

As Reported by the House Workforce and Higher Education Committee

136th General Assembly

Regular Session

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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**

Representatives Young, Williams

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
trustees; 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 undergraduate and graduate students;</u>	71 72 73 74

<u>(O) Current national and state issues in higher education;</u>	75
<u>(P) Future national and state issues in higher education;</u>	76
<u>(Q) State and federal anti-discrimination laws and a state</u>	77
<u>institution's obligations under sections 3345.0217, 3345.0218,</u>	78
<u>and 3345.88 of the Revised Code.</u>	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~~ 134

~~that does one of the following:~~ 135

~~(1) Grants the student members of the board voting power~~ 136
~~on the board. If so granted, in addition to having voting power,~~ 137
~~the student members shall be considered as members of the board~~ 138
~~in determining whether a quorum is present and shall be entitled~~ 139
~~to attend executive sessions of the board.~~ 140

~~(2) Declares that student members do not have voting power~~ 141
~~on the board.~~ 142

~~Thereafter, the board may change the voting status of~~ 143
~~student trustees by adopting a subsequent resolution. Each~~ 144
~~resolution adopted under this division shall take effect on the~~ 145
~~fourteenth day of May following the adoption of the resolution.~~ 146
~~All members with voting power at the time of the adoption of a~~ 147
~~resolution may vote on the resolution.~~ 148

~~If student members are granted voting power under this~~ 149
~~division, no student shall be disqualified from membership on~~ 150
~~the board of trustees because the student receives a~~ 151
~~scholarship, grant, loan, or any other financial assistance~~ 152
~~payable out of the state treasury or a university fund, or~~ 153
~~because the student is employed by the university in a position~~ 154
~~pursuant to a work-study program or other student employment,~~ 155
~~including as a graduate teaching assistant, graduate~~ 156
~~administrative assistant, or graduate research assistant, the~~ 157
~~compensation for which is payable out of the state treasury or a~~ 158
~~university fund.~~ 159

~~Acceptance of such financial assistance or employment by a~~ 160
~~student trustee shall not be considered a violation of Chapter~~ 161
~~102. or section 2921.42 or 2921.43 of the Revised Code.~~ 162

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

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

~~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
course; 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
<u>shall ensure that the most recently updated syllabus for each</u>	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, unless the institution submits 626
a written request for an exception to the chancellor of higher 627
education because the institution determines the orientation or 628
training course is exempt from that prohibition because all 629
aspects of the orientation or course are required to do any of 630
the following: 631

(I) Comply with state and federal laws or regulations; 632

(II) Comply with state or federal professional licensure 633
requirements; 634

(III) Obtain or retain accreditation. 635

The exception request shall include an explanation of the 636
circumstances and the effort made by the institution to comply 637
with division (B) (1) (a) (i) of this section. 638

(ii) The continuation of existing diversity, equity, and 639
inclusion offices or departments; 640

<u>(iii) Establishing new diversity, equity, and inclusion</u>	641
<u>offices or departments;</u>	642
<u>(iv) Using diversity, equity, and inclusion in job</u>	643
<u>descriptions;</u>	644
<u>(v) Contracting with consultants or third-parties whose</u>	645
<u>role is or would be to promote admissions, hiring, or promotion</u>	646
<u>on the basis of race, ethnicity, religion, sex, sexual</u>	647
<u>orientation, gender identity, or gender expression;</u>	648
<u>(vi) The establishment of any new institutional</u>	649
<u>scholarships that use diversity, equity, and inclusion in any</u>	650
<u>manner. For any institutional scholarships existing on the</u>	651
<u>effective date of this section, a state institution shall, to</u>	652
<u>the extent possible, eliminate diversity, equity, and inclusion</u>	653
<u>requirements. If the state institution is unable to do so</u>	654
<u>because of donor requirements, the institution may continue to</u>	655
<u>offer those institutional scholarships. However, the state</u>	656
<u>institution shall not accept any additional funds for the</u>	657
<u>operation of institutional scholarships that have diversity,</u>	658
<u>equity, and inclusion requirements.</u>	659
<u>(b) A state institution shall not replace any orientation,</u>	660
<u>training, office, or position designated for the purpose of</u>	661
<u>diversity, equity, and inclusion that is prohibited under this</u>	662
<u>division with an orientation, training, office, or position</u>	663
<u>under a different designation that serves the same or similar</u>	664
<u>purposes, or that uses the same or similar means.</u>	665
<u>(c) In the event that the requirements to obtain a</u>	666
<u>research grant conflict with the prohibitions listed under</u>	667
<u>division (B) (1) (a) of this section, a state institution shall</u>	668
<u>endeavor, to the extent possible, to comply with division (B) (1)</u>	669

(a) of this section while retaining eligibility for the research grant, including by consulting with legal counsel. A state institution that is unable to comply with division (B) (1) (a) of this section with respect to a research grant shall submit a written request for an exception to the chancellor. The exception request shall include an explanation of the circumstances and the effort made by the state institution to comply with division (B) (1) (a) of this section while retaining eligibility for the research grant. 670
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(d) Divisions (B) (1) (a) and (c) of this section do not apply to agreements or contracts regarding any research grants entered into prior to the effective date of this section. Divisions (B) (1) (a) and (c) of this section apply to any renewal of such agreements or contracts occurring on or after the effective date of this section. 679
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(2) Affirm and declare that its primary function is to practice, or support the practice, discovery, improvement, transmission, and dissemination of knowledge and citizenship education by means of research, teaching, discussion, and debate; 685
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(3) Affirm and declare that, to fulfill the function described in division (B) (2) of this section, the state institution shall ensure the fullest degree of intellectual diversity; 690
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(4) Affirm and declare that faculty and staff shall allow and encourage students to reach their own conclusions about all controversial beliefs or policies and shall not seek to indoctrinate any social, political, or religious point of view; 694
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(5) Demonstrate intellectual diversity for course 698

approval, approval of courses to satisfy general education 699
requirements, student course evaluations, common reading 700
programs, annual reviews, strategic goals for each department, 701
and student learning outcomes. 702

Divisions (B) (2) to (5) of this section do not apply to 703
the exercise of professional judgment about how to accomplish 704
intellectual diversity within an academic discipline, unless 705
that exercise is misused to constrict intellectual diversity. 706

(6) Declare that it will not endorse or oppose, as an 707
institution, any controversial belief or policy, except on 708
matters that directly impact the institution's funding or 709
mission of discovery, improvement, and dissemination of 710
knowledge. The institution may also endorse the congress of the 711
United States when it establishes a state of armed hostility 712
against a foreign power. 713

This division does not include the recognition of national 714
and state holidays, support for the Constitution and laws of the 715
United States or the state of Ohio, or the display of the 716
American or Ohio flag. 717

(7) Affirm and declare that the state institution will not 718
encourage, discourage, require, or forbid students, faculty, or 719
administrators to endorse, assent to, or publicly express a 720
given ideology, political stance, or view of a social policy, 721
nor will the institution require students to do any of those 722
things to obtain an undergraduate or post-graduate degree. 723

Divisions (B) (6) and (7) of this section do not apply to 724
the exercise of professional judgment about whether to endorse 725
the consensus or foundational beliefs of an academic discipline, 726
unless that exercise is misused to take an action prohibited in 727

<u>division (B) (6) of this section.</u>	728
<u>(8) Prohibit political and ideological litmus tests in all hiring, promotion, and admissions decisions, including diversity statements and any other requirement that applicants describe their commitment to any ideology, principle, concept, or formulation that requires commitment to any controversial belief or policy;</u>	729 730 731 732 733 734
<u>(9) Affirm and declare that no hiring, promotion, or admissions process or decision shall encourage, discourage, require, or forbid students, faculty, or administrators to endorse, assent to, or publicly express a given ideology or political stance;</u>	735 736 737 738 739
<u>(10) Affirm and declare that the state institution will not use a diversity statement or any other assessment of an applicant's political or ideological views in any hiring, promotions, or admissions process or decision;</u>	740 741 742 743
<u>(11) Affirm and declare that no process or decision regulating conditions of work or study, such as committee assignments, course scheduling, or workload adjustment policies, shall encourage, discourage, require, or forbid students, faculty, or administrators to endorse, assent to, or publicly express a given ideology or political stance;</u>	744 745 746 747 748 749
<u>(12) Affirm and declare that the state institution will seek out invited speakers who have diverse ideological or political views;</u>	750 751 752
<u>(13) Post prominently on its web site a complete list of all speaker fees, honoraria, and other emoluments in excess of five hundred dollars for events that are sponsored by the state institution. That information shall be all of the following:</u>	753 754 755 756

<u>(a) Accessible from the main page of the institution's web site by use of not more than three links;</u>	757 758
<u>(b) Searchable by keywords and phrases;</u>	759
<u>(c) Accessible to the public without requiring user registration of any kind.</u>	760 761
<u>(C) Each state institution of higher education shall respond to complaints from any student, student group, or faculty member about an alleged violation of the prohibitions and requirements included in the policy adopted under this section using the process established under division (C) of section 3345.0215 of the Revised Code.</u>	762 763 764 765 766 767
<u>(D) (1) Nothing in this section prohibits faculty or students from classroom instruction, discussion, or debate, so long as faculty members allow students to express intellectual diversity.</u>	768 769 770 771
<u>(2) Nothing in this section prohibits a state institution of higher education from complying with any state or federal law to provide disability services or to permit student organizations, including fraternities and sororities.</u>	772 773 774 775
<u>(E) The general assembly may withhold or reduce any state operating subsidy payments, state capital improvement funds, or other state appropriation to a state institution of higher education if the general assembly determines the institution has failed to comply with the requirements established under this section.</u>	776 777 778 779 780 781
<u>Sec. 3345.0218. (A) As used in this section:</u>	782
<u>(1) "Intellectual diversity" has the same meaning as in section 3345.0217 of the Revised Code.</u>	783 784

