



Representative Susan Manchester  
Representative Bride Rose Sweeney  
Sponsor Testimony: House Bill 77  
March 16, 2021

House Higher Education and Career Readiness Committee

**MANCHESTER:**

Good morning Chairwoman Lanese, Vice Chair Young, Ranking Member Ingram, and Members of the House Higher Education and Career Readiness Committee. Thank you for the opportunity to testify in support of House Bill 77, which will allow the board of trustees of a state institution of higher education to adopt a policy allowing the trustees to attend a board meeting via means of electronic communication.

This legislation is supported by the Inter-University Council of Ohio. In the 133rd General Assembly, this legislation was introduced as House Bill 404. It was voted out of the House Higher Education Committee unanimously and off the Ohio House Floor with a vote of 88-6. The bill was amended in the Senate to address issues related to the COVID-19 pandemic thereby changing the initial intent and term of the legislation. The legislation unanimously passed the Senate Government

Oversight and Reform Committee and the Senate Floor. The House concurred with a vote of 88-5.

House Bill 77 is the product of discussions with a constituent in my District, who serves as a trustee for Wright State University. His commute to Wright State is over an hour, which results in financial burdens such as gas and hotel costs, as well as scheduling and general time constraints. He brought to my attention Purdue University's successful electronic communication policy, which House Bill 77 is modeled after.

House Bill 77 further encourages involvement and engagement in a modernized and innovative manner. Throughout the unprecedented times of the COVID-19 Pandemic, this bill's passage is imperative to the functionality and safety of state university boards and their trustees.

A few key points:

1. This legislation is 100% permissive. Each institution may or may not adopt this policy according to the will of their respective boards.
2. This legislation is meant to serve as a floor for electronic participation policy, not a ceiling. Every board is different. Some may decide that this policy doesn't work for them. Our goal is to provide a basic guideline and allow each board to determine if they want to make their policies more strict, or adopt a policy at all.

**SWEENEY:**

Our legislation specifies the following should a state institution of higher education choose to adopt their own electronic communication policy:

- A trustee must attend no less than 50 percent of regular meetings in person each year
- $\frac{1}{3}$  of the trustees must be present in person at the meeting location
- All votes must be taken by roll call at the meeting
- A trustee who is attending the meeting via electronic communication must notify the chairperson of that intent at least 48 hours before the meeting, except in the case of a declared emergency
- A trustee who attends via electronic communication is considered to be present at the meeting, is counted for purposes of establishing a quorum, and may vote at the meeting

Allowing board of trustees of state institutions of higher education the option to adopt an electronic communication policy offers both flexibility and convenience for trustees. The ability to teleconference into a meeting when staying home with a sick child, or having to stay late at work, will expand the applicant pool for trustees and allow more highly qualified, dedicated individuals to serve.

We look forward to answering any questions. Thank you.