As Introduced

135th General Assembly  
Regular Session  
2023-2024

H. B. No. 151

Representatives Demetriou, Williams  
Cosponsors: Representatives Barhorst, Ferguson, Gross, Hall, John, King, Stewart, Willis, Young, T.

A BILL

To amend sections 3345.45, 4117.14, and 4117.15 and to enact sections 1713.57, 3333.0419, 3345.029, 3345.0216, 3345.0217, 3345.0219, 3345.382, 3345.451, 3345.452, 3345.453, 3345.591, 3345.80, and 3345.87 of the Revised Code to enact the Ohio Higher Education Enhancement Act regarding the operation of state institutions of higher education.

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

Section 1. That sections 3345.45, 4117.14, and 4117.15 be amended and sections 1713.57, 3333.0419, 3345.029, 3345.0216, 3345.0217, 3345.0219, 3345.382, 3345.451, 3345.452, 3345.453, 3345.591, 3345.80, and 3345.87 of the Revised Code be enacted to read as follows:

Sec. 1713.57. (A) As used in this section:

(1) "Private institution of higher education" means a nonprofit institution holding a certificate of authorization pursuant to Chapter 1713. of the Revised Code.
(2) "State institution of higher education" has the same meaning as in section 3345.011 of the Revised Code.

(B) The chancellor of higher education shall not distribute any state funds appropriated for institutional purposes to a private institution of higher education unless the institution submits a statement affirming all of the following:

1. The institution is committed to intellectual diversity.
2. The institution is committed to free speech protection for students, staff, and faculty.
3. The institution does not require diversity, equity, and inclusion courses or training for students, staff, or faculty.
4. The institution complies with the syllabus requirements prescribed under section 3345.029 of the Revised Code as if it were a state institution of higher education.
5. The institution complies with the prohibition of political and ideological litmus tests in hiring or promotion policies in accordance with section 3345.0217 of the Revised Code as if it were a state institution of higher education.

(C) The chancellor shall create an affirmation document for private institutions of higher education to submit with requests for state funding.

(D) If the chancellor receives credible information indicating that a private institution of higher education made false affirmations, the chancellor shall provide written notice to the institution. Upon receipt of the chancellor's notice, the institution shall return any state funds received.
(E) The affirmations required in this section are solely for the purpose of requests for state funds appropriated for institutional purposes.

(F) Nothing in this section shall be construed to prohibit the chancellor from distributing state financial aid for students enrolled in private institutions of higher education, including the Ohio college opportunity grant program established under section 3333.122 of the Revised Code.

Sec. 3333.0419. As used in this section, "state institution of higher education" has the same meaning as in section 3345.011 of the Revised Code.

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

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

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

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

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

(C) The duties of the executive committee of a board of trustees;

(D) Professional accounting and reporting standards;

(E) Methods for meeting the statutory, regulatory, and fiduciary obligations of a board of trustees;

(F) The requirements of the public records law;

(G) Institutional ethics and conflicts of interest;

(H) Creating and implementing institution-wide rules and regulations;

(I) Business operations, administration, budgeting, financing, financial reporting, and financial reserves, including a segment on endowment management;

(J) Fixing student general and instructional fees, and other necessary charges, including a review of student debt trends;

(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;

(L) Workforce planning, strategy, and investment;

(M) Institutional advancement, including philanthropic
giving, fundraising initiatives, alumni programming,
communications and media, government and public relations, and
community affairs;

(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;

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

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

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

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

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

(a) The name of the course instructor;

(b) A brief description of each major course requirement,
including each major assignment and examination;

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

(d) A general description of the subject matter of each
lecture or discussion in the course;

(e) Biographical information on the course instructor.

