As Passed by the Senate

135th General Assembly
Regular Session
2023-2024
Sub. S. B. No. 83

Senator Cirino
Cosponsors: Senators Rulli, McColley, Roegner, Brenner, O'Brien, Johnson, Hoagland, Lang, Schaffer, Wilkin

A BILL

To amend sections 3335.02, 3337.01, 3339.01,
3341.02, 3343.02, 3344.01, 3345.45, 3350.10,
3352.01, 3354.05, 3354.24, 3356.01, 3357.022,
3357.05, 3358.03, 3359.01, 3361.01, 3362.01,
3364.01, 4117.14, 4117.15, and 5813.06; to enact
new section 3333.045 and sections 1715.551,
3345.029, 3345.0216, 3345.0217, 3345.0218,
3345.382, 3345.451, 3345.452, 3345.453,
3345.454, 3345.455, 3345.591, 3345.80, and
3345.87; and to repeal section 3333.045 of the
Revised Code to enact the Ohio Higher Education
Enhancement Act regarding the operation of state
institutions of higher education and to revise
the Uniform Prudent Management of Institutional
Funds Act.

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

Section 1. That sections 3335.02, 3337.01, 3339.01,
3341.02, 3343.02, 3344.01, 3345.45, 3350.10, 3352.01, 3354.05,
3354.24, 3356.01, 3357.022, 3357.05, 3358.03, 3359.01, 3361.01,
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3362.01, 3364.01, 4117.14, 4117.15, and 5813.06 be amended and new section 3333.045 and sections 1715.551, 3345.029, 3345.0216, 3345.0217, 3345.0218, 3345.382, 3345.451, 3345.452, 3345.453, 3345.454, 3345.455, 3345.591, 3345.80, and 3345.87 of the Revised Code be enacted to read as follows:

Sec. 1715.551. (A) As used in this section:

(i) The administrator or executor of a person's estate;

(ii) A person designated in an endowment agreement, whether or not born or existing at the time of such designation, to act in place of a party to the agreement for the purpose of resolving disputes about the agreement, including without limitation, its validity, interpretation, performance, enforcement, and any action that it contemplates.

(b) "Benefactor representative" does not mean the state institution of higher education receiving or administering property under an endowment agreement or any person designated by such state institution of higher education for any purpose.

(c) A benefactor representative named in an endowment agreement shall be the only benefactor representative for purposes of this section, regardless of the existence of an administrator or executor of a person's estate.

(2) "Endowment agreement" means a gift instrument, signed by a person and a state institution of higher education, under which the person commits to transfer property to that or another state institution of higher education and the state institution of higher education commits that it or another state institution of higher education will hold or administer the property as an
endowment fund, subject to any restrictions on management, investment, spending, or purpose contained in the endowment agreement.

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

(B) If a state institution of higher education violates a restriction contained in an endowment agreement on the management, investment, spending, or purpose of the endowment fund, the person who transferred property to the state institution of higher education under the agreement, or the benefactor representative of such person, may notify the charitable law section of the office of the attorney general in writing of the violation.

(C)(1) If, within one hundred eighty days after receiving the notice, the attorney general has not obtained full compliance with the restriction, and restitution to the endowment fund of property approximately equal to any value lost due to the violated restriction, the person who notified the attorney general, or the benefactor representative of such person, may file a complaint:

(a) For breach of the endowment agreement; or

(b) To obtain a declaration of rights and duties expressed in the agreement and as to all of the actions it contemplates, including, without limitation, the interpretation, performance, and enforcement of the agreement and determination of its validity.

(2) Each of the following applies to the complaint:

(a) It may be filed regardless of whether the agreement expressly reserves a right to sue or enforce.
(b) It shall not seek a judgment awarding to the plaintiff damages, court costs, attorney's fees, or any other award of money or other property.

(c) It shall seek only one or both of the following:

(i) Declaratory relief;

(ii) Equitable relief consistent with the charitable purposes expressed in the endowment agreement and consistent with the charitable purposes of the state institution of higher education.

(D) The attorney general may enforce the interests of the beneficiaries of an endowment agreement by filing a complaint for breach or to obtain a declaration of rights and duties expressed in the agreement and as to all of the actions it contemplates, including, without limitation, the interpretation, performance, and enforcement of the agreement and determination of its validity.

(E) A state institution of higher education may obtain a judicial declaration of rights and duties expressed in an endowment agreement and as to all of the actions it contemplates, including, without limitation, the interpretation, performance, and enforcement of the agreement and determination of its validity. The state institution of higher education shall seek such declaration in any suit brought under this section or by filing a complaint.