(2) "State institution of higher education" has the same 785
meaning as in section 3345.011 of the Revised Code. 786

(B) Each state institution of higher education shall 787
respond to complaints regarding any administrator, faculty 788
member, staff, or student who interferes with the intellectual 789
diversity rights, prescribed under section 3345.0217 of the 790
Revised Code, of another using the process established under 791
division (C) of section 3345.0215 of the Revised Code. 792

(C) Each state institution shall inform all of its 793
students and employees of the protections afforded to them under 794
section 3345.0217 of the Revised Code and any policies it has 795
adopted to put them into practice, including by providing the 796
information to new employees and to each student during any new 797
student orientation the institution offers. 798

(D) Each state institution shall comply with any reporting 799
guidelines established by the chancellor under section 3345.0219 800
of the Revised Code regarding any violations of the intellectual 801
diversity rights prescribed under section 3345.0217 of the 802
Revised Code by any individual under the institution's 803
jurisdiction and any consequent disciplinary sanctions issued 804
for that violation. 805

Sec. 3345.0219. Each state institution of higher 806
education, as defined in section 3345.011 of the Revised Code, 807
shall comply with guidelines established by the chancellor of 808
higher education when the institution adopts policies or issues 809
reports under sections 3345.029, 3345.0217, 3345.0218, 3345.452, 810
3345.453, 3345.454, 3345.591, 3345.80, and 3345.88 of the 811
Revised Code. The guidelines shall address the form and manner 812
by which the state institution shall submit a policy or report 813
to the chancellor when the institution is required to do so by 814

one of those sections. The chancellor shall post each such 815
policy or report that the chancellor receives on the 816
chancellor's publicly accessible web site. 817

Sec. 3345.382. (A) As used in this section, "state 818
institution of higher education" has the same meaning as in 819
section 3345.011 of the Revised Code. 820

(B) Each state institution of higher education shall 821
develop a course with not fewer than three credit hours in the 822
subject area of American civic literacy. The course shall 823
include a study of the American economic system and capitalism. 824
The course shall comply with the criteria, policies, and 825
procedures established under section 3333.16 of the Revised 826
Code. The course may be offered under the college credit plus 827
program established under Chapter 3365. of the Revised Code. The 828
course shall, at a minimum, require each student to read all the 829
following: 830

(1) The entire Constitution of the United States; 831

(2) The entire Declaration of Independence; 832

(3) A minimum of five essays in their entirety from the 833
Federalist Papers. The essays shall be selected by the 834
department chair. 835

(4) The entire Emancipation Proclamation; 836

(5) The entire Gettysburg Address; 837

(6) The entire Letter from Birmingham Jail written by Dr. 838
Martin Luther King Jr; 839

(7) The writings of Adam Smith, including a study of the 840
principles written in The Wealth of Nations. 841

Any student who takes the course shall be required to pass 842
a cumulative final examination at the conclusion of the course 843
that assesses student proficiency about the documents described 844
in divisions (B) (1) to (7) of this section. 845

Each state institution of higher education board of 846
trustees shall adopt a resolution approving a plan to offer the 847
course developed under this section. Each state institution 848
shall submit that plan to the chancellor of higher education. 849
The chancellor shall review and approve each plan. Prior to 850
approving a plan, the chancellor may require a state institution 851
to revise the plan and the course. 852

(C) Beginning with students who graduate from a state 853
institution of higher education in the spring semester, or 854
equivalent quarter, of the 2029-2030 academic year, no state 855
institution of higher education shall grant a bachelor's degree 856
to any student unless the student completes a course described 857
in division (B) of this section. A state institution may require 858
students to complete the course as part of the institution's 859
general education courses of study. 860

(D) The president of a state institution of higher 861
education, or the president's designee, may exempt a student 862
from the requirement to complete a course described in division 863
(B) of this section, if the president or designee determines 864
that the student has completed at least one of the following: 865

(1) A course offered under the college credit plus program 866
established under Chapter 3365. of the Revised Code that 867
satisfies the content requirements described in division (B) of 868
this section and is approved by the chancellor; 869

(2) An advanced placement course and examination that 870

satisfy the content requirements described in division (B) of 871
this section and are approved by the chancellor, and the student 872
receives a score of three or higher on that examination; 873

(3) At least three credit hours, or the equivalent, in a 874
course in the subject area of American history or American 875
government. 876

(E) This section does not apply to associate's degree 877
programs. 878

Sec. 3345.45. ~~(A) On or before January 1, 1994, the~~ The 879
chancellor of higher education jointly with all state- 880
~~universities~~ institutions of higher education, as defined in 881
section 3345.011 of the Revised Code, shall develop standards 882
for instructional workloads for full-time and part-time faculty 883
in keeping with the ~~universities'~~ institutions' missions and 884
with special emphasis on the undergraduate learning experience. 885
The standards shall contain clear guidelines for institutions to 886
determine a range of acceptable undergraduate teaching by 887
faculty. 888

~~(B) On or before June 30, 1994, the~~ The board of trustees 889
of each state ~~university~~ institution of higher education shall 890
take formal action to adopt a faculty workload policy consistent 891
with the standards developed under this section. ~~Notwithstanding~~ 892
~~section 4117.08 of the Revised Code, the policies adopted under~~ 893
~~this section are not appropriate subjects for collective~~ 894
~~bargaining. Notwithstanding division (A) of section 4117.10 of~~ 895
~~the Revised Code, any policy adopted under this section by a~~ 896
~~board of trustees prevails over any conflicting provisions of~~ 897
~~any collective bargaining agreement between an employees~~ 898
~~organization and that board of trustees.~~ 899

(C) (1) The board of trustees of each state ~~university~~ 900
institution of higher education shall review the ~~university's~~ 901
institution's policy on faculty tenure and update that policy to 902
promote excellence in instruction, research, service, or 903
commercialization, or any combination thereof. 904

(2) ~~Beginning on July 1, 2018, as~~ As a condition for a 905
state ~~university~~ institution of higher education to receive any 906
state funds for research that are allocated to the department of 907
higher education under the appropriation line items referred to 908
as either "research incentive third frontier fund" or "research 909
incentive third frontier-tax," the chancellor shall require the 910
~~university~~ institution to include multiple pathways for faculty 911
tenure, one of which may be a commercialization pathway, in its 912
policy. 913

(D) (1) At least once every five years, each state 914
institution of higher education shall update its faculty 915
workload policy and submit the policy to the chancellor. The 916
updated policies shall be approved by the state institution's 917
board of trustees each time it is submitted to the chancellor. 918

(2) Each state institution of higher education's faculty 919
workload policy shall include all of the following: 920

(a) An objective and numerically defined teaching workload 921
expectation based on credit hours as defined in 34 C.F.R. 600.2; 922

(b) A definition of all faculty workload elements in terms 923
of credit hours as defined in 34 CFR 600.2 with a full-time 924
workload minimum standard established by the board of trustees 925
and made publicly accessible on the state institution's web 926
site; 927

(c) A definition of justifiable credit hour equivalents 928

for activities other than teaching, including research, clinical 929
care, administration, service, and other activities as 930
determined by the state institution of higher education; 931

(d) Administrative action that a state institution of 932
higher education may take, including censure, remedial training, 933
for-cause termination, or other disciplinary action, regardless 934
of tenure status, if a faculty member fails to comply with the 935
policy's requirements. Termination under these circumstances 936
requires the recommendation of the dean, provost, or equivalent 937
official, concurrence of the state institution of higher 938
education's president, and approval of the state institution of 939
higher education's board of trustees. 940

Sec. 3345.451. (A) As used in this section, "state 941
institution of higher education" has the same meaning as in 942
section 3345.011 of the Revised Code. 943

(B) The chancellor of higher education shall develop a 944
minimum set of standard questions for use by state institutions 945
of higher education in student evaluations of faculty members. 946
The questions shall include the following: 947

"Does the faculty member create a classroom atmosphere 948
free of political, racial, gender, and religious bias?" 949

(C) Each state institution of higher education shall 950
establish a written system of faculty evaluations completed by 951
students with a focus on teaching effectiveness and student 952
learning. Each state institution shall include in its student 953
evaluations of faculty the minimum set of standard questions 954
developed by the chancellor in division (B) of this section. 955

(D) Each state institution of higher education shall 956
establish a written system of peer evaluations for faculty 957

members with emphasis placed on the faculty member's 958
professional development regarding the faculty member's teaching 959
responsibilities. 960

Sec. 3345.452. (A) As used in this section, "state 961
institution of higher education" has the same meaning as in 962
section 3345.011 of the Revised Code. 963

(B) The board of trustees of each state institution of 964
higher education shall adopt a faculty annual performance 965
evaluation policy and submit the policy to the chancellor of 966
higher education. Each policy must contain an appeals process 967
for faculty to appeal the final evaluation. Each state 968
institution's board of trustees shall review and update its 969
policy every five years. 970

(C) Each state institution of higher education shall 971
conduct an annual evaluation for each full-time faculty member 972
who it directly compensates. 973

(D) Each faculty annual performance evaluation shall meet 974
all of the following: 975

(1) The evaluation is comprehensive and includes 976
standardized, objective, and measurable performance metrics. 977

(2) The evaluation includes an assessment of performance 978
for each of the following areas that the faculty member has 979
spent at least five per cent of their annual work time on over 980
the preceding year: 981