(B) Each state institution of higher education shall make
available on its publicly accessible web site a syllabus for
each undergraduate course it offers for college credit. Each
syllabus shall be all of the following:
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(1) Accessible from the main page of the state institution's web site by use of not more than three links;

(2) Searchable by keywords and phrases;

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

(C) Each state institution shall make a syllabus available in accordance with division (B) of this section not later than the seventh day before the first day of classes for the semester or academic term in which the course is offered. Each syllabus shall remain posted on the state institution's web site for not less than two years after it is first posted, except that, if changes need to be made to the information in the syllabus after it is first posted, the state institution shall post an updated copy on its web site as soon as practicable.

(D) The board of trustees of each state institution shall designate an administrator to implement the institution's responsibilities under this section. The administrator may assign duties for that purpose to one or more administrative employees.

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

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

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

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

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

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

(B) The institution affirms that its duty is to equip
students with the intellectual skills they need to reach their
own, informed conclusions on matters of social and political
importance.

(C) The institution affirms that its duty is to ensure
that no aspect of life at the institution, within or outside the
classroom, requires, favors, disfavors, or prohibits speech or
action to support any political, social, or religious belief.

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

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

Sec. 3345.0217. (A) As used in this section:
(1) "Controversial belief or policy" means any belief or policy that is the subject of political controversy, including issues such as climate change, electoral politics, foreign policy, diversity, equity, and inclusion programs, immigration policy, marriage, or abortion.

(2) "Intellectual diversity" means multiple, divergent, and opposing perspectives on an extensive range of public policy issues widely discussed and debated in society at large, especially those perspectives that reflect the range of American opinion, but which are poorly represented on campus.

(3) "Specified concept" means a concept such as allyship, diversity, social justice, sustainability, systematic racism, gender identity, equity, or inclusion.

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

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

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

(1) Prohibit any mandatory programs or training courses regarding diversity, equity, or inclusion;

(2) Affirm and guarantee that its primary function is to practice, or support the practice, discovery, improvement, transmission, and dissemination of knowledge by means of
(3) Affirm and guarantee that, to fulfill the function described in division (B)(2) of this section, the institution shall ensure the fullest degree of intellectual diversity;

(4) Affirm and guarantee that faculty and staff shall allow and encourage students to reach their own conclusions about all controversial matters and shall not seek to inculcate any social, political, or religious point of view;

(5) Establish and implement intellectual diversity rubrics for course approval, approval of courses to satisfy general education requirements, student course evaluations, common reading programs, annual reviews, strategic goals for each department, and student learning outcomes.

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

(6) Affirm and guarantee that it will not endorse, oppose, comment, or take action, as an institution, on the public policy controversies of the day, or any other ideology, principle, concept, or formulation that requires commitment to any controversial belief or policy, specified concept, or specified ideology, although it may endorse the congress of the United States when it establishes a state of armed hostility against a foreign power.

This division does not include the recognition of national and state holidays, support for the Constitution and laws of the United States or the state of Ohio, or the display of the American or Ohio flag.
(7) Affirm and guarantee that the institution will not encourage, discourage, require, or forbid students, faculty, or administrators to endorse, assent to, or publicly express a given ideology, political stance, or view of a social policy, nor will the institution require students to do any of those things to obtain an undergraduate or post-graduate degree;

(8) Prohibit the institution from engaging in or abetting activities such as boycotts, disinvestments, or sanctions.

Divisions (B)(6) to (8) of this section do not apply to the exercise of professional judgement about whether to endorse the consensus or foundational beliefs of an academic discipline, unless that exercise is misused to take an action prohibited in division (B)(6) of this section.