(F) Every complaint authorized by this section shall be filed in a court of general jurisdiction in the county where the state institution of higher education named as a party has its principal office or principal place of carrying out its charitable purpose, or in a court of the United States whose
district includes such county. Every such complaint shall:

(1) Name the attorney general as a party;

(2) Name as parties the state institution of higher education that signed the agreement or its successor, and each state institution of higher education that currently administers property subject to the agreement;

(3) If the attorney general or state institution of higher education files the complaint within fifty years after the effective date of the endowment agreement, name as parties each person who transferred property under the agreement or the benefactor representative of each such person if the persons or benefactor representatives can be located and identified after diligent inquiry.

(G) The failure to name or join as a party a person who transferred property under the endowment agreement, or the benefactor representative of such person, is not jurisdictional. The court, however, shall not act on the merits of the complaint or on any motion for an order to address its merits without first ensuring that the plaintiff has acted diligently to notify such person or the benefactor representative of such person of the complaint and, if the person or benefactor representative is located and identified, affords such person or benefactor representative an opportunity to be heard or to intervene.

(H) The interest of a person who transferred property under an endowment agreement, and the interest represented by the benefactor representative of such person, shall not be presumed to be identical with the interest of either the attorney general or a state institution of higher education.

(I)(1) Subject to division (I)(2) of this section, a
person who transferred property under an endowment agreement, or
the benefactor representative of such person, shall file a
complaint authorized by this section within six years after
discovery of the accrual of the cause of action, but in no event
shall such a person or the benefactor representative of such
person file a complaint authorized by this section more than
fifty years after the effective date of the endowment agreement.

(2) If, during the sixth year after discovery of the
accrual of the cause of action, a person who transferred
property under an endowment agreement, or the benefactor
representative of such person, notifies the charitable law
section of the office of the attorney general in writing of a
violation by a state institution of higher education of a
restriction contained in an endowment agreement as authorized by
this section, the period within which such person or benefactor
representative must file a complaint authorized by this section
shall be extended automatically by two hundred ten days.

(J) This section applies only to the following:

(1) State institution of higher education endowment funds
established on and after the one hundred twentieth day following
the effective date of this section;

(2) State institution of higher education endowment funds
established before the one hundred twentieth day following the
effective date of this section, but only with respect to
breaches of the related endowment agreements, if those breaches
occur on or after that date.

Sec. 3333.045. 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. 3335.02. (A) The government of the Ohio state university shall be vested in a board of fourteen trustees in
2005, and seventeen trustees beginning in 2006, who shall be appointed by the governor, with the advice and consent of the senate. Two of the seventeen trustees shall be students at the Ohio state university, and their selection and terms shall be in accordance with division (B) of this section. Except—

(1) For trustees appointed prior to January 1, 2024, except as provided in division (D) of this section and except for the terms of student members, terms of office shall be for nine years, commencing on the fourteenth day of May and ending on the thirteenth day of May.

(2) For trustees appointed on or after January 1, 2024, except for the terms of student members, terms of office shall be for four years, commencing on the fourteenth day of May and ending on the thirteenth day of May.

Each trustee shall hold office from the date of appointment until the end of the term for which the trustee was appointed. Any trustee appointed to fill a vacancy occurring prior to the expiration of the term for which the trustee's predecessor was appointed shall hold office for the remainder of such term. Any trustee shall continue in office subsequent to the expiration date of the trustee's term until the trustee's successor takes office, or until a period of sixty days has elapsed, whichever occurs first. 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 the person previously served. The trustees shall not receive compensation for their services, but shall be paid their reasonable necessary expenses while engaged in the discharge of their official duties.
(B) The student members of the board of trustees of the Ohio state university shall be students at the Ohio state university. Unless student members have been granted voting power under division (C) of this section, they shall have no voting power on the board, shall not be considered as members of the board in determining whether a quorum is present, and 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 May 14, 1988, and shall expire on May 13, 1989, and the initial term of office of the other student member shall commence on May 14, 1988, and expire on May 13, 1990. 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 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.

(C) Not later than ninety days after the effective date of this amendment on September 29, 2015, the board of trustees shall adopt a resolution that does one of the following:

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

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

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

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

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

(D)(1) The initial terms of office for the three additional trustees appointed in 2005 shall commence on a date in 2005 that is selected by the governor with one term of office expiring on May 13, 2009, one term of office expiring on May 13, 2010, and one term of office expiring on May 13, 2011, as designated by the governor upon appointment. Thereafter terms of office for trustees appointed prior to January 1, 2024, shall be for nine years, as provided in division (A)-(A)(1) of this section. Terms of office for trustees appointed on or after
January 1, 2024, shall be for four years, as provided in division (A)(2) of this section.