(a) Teaching; 982

(b) Research; 983

(c) Service; 984

<u>(d) Clinical care;</u>	985
<u>(e) Administration;</u>	986
<u>(f) Other categories, as determined by the state</u>	987
<u>institution of higher education.</u>	988
<u>(3) The evaluation includes a summary assessment of the</u>	989
<u>performance areas listed in division (D) (2) of this section</u>	990
<u>including the parameters "exceeds performance expectations,"</u>	991
<u>"meets performance expectations," or "does not meet performance</u>	992
<u>expectations."</u>	993
<u>(4) Student evaluations conducted pursuant to section</u>	994
<u>3345.451 of the Revised Code account for at least twenty-five</u>	995
<u>per cent of the teaching area component of the evaluation.</u>	996
<u>(5) The evaluation establishes a projected work effort</u>	997
<u>distribution for the faculty member for the next year which</u>	998
<u>shall be used during the next year's evaluation. The</u>	999
<u>distribution shall be compliant with the state institution's</u>	1000
<u>established workload policies adopted under section 3345.45 of</u>	1001
<u>the Revised Code and shall receive approval from the dean of</u>	1002
<u>faculty or the equivalent.</u>	1003
<u>(E) Evaluations shall be conducted by the department</u>	1004
<u>chairperson or equivalent administrator, reviewed and approved</u>	1005
<u>or disapproved by the dean, and submitted to the provost for</u>	1006
<u>review. If there is disagreement between the chairperson and</u>	1007
<u>dean, the provost shall have final decision authority.</u>	1008
<u>Sec. 3345.453. This section applies only to state</u>	1009
<u>institutions of higher education that have tenured faculty</u>	1010
<u>members.</u>	1011
<u>(A) As used in this section, "state institution of higher</u>	1012

education" has the same meaning as in section 3345.011 of the 1013
Revised Code. 1014

(B) The board of trustees of each state institution of 1015
higher education shall adopt a post-tenure review policy and 1016
submit the policy to the chancellor of higher education. Each 1017
policy must contain an appeals process for tenured faculty whose 1018
post-tenure review process results in a recommendation for 1019
administrative action pursuant to division (G) of this section. 1020
Each state institution's board of trustees shall update the 1021
post-tenure review policy every five years. 1022

(C) A state institution of higher education shall conduct 1023
a post-tenure review if a tenured faculty member receives a 1024
"does not meet performance expectations" evaluation within the 1025
same evaluative category for a minimum of two of the past three 1026
consecutive years on the faculty member's annual performance 1027
evaluation conducted pursuant to section 3345.452 of the Revised 1028
Code. 1029

(D) A state institution of higher education shall subject 1030
any faculty member who maintains tenure after a post-tenure 1031
review and receives an additional "does not meet performance 1032
expectations" assessment on any area of the faculty member's 1033
annual performance evaluation in the subsequent two years to an 1034
additional post-tenure review. 1035

(E) The department chairperson, dean of faculty, or 1036
provost of a state institution of higher education may require 1037
an immediate and for cause post-tenure review at any time for a 1038
faculty member who has a documented and sustained record of 1039
significant underperformance outside of the faculty member's 1040
annual performance evaluation. For this purpose, for cause shall 1041
not be based on a faculty member's allowable expression of 1042

academic freedom as defined by the state institution of higher 1043
education or Ohio law. 1044

(F) The state institution of higher education's post- 1045
tenure review due process period, from beginning to end, shall 1046
not exceed six months, except that a one-time two-month 1047
extension may be granted by the state institution's president. 1048

(G) The state institution of higher education's provost 1049
shall submit a recommended outcome of the post-tenure review 1050
process to the institution's entity that is responsible for the 1051
final decision of post-tenure review pursuant to the 1052
institution's policy. The administrative action that a state 1053
institution of higher education may take includes censure, 1054
remedial training, or for-cause termination, regardless of 1055
tenure status, and any other action permitted by the 1056
institution's post-tenure review policy. 1057

Sec. 3345.454. This section applies only to state 1058
institutions of higher education that have tenured faculty 1059
members. 1060

(A) As used in this section: 1061

(1) "State institution of higher education" has the same 1062
meaning as in section 3345.011 of the Revised Code. 1063

(2) "Retrenchment" means a process by which a state 1064
institution of higher education reduces programs or services, 1065
thus resulting in a temporary suspension or permanent separation 1066
of one or more institution faculty, to account for a reduction 1067
in student population or overall funding, a change to 1068
institutional missions or programs, or other fiscal pressures or 1069
emergencies facing the institution. 1070

(B) In addition to the policies described in sections 1071

3345.45 to 3345.453 of the Revised Code, each state institution 1072
of higher education board of trustees shall develop policies on 1073
tenure and retrenchment. Each state institution shall submit 1074
those policies to the chancellor of higher education. Each state 1075
institution's board of trustees shall update those policies 1076
every five years. 1077

(C) A state institution of higher education shall 1078
eliminate any undergraduate degree program it offers if the 1079
institution confers an average of fewer than five degrees in 1080
that program annually over any three-year period. A state 1081
institution shall not consider any academic year prior to the 1082
first academic year in which an undergraduate degree is 1083
conferred in determining whether this division applies to the 1084
program offering that degree. 1085

The chancellor may grant a waiver to a state institution 1086
for a program to which this division applies. State institutions 1087
shall appeal for a waiver in a form and manner determined by the 1088
chancellor. If the chancellor grants a waiver to a state 1089
institution, the chancellor shall establish terms under which 1090
the state institution may conditionally continue the program, 1091
including whether the program is eligible to be supported by 1092
state share of instruction funds. 1093

Sec. 3345.455. With respect to a collective bargaining 1094
agreement entered into on or after the effective date of this 1095
section, both of the following apply to the standards, policies, 1096
and systems adopted under sections 3345.45 to 3345.454 of the 1097
Revised Code: 1098

(A) Notwithstanding section 4117.08 of the Revised Code, 1099
the standards, policies, and systems are not appropriate 1100
subjects for collective bargaining. 1101

(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. 1102
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1104

Sec. 3345.456. (A) As used in this section: 1105

(1) "State institution of higher education" has the same meaning as in section 3345.011 of the Revised Code. 1106
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(2) "Retrenchment" has the same meaning as in section 3345.454 of the Revised Code. 1108
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(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. 1110
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(C) Nothing in this section prohibits a faculty member from accepting any separation incentive that may otherwise be offered by a state institution of higher education, regardless of whether the incentive is contained in a collective bargaining agreement. 1121
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Sec. 3345.591. (A) As used in this section: 1126

(1) "People's Republic of China" means the government of China, the Chinese Communist Party, the People's Liberation Army, or any other extension of, or entity affiliated with, the government of China. 1127
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(2) "State institution of higher education" has the same 1131
meaning as in section 3345.011 of the Revised Code. 1132

(B) No state institution of higher education shall accept 1133
gifts, donations, or contributions from the People's Republic of 1134
China or any organization the institution reasonably suspects is 1135
acting on behalf of the People's Republic of China. 1136

Nothing in this section prohibits a state institution of 1137
higher education from accepting payments from Chinese citizens 1138
related to instructional fees, general fees, special fees, cost 1139
of instruction, or educational expenses or donations from the 1140
institution's alumni. 1141

Nothing in this section prohibits a state institution of 1142
higher education from receiving philanthropic or unrestricted 1143
grants so long as it maintains the structural safeguard 1144
requirements provided for in division (E) of this section. 1145

(C) Each state institution shall submit to the chancellor 1146
of higher education a copy of the report it submits to the 1147
United States department of education pursuant to 20 U.S.C. 1148
1011(f). 1149

(D) Upon request, the chancellor shall make any 1150
information reported under division (C) of this section 1151
available to any member of the general assembly. 1152

(E) A state institution shall notify the chancellor of any 1153
new or renewed academic partnership with an academic or research 1154
institution located in China. A state institution shall only 1155
enter into a new or renewed academic partnership with an 1156
academic or research institution located in China if the state 1157
institution maintains sufficient structural safeguards to 1158
protect the state institution's intellectual property, the 1159

security of the state of Ohio, and the national security 1160
interests of the United States. The safeguards shall include, at 1161
a minimum, all of the following: 1162

(1) Compliance with all federal requirements, including 1163
the requirements of federal research sponsors and federal export 1164
control agencies, including regulations regarding international 1165
traffic in arms and export administration regulations, and 1166
economic and trade sanctions administered by the federal office 1167
of foreign assets control; 1168

(2) Annual formal institution-level programs for faculty 1169
on conflicts of interest and conflicts of commitment; 1170

(3) A formalized foreign visitor process and uniform 1171
visiting scholar agreement. 1172

(F) The auditor of state shall audit the safeguards 1173
implemented by state institutions of higher education under 1174
division (E) of this section in the course of a normal audit 1175
conducted under section 117.46 of the Revised Code. 1176

Sec. 3345.80. (A) As used in this section, "state 1177
institution of higher education" and "state university" have the 1178
same meanings as in section 3345.011 of the Revised Code. 1179

(B) For each biennial main operating appropriations bill 1180
and capital appropriations bill, each state institution of 1181
higher education shall prepare, in accordance with guidelines 1182
established under section 3345.0219 of the Revised Code, a 1183
rolling five-year summary of its institutional costs to be 1184
considered by the general assembly when evaluating operating and 1185
capital project funding. The chancellor shall submit a report 1186
including each state institution's five-year institutional cost 1187
summaries to the general assembly under section 101.68 of the 1188

<u>Revised Code.</u>	1189
<u>(C) Each state institution of higher education's five-year</u>	1190
<u>institutional cost summary shall consist of the following</u>	1191
<u>categories:</u>	1192
<u>(1) All costs related to student instruction, including</u>	1193
<u>instructor salaries, benefits, and related operating costs;</u>	1194
<u>(2) All general staff costs related to maintenance,</u>	1195
<u>grounds, utilities, food service, and other areas as determined</u>	1196
<u>by the institution;</u>	1197
<u>(3) All other costs for staff, including academic</u>	1198
<u>administrators, counseling, financial aid assistance, healthcare</u>	1199
<u>services, and housing management.</u>	1200
<u>(D) Each of the categories presented in the five-year</u>	1201
<u>institutional cost summary shall include all of the following:</u>	1202
<u>(1) A detailed breakdown of annual costs and employee</u>	1203
<u>headcounts;</u>	1204
<u>(2) A complete accounting of all spending on diversity,</u>	1205
<u>equity, and inclusion, or related subjects;</u>	1206
<u>(3) An annual count of all faculty, administration, and</u>	1207
<u>employees.</u>	1208
<u>(E) The chancellor shall consult with state institutions</u>	1209
<u>of higher education to develop a standardized reporting format</u>	1210
<u>for the institutional cost summaries and a uniform approach to</u>	1211
<u>completing the categories required in division (C) of this</u>	1212
<u>section.</u>	1213
<u>(F) During the general assembly's consideration of the</u>	1214
<u>main operating appropriations and capital appropriations bills,</u>	1215

if requested by the chairperson of the senate or house committee 1216
that considers higher education legislation, the president of 1217
each state university and the chancellor of higher education 1218
shall present in the appropriate hearings conducted by that 1219
committee to provide commentary on trends, potential 1220
justifications, or other explanations regarding the university's 1221
five-year summary of institutional costs. 1222