(9) 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 a specified concept, specified ideology, or any other ideology, principle, concept, or formulation that requires commitment to any controversial belief or policy;

(10) Affirm and guarantee 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, political stance, or view of a social policy;

(11) Affirm and guarantee that the institution will not use a diversity statement or any other assessment of an applicant's commitment to specified concepts in any hiring, promotions, or admissions process or decision;

(12) Affirm and guarantee 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, political stance, or view of a social
policy:

(13) Affirm and guarantee that the institution will seek
out intellectual diversity in invited speakers;

(14) Post prominently on its web site a complete list of
all speaker fees, honoraria, and other emoluments in excess of
five hundred dollars. That information shall be all of the
following:

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

(b) Searchable by keywords and phrases;

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

Sec. 3345.0219. (A) As used in this section:

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

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

(B) Each state institution of higher education shall
implement a range of disciplinary sanctions for anyone under its
jurisdiction who interferes with the intellectual diversity
rights, prescribed under sections 3345.0217 and 3345.0218 of the
Revised Code, of another.
(C) Each state institution shall inform all of its students and employees of the protections afforded to them under sections 3345.0217 and 3345.0218 of the Revised Code and any policies it has adopted to put them into practice, including by providing the information to new employees and to each student during any new student orientation the institution offers.

(D) Each state institution shall issue an annual report on any violations of the intellectual diversity rights prescribed under sections 3345.0217 and 3345.0218 of the Revised Code by any individual under the institution's jurisdiction and any consequent disciplinary sanctions issued for that violation.

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

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

(2) Searchable by keywords and phrases;

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

Sec. 3345.382. (A) Beginning with students who graduate in the spring semester, or equivalent quarter, of the 2026-2027 academic year, no state institution of higher education, as defined in section 3345.011 of the Revised Code, shall grant an associate's or bachelor's degree to any student, unless the student completes a course with no fewer than three credit hours in the subject area of American government or American history. The course shall, at a minimum, require each student to read all
the following:

(1) The entire Constitution of the United States;

(2) The entire Declaration of Independence;

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

(4) The entire Emancipation Proclamation;

(5) The entire Gettysburg Address;

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

The student shall be required to pass a cumulative final examination at the conclusion of the course that assesses student proficiency about the documents described in divisions (A)(1) to (6) of this section.

(B) The president of a state institution, or the president's designee, may exempt a student from the requirement prescribed under division (A) of this section if the president or designee determines that the student has completed at least three credit hours, or the equivalent, in a course in the subject area of American history or American government.

Sec. 3345.45. (A) On or before January 1, 1994, the chancellor of higher education jointly with all state universities, as defined in section 3345.01 of the Revised Code, shall develop standards for instructional workloads for full-time and part-time faculty in keeping with the universities' missions and with special emphasis on the undergraduate learning experience. The standards shall contain clear guidelines for institutions to determine a range of
acceptable undergraduate teaching by faculty.

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

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

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

(D)(1) Not later than July 1, 2024, and every three years thereafter, each state institution of higher education, as defined in section 3345.011 of the Revised Code, shall update its faculty workload policy and submit the policy to the chancellor. The updated policy shall be approved by the state
(2) Each state institution of higher education's faculty workload policy shall include all of the following:

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

(b) A definition of all faculty workload elements in terms of credit hours as defined in 34 CFR 600.2 with a full-time twelve-month workload minimum equal to thirty credit hours. Faculty with less than a twelve-month per year work appointment will have their workload prorated based on the thirty credit hour formula.

(c) A definition of justifiable credit hour equivalents for activities other than teaching, including research, clinical care, administration, service, and other activities as determined by the state institution of higher education;

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

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

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

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

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

(D) Not later than August 1, 2024, the average annual numerical score from the student evaluations for each faculty member shall be published on a public portal on each state institution of higher education's web site. The scores shall be updated by the first day of August of each year thereafter.

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

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

(B) Not later than July 1, 2024, the board of trustees of each state institution of higher education shall adopt a faculty annual performance evaluation policy and submit the policy to the chancellor of higher education. Each state institution's board of trustees shall review and update its policy every three
(C) Each state institution of higher education shall conduct an annual evaluation for each faculty member who it directly compensates.

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

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

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

(a) Teaching;

(b) Research;

(c) Service;

(d) Clinical care;

(e) Administration;

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

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

(4) Student evaluations conducted pursuant to section 3345.451 of the Revised Code account for at least fifty per cent of the teaching area component of the evaluation.
(5) The evaluation establishes a projected work effort distribution for the faculty member for the next year which shall be used during the next year's evaluation. The distribution shall be compliant with the state institution's established workload policies adopted under section 3345.45 of the Revised Code and shall receive approval from the dean of faculty or the equivalent.