(2) The initial terms of office for the three additional trustees appointed in 2006 shall commence on May 14, 2006, with one term of office expiring on May 13, 2012, one term of office expiring on May 13, 2013, and one term of office expiring on May 13, 2014, as designated by the governor upon appointment. Thereafter terms of office for trustees appointed prior to January 1, 2024, shall be for nine years, as provided in division (A)(1) of this section. Terms of office for trustees appointed on or after January 1, 2024, shall be for four years, as provided in division (A)(2) of this section.

Sec. 3337.01. (A) The body politic and corporate by the name and style of "The President and Trustees of the Ohio University" now in the university instituted and established in Athens by the name and style of "The Ohio University" shall consist of a board of trustees composed of eleven members, who shall be appointed by the governor, with the advice and consent of the senate. At least five of the trustees who are not students shall be graduates of Ohio university. Two of the trustees shall be students at Ohio 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 January 1, 2024, except for the terms of student members, terms of office shall be for nine years, commencing on the fourteenth day of May and ending on the thirteenth day of May, except that upon expiration of the term ending on May 14, 1978, the new term which succeeds it shall commence on May 15, 1978, and end on May 13, 1987. For trustees appointed on or after January 1, 2024, except for the terms of student members, terms of office shall be for four years, as provided in division (A)(2) of this section.
years, commencing on the fourteenth day of May and ending on the thirteenth day of May. Each member shall hold office from the date of appointment until the end of the term for which the member was appointed. Any member appointed to fill a vacancy occurring prior to the expiration of the term for which the member's predecessor was appointed shall hold office for the remainder of such term. Any member shall continue in office subsequent to the expiration date of the member's term until the member's successor takes office, or until a period of sixty days has elapsed, whichever occurs first. 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 the person previously served. Such trustees shall receive no compensation for their services, but shall be paid their actual and necessary expenses while engaged in the discharge of their official duties.

(B) The student members of the board of trustees of the Ohio 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 May 14, 1988, and shall expire on May 13, 1989, and the initial term of office of the other student member shall commence on May 14, 1988, and expire on May 13, 1990. Thereafter, terms of office of student
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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 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. 3339.01. (A) The government of Miami university shall be vested in 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 Miami 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 January 1, 2024, except for the terms of student members, terms of office shall be for nine years, commencing on the first day of March and ending on the last day of February, except that upon expiration of the trustee term ending on March 1, 1974, the trustee term which succeeds it shall commence on March 2, 1974 and end on February 28, 1983; upon expiration of the trustee term ending on March 1, 1977, the trustee term which succeeds it shall commence on March 2, 1977 and end on February 28, 1986; upon expiration of the trustee term ending on March 1, 1978, the trustee term which succeeds it shall commence on March 2, 1978 and end on February 28, 1987; and upon expiration of the trustee term ending on March 1, 1979, the trustee term which succeeds it shall commence on March 2, 1979 and end on February 29, 1988. For trustees appointed on or after January 1, 2024, except for the terms of student members, terms of office shall be for four years, commencing on the first day of March and ending on the last day of February. Each trustee shall hold office from the date of appointment until the end of the term for which the trustee was
appointed. Any trustee appointed to fill a vacancy occurring prior to the end of the term for which the trustee's predecessor was appointed shall hold office for the remainder of such term. Any trustee shall continue in office subsequent to the expiration date of the trustee's term until a successor takes office, or until a period of sixty days has elapsed, whichever occurs first. 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 the person previously served. The trustees shall receive no compensation for their services but shall be paid their reasonable necessary expenses while engaged in the discharge of their official duties.

(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 January 1, 2024, 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 the person previously served. For trustees appointed on or after January 1, 2024, except for the terms of student members, terms of office shall be for four years, commencing on the seventeenth day of May and ending on the sixteenth day of May.

(B) The student members of the board of trustees of Bowling Green state 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 17, 1988, and shall expire on March 16, 1989, and the initial term of
office of the other student member shall commence on March 17, 1988, and expire on March 16, 1990. After September 22, 2000, terms of office shall commence on the seventeenth day of May and shall end on the sixteenth day of May. 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 the student member's two-year term, a replacement shall be selected in the manner used for the original selection to fill the unexpired term.