(G) Prior to the enactment of the main operating 1223
appropriations and capital appropriations bills, the chancellor 1224
shall create and present to the general assembly an aggregation 1225
report summarizing the total institutional costs for state 1226
universities and community colleges separately. 1227

Sec. 3345.88. (A) As used in this section: 1228

(1) "Position, policy, program, and activity" includes all 1229
of the following: 1230

(a) All forms of employment, including staff positions, 1231
internships, and work studies; 1232

(b) All policies, including mission statements, hiring 1233
policies, promotion policies, and tenure policies; 1234

(c) All programs and positions, including deanships, 1235
provostships, offices, programs, programs presented by residence 1236
halls, and committees; 1237

(d) All activities, including those conducted by the 1238
administrative units of orientation, first-year experience, 1239
student life, and residential life. 1240

(2) "State institution of higher education" has the same 1241
meaning as in section 3345.011 of the Revised Code. 1242

(B) With respect to every position, policy, program, and 1243

<u>activity, each state institution of higher education shall do</u>	1244
<u>both of the following:</u>	1245
<u>(1) Treat all faculty, staff, and students as individuals,</u>	1246
<u>hold every individual to equal standards, and provide those</u>	1247
<u>individuals with equality of opportunity, with regard to those</u>	1248
<u>individuals' race, ethnicity, religion, sex, sexual orientation,</u>	1249
<u>gender identity, or gender expression;</u>	1250
<u>(2) Provide no advantage or disadvantage to faculty,</u>	1251
<u>staff, or students on the basis of race, ethnicity, religion,</u>	1252
<u>sex, sexual orientation, gender identity, or gender expression</u>	1253
<u>in admissions, hiring, promotion, tenuring, or workplace</u>	1254
<u>conditions.</u>	1255
<u>(C) No state institution of higher education shall provide</u>	1256
<u>or require training for any administrator, teacher, staff</u>	1257
<u>member, or employee that advocates or promotes any of the</u>	1258
<u>following concepts:</u>	1259
<u>(1) One race or sex is inherently superior to another race</u>	1260
<u>or sex.</u>	1261
<u>(2) An individual, by virtue of his or her race or sex, is</u>	1262
<u>inherently racist, sexist, or oppressive, whether consciously or</u>	1263
<u>unconsciously.</u>	1264
<u>(3) An individual should be discriminated against or</u>	1265
<u>receive adverse treatment solely or partly because of the</u>	1266
<u>individual's race.</u>	1267
<u>(4) Members of one race cannot nor should not attempt to</u>	1268
<u>treat others without respect to race.</u>	1269
<u>(5) An individual's moral standing or worth is necessarily</u>	1270
<u>determined by the individual's race or sex.</u>	1271

(6) An individual, by virtue of the individual's race or sex, bears responsibility for actions committed in the past by other members of the same race or sex. 1272
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(7) An individual should feel discomfort, guilt, anguish, or any other form of psychological distress on account of his or her race or sex. 1275
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(8) Meritocracy or traits such as hard work ethic are racist or sexist, or were created by members of a particular race to oppress members of another race. 1278
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(9) Fault, blame, or bias should be assigned to a race or sex, or to members of a race or sex because of their race or sex. 1281
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Division (C) of this section shall not be construed to preclude a state institution of higher education from providing or facilitating continuing education that complies with this division's requirements to public safety officers. 1284
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(D) Each state institution of higher education shall implement a range of disciplinary sanctions for any administrator, teacher, staff member, or employee who authorizes or engages in a training prohibited in division (C) of this section. 1288
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(E) Each state institution of higher education shall issue a report in accordance with guidelines established under section 3345.0219 of the Revised Code regarding each of the following: 1293
1294
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(1) All violations of division (D) of this section committed by anyone under the institution's jurisdiction and of all consequent disciplinary sanctions; 1296
1297
1298

(2) Statistics on the academic qualifications of accepted 1299

and matriculating students, disaggregated by race and sex. The 1300
statistics shall include information correlating students' 1301
academic qualifications and retention rates, disaggregated by 1302
race and sex. 1303

(F) Each state institution of higher education shall 1304
prohibit all policies designed explicitly to segregate faculty, 1305
staff, or students based on those individuals' race, ethnicity, 1306
religion, sex, sexual orientation, gender identity, or gender 1307
expression in credit-earning classroom settings, formal 1308
orientation ceremonies, and formal graduation ceremonies. 1309

(G) Each state institution of higher education shall 1310
respond to complaints from any student, student group, or 1311
faculty member about an alleged violation of the prohibitions 1312
and requirements under this section by an employee of the state 1313
institution of higher education using the process established 1314
under division (C) of section 3345.0215 of the Revised Code. 1315

Sec. 3350.10. (A) There is hereby created the northeast 1316
Ohio medical university. ~~The principal goal of the medical-~~ 1317
~~university shall be to collaborate with the university of Akron,~~ 1318
~~Cleveland state university, Kent state university, and-~~ 1319
~~Youngstown state university to graduate physicians oriented to-~~ 1320
~~the practice of medicine at the community level, especially-~~ 1321
~~family physicians. To accomplish this goal, the medical-~~ 1322
~~university may incorporate in the clinical experience provided-~~ 1323
~~its students the several community hospitals in the cities and-~~ 1324
~~areas served by the medical university; utilize practicing-~~ 1325
~~physicians as teachers; and to the fullest extent possible-~~ 1326
~~utilize the basic science capabilities of the university of-~~ 1327
~~Akron, Cleveland state university, Kent state university, and-~~ 1328
~~Youngstown state university~~The government of northeast Ohio 1329

medical university is vested in a board of eleven trustees, who 1330
shall be appointed by the governor with the advice and consent 1331
of the senate pursuant to division (A) (2) of this section. 1332

(1) Until December 22, 2008, the government of the 1333
northeast Ohio medical university is vested in a nine-member 1334
board of trustees consisting of the presidents of the university 1335
of Akron, Kent state university, and Youngstown state 1336
university; one member each of the boards of trustees of the 1337
university of Akron, Kent state university, and Youngstown state 1338
university, to be appointed by their respective boards of 1339
trustees for a term of six years ending on the first day of May 1340
or until the trustee's term on the respective university board 1341
of trustees expires, whichever occurs first; and one person each 1342
to be appointed by the boards of trustees of the university of 1343
Akron, Kent state university, and Youngstown state university, 1344
for a term of nine years ending on the first day of May; except 1345
that the term of those first appointed by the several boards of 1346
trustees shall expire on the first day of May next following 1347
their appointment. Vacancies shall be filled for the unexpired 1348
term in the manner provided for original appointment. The 1349
trustees shall receive no compensation for their services but 1350
shall be paid their reasonable necessary expenses while engaged 1351
in the discharge of their official duties. A majority of the 1352
board constitutes a quorum. 1353

(2) Beginning December 22, 2008, the government of the 1354
northeast Ohio medical university is vested in a board of eleven 1355
trustees, who shall be appointed by the governor, with the 1356
advice and consent of the senate. Two of the trustees shall be 1357
current students of the medical university, and their selection 1358
and terms shall be in accordance with division (B) of this 1359
section. ~~Except~~ For trustees appointed prior to July 1, 2025, 1360

except as provided in division (A) (3) of this section and except 1361
for the student members, terms of office shall be for nine 1362
years. For trustees appointed on or after July 1, 2025, except 1363
for the student members, terms of office shall be for six years. 1364
Each trustee shall hold office from the date of appointment 1365
until the end of the term for which the trustee was appointed. 1366
Any trustee appointed to fill a vacancy occurring prior to the 1367
expiration of the term for which the trustee's predecessor was 1368
appointed shall hold office for the remainder of such term. Any 1369
trustee shall continue in office subsequent to the expiration 1370
date of the trustee's term until the trustee's successor takes 1371
office, or until a period of sixty days has elapsed, whichever 1372
occurs first. ~~No person who has served a full nine-year term or~~ 1373
~~more than six years of such a term shall be eligible for~~ 1374
~~reappointment until a period of four years has elapsed since the~~ 1375
~~last day of the term for which the person previously served. The~~ 1376
trustees shall receive no compensation for their services but 1377
shall be paid their reasonable necessary expenses while engaged 1378
in the discharge of their official duties. A majority of the 1379
board constitutes a quorum. 1380

(3) Not later than December 22, 2008, the governor, with 1381
the advice and consent of the senate, shall appoint the two 1382
student trustees and successors for the trustees serving under 1383
division (A) (1) of this section. Except for the student 1384
trustees, who shall serve terms pursuant to division (B) of this 1385
section, the initial terms of office for trustees appointed 1386
under division (A) (2) of this section shall be as follows: one 1387
term ending September 23, 2009; one term ending September 23, 1388
2010; one term ending September 23, 2011; one term ending 1389
September 23, 2012; one term ending September 23, 2013; one term 1390
ending September 23, 2014; one term ending September 23, 2015; 1391

one term ending September 23, 2016; one term ending September 23, 2017. Thereafter, for trustees appointed prior to July 1, 2025, terms of office shall be for nine years, as provided in division (A) (2) of this section. For trustees appointed on or after July 1, 2025, terms of office shall be for six years, as provided in division (A) (2) of this section.

