised Code. 1703

The office of one voting member whose term expires on July 1704
1, 2007, shall be abolished on that date. The governor, with the 1705
advice and consent of the senate, shall appoint a successor to 1706
the office of the other voting member whose term expires on that 1707
date to a nine-year term beginning on July 2, 2007. 1708

The office of one voting member whose term expires on July 1709
1, 2008, shall be abolished on that date. The governor, with the 1710
advice and consent of the senate, shall appoint a successor to 1711
the office of the other voting member whose term expires on that 1712
date to a nine-year term beginning on July 2, 2008. 1713

The office of one voting member whose term expires on July 1714
1, 2009, shall be abolished on that date. The governor, with the 1715
advice and consent of the senate, shall appoint a successor to 1716
the office of the other voting member whose term expires on that 1717
date to a nine-year term beginning on July 2, 2009. 1718

The office of one voting member whose term expires on July 1719
1, 2010, shall be abolished on that date. The governor, with the 1720
advice and consent of the senate, shall appoint a successor to 1721
the office of the other voting member whose term expires on that 1722
date to a nine-year term beginning on July 2, 2010. 1723

The office of one voting member whose term expires on July 1724
1, 2011, shall be abolished on that date. The governor, with the 1725
advice and consent of the senate, shall appoint a successor to 1726
the office of the other voting member whose term expires on that 1727
date to a nine-year term beginning on July 2, 2011. 1728

The office of one voting member whose term expires on July 1729
1, 2012, shall be abolished on that date. The governor, with the 1730

advice and consent of the senate, shall appoint a successor to 1731
the office of the other voting member whose term expires on that 1732
date to a nine-year term beginning on July 2, 2012. 1733

The office of one voting member whose term expires on July 1734
1, 2013, shall be abolished on that date. The governor, with the 1735
advice and consent of the senate, shall appoint a successor to 1736
the office of the other voting member whose term expires on that 1737
date to a nine-year term beginning on July 2, 2013. 1738

The office of one voting member whose term expires on July 1739
1, 2014, shall be abolished on that date. The governor, with the 1740
advice and consent of the senate, shall appoint a successor to 1741
the office of the other voting member whose term expires on that 1742
date to a nine-year term beginning on July 2, 2014. 1743

The governor, with the advice and consent of the senate, 1744
shall appoint a successor to the office of the voting member 1745
whose term expires on July 1, 2015, to a nine-year term 1746
beginning on July 2, 2015. 1747

Thereafter the terms of office of all subsequent voting 1748
members of the board of trustees who are appointed prior to July 1749
1, 2025, shall be for nine years beginning on the second day of 1750
July and ending on the first day of July. The terms of office 1751
for voting members of the board of trustees who are appointed on 1752
or after July 1, 2025, shall be for six years beginning on the 1753
second day of July and ending on the first day of July. 1754

(b) One of the student members of the initial board of 1755
trustees shall be the student member of the former university of 1756
Toledo board of trustees, appointed under former section 3360.01 1757
of the Revised Code, whose term would expire under that section 1758
on July 1, 2007. The term of that student member shall expire on 1759

July 1, 2007. The other student member shall be a new appointee, 1760
representing the portion of the combined university that made up 1761
the former medical university of Ohio at Toledo, appointed to a 1762
two-year term beginning on July 2, 2006, and ending on July 1, 1763
2008. That student trustee shall be appointed by the governor, 1764
with the advice and consent of the senate, from a group of three 1765
candidates selected pursuant to a procedure adopted by the 1766
university's student governments and approved by the 1767
university's board of trustees. Thereafter appointment and terms 1768
of office of student members of the board of trustees shall be 1769
as prescribed by division (B) (3) of this section. 1770

(3) The student members of the board of trustees of the 1771
combined university shall be appointed by the governor, with the 1772
advice and consent of the senate, from a group of six candidates 1773
selected pursuant to a procedure adopted by the university's 1774
student governments and approved by the university's board of 1775
trustees. Terms of office of student members shall be for two 1776
years, each term ending on the same day of the same month of the 1777
year as the term it succeeds. In the event that a student member 1778
cannot fulfill a two-year term, a replacement shall be selected 1779
to fill the unexpired term in the same manner used to make the 1780
original selection. 1781

(4) Each trustee shall hold office from the date of 1782
appointment until the end of the term for which the trustee was 1783
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. 1790

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

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

(C) 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. A majority of the board constitutes a quorum. The student members of the board 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.