(C) The government of Kent 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 Kent state university, and their selection and terms shall be in accordance with division (D) of this section. A majority of the board constitutes a quorum.

Except for trustees appointed prior to January 1, 2024, 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 the person previously served. For trustees appointed on or after January 1, 2024, except for the terms of student members, terms of office shall be for four years, commencing on the seventeenth day of May and ending on the sixteenth day of May.

(D) The student members of the board of trustees of Kent state 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 May 17, 1988, and shall expire on May 16, 1989, and the initial term of office of the other student member shall commence on May 17, 1988, and expire on May 16, 1990. 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 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.

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

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

Sec. 3343.02. (A) The government of Central state university shall be vested in a board of trustees to be known as
"the board of trustees of the Central state university." Such board shall consist of eleven members who shall be appointed by the governor, with the advice and consent of the senate. Two of the trustees shall be students at Central 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 January 1, 2024, except for the student members, terms of office shall be for nine years, commencing on the first day of July and ending on the thirtieth day of June. For trustees appointed on or after January 1, 2024, except for the student members, terms of office shall be for four years, commencing on the first day of July and ending on the thirtieth day of June. Each member shall hold office from the date of appointment until the end of the term for which the member was appointed. Any member appointed to fill a vacancy occurring prior to the expiration of the term for which the member's predecessor was appointed shall hold office for the remainder of such term. Any member shall continue in office subsequent to the expiration date of the member's term until the member's successor takes office, or until a period of sixty days has elapsed, whichever occurs first. 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 the person previously served.

(B) The student members of the board of trustees of Central state 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 July 1, 1988, and shall expire on June 30, 1989, and the initial term of office of the other student member shall commence on July 1, 1988, and expire on June 30, 1990. 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. 3344.01. (A) There is hereby created the Cleveland state university. The government of the Cleveland 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 the Cleveland state university, and their selection and terms shall be in accordance with division (B) of this section. Except for trustees appointed prior to January 1, 2024, except for the student members, terms of office shall be for nine years, commencing on the second day of May and ending on the first day of May. For trustees appointed on or after January 1, 2024, except for the student members, terms of office shall be for four years, commencing on the second day of May and ending on the first day of May. Each trustee shall hold office from the date of appointment until the end of the term for which the trustee was appointed. Any trustee appointed to fill a vacancy occurring prior to the expiration of the term for which the
trustee's predecessor was appointed shall hold office for the remainder of such term. Any trustee shall continue in office subsequent to the expiration date of the trustee's term until the trustee's successor takes office, or until a period of sixty days has elapsed, whichever occurs first. 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 the person previously served. The trustees shall receive no compensation for their services but shall be paid their reasonable necessary expenses while engaged in the discharge of their official duties. A majority of the board constitutes a quorum.

(B) The student members of the board of trustees of the Cleveland state 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 May 2, 1988, and shall expire on May 1, 1989, and the initial term of office of the other student member shall commence on May 2, 1988, and expire on May 1, 1990. 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. 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 calendar for the course outlining what materials and topics will be covered and when during the course they will be covered;

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

(d) The course instructor's professional qualifications.

(B) Each state institution of higher education shall make a syllabus for each undergraduate course it offers for college credit publicly available by doing either of the following:

(1) Ensuring that each course instructor posts a syllabus on a publicly accessible web site. Each such web site shall include the following information:

(a) The course instructor's professional qualifications;

(b) The course instructor's contact information;

(c) The course instructor's course schedule;

(d) The syllabus for each course the instructor is currently teaching, which shall be accessible by link or download through the web site.

(2) Posting each course's syllabus on the institution's
publicly accessible web site. Each syllabus shall be all of the following:

(a) Accessible from the main page of the state 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.

(C)(1) Each state institution shall make a syllabus available in accordance with division (B) of this section not later than the first day of classes for the semester or academic term in which the course is offered.

(2) For any syllabus posted under division (B)(1) of this section that is no longer used, the course instructor shall, upon request, make that syllabus available for not less than two years after that syllabus was posted under that division.

(3) Any syllabus posted under division (B)(2) of this section shall remain posted on the state institution's web site for not less than two years after it was first posted.

(4) To the extent practicable, each state institution shall ensure that the most recently updated syllabus for each undergraduate course it offers for college credit is posted in accordance with division (B) of this section.

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

(E) 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.

(F) 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 declares that it will educate students by means of free, open, and rigorous intellectual inquiry to seek the truth.

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

(C) The institution declares that its duty is to ensure that, within or outside the classroom, the institution shall not
require, favor, disfavor, or prohibit speech or lawful assembly.