(B) The student members of the board of trustees of the northeast Ohio medical university have no voting power on the board. Student members shall not be considered as members of the board in determining whether a quorum is present. Student members shall not be entitled to attend executive sessions of the board. The student members of the board shall be appointed by the governor, with the advice and consent of the senate, from a group of five candidates selected pursuant to a procedure adopted by the university's student governments and approved by the university's board of trustees. The initial term of office of one of the student members shall commence December 22, 2008, and shall expire on June 30, 2009, and the initial term of office of the other student member shall commence December 22, 2008, and shall expire on June 30, 2010. Thereafter, terms of office of student members shall be for two years, each term ending on the same day of the same month of the year as the term it succeeds. In the event that a student member cannot fulfill a two-year term, a replacement shall be selected to fill the unexpired term in the same manner used to make the original selection.

Sec. 3352.01. (A) There is hereby created a state university to be known as "Wright state university." The government of Wright state university is vested in a board of eleven trustees, who shall be appointed by the governor, with the advice and consent of the senate. Two of the trustees shall

be students at Wright state university, and their selection and 1423
terms shall be in accordance with division (B) of this section. 1424
~~Except~~ For trustees appointed prior to July 1, 2025, except for 1425
the terms of student members, terms of office shall be for nine 1426
years, commencing on the first day of July and ending on the 1427
thirtieth day of June. For trustees appointed on or after July 1428
1, 2025, except for the terms of student members, terms of 1429
office shall be for six years, commencing on the first day of 1430
July and ending on the thirtieth day of June. Each trustee shall 1431
hold office from the date of appointment until the end of the 1432
term for which the trustee was appointed. Any trustee appointed 1433
to fill a vacancy occurring prior to the expiration of the term 1434
for which the trustee's predecessor was appointed shall hold 1435
office for the remainder of such term. Any trustee shall 1436
continue in office subsequent to the expiration date of the 1437
trustee's term until the trustee's successor takes office, or 1438
until a period of sixty days has elapsed, whichever occurs 1439
first. ~~No person who has served a full nine-year term or more~~ 1440
~~than six years of such a term shall be eligible for~~ 1441
~~reappointment until a period of four years has elapsed since the~~ 1442
~~last day of the term for which the person previously served. The~~ 1443
trustees shall receive no compensation for their services but 1444
shall be paid their reasonable necessary expenses while engaged 1445
in the discharge of their official duties. A majority of the 1446
board constitutes a quorum. 1447

(B) The student members of the board of trustees of Wright 1448
state university have no voting power on the board. Student 1449
members shall not be considered as members of the board in 1450
determining whether a quorum is present. Student members shall 1451
not be entitled to attend executive sessions of the board. The 1452
student members of the board shall be appointed by the governor, 1453

with the advice and consent of the senate, from a group of five 1454
candidates selected pursuant to a procedure adopted by the 1455
university's student governments and approved by the 1456
university's board of trustees. The initial term of office of 1457
one of the student members shall commence on July 1, 1988, and 1458
shall expire on June 30, 1989, and the initial term of office of 1459
the other student member shall commence on July 1, 1988, and 1460
shall expire on June 30, 1990. Thereafter, terms of office of 1461
student members shall be for two years, each term ending on the 1462
same day of the same month of the year as the term it succeeds. 1463
In the event that a student member cannot fulfill a two-year 1464
term, a replacement shall be selected to fill the unexpired term 1465
in the same manner used to make the original selection. 1466

Sec. 3356.01. (A) There is hereby created Youngstown state 1467
university. The government of Youngstown state university is 1468
vested in a board of eleven trustees, who shall be appointed by 1469
the governor, with the advice and consent of the senate. Two of 1470
the trustees shall be students at Youngstown state university, 1471
and their selection and terms shall be in accordance with 1472
division (B) of this section. ~~Except For trustees appointed~~ 1473
prior to July 1, 2025, except for the terms of student members, 1474
terms of office shall be for nine years, commencing on the 1475
second day of May and ending on the first day of May. For 1476
trustees appointed on or after July 1, 2025, except for the 1477
terms of student members, terms of office shall be for six 1478
years, commencing on the second day of May and ending on the 1479
first day of May. Each trustee shall hold office from the date 1480
of appointment until the end of the term for which the trustee 1481
was appointed. Any trustee appointed to fill a vacancy occurring 1482
prior to the expiration of the term for which the trustee's 1483
predecessor was appointed shall hold office for the remainder of 1484

such term. Any trustee shall continue in office subsequent to 1485
the expiration date of the trustee's term until the trustee's 1486
successor takes office, or until a period of sixty days has 1487
elapsed, whichever occurs first. ~~No person who has served a full~~ 1488
~~nine-year term or more than six years of such a term shall be~~ 1489
~~eligible to reappointment until a period of four years has~~ 1490
~~elapsed since the last day of the term for which the person~~ 1491
~~previously served.~~ The trustees shall receive no compensation 1492
for their services but shall be paid their reasonable necessary 1493
expenses while engaged in the discharge of their duties. A 1494
majority of the board constitutes a quorum. 1495

(B) The student members of the board of trustees of 1496
Youngstown state university have no voting power on the board. 1497
Student members shall not be considered as members of the board 1498
in determining whether a quorum is present. Student members 1499
shall not be entitled to attend executive sessions of the board. 1500
The student members of the board shall be appointed by the 1501
governor, with the advice and consent of the senate, from a 1502
group of five candidates selected pursuant to a procedure 1503
adopted by the university's student governments and approved by 1504
the university's board of trustees. The initial term of office 1505
of one of the student members shall commence on May 2, 1988, and 1506
shall expire on May 1, 1989, and the initial term of office of 1507
the other student member shall commence on May 2, 1988, and 1508
expire on May 1, 1990. Thereafter, terms of office of student 1509
members shall be for two years, each term ending on the same day 1510
of the same month of the year as the term it succeeds. In the 1511
event that a student member cannot fulfill a two-year term, a 1512
replacement shall be selected to fill the unexpired term in the 1513
same manner used to make the original selection. 1514

Sec. 3359.01. (A) There is hereby created a state 1515

university to be known as "The University of Akron." The 1516
government of the university of Akron is vested in a board of 1517
eleven trustees who shall be appointed by the governor, with the 1518
advice and consent of the senate. Two of the trustees shall be 1519
students at the university of Akron, and their selection and 1520
terms shall be in accordance with division (B) of this section. 1521
~~Except~~ For trustees appointed prior to July 1, 2025, except for 1522
the terms of student members, terms of office shall be for nine 1523
years, commencing on the second day of July and ending on the 1524
first day of July. For trustees appointed on or after July 1, 1525
2025, except for the terms of student members, terms of office 1526
shall be for six years. Each trustee shall hold office from the 1527
date of appointment until the end of the term for which the 1528
trustee was appointed. Any trustee appointed to fill a vacancy 1529
occurring prior to the expiration of the term for which the 1530
trustee's predecessor was appointed shall hold office for the 1531
remainder of such term. Any trustee shall continue in office 1532
subsequent to the expiration date of the trustee's term until 1533
the trustee's successor takes office, or until a period of sixty 1534
days has elapsed, whichever occurs first. ~~No person who has~~ 1535
~~served a full nine-year term or more than six years of such a~~ 1536
~~term shall be eligible for reappointment until a period of four~~ 1537
~~years has elapsed since the last day of the term for which the~~ 1538
~~person previously served.~~ The trustees shall receive no 1539
compensation for their services but shall be paid their 1540
reasonable necessary expenses while engaged in the discharge of 1541
their official duties. A majority of the board constitutes a 1542
quorum. 1543

(B) The student members of the board of trustees of the 1544
university of Akron have no voting power on the board. Student 1545
members shall not be considered as members of the board in 1546

determining whether a quorum is present. Student members shall 1547
not be entitled to attend executive sessions of the board. The 1548
student members of the board shall be appointed by the governor, 1549
with the advice and consent of the senate, from a group of five 1550
candidates selected pursuant to a procedure adopted by the 1551
university's student governments and approved by the 1552
university's board of trustees. The initial term of office of 1553
one of the student members shall commence on July 2, 1988, and 1554
shall expire on July 1, 1989, and the initial term of office of 1555
the other student member shall commence on July 2, 1988, and 1556
expire on July 1, 1990. Thereafter, terms of office of student 1557
members shall be for two years, each term ending on the same day 1558
of the same month of the year as the term it succeeds. In the 1559
event that a student member cannot fulfill a two-year term, a 1560
replacement shall be selected to fill the unexpired term in the 1561
same manner used to make the original selection. 1562

Sec. 3361.01. (A) There is hereby created a state 1563
university to be known as the "university of Cincinnati." The 1564
government of the university of Cincinnati is vested in a board 1565
of eleven trustees who shall be appointed by the governor with 1566
the advice and consent of the senate. Two of the trustees shall 1567
be students at the university of Cincinnati, and their selection 1568
and terms shall be in accordance with division (B) of this 1569
section. The terms of the first nine members of the board of 1570
trustees shall commence upon the effective date of the transfer 1571
of assets of the state-affiliated university of Cincinnati to 1572
the university of Cincinnati hereby created. One of such 1573
trustees shall be appointed for a term ending on the first day 1574
of January occurring at least twelve months after such date of 1575
transfer, and each of the other trustees shall be appointed for 1576
respective terms ending on each succeeding first day of January, 1577

so that one term will expire on each first day of January after 1578
expiration of the shortest term. ~~Except~~ For trustees appointed 1579
prior to July 1, 2025, except for the two student trustees, each 1580
successor trustee shall be appointed for a term ending on the 1581
first day of January, nine years from the expiration date of the 1582
term the trustee succeeds, except that any person appointed to 1583
fill a vacancy shall be appointed to serve only for the 1584
unexpired term. For trustees appointed on or after July 1, 2025, 1585
except for the two student trustees, each trustee shall be 1586
appointed for a term ending on the first day of January, six 1587
years from the expiration date of the term the trustee succeeds, 1588
except that any person appointed to fill a vacancy shall be 1589
appointed to serve only for the unexpired term. 1590