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

Sec. 3345.453. (A) As used in this section, "state institution of higher education" has the same meaning as in section 3345.011 of the Revised Code.

(B) Not later than July 1, 2024, the board of trustees of each state institution of higher education shall adopt a post-tenure review policy and submit the policy to the chancellor of higher education. Each state institution's board of trustees shall update the post-tenure review policy every three years.

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

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

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

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

(G) The state institution of higher education's provost
shall submit a recommended outcome of the post-tenure review
process to the academic affairs committee of the state
institution's board of trustees. The academic affairs committee
shall have final decision authority on the outcome of the post-
tenure review process.

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

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

(a) Established by an institution of higher education in
China and an institution of higher education in a different
country:
(b) Funded and arranged by an entity affiliated with the People's Republic of China.

(2) "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.

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

(B) No state institution of higher education shall accept gifts, donations, or contributions from the People's Republic of China or any organization or individual who may be acting on behalf of the People's Republic of China, including a student or a student's family member.

(C) Each state institution shall report to the chancellor of higher education all of the following:

(1) All gifts, donations, or contributions it has received from any Confucius institute, scholars association, or other organization that is, directly or indirectly, affiliated with, funded by, or supported by the People's Republic of China, or any gifts, donations, or contributions the state institution receives from any of those parties on or after the effective date of this section;

(2) All existing contracts, partnerships, affiliations, or financial transactions with the parties described in division (C)(1) of this section into which the state institution has entered;

(3) All gifts, donations, or contributions made to the state institution by the parties described in division (C)(1) of this section in the five years immediately preceding the
(D) Upon the request, the chancellor shall make any information reported under division (C) of this section available to any member of the general assembly.

(E) No state institution of higher education shall enter into any academic relationship with an academic institution located in China or an academic institution that is located in another country and is associated with the People's Republic of China.

(F) No state institution of higher education shall renew any existing agreement between the institution and the People's Republic of China upon its expiration.

Sec. 3345.80.  (A) As used in this section, "state institution of higher education" has the same meaning as in section 3345.011 of the Revised Code.

(B) For each biennial main operating appropriations bill and capital appropriations bill, each state institution of higher education shall prepare and submit to the chancellor of higher education, by a date determined by the chancellor, a rolling five-year summary of its institutional costs to be considered by the general assembly when evaluating operating and capital project funding. The chancellor shall submit a report including each state institution's five-year institutional cost summaries to the general assembly under section 101.68 of the Revised Code.

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

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

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

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

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

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

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

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

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

(F) During the general assembly's consideration of the main operating appropriations and capital appropriations bills, the president of each state institution of higher education or the chancellor of higher education shall have the opportunity to present in the appropriate hearings conducted by committees that consider higher education legislation to provide commentary on trends, potential justifications, or other explanations regarding the institution's five-year summary of institutional
costs.

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

Sec. 3345.87. (A) As used in this section:

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

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

(b) All material benefits, including fellowships, grants, loans, prizes, scholarships, and tuition remissions;

(c) All policies, including mission statements, hiring policies, promotion policies, and tenure policies;

(d) All programs and positions, including deanships, provostships, offices, programs, programs presented by residence halls, and committees;

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

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

(B) Each state institution of higher education shall affirm and guarantee that it will do both of the following:

(l) Treat all faculty, staff, and students as individuals, hold every individual to equal standards, and provide every
individual with equality of opportunity, and the institution shall not treat, advantage, disadvantage, or segregate any faculty, staff, or students by membership in groups defined by characteristics such as race, ethnicity, religion, sex, sexual orientation, gender identity, or gender expression;

(2) Provide no advantage or disadvantage on the basis of membership in groups defined by characteristics such as race, ethnicity, religion, sex, sexual orientation, gender identity, or gender expression in admissions, hiring, promotion, tenuring, workplace conditions, or any other program, policy, or activity.