(D) The institution declares 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 declares 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 policies, electoral politics, foreign policy, diversity, equity, and inclusion programs, immigration policy, marriage, or abortion.

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

(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 and enforce a policy that requires the institution to do all of the following:

(1) Prohibit any mandatory programs or training courses regarding diversity, equity, and inclusion, unless the institution receives an exemption under division (C) of this section for a diversity, equity, and inclusion program or training course that is required to do any of the following:

   (a) Comply with state and federal laws or regulations;

   (b) Comply with professional licensure requirements;

   (c) Obtain or retain accreditation;

   (d) Secure or retain grants or cooperative agreements.

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

(3) Affirm and declare 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 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 inculcate any social, political, or religious point of view;

(5) Demonstrate intellectual diversity for course approval, approval of courses to satisfy general education requirements, student course evaluations, common reading programs, annual reviews, strategic goals for each department,
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) Declare that it will not endorse or oppose, as an institution, 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 declare 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.

Divisions (B)(6) and (7) 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.

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

(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;

(10) Affirm and declare that the 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;

(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;

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

(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:

(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.

(C)(1) Prior to the initial offering of a diversity, equity, and inclusion program or training course, a state institution of higher education shall request from the chancellor of higher education an exemption for that program or training course from the prohibition prescribed in division (B)(1) of this section. The request shall include all of the following:

(a) The specific law, licensure requirement, accreditation, grant, or cooperative agreement at issue;

(b) The specific language in the law, licensure requirement, accreditation, grant, or cooperative agreement that requires the training;

(c) A detailed description of the diversity, equity, and inclusion program or training to be taught, including any materials that will be used;

(d) The specific population of individuals who will be mandated to take the training;

(e) The number of times the training is expected to be offered on a six-month basis;

(f) An estimate of the cost of the program or training;

(g) In the case of an exemption sought for an accreditation, proof that alternative accreditation has been researched and evaluated. An alternative accreditation is an accreditation that would obtain the same or similar results for the institution while not requiring a diversity, equity, and inclusion program or training.

(2) The chancellor shall approve a request under division
(C)(1) of this section if the chancellor determines the request satisfies at least one of the conditions listed in division (B) (1) of this section.

(3) If a state institution of higher education makes a change to a diversity, equity, and inclusion program or training course approved by the chancellor under this division due to a change in the information listed in division (C)(1) of this section, the institution shall submit a new request for approval under this division with respect to that program or training.

(D) At least once every six months, the chancellor shall prepare a report that summarizes all exemptions sought under division (C) of this section during that six month period, including how many exemptions were granted and rejected. The chancellor shall submit each report to the chairpersons of the standing committees of the senate and the house of representatives that consider higher education legislation.

(E) Nothing in this section prohibits faculty or students from classroom instruction, discussion, or debate, so long as faculty members remain committed to expressing intellectual diversity and allowing intellectual diversity to be expressed.

Sec. 3345.0218. (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 any administrator, faculty member, staff, or student who interferes with the intellectual diversity rights, prescribed under section.
3345.0217 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 section 3345.0217 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 section 3345.0217 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) 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 course with not fewer than three credit hours in the subject area of American government or American history. The course
shall comply with the criteria, policies, and procedures established under section 3333.16 of the Revised Code. The course may be offered under the college credit plus program established under Chapter 3365. of the Revised Code. 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.

Any student who takes the course 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 (B)(1) to (6) of this section.

(C) Beginning with students who graduate from a state institution of higher education in the spring semester, or equivalent quarter, of the 2028-2029 academic year, no state institution of higher education shall grant a bachelor's degree to any student unless the student completes a course described in division (B) of this section or is a student described in division (D) of this section.

(D) The president of a state institution, or the president's designee, may exempt a student from the requirement.
to complete a course described in division (B) of this section. if the president or designee determines that the student has either:

(1) Completed at least three credit hours, or the equivalent, in a course in the subject area of American history or American government;

(2) Passed an examination, developed by the chancellor, that assesses the student's competence in the documents and concepts described in division (B) of this section.

(E) This section does not apply to associate's degrees programs.

Sec. 3345.45. (A) On or before January 1, 1994, the chancellor of higher education jointly with all state universities institutions of higher education, as defined in section 3345.011 of the Revised Code, shall develop standards for instructional workloads for full-time and part-time faculty in keeping with the universities' institutions' 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-institution of higher education 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 institution of higher education shall review the university's institution'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 institution of higher education 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 institution to include multiple pathways for faculty tenure, one of which may be a commercialization pathway, in its policy.