Sec. 4117.14. (A) The procedures contained in this section govern the settlement of disputes between an exclusive representative and a public employer concerning the termination or modification of an existing collective bargaining agreement

or negotiation of a successor agreement, or the negotiation of 1821
an initial collective bargaining agreement. 1822

(B) (1) In those cases where there exists a collective 1823
bargaining agreement, any public employer or exclusive 1824
representative desiring to terminate, modify, or negotiate a 1825
successor collective bargaining agreement shall: 1826

(a) Serve written notice upon the other party of the 1827
proposed termination, modification, or successor agreement. The 1828
party must serve the notice not less than sixty days prior to 1829
the expiration date of the existing agreement or, in the event 1830
the existing collective bargaining agreement does not contain an 1831
expiration date, not less than sixty days prior to the time it 1832
is proposed to make the termination or modifications or to make 1833
effective a successor agreement. 1834

(b) Offer to bargain collectively with the other party for 1835
the purpose of modifying or terminating any existing agreement 1836
or negotiating a successor agreement; 1837

(c) Notify the state employment relations board of the 1838
offer by serving upon the board a copy of the written notice to 1839
the other party and a copy of the existing collective bargaining 1840
agreement. 1841

(2) In the case of initial negotiations between a public 1842
employer and an exclusive representative, where a collective 1843
bargaining agreement has not been in effect between the parties, 1844
any party may serve notice upon the board and the other party 1845
setting forth the names and addresses of the parties and 1846
offering to meet, for a period of ninety days, with the other 1847
party for the purpose of negotiating a collective bargaining 1848
agreement. 1849

If the settlement procedures specified in divisions (B), 1850
(C), and (D) of this section govern the parties, where those 1851
procedures refer to the expiration of a collective bargaining 1852
agreement, it means the expiration of the sixty-day period to 1853
negotiate a collective bargaining agreement referred to in this 1854
subdivision, or in the case of initial negotiations, it means 1855
the ninety-day period referred to in this subdivision. 1856

(3) The parties shall continue in full force and effect 1857
all the terms and conditions of any existing collective 1858
bargaining agreement, without resort to strike or lock-out, for 1859
a period of sixty days after the party gives notice or until the 1860
expiration date of the collective bargaining agreement, 1861
whichever occurs later, or for a period of ninety days where 1862
applicable. 1863

(4) Upon receipt of the notice, the parties shall enter 1864
into collective bargaining. 1865

(C) In the event the parties are unable to reach an 1866
agreement, they may submit, at any time prior to forty-five days 1867
before the expiration date of the collective bargaining 1868
agreement, the issues in dispute to any mutually agreed upon 1869
dispute settlement procedure which supersedes the procedures 1870
contained in this section. 1871

(1) The procedures may include: 1872

(a) Conventional arbitration of all unsettled issues; 1873

(b) Arbitration confined to a choice between the last 1874
offer of each party to the agreement as a single package; 1875

(c) Arbitration confined to a choice of the last offer of 1876
each party to the agreement on each issue submitted; 1877

(d) The procedures described in division (C) (1) (a), (b), 1878
or (c) of this section and including among the choices for the 1879
arbitrator, the recommendations of the fact finder, if there are 1880
recommendations, either as a single package or on each issue 1881
submitted; 1882

(e) Settlement by a citizens' conciliation council 1883
composed of three residents within the jurisdiction of the 1884
public employer. The public employer shall select one member and 1885
the exclusive representative shall select one member. The two 1886
members selected shall select the third member who shall chair 1887
the council. If the two members cannot agree upon a third member 1888
within five days after their appointments, the board shall 1889
appoint the third member. Once appointed, the council shall make 1890
a final settlement of the issues submitted to it pursuant to 1891
division (G) of this section. 1892

(f) Any other dispute settlement procedure mutually agreed 1893
to by the parties. 1894

(2) If, fifty days before the expiration date of the 1895
collective bargaining agreement, the parties are unable to reach 1896
an agreement, any party may request the state employment 1897
relations board to intervene. The request shall set forth the 1898
names and addresses of the parties, the issues involved, and, if 1899
applicable, the expiration date of any agreement. 1900

The board shall intervene and investigate the dispute to 1901
determine whether the parties have engaged in collective 1902
bargaining. 1903