(C) No state institution shall fund, facilitate, or provide any support to any position, material benefit, policy, program, and activity that advantages or disadvantages faculty, staff, or students by any group identity, except that the institution may advantage citizens of the United States or this state.

(D) No state institution shall train any administrator, teacher, staff member, or employee to adopt or believe in any of the following concepts:

(1) One race or sex is inherently superior to another race or sex.

(2) An individual, by virtue of his or her race or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously.

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

(4) Members of one race cannot nor should not attempt to treat others without respect to race.
(5) An individual's moral standing or worth is necessarily determined by the individual's race or sex.

(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.

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

(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.

(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.

(E) No state institution shall hire any administrator, teacher, staff member, or employee to provide instruction on any of the concepts listed in divisions (D)(1) to (9) of this section.

(F) Each state institution shall implement a range of disciplinary sanctions for anyone under its jurisdiction who authorizes or engages in a training prohibited in division (D) of this section.

(G) Each state institution shall issue an annual report regarding each of the following:

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

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

(H) Each state institution shall post the reports prescribed under division (G) of this section in a prominent place on the institution's web site. The reports shall be:

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

(2) Searchable by keywords and phrases;

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

(I) Each state institution shall prohibit all policies designed explicitly to segregate faculty, staff, or students by group identities such as race, sex, gender identity, or gender expression, including in orientations, majors, financial awards, residential housing, administrative employment, faculty employment, student training, extracurricular activities, and graduations.

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

(B)(1) In those cases where there exists a collective bargaining agreement, any public employer or exclusive representative desiring to terminate, modify, or negotiate a successor collective bargaining agreement shall:
(a) Serve written notice upon the other party of the proposed termination, modification, or successor agreement. The party must serve the notice not less than sixty days prior to the expiration date of the existing agreement or, in the event the existing collective bargaining agreement does not contain an expiration date, not less than sixty days prior to the time it is proposed to make the termination or modifications or to make effective a successor agreement.

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

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

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

If the settlement procedures specified in divisions (B), (C), and (D) of this section govern the parties, where those procedures refer to the expiration of a collective bargaining agreement, it means the expiration of the sixty-day period to negotiate a collective bargaining agreement referred to in this subdivision, or in the case of initial negotiations, it means the ninety-day period referred to in this subdivision.
(3) The parties shall continue in full force and effect all the terms and conditions of any existing collective bargaining agreement, without resort to strike or lock-out, for a period of sixty days after the party gives notice or until the expiration date of the collective bargaining agreement, whichever occurs later, or for a period of ninety days where applicable.

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

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

(1) The procedures may include:

(a) Conventional arbitration of all unsettled issues;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(1) Public employees who are members of a police or fire department, members of the state highway patrol, deputy sheriffs, dispatchers employed by a police, fire, or sheriff's department or the state highway patrol or civilian dispatchers employed by a public employer other than a police, fire, or sheriff's department to dispatch police, fire, sheriff's department, or emergency medical or rescue personnel and units, an exclusive nurse's unit, employees of the state school for the deaf or the state school for the blind, employees of any public employee retirement system, corrections officers, guards at penal or mental institutions, special police officers appointed in accordance with sections 5119.08 and 5123.13 of the Revised Code, psychiatric attendants employed at mental health forensic facilities, youth leaders employed at juvenile correctional facilities, or members of a law enforcement security force that is established and maintained exclusively by a board of county 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 shall on the sixth day after its order appoint a conciliator from a list of qualified persons maintained by the board or shall request a list of qualified conciliators from the American arbitration association and appoint therefrom.