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

(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 workload minimum standard established by the board of trustees.
and made publicly accessible on the state institution's web site.

(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, for-cause termination, or other disciplinary action, 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) 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) 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 five years.

(C) Each state institution of higher education shall conduct an annual evaluation for each full-time 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. This section applies only to state institutions of higher education that have tenured faculty members.
(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 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 five 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 institution's entity that is responsible for the final decision of post-tenure review pursuant to the institution's policy. The administrative action that a state institution of higher education may take includes censure, remedial training, or for-cause termination, regardless of tenure status, and any other action permitted by the institution's post-tenure review policy.

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

(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) In addition to the policies described in sections 3345.45 to 3345.454 of the Revised Code, each state institution of higher education board of trustees shall develop policies on tenure and retrenchment. Each state institution shall submit those policies to the chancellor of higher education. Each state institution's board of trustees shall update those policies every five years.

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

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

(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.

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 the institution reasonably suspects is acting on behalf of the People's Republic of China.

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

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

(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) Subject to the approval of the chancellor, a state institution shall only enter into a new or renewed academic partnership with an academic or research institution located in China if the state institution maintains sufficient structural safeguards to protect the state institution's intellectual property, the security of the state of Ohio, and the national security interests of the United States. The chancellor shall only approve a state institution's partnership if the chancellor, in consultation with the attorney general, determines the partnership meets the safeguard requirements prescribed under this division. The safeguard requirements shall include, at a minimum, all of the following:

(1) Compliance with all federal requirements, including the requirements of federal research sponsors and federal export control agencies, including regulations regarding international traffic in arms and export administration regulations, and economic and trade sanctions administered by the federal office of foreign assets control;
(2) Annual formal institution-level programs for faculty on conflicts of interest and conflicts of commitment;

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

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

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, policy, program, and activity" includes all of the following:

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

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

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

(d) 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) With respect to every position, policy, program, and activity, each state institution of higher education shall do both of the following:

(1) Treat all faculty, staff, and students as individuals, hold every individual to equal standards, and provide those individuals with equality of opportunity with regard to those individuals' race, ethnicity, religion, sex, sexual orientation, gender identity, or gender expression;

(2) Provide no advantage or disadvantage to faculty, staff, or students on the basis of race, ethnicity, religion, sex, sexual orientation, gender identity, or gender expression
in admissions, hiring, promotion, tenuring, or workplace conditions.

(C) No state institution of higher education shall provide or require training for any administrator, teacher, staff member, or employee that advocates or promotes 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.

(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.

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

(1) All violations of division (D) 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.

(F) Each state institution of higher education shall post the reports prescribed under division (E) 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.

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

Sec. 3350.10. (A) There is hereby created the northeast Ohio medical university. The principal goal of the medical university shall be to collaborate with the university of Akron, Cleveland state university, Kent state university, and Youngstown state university to graduate physicians oriented to the practice of medicine at the community level, especially family physicians. To accomplish this goal, the medical university may incorporate in the clinical experience provided its students the several community hospitals in the cities and areas served by the medical university; utilize practicing physicians as teachers; and to the fullest extent possible utilize the basic science capabilities of the university of Akron, Cleveland state university, Kent state university, and Youngstown state university. The government of northeast Ohio medical university is vested in a board of eleven trustees, who shall be appointed by the governor with the advice and consent of the senate pursuant to division (A)(2) of this section.

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

(2) Beginning December 22, 2008, the government of the
northeast Ohio medical 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
current students of the medical university, and their selection
and terms shall be in accordance with division (B) of this
section. Except for trustees appointed prior to January 1, 2024,
except as provided in division (A)(3) of this section and except
for the student members, terms of office shall be for nine
years. For trustees appointed on or after January 1, 2024,
except for the student members, terms of office shall be for
four years. Each trustee shall hold office from the date of
appointment until the end of the term for which the trustee was
appointed. Any trustee appointed to fill a vacancy occurring
prior to the expiration of the term for which the trustee's
predecessor was appointed shall hold office for the remainder of
such term. Any trustee shall continue in office subsequent to
the expiration date of the trustee's term until the trustee's
successor takes office, or until a period of sixty days has
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 the person previously served. The trustees shall receive no compensation for their services but shall be paid their reasonable necessary expenses while engaged in the discharge of their official duties. A majority of the board constitutes a quorum.