If an impasse exists or forty-five days before the 1904
expiration date of the collective bargaining agreement if one 1905
exists, the board shall appoint a mediator to assist the parties 1906

in the collective bargaining process. 1907

(3) Any time after the appointment of a mediator, either 1908
party may request the appointment of a fact-finding panel. 1909
Within fifteen days after receipt of a request for a fact- 1910
finding panel, the board shall appoint a fact-finding panel of 1911
not more than three members who have been selected by the 1912
parties in accordance with rules established by the board, from 1913
a list of qualified persons maintained by the board. 1914

(a) The fact-finding panel shall, in accordance with rules 1915
and procedures established by the board that include the 1916
regulation of costs and expenses of fact-finding, gather facts 1917
and make recommendations for the resolution of the matter. The 1918
board shall by its rules require each party to specify in 1919
writing the unresolved issues and its position on each issue to 1920
the fact-finding panel. The fact-finding panel shall make final 1921
recommendations as to all the unresolved issues. 1922

(b) The board may continue mediation, order the parties to 1923
engage in collective bargaining until the expiration date of the 1924
agreement, or both. 1925

(4) The following guidelines apply to fact-finding: 1926

(a) The fact-finding panel may establish times and place 1927
of hearings which shall be, where feasible, in the jurisdiction 1928
of the state. 1929

(b) The fact-finding panel shall conduct the hearing 1930
pursuant to rules established by the board. 1931

(c) Upon request of the fact-finding panel, the board 1932
shall issue subpoenas for hearings conducted by the panel. 1933

(d) The fact-finding panel may administer oaths. 1934

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

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

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

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

employee organization rejects the recommendations, the board 1965
shall publicize the findings of fact and recommendations of the 1966
fact-finding panel. The board shall adopt rules governing the 1967
procedures and methods for public employees to vote on the 1968
recommendations of the fact-finding panel. 1969

(b) As used in division (C) (6) (a) of this section, 1970
"legislative body" means the controlling board when the state or 1971
any of its agencies, authorities, commissions, boards, or other 1972
branch of public employment is party to the fact-finding 1973
process. 1974

(D) If the parties are unable to reach agreement within 1975
seven days after the publication of findings and recommendations 1976
from the fact-finding panel or the collective bargaining 1977
agreement, if one exists, has expired, then the: 1978

(1) ~~Public employees, who are members of a police or fire 1979
department, members of the state highway patrol, deputy 1980
sheriffs, dispatchers employed by a police, fire, or sheriff's 1981
department or the state highway patrol or civilian dispatchers 1982
employed by a public employer other than a police, fire, or 1983
sheriff's department to dispatch police, fire, sheriff's 1984
department, or emergency medical or rescue personnel and units, 1985
an exclusive nurse's unit, employees of Ohio deaf and blind 1986
education services, employees of any public employee retirement 1987
system, corrections officers, guards at penal or mental 1988
institutions, special police officers appointed in accordance 1989
with sections 5119.08 and 5123.13 of the Revised Code, 1990
psychiatric attendants employed at mental health forensic 1991
facilities, youth leaders employed at juvenile correctional 1992
facilities, or members of a law enforcement security force that 1993
is established and maintained exclusively by a board of county 1994~~

~~commissioners and whose members are employed by that~~ 1995
~~board,~~ prohibited from striking under this division shall submit 1996
the matter to a final offer settlement procedure pursuant to a 1997
board order issued forthwith to the parties to settle by a 1998
conciliator selected by the parties. The parties shall request 1999
from the board a list of five qualified conciliators and the 2000
parties shall select a single conciliator from the list by 2001
alternate striking of names. If the parties cannot agree upon a 2002
conciliator within five days after the board order, the board 2003
shall on the sixth day after its order appoint a conciliator 2004
from a list of qualified persons maintained by the board or 2005
shall request a list of qualified conciliators from the American 2006
arbitration association and appoint therefrom. 2007

The following public employees shall not strike: 2008

(a) Members of a police or fire department; 2009

(b) Members of the state highway patrol; 2010

(c) Deputy sheriffs; 2011

(d) Dispatchers employed by a police, fire, or sheriff's 2012
department or the state highway patrol or civilian dispatchers 2013
employed by a public employer other than a police, fire, or 2014
sheriff's department to dispatch police, fire, sheriff's 2015
department, or emergency medical or rescue personnel and units; 2016