The following public employees shall not strike:

(a) Members of a police or fire department;
(b) Members of the state highway patrol;
(c) Deputy sheriffs;
(d) 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;
(e) Members of an exclusive nurse's unit;
(f) Employees of the state school for the deaf or the state school for the blind;
(g) Employees of any public employee retirement system;
(h) Corrections officers;
(i) Guards at penal or mental institutions;
(j) Special police officers appointed in accordance with sections 5119.08 and 5123.13 of the Revised Code;
(k) Psychiatric attendants employed at mental health forensic facilities;
(l) Youth leaders employed at juvenile correctional facilities;
(m) Members of a law enforcement security force that is established and maintained exclusively by a board of county commissioners and whose members are employed by that board;

(n) Employees of any state institution of higher education.

(2) Public employees other than those listed in division (D)(1) of this section have the right to strike under Chapter 4117. of the Revised Code provided that the employee organization representing the employees has given a ten-day prior written notice of an intent to strike to the public employer and to the board, and further provided that the strike is for full, consecutive work days and the beginning date of the strike is at least ten work days after the ending date of the most recent prior strike involving the same bargaining unit; however, the board, at its discretion, may attempt mediation at any time.

(E) Nothing in this section shall be construed to prohibit the parties, at any time, from voluntarily agreeing to submit any or all of the issues in dispute to any other alternative dispute settlement procedure. An agreement or statutory requirement to arbitrate or to settle a dispute pursuant to a final offer settlement procedure and the award issued in accordance with the agreement or statutory requirement is enforceable in the same manner as specified in division (B) of section 4117.09 of the Revised Code.

(F) Nothing in this section shall be construed to prohibit a party from seeking enforcement of a collective bargaining agreement or a conciliator’s award as specified in division (B) of section 4117.09 of the Revised Code.
(G) The following guidelines apply to final offer settlement proceedings under division (D)(1) of this section:

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

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

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

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

(5) The conciliator may administer oaths.

(6) The conciliator shall hear testimony from the parties and provide for a written record to be made of all statements at the hearing. The board shall submit for inclusion in the record and for consideration by the conciliator the written report and recommendation of the fact-finders.
(7) After hearing, the conciliator shall resolve the dispute between the parties by selecting, on an issue-by-issue basis, from between each of the party's final settlement offers, taking into consideration the following:

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

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

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

(d) The lawful authority of the public employer;

(e) The stipulations of the parties;

(f) Such other factors, not confined to those listed in this section, which are normally or traditionally taken into consideration in the determination of the issues submitted to final offer settlement through voluntary collective bargaining, mediation, fact-finding, or other impasse resolution procedures in the public service or in private employment.

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

(9) If more than one conciliator is used, the determination must be by majority vote.
(10) The conciliator shall make written findings of fact and promulgate a written opinion and order upon the issues presented to the conciliator, and upon the record made before the conciliator and shall mail or otherwise deliver a true copy thereof to the parties and the board.

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

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

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

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

(I) The issuance of a final offer settlement award constitutes a binding mandate to the public employer and the exclusive representative to take whatever actions are necessary
Sec. 4117.15. (A) Whenever a strike by members of a police or fire department, members of the state highway patrol, deputy sheriffs, dispatchers employed by a police, fire, or sheriff's department or the state highway patrol or civilian dispatchers employed by a public employer other than a police, fire, or sheriff's department to dispatch police, fire, sheriff's department, or emergency medical or rescue personnel and units, an exclusive nurse's unit, employees of the state school for the deaf or the state school for the blind, employees of any public employee retirement system, 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.

Section 2. That existing sections 3345.45, 4117.14, and 4117.15 of the Revised Code are hereby repealed.

Section 3. The Department of Higher Education shall conduct a feasibility study about implementing bachelors degree programs that require three years to complete in this state. The study shall investigate a variety of fields of study and determine the feasibility of reducing specific course requirements, quantity of electives, and total credit hours required for graduation. However, the study shall not include the use of College Credit Plus or any other current programs used to accelerate degree programs. Finally, the study shall present and evaluate potential issues related to accreditation.

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

Section 4. This act shall be known as The Ohio Higher Education Enhancement Act.