Any trustee shall continue in office subsequent to the 1591
expiration date of the trustee's term until the trustee's 1592
successor takes office, or until a period of sixty days has 1593
elapsed, whichever occurs first. 1594

~~No person who has served a full nine-year term or longer~~ 1595
~~or more than six years of such a term shall be eligible to~~ 1596
~~reappointment until a period of four years has elapsed since the~~ 1597
~~last day of the term for which the person previously served.~~ 1598

The trustees shall receive no compensation for their 1599
services but shall be paid their reasonable necessary expenses 1600
while engaged in the discharge of their official duties. A 1601
majority of the board constitutes a quorum. 1602

(B) The student members of the board of trustees of the 1603
university of Cincinnati have no voting power on the board. 1604
Student members shall not be considered as members of the board 1605
in determining whether a quorum is present. Student members 1606
shall not be entitled to attend executive sessions of the board. 1607

The student members of the board shall be appointed by the 1608
governor, with the advice and consent of the senate, from a 1609
group of five candidates selected pursuant to a procedure 1610
adopted by the university's student governments and approved by 1611
the university's board of trustees. The initial term of office 1612
of one of the student members shall commence on May 14, 1988, 1613
and shall expire on May 13, 1989, and the initial term of office 1614
of the other student member shall commence on May 14, 1988, and 1615
expire on May 13, 1990. Thereafter, terms of office of student 1616
members shall be for two years, each term ending on the same day 1617
of the same month of the year as the term it succeeds. In the 1618
event that a student cannot fulfill a two-year term, a 1619
replacement shall be selected to fill the unexpired term in the 1620
same manner used to make the original selection. 1621

Sec. 3362.01. (A) There is hereby created a state 1622
university to be known as "Shawnee state university." The 1623
government of Shawnee state university is vested in a board of 1624
eleven trustees who shall be appointed by the governor with the 1625
advice and consent of the senate. Two of the trustees shall be 1626
students at Shawnee state university, and their selection and 1627
terms shall be in accordance with division (B) of this section. 1628
The remaining trustees shall be appointed as follows: one for a 1629
term of one year, one for a term of two years, one for a term of 1630
three years, one for a term of four years, one for a term of 1631
five years, one for a term of six years, one for a term of seven 1632
years, one for a term of eight years, and one for a term of nine 1633
years. Thereafter, for trustees appointed prior to July 1, 2025, 1634
terms shall be for nine years. For trustees appointed on or 1635
after July 1, 2025, terms shall be for six years. All terms of 1636
office shall commence on the first day of July and end on the 1637
thirtieth day of June. 1638

Each trustee shall hold office from the date of 1639
appointment until the end of the term for which the trustee was 1640
appointed. Any trustee appointed to fill a vacancy occurring 1641
prior to the expiration of the term for which the trustee's 1642
predecessor was appointed shall hold office for the remainder of 1643
such term. Any trustee shall continue in office subsequent to 1644
the expiration date of the trustee's term until the trustee's 1645
successor takes office, or until a period of sixty days has 1646
elapsed, whichever occurs first. ~~No person who has served a full 1647~~
~~nine-year term or more than six years of such a term shall be 1648~~
~~eligible for reappointment until a period of four years has 1649~~
~~elapsed since the last day of the term for which the person 1650~~
~~previously served. 1651~~

The trustees shall receive no compensation for their 1652
services but shall be paid their reasonable and necessary 1653
expenses while engaged in the discharge of their official 1654
duties. 1655

A majority of the board constitutes a quorum. 1656

(B) The student members of the board of trustees of 1657
Shawnee state university have no voting power on the board. 1658
Student members shall not be considered as members of the board 1659
in determining whether a quorum is present. Student members 1660
shall not be entitled to attend executive sessions of the board. 1661
The student members of the board shall be appointed by the 1662
governor, with the advice and consent of the senate, from a 1663
group of five candidates selected pursuant to a procedure 1664
adopted by the university's student governments and approved by 1665
the university's board of trustees. The initial term of office 1666
of one of the student members shall commence on July 1, 1988, 1667
and shall expire on June 30, 1989, and the initial term of 1668

office of the other student member shall commence on July 1, 1669
1988, and expire on June 30, 1990. Thereafter, terms of office 1670
of student members shall be for two years, each term ending on 1671
the same day of the same month of the year as the term it 1672
succeeds. In the event a student member cannot fulfill a two- 1673
year term, a replacement shall be selected to fill the unexpired 1674
term in the same manner used to make the original selection. 1675

Sec. 3364.01. (A) The university of Toledo, as authorized 1676
under former Chapter 3360. of the Revised Code, and the medical 1677
university of Ohio at Toledo, as authorized under former 1678
sections 3350.01 to 3350.05 of the Revised Code, shall be 1679
combined as one state university to be known as the "university 1680
of Toledo." 1681

(B) (1) The government of the combined university of Toledo 1682
is vested in a board of trustees which, except as prescribed in 1683
division (B) (2) of this section, shall be appointed by the 1684
governor with the advice and consent of the senate. The initial 1685
board of trustees of the combined university shall be as 1686
prescribed in division (B) (2) of this section. After the 1687
abolishment of offices as prescribed in division (B) (2) (a) of 1688
this section, the board of trustees of the combined university 1689
shall consist of nine voting members, who, if appointed prior to 1690
July 1, 2025, shall serve for terms of nine years, or, if 1691
appointed on or after July 1, 2025, shall serve for terms of six 1692
years, and two nonvoting members, who shall be students of the 1693
combined university and who shall serve for terms of two years. 1694
Terms of office of trustees shall begin on the second day of 1695
July and end on the first day of July. 1696

(2) The initial board of trustees of the combined 1697
university shall consist of seventeen voting members who are the 1698

eight members who made up the board of trustees of the medical 1699
university of Ohio at Toledo prior to May 1, 2006, under former 1700
section 3350.01 of the Revised Code, and whose terms would 1701
expire under that section after May 1, 2006; the eight voting 1702
members who made up the board of trustees of the university of 1703
Toledo, under former section 3360.01 of the Revised Code, and 1704
whose terms would expire under that section after July 1, 2006; 1705
and one additional member appointed by the governor with the 1706
advice and consent of the senate. The terms of office, 1707
abolishment of office, and succession of the voting members of 1708
the initial board shall be as prescribed in division (B) (2) (a) 1709
of this section. The initial board also shall consist of two 1710
nonvoting members who are students of the combined university, 1711
as prescribed in division (B) (2) (b) of this section. 1712

(a) The term of office of the voting member of the initial 1713
board of trustees of the combined university who was not 1714
formerly a member of either the board of trustees of the medical 1715
university of Ohio at Toledo or the board of trustees of the 1716
university of Toledo shall be for nine years, beginning on July 1717
2, 2006, and ending on July 1, 2015. 1718

The terms of office of the sixteen other voting members of 1719
the initial board of trustees shall expire on July 1 of the year 1720
they otherwise would expire under former section 3350.01 or 1721
3360.01 of the Revised Code. 1722

The office of one voting member whose term expires on July 1723
1, 2007, shall be abolished on that date. The governor, with the 1724
advice and consent of the senate, shall appoint a successor to 1725
the office of the other voting member whose term expires on that 1726
date to a nine-year term beginning on July 2, 2007. 1727

The office of one voting member whose term expires on July 1728

1, 2008, shall be abolished on that date. The governor, with the 1729
advice and consent of the senate, shall appoint a successor to 1730
the office of the other voting member whose term expires on that 1731
date to a nine-year term beginning on July 2, 2008. 1732

The office of one voting member whose term expires on July 1733
1, 2009, shall be abolished on that date. The governor, with the 1734
advice and consent of the senate, shall appoint a successor to 1735
the office of the other voting member whose term expires on that 1736
date to a nine-year term beginning on July 2, 2009. 1737

The office of one voting member whose term expires on July 1738
1, 2010, shall be abolished on that date. The governor, with the 1739
advice and consent of the senate, shall appoint a successor to 1740
the office of the other voting member whose term expires on that 1741
date to a nine-year term beginning on July 2, 2010. 1742

The office of one voting member whose term expires on July 1743
1, 2011, shall be abolished on that date. The governor, with the 1744
advice and consent of the senate, shall appoint a successor to 1745
the office of the other voting member whose term expires on that 1746
date to a nine-year term beginning on July 2, 2011. 1747

The office of one voting member whose term expires on July 1748
1, 2012, shall be abolished on that date. The governor, with the 1749
advice and consent of the senate, shall appoint a successor to 1750
the office of the other voting member whose term expires on that 1751
date to a nine-year term beginning on July 2, 2012. 1752

The office of one voting member whose term expires on July 1753
1, 2013, shall be abolished on that date. The governor, with the 1754
advice and consent of the senate, shall appoint a successor to 1755
the office of the other voting member whose term expires on that 1756
date to a nine-year term beginning on July 2, 2013. 1757

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

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

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

(b) One of the student members of the initial board of trustees shall be the student member of the former university of Toledo board of trustees, appointed under former section 3360.01 of the Revised Code, whose term would expire under that section on July 1, 2007. The term of that student member shall expire on July 1, 2007. The other student member shall be a new appointee, representing the portion of the combined university that made up the former medical university of Ohio at Toledo, appointed to a two-year term beginning on July 2, 2006, and ending on July 1, 2008. That student trustee shall be appointed by the governor, with the advice and consent of the senate, from a group of three candidates selected pursuant to a procedure adopted by the university's student governments and approved by the university's board of trustees. Thereafter appointment and terms

of office of student members of the board of trustees shall be 1788
as prescribed by division (B) (3) of this section. 1789