(3) Not later than December 22, 2008, the governor, with the advice and consent of the senate, shall appoint the two student trustees and successors for the trustees serving under division (A)(1) of this section. Except for the student trustees, who shall serve terms pursuant to division (B) of this section, the initial terms of office for trustees appointed under division (A)(2) of this section shall be as follows: one term ending September 23, 2009; one term ending September 23, 2010; one term ending September 23, 2011; one term ending September 23, 2012; one term ending September 23, 2013; one term ending September 23, 2014; one term ending September 23, 2015; one term ending September 23, 2016; one term ending September 23, 2017. Thereafter, for trustees appointed prior to January 1, 2024, terms of office shall be for nine years, as provided in division (A)(2) of this section. For trustees appointed on or after January 1, 2024, terms of office shall be for four 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
terms shall be in accordance with division (B) of this section.
Except for trustees appointed prior to January 1, 2024, except
for the terms of student members, terms of office shall be for
nine years, commencing on the first day of July and ending on
the thirtieth day of June. For trustees appointed on or after
January 1, 2024, except for the terms of student members, terms
of office shall be for four years, commencing on the first day
of July and ending on the thirtieth day of June. Each trustee
shall hold office from the date of appointment until the end of
the term for which the trustee was appointed. Any trustee
appointed to fill a vacancy occurring prior to the expiration of
the term for which the trustee's predecessor was appointed shall hold office for the remainder of such term. Any trustee shall continue in office subsequent to the expiration date of the trustee's term until the trustee's successor takes office, or until a period of sixty days has elapsed, whichever occurs first. 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 the person previously served. The trustees shall receive no compensation for their services but shall be paid their reasonable necessary expenses while engaged in the discharge of their official duties. A majority of the board constitutes a quorum.

(B) The student members of the board of trustees of Wright state 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 July 1, 1988, and shall expire on June 30, 1989, and the initial term of office of the other student member shall commence on July 1, 1988, and shall expire on June 30, 1990. 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. 3354.05. (A) Within ninety days after a community college district has been declared to be established, pursuant to sections 3354.02 to 3354.04 of the Revised Code, nine persons, all of whom shall be residents of the district, shall be appointed as a board of trustees of the community college district. Six trustees shall be appointed by the board of county commissioners or boards of county commissioners of such district and three trustees shall be appointed by the governor, with the advice and consent of the senate. At the time of the initial meeting of the trustees a drawing shall be held to determine the initial term of each appointee, one trustee to serve for a term ending two years after the date upon which the community college district had been declared established, three for terms ending three years after that date, three for terms ending four years after that date, and two for terms ending five years after that date.

(B) At the expiration of each of the three terms appointed by the governor, and thereafter, the governor shall make appointments, with the advice and consent of the senate. At the expiration of each of the remaining six terms, and thereafter, the board of county commissioners or boards of county commissioners shall make appointments. Except as provided in division (C) of this section, the successive terms of trustees appointed prior to January 1, 2024, shall be for five years, each term ending on the same day of the same month of the year as did the term which it succeeds. For trustees appointed by the board of county commissioners or boards of county commissioners on or after January 1, 2024, the term shall be for five years. For trustees appointed by the governor on or after January 1, 2024, the term shall be for four years. Each trustee shall hold
office from the date of his appointment until the end of the term for which he was appointed. Any trustee appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall hold office for the remainder of such term. Any trustee shall continue in office subsequent to the expiration date of his term until his successor takes office, or until a period of sixty days has elapsed, whichever occurs first.

(C) Upon expiration of the Cuyahoga county community college district trustee term which ends on January 19, 1974 and for which the governor is required to appoint a successor, the new term which succeeds it shall commence on January 20, 1974 and end on October 12, 1978. Upon expiration of the Mahoning county community college district trustee terms which end on February 22, 1975 and for which the governor is required to appoint successors, the new terms which succeed them shall commence on February 23, 1975 and end on February 10, 1980. Upon expiration of the Lorain county community college district trustee terms which end on October 12, 1977 and for which the governor is required to appoint successors, the new terms which succeed them shall commence on October 13, 1977 and end on August 30, 1982. Upon expiration of the Montgomery county community college district trustee term which ends on July 1, 1973 and for which the governor is required to appoint a successor, the new term which succeeds it shall commence on July 2, 1973 and end on October 12, 1977. Upon expiration of the Lakeland community college district trustee term which ends on March 6, 1978, and for which the governor is required to appoint a successor, the new term which succeeds it shall commence on March 7, 1978 and end on October 12, 1982.

Sec. 3354.24. (A) The provisions of this section prevail
over conflicting provisions of this chapter; however, except as otherwise provided in this section, the eastern gateway community college district and its board of trustees shall comply with the provisions of this chapter.