(e) Members of an exclusive nurse's unit; 2017

(f) Employees of Ohio deaf and blind education services; 2018

(g) Employees of any public employee retirement system; 2019

(h) Corrections officers; 2020

(i) Guards at penal or mental institutions; 2021

| | |
|--|--|
| <u>(j) Special police officers appointed in accordance with sections 5119.08 and 5123.13 of the Revised Code;</u> | 2022 2023 |
| <u>(k) Psychiatric attendants employed at mental health forensic facilities;</u> | 2024 2025 |
| <u>(l) Youth leaders employed at juvenile correctional facilities;</u> | 2026 2027 |
| <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> | 2028 2029 2030 |
| <u>(n) Full-time faculty members of any state institution of higher education.</u> | 2031 2032 |
| (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. | 2033 2034 2035 2036 2037 2038 2039 2040 2041 2042 2043 |
| (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 accordance with the agreement or statutory requirement is | 2044 2045 2046 2047 2048 2049 2050 |

enforceable in the same manner as specified in division (B) of 2051
section 4117.09 of the Revised Code. 2052

(F) Nothing in this section shall be construed to prohibit 2053
a party from seeking enforcement of a collective bargaining 2054
agreement or a conciliator's award as specified in division (B) 2055
of section 4117.09 of the Revised Code. 2056

(G) The following guidelines apply to final offer 2057
settlement proceedings under division (D)(1) of this section: 2058

(1) The parties shall submit to final offer settlement 2059
those issues that are subject to collective bargaining as 2060
provided by section 4117.08 of the Revised Code and upon which 2061
the parties have not reached agreement and other matters 2062
mutually agreed to by the public employer and the exclusive 2063
representative; except that the conciliator may attempt 2064
mediation at any time. 2065

(2) The conciliator shall hold a hearing within thirty 2066
days of the board's order to submit to a final offer settlement 2067
procedure, or as soon thereafter as is practicable. 2068

(3) The conciliator shall conduct the hearing pursuant to 2069
rules developed by the board. The conciliator shall establish 2070
the hearing time and place, but it shall be, where feasible, 2071
within the jurisdiction of the state. Not later than five 2072
calendar days before the hearing, each of the parties shall 2073
submit to the conciliator, to the opposing party, and to the 2074
board, a written report summarizing the unresolved issues, the 2075
party's final offer as to the issues, and the rationale for that 2076
position. 2077

(4) Upon the request by the conciliator, the board shall 2078
issue subpoenas for the hearing. 2079

- (5) The conciliator may administer oaths. 2080
- (6) The conciliator shall hear testimony from the parties 2081
and provide for a written record to be made of all statements at 2082
the hearing. The board shall submit for inclusion in the record 2083
and for consideration by the conciliator the written report and 2084
recommendation of the fact-finders. 2085
- (7) After hearing, the conciliator shall resolve the 2086
dispute between the parties by selecting, on an issue-by-issue 2087
basis, from between each of the party's final settlement offers, 2088
taking into consideration the following: 2089
- (a) Past collectively bargained agreements, if any, 2090
between the parties; 2091
- (b) Comparison of the issues submitted to final offer 2092
settlement relative to the employees in the bargaining unit 2093
involved with those issues related to other public and private 2094
employees doing comparable work, giving consideration to factors 2095
peculiar to the area and classification involved; 2096
- (c) The interests and welfare of the public, the ability 2097
of the public employer to finance and administer the issues 2098
proposed, and the effect of the adjustments on the normal 2099
standard of public service; 2100
- (d) The lawful authority of the public employer; 2101
- (e) The stipulations of the parties; 2102
- (f) Such other factors, not confined to those listed in 2103
this section, which are normally or traditionally taken into 2104
consideration in the determination of the issues submitted to 2105
final offer settlement through voluntary collective bargaining, 2106
mediation, fact-finding, or other impasse resolution procedures 2107

in the public service or in private employment. 2108

(8) Final offer settlement awards made under Chapter 4117. 2109
of the Revised Code are subject to Chapter 2711. of the Revised 2110
Code. 2111

(9) If more than one conciliator is used, the 2112
determination must be by majority vote. 2113

(10) The conciliator shall make written findings of fact 2114
and promulgate a written opinion and order upon the issues 2115
presented to the conciliator, and upon the record made before 2116
the conciliator and shall mail or otherwise deliver a true copy 2117
thereof to the parties and the board. 2118