(3) The student members of the board of trustees of the 1790
combined university shall be appointed by the governor, with the 1791
advice and consent of the senate, from a group of six candidates 1792
selected pursuant to a procedure adopted by the university's 1793
student governments and approved by the university's board of 1794
trustees. Terms of office of student members shall be for two 1795
years, each term ending on the same day of the same month of the 1796
year as the term it succeeds. In the event that a student member 1797
cannot fulfill a two-year term, a replacement shall be selected 1798
to fill the unexpired term in the same manner used to make the 1799
original selection. 1800

(4) Each trustee shall hold office from the date of 1801
appointment until the end of the term for which the trustee was 1802
appointed. Any trustee appointed to fill a vacancy occurring 1803
prior to the expiration of the term for which the trustee's 1804
predecessor was appointed shall hold office for the remainder of 1805
such term. Any trustee shall continue in office subsequent to 1806
the expiration date of the trustee's term until the trustee's 1807
successor takes office, or until a period of sixty days has 1808
elapsed, whichever occurs first. 1809

~~(5) No person who has served as a voting member of the 1810
board of trustees for a full nine-year term or more than six 1811
years of such a term and no person who is a voting member of the 1812
initial board of trustees as prescribed in division (B) (2) (a) of 1813
this section is eligible for reappointment to the board until a 1814
period of four years has elapsed since the last day of the term 1815
for which the person previously served. 1816~~

~~No person who served as a voting member of the board of 1817~~

~~trustees of the former university of Toledo, as authorized under 1818~~
~~former Chapter 3360. of the Revised Code, for a full nine-year 1819~~
~~term or more than six years of such a term, and no person who 1820~~
~~served on the board of trustees of the former medical university 1821~~
~~of Ohio at Toledo, as authorized under former sections 3350.01- 1822~~
~~to 3350.05 of the Revised Code, for a full nine-year term or 1823~~
~~more than six years of such a term is eligible for appointment- 1824~~
~~to the board of trustees of the combined university until a 1825~~
~~period of four years has elapsed since the last day of the term- 1826~~
~~for which the person previously served. 1827~~

(C) The trustees shall receive no compensation for their 1828
services but shall be paid their reasonable necessary expenses 1829
while engaged in the discharge of their official duties. A 1830
majority of the board constitutes a quorum. The student members 1831
of the board have no voting power on the board. Student members 1832
shall not be considered as members of the board in determining 1833
whether a quorum is present. Student members shall not be 1834
entitled to attend executive sessions of the board. 1835

Sec. 4117.14. (A) The procedures contained in this section 1836
govern the settlement of disputes between an exclusive 1837
representative and a public employer concerning the termination 1838
or modification of an existing collective bargaining agreement 1839
or negotiation of a successor agreement, or the negotiation of 1840
an initial collective bargaining agreement. 1841

(B) (1) In those cases where there exists a collective 1842
bargaining agreement, any public employer or exclusive 1843
representative desiring to terminate, modify, or negotiate a 1844
successor collective bargaining agreement shall: 1845

(a) Serve written notice upon the other party of the 1846
proposed termination, modification, or successor agreement. The 1847

party must serve the notice not less than sixty days prior to 1848
the expiration date of the existing agreement or, in the event 1849
the existing collective bargaining agreement does not contain an 1850
expiration date, not less than sixty days prior to the time it 1851
is proposed to make the termination or modifications or to make 1852
effective a successor agreement. 1853

(b) Offer to bargain collectively with the other party for 1854
the purpose of modifying or terminating any existing agreement 1855
or negotiating a successor agreement; 1856

(c) Notify the state employment relations board of the 1857
offer by serving upon the board a copy of the written notice to 1858
the other party and a copy of the existing collective bargaining 1859
agreement. 1860

(2) In the case of initial negotiations between a public 1861
employer and an exclusive representative, where a collective 1862
bargaining agreement has not been in effect between the parties, 1863
any party may serve notice upon the board and the other party 1864
setting forth the names and addresses of the parties and 1865
offering to meet, for a period of ninety days, with the other 1866
party for the purpose of negotiating a collective bargaining 1867
agreement. 1868

If the settlement procedures specified in divisions (B), 1869
(C), and (D) of this section govern the parties, where those 1870
procedures refer to the expiration of a collective bargaining 1871
agreement, it means the expiration of the sixty-day period to 1872
negotiate a collective bargaining agreement referred to in this 1873
subdivision, or in the case of initial negotiations, it means 1874
the ninety-day period referred to in this subdivision. 1875

(3) The parties shall continue in full force and effect 1876

all the terms and conditions of any existing collective 1877
bargaining agreement, without resort to strike or lock-out, for 1878
a period of sixty days after the party gives notice or until the 1879
expiration date of the collective bargaining agreement, 1880
whichever occurs later, or for a period of ninety days where 1881
applicable. 1882

(4) Upon receipt of the notice, the parties shall enter 1883
into collective bargaining. 1884

(C) In the event the parties are unable to reach an 1885
agreement, they may submit, at any time prior to forty-five days 1886
before the expiration date of the collective bargaining 1887
agreement, the issues in dispute to any mutually agreed upon 1888
dispute settlement procedure which supersedes the procedures 1889
contained in this section. 1890

(1) The procedures may include: 1891

(a) Conventional arbitration of all unsettled issues; 1892

(b) Arbitration confined to a choice between the last 1893
offer of each party to the agreement as a single package; 1894

(c) Arbitration confined to a choice of the last offer of 1895
each party to the agreement on each issue submitted; 1896

(d) The procedures described in division (C) (1) (a), (b), 1897
or (c) of this section and including among the choices for the 1898
arbitrator, the recommendations of the fact finder, if there are 1899
recommendations, either as a single package or on each issue 1900
submitted; 1901

(e) Settlement by a citizens' conciliation council 1902
composed of three residents within the jurisdiction of the 1903
public employer. The public employer shall select one member and 1904

the exclusive representative shall select one member. The two 1905
members selected shall select the third member who shall chair 1906
the council. If the two members cannot agree upon a third member 1907
within five days after their appointments, the board shall 1908
appoint the third member. Once appointed, the council shall make 1909
a final settlement of the issues submitted to it pursuant to 1910
division (G) of this section. 1911

(f) Any other dispute settlement procedure mutually agreed 1912
to by the parties. 1913

(2) If, fifty days before the expiration date of the 1914
collective bargaining agreement, the parties are unable to reach 1915
an agreement, any party may request the state employment 1916
relations board to intervene. The request shall set forth the 1917
names and addresses of the parties, the issues involved, and, if 1918
applicable, the expiration date of any agreement. 1919

The board shall intervene and investigate the dispute to 1920
determine whether the parties have engaged in collective 1921
bargaining. 1922

If an impasse exists or forty-five days before the 1923
expiration date of the collective bargaining agreement if one 1924
exists, the board shall appoint a mediator to assist the parties 1925
in the collective bargaining process. 1926

(3) Any time after the appointment of a mediator, either 1927
party may request the appointment of a fact-finding panel. 1928
Within fifteen days after receipt of a request for a fact- 1929
finding panel, the board shall appoint a fact-finding panel of 1930
not more than three members who have been selected by the 1931
parties in accordance with rules established by the board, from 1932
a list of qualified persons maintained by the board. 1933

(a) The fact-finding panel shall, in accordance with rules 1934
and procedures established by the board that include the 1935
regulation of costs and expenses of fact-finding, gather facts 1936
and make recommendations for the resolution of the matter. The 1937
board shall by its rules require each party to specify in 1938
writing the unresolved issues and its position on each issue to 1939
the fact-finding panel. The fact-finding panel shall make final 1940
recommendations as to all the unresolved issues. 1941

(b) The board may continue mediation, order the parties to 1942
engage in collective bargaining until the expiration date of the 1943
agreement, or both. 1944

(4) The following guidelines apply to fact-finding: 1945

(a) The fact-finding panel may establish times and place 1946
of hearings which shall be, where feasible, in the jurisdiction 1947
of the state. 1948

(b) The fact-finding panel shall conduct the hearing 1949
pursuant to rules established by the board. 1950

(c) Upon request of the fact-finding panel, the board 1951
shall issue subpoenas for hearings conducted by the panel. 1952

(d) The fact-finding panel may administer oaths. 1953

(e) The board shall prescribe guidelines for the fact- 1954
finding panel to follow in making findings. In making its 1955
recommendations, the fact-finding panel shall take into 1956
consideration the factors listed in divisions (G) (7) (a) to (f) 1957
of this section. 1958

(f) The fact-finding panel may attempt mediation at any 1959
time during the fact-finding process. From the time of 1960
appointment until the fact-finding panel makes a final 1961

recommendation, it shall not discuss the recommendations for 1962
settlement of the dispute with parties other than the direct 1963
parties to the dispute. 1964

(5) The fact-finding panel, acting by a majority of its 1965
members, shall transmit its findings of fact and recommendations 1966
on the unresolved issues to the public employer and employee 1967
organization involved and to the board no later than fourteen 1968
days after the appointment of the fact-finding panel, unless the 1969
parties mutually agree to an extension. The parties shall share 1970
the cost of the fact-finding panel in a manner agreed to by the 1971
parties. 1972

(6) (a) Not later than seven days after the findings and 1973
recommendations are sent, the legislative body, by a three- 1974
fifths vote of its total membership, and in the case of the 1975
public employee organization, the membership, by a three-fifths 1976
vote of the total membership, may reject the recommendations; if 1977
neither rejects the recommendations, the recommendations shall 1978
be deemed agreed upon as the final resolution of the issues 1979
submitted and a collective bargaining agreement shall be 1980
executed between the parties, including the fact-finding panel's 1981
recommendations, except as otherwise modified by the parties by 1982
mutual agreement. If either the legislative body or the public 1983
employee organization rejects the recommendations, the board 1984
shall publicize the findings of fact and recommendations of the 1985
fact-finding panel. The board shall adopt rules governing the 1986
procedures and methods for public employees to vote on the 1987
recommendations of the fact-finding panel. 1988