(11) Increases in rates of compensation and other matters 2119
with cost implications awarded by the conciliator may be 2120
effective only at the start of the fiscal year next commencing 2121
after the date of the final offer settlement award; provided 2122
that if a new fiscal year has commenced since the issuance of 2123
the board order to submit to a final offer settlement procedure, 2124
the awarded increases may be retroactive to the commencement of 2125
the new fiscal year. The parties may, at any time, amend or 2126
modify a conciliator's award or order by mutual agreement. 2127

(12) The parties shall bear equally the cost of the final 2128
offer settlement procedure. 2129

(13) Conciliators appointed pursuant to this section shall 2130
be residents of the state. 2131

(H) All final offer settlement awards and orders of the 2132
conciliator made pursuant to Chapter 4117. of the Revised Code 2133
are subject to review by the court of common pleas having 2134
jurisdiction over the public employer as provided in Chapter 2135
2711. of the Revised Code. If the public employer is located in 2136

more than one court of common pleas district, the court of 2137
common pleas in which the principal office of the chief 2138
executive is located has jurisdiction. 2139

(I) The issuance of a final offer settlement award 2140
constitutes a binding mandate to the public employer and the 2141
exclusive representative to take whatever actions are necessary 2142
to implement the award. 2143

Sec. 4117.15. (A) Whenever a strike by ~~members of a police~~ 2144
~~or fire department, members of the state highway patrol, deputy~~ 2145
~~sheriffs, dispatchers employed by a police, fire, or sheriff's~~ 2146
~~department or the state highway patrol or civilian dispatchers~~ 2147
~~employed by a public employer other than a police, fire, or~~ 2148
~~sheriff's department to dispatch police, fire, sheriff's~~ 2149
~~department, or emergency medical or rescue personnel and units,~~ 2150
~~an exclusive nurse's unit, employees of Ohio deaf and blind~~ 2151
~~education services, employees of any public employee retirement~~ 2152
~~system, correction officers, guards at penal or mental~~ 2153
~~institutions, or special police officers appointed in accordance~~ 2154
~~with sections 5119.08 and 5123.13 of the Revised Code,~~ 2155
~~psychiatric attendants employed at mental health forensic~~ 2156
~~facilities, youth leaders employed at juvenile correctional~~ 2157
~~facilities, or members of a law enforcement security force that~~ 2158
~~is established and maintained exclusively by a board of county~~ 2159
~~commissioners and whose members are employed by that board~~ 2160
employees who are prohibited from striking under division (D) (1) 2161
of section 4117.14 of the Revised Code, a strike by other public 2162
employees during the pendency of the settlement procedures set 2163
forth in section 4117.14 of the Revised Code, or a strike during 2164
the term or extended term of a collective bargaining agreement 2165
occurs, the public employer may seek an injunction against the 2166
strike in the court of common pleas of the county in which the 2167

strike is located. 2168

(B) An unfair labor practice by a public employer is not a 2169
defense to the injunction proceeding noted in division (A) of 2170
this section. Allegations of unfair labor practices during the 2171
settlement procedures set forth in section 4117.14 of the 2172
Revised Code shall receive priority by the state employment 2173
relations board. 2174

(C) No public employee is entitled to pay or compensation 2175
from the public employer for the period engaged in any strike. 2176

Section 2. That existing sections 3335.02, 3335.09, 2177
3337.01, 3339.01, 3341.02, 3343.02, 3344.01, 3345.45, 3350.10, 2178
3352.01, 3356.01, 3359.01, 3361.01, 3362.01, 3364.01, 4117.14, 2179
and 4117.15 of the Revised Code are hereby repealed. 2180

Section 3. That section 3333.045 of the Revised Code is 2181
hereby repealed. 2182

Section 4. The Department of Higher Education shall 2183
conduct a feasibility study about implementing bachelor's degree 2184
programs that require three years to complete in this state. The 2185
study shall investigate a variety of fields of study and 2186
determine the feasibility of reducing specific course 2187
requirements, quantity of electives, and total credit hours 2188
required for graduation. However, the study shall not include 2189
the use of College Credit Plus or any other current programs 2190
used to accelerate degree programs. Finally, the study shall 2191
present and evaluate potential issues related to accreditation. 2192

Not later than one year after the effective date of this 2193
section, the Department shall submit to the General Assembly, in 2194
accordance with section 101.68 of the Revised Code, a report 2195
about the study's findings. 2196

Section 5. This act shall be known as The Advance Ohio
Higher Education Act. 2197
2198