(b) As used in division (C) (6) (a) of this section, 1989
"legislative body" means the controlling board when the state or 1990
any of its agencies, authorities, commissions, boards, or other 1991

branch of public employment is party to the fact-finding process. 1992
1993

(D) If the parties are unable to reach agreement within seven days after the publication of findings and recommendations from the fact-finding panel or the collective bargaining agreement, if one exists, has expired, then the: 1994
1995
1996
1997

(1) Public employees, who are members of a police or fire department, members of the state highway patrol, deputy sheriffs, dispatchers employed by a police, fire, or sheriff's department or the state highway patrol or civilian dispatchers employed by a public employer other than a police, fire, or sheriff's department to dispatch police, fire, sheriff's department, or emergency medical or rescue personnel and units, an exclusive nurse's unit, employees of Ohio deaf and blind education services, employees of any public employee retirement system, corrections officers, guards at penal or mental institutions, special police officers appointed in accordance with sections 5119.08 and 5123.13 of the Revised Code, psychiatric attendants employed at mental health forensic facilities, youth leaders employed at juvenile correctional facilities, or members of a law enforcement security force that is established and maintained exclusively by a board of county commissioners and whose members are employed by that board, prohibited from striking under this division shall submit the matter to a final offer settlement procedure pursuant to a board order issued forthwith to the parties to settle by a conciliator selected by the parties. The parties shall request from the board a list of five qualified conciliators and the parties shall select a single conciliator from the list by alternate striking of names. If the parties cannot agree upon a conciliator within five days after the board order, the board 1998
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shall on the sixth day after its order appoint a conciliator 2023
from a list of qualified persons maintained by the board or 2024
shall request a list of qualified conciliators from the American 2025
arbitration association and appoint therefrom. 2026

The following public employees shall not strike: 2027

(a) Members of a police or fire department; 2028

(b) Members of the state highway patrol; 2029

(c) Deputy sheriffs; 2030

(d) Dispatchers employed by a police, fire, or sheriff's 2031
department or the state highway patrol or civilian dispatchers 2032
employed by a public employer other than a police, fire, or 2033
sheriff's department to dispatch police, fire, sheriff's 2034
department, or emergency medical or rescue personnel and units; 2035

(e) Members of an exclusive nurse's unit; 2036

(f) Employees of Ohio deaf and blind education services; 2037

(g) Employees of any public employee retirement system; 2038

(h) Corrections officers; 2039

(i) Guards at penal or mental institutions; 2040

(j) Special police officers appointed in accordance with 2041
sections 5119.08 and 5123.13 of the Revised Code; 2042

(k) Psychiatric attendants employed at mental health 2043
forensic facilities; 2044

(l) Youth leaders employed at juvenile correctional 2045
facilities; 2046

(m) Members of a law enforcement security force that is 2047
established and maintained exclusively by a board of county 2048

<u>commissioners and whose members are employed by that board;</u>	2049
<u>(n) Full-time faculty members of any state institution of higher education.</u>	2050
	2051
(2) Public employees other than those listed in division	2052
(D) (1) of this section have the right to strike under Chapter	2053
4117. of the Revised Code provided that the employee	2054
organization representing the employees has given a ten-day	2055
prior written notice of an intent to strike to the public	2056
employer and to the board, and further provided that the strike	2057
is for full, consecutive work days and the beginning date of the	2058
strike is at least ten work days after the ending date of the	2059
most recent prior strike involving the same bargaining unit;	2060
however, the board, at its discretion, may attempt mediation at	2061
any time.	2062
(E) Nothing in this section shall be construed to prohibit	2063
the parties, at any time, from voluntarily agreeing to submit	2064
any or all of the issues in dispute to any other alternative	2065
dispute settlement procedure. An agreement or statutory	2066
requirement to arbitrate or to settle a dispute pursuant to a	2067
final offer settlement procedure and the award issued in	2068
accordance with the agreement or statutory requirement is	2069
enforceable in the same manner as specified in division (B) of	2070
section 4117.09 of the Revised Code.	2071
(F) Nothing in this section shall be construed to prohibit	2072
a party from seeking enforcement of a collective bargaining	2073
agreement or a conciliator's award as specified in division (B)	2074
of section 4117.09 of the Revised Code.	2075
(G) The following guidelines apply to final offer	2076
settlement proceedings under division (D) (1) of this section:	2077

(1) The parties shall submit to final offer settlement 2078
those issues that are subject to collective bargaining as 2079
provided by section 4117.08 of the Revised Code and upon which 2080
the parties have not reached agreement and other matters 2081
mutually agreed to by the public employer and the exclusive 2082
representative; except that the conciliator may attempt 2083
mediation at any time. 2084

(2) The conciliator shall hold a hearing within thirty 2085
days of the board's order to submit to a final offer settlement 2086
procedure, or as soon thereafter as is practicable. 2087

(3) The conciliator shall conduct the hearing pursuant to 2088
rules developed by the board. The conciliator shall establish 2089
the hearing time and place, but it shall be, where feasible, 2090
within the jurisdiction of the state. Not later than five 2091
calendar days before the hearing, each of the parties shall 2092
submit to the conciliator, to the opposing party, and to the 2093
board, a written report summarizing the unresolved issues, the 2094
party's final offer as to the issues, and the rationale for that 2095
position. 2096

(4) Upon the request by the conciliator, the board shall 2097
issue subpoenas for the hearing. 2098

(5) The conciliator may administer oaths. 2099

(6) The conciliator shall hear testimony from the parties 2100
and provide for a written record to be made of all statements at 2101
the hearing. The board shall submit for inclusion in the record 2102
and for consideration by the conciliator the written report and 2103
recommendation of the fact-finders. 2104

(7) After hearing, the conciliator shall resolve the 2105
dispute between the parties by selecting, on an issue-by-issue 2106

basis, from between each of the party's final settlement offers,	2107
taking into consideration the following:	2108
(a) Past collectively bargained agreements, if any,	2109
between the parties;	2110
(b) Comparison of the issues submitted to final offer	2111
settlement relative to the employees in the bargaining unit	2112
involved with those issues related to other public and private	2113
employees doing comparable work, giving consideration to factors	2114
peculiar to the area and classification involved;	2115
(c) The interests and welfare of the public, the ability	2116
of the public employer to finance and administer the issues	2117
proposed, and the effect of the adjustments on the normal	2118
standard of public service;	2119
(d) The lawful authority of the public employer;	2120
(e) The stipulations of the parties;	2121
(f) Such other factors, not confined to those listed in	2122
this section, which are normally or traditionally taken into	2123
consideration in the determination of the issues submitted to	2124
final offer settlement through voluntary collective bargaining,	2125
mediation, fact-finding, or other impasse resolution procedures	2126
in the public service or in private employment.	2127
(8) Final offer settlement awards made under Chapter 4117.	2128
of the Revised Code are subject to Chapter 2711. of the Revised	2129
Code.	2130
(9) If more than one conciliator is used, the	2131
determination must be by majority vote.	2132
(10) The conciliator shall make written findings of fact	2133
and promulgate a written opinion and order upon the issues	2134

presented to the conciliator, and upon the record made before 2135
the conciliator and shall mail or otherwise deliver a true copy 2136
thereof to the parties and the board. 2137

(11) Increases in rates of compensation and other matters 2138
with cost implications awarded by the conciliator may be 2139
effective only at the start of the fiscal year next commencing 2140
after the date of the final offer settlement award; provided 2141
that if a new fiscal year has commenced since the issuance of 2142
the board order to submit to a final offer settlement procedure, 2143
the awarded increases may be retroactive to the commencement of 2144
the new fiscal year. The parties may, at any time, amend or 2145
modify a conciliator's award or order by mutual agreement. 2146

(12) The parties shall bear equally the cost of the final 2147
offer settlement procedure. 2148

(13) Conciliators appointed pursuant to this section shall 2149
be residents of the state. 2150

(H) All final offer settlement awards and orders of the 2151
conciliator made pursuant to Chapter 4117. of the Revised Code 2152
are subject to review by the court of common pleas having 2153
jurisdiction over the public employer as provided in Chapter 2154
2711. of the Revised Code. If the public employer is located in 2155
more than one court of common pleas district, the court of 2156
common pleas in which the principal office of the chief 2157
executive is located has jurisdiction. 2158

(I) The issuance of a final offer settlement award 2159
constitutes a binding mandate to the public employer and the 2160
exclusive representative to take whatever actions are necessary 2161
to implement the award. 2162

Sec. 4117.15. (A) Whenever a strike by ~~members of a police~~ 2163

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

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

(C) No public employee is entitled to pay or compensation

from the public employer for the period engaged in any strike.	2195
Section 2. That existing sections 3335.02, 3335.09,	2196
3337.01, 3339.01, 3341.02, 3343.02, 3344.01, 3345.45, 3350.10,	2197
3352.01, 3356.01, 3359.01, 3361.01, 3362.01, 3364.01, 4117.14,	2198
and 4117.15 of the Revised Code are hereby repealed.	2199
Section 3. That section 3333.045 of the Revised Code is	2200
hereby repealed.	2201
Section 4. The Department of Higher Education shall	2202
conduct a feasibility study about implementing bachelor's degree	2203
programs that require three years to complete in this state. The	2204
study shall investigate a variety of fields of study and	2205
determine the feasibility of reducing specific course	2206
requirements, quantity of electives, and total credit hours	2207
required for graduation. However, the study shall not include	2208
the use of College Credit Plus or any other current programs	2209
used to accelerate degree programs. Finally, the study shall	2210
present and evaluate potential issues related to accreditation.	2211
Not later than one year after the effective date of this	2212
section, the Department shall submit to the General Assembly, in	2213
accordance with section 101.68 of the Revised Code, a report	2214
about the study's findings.	2215
Section 5. This act shall be known as The Advance Ohio	2216
Higher Education Act.	2217