(B) The territory of Columbiana, Mahoning, and Trumbull counties is hereby added to the territory of the community college district of Jefferson county, creating a new community college district to replace the former community college district of Jefferson county. The district created under this section shall be known as and operate under the name of "eastern gateway community college district," and its charter shall be amended to this name. The Jefferson county campus is hereby part of the eastern gateway community college district and shall remain in operation unless otherwise specified by the board of trustees of the community college.

The eastern gateway community college district is divided into two taxing subdistricts, one consisting of the territory of Jefferson county, and the other consisting of the territories of Columbiana, Mahoning, and Trumbull counties.

(C) On the effective date of this section as enacted by H.B. 1 of the 128th general assembly October 16, 2009, the government of the eastern gateway community college district shall be vested in a board of eleven trustees to be appointed by the governor, with the advice and consent of the senate. The board of trustees of the former community college district of Jefferson county is abolished on that date.

The governor shall appoint the members of the board of trustees of the eastern gateway community college district as successors to the board of trustees of Jefferson community college as follows: Three members of the board of trustees shall
be residents of Jefferson county. (The initial Jefferson county members shall be members of the board of trustees of the former community college district of Jefferson county, as it existed before the effective date of this section October 16, 2009.) Eight members of the board of trustees shall be residents of Columbiana, Mahoning, and Trumbull counties.

The initial board of trustees shall be appointed within ninety days after the effective date of this section October 16, 2009, for terms as follows: Of the trustees who are residents of Jefferson county, one trustee shall be appointed for a one-year term, one trustee shall be appointed for a three-year term, and one trustee shall be appointed for a five-year term. Of the trustees who are residents of Columbiana, Mahoning, and Trumbull counties, one trustee shall be appointed for a one-year term, two trustees shall be appointed for two-year terms, two trustees shall be appointed for three-year terms, two trustees shall be appointed for four-year terms, and one trustee shall be appointed for a five-year term.

At the conclusion of each initial term, the term of office of each trustee appointed prior to January 1, 2024, shall be five years, each term ending on the same day of the same month of the year as did the term that it succeeds. For trustees appointed on or after January 1, 2024, the terms of office shall be four years, each term ending on the same day of the same month of the year as did the term that it succeeds.

Each trustee shall hold office from the date of the trustee’s appointment until the end of the term for which the trustee was appointed. Any trustee appointed to fill a vacancy occurring before the expiration of the term for which the trustee’s predecessor was appointed shall hold office for the
remainder of that term. Any trustee shall continue in office
subsequent to the expiration date of the trustee's term until
the trustee's successor takes office, or until a period of sixty
days has elapsed, whichever occurs first.

If a vacancy occurs and the Jefferson county tax levy is
no longer in place or a conversion under division (H) of this
section has occurred, the governor shall fill the vacancy with a
person residing within the eastern gateway community college
district.

(D) The board of trustees of the eastern gateway community
college district shall continue to comply with division (G) of
section 3354.09 of the Revised Code regarding tuition for
students who are residents of Ohio but not residents of the
district, and for students who are nonresidents of Ohio. The
tuition rate shall be based on the student's county of residence
and shall apply to all eastern gateway community college
district classes in all district locations. Except as provided
in division (F)(3) of this section, students who are residents
of Columbiana, Mahoning, or Trumbull county shall continue to be
charged tuition at the same rate as Ohio residents who are not
residents of the district.

(E)(1) Except as provided in divisions (E)(2) and (3) of
this section, each member of the board of trustees shall have
full voting rights on all matters that come before the board.

(2) The three trustees representing Jefferson county shall
have sole authority to vote on the following matters:

(a) The Jefferson county tax levy;

(b) The expenditure of revenue from that tax levy;

(c) Levy-subsidized tuition rates.
(3) The voting restrictions under division (E)(2) of this section apply until the electors of the Columbiana, Mahoning, and Trumbull county taxing subdistrict approve a tax levy under division (F)(3) of this section that is equivalent to the tax levy approved by the electors of Jefferson county for the support of the former community college district of Jefferson county on the effective date of this section October 16, 2009. For the purposes of this division, the tax levy is an equivalent tax levy if either:

(a) In the first tax year for which the tax is collected, it yields revenue per capita equal to or greater than the yield per capita of levies of the community college district in effect that year in Jefferson county, as jointly determined by the county auditors of Jefferson, Columbiana, Mahoning, and Trumbull counties; or

(b) In the first tax year for which the tax is collected, the effective tax rate of the tax is equal to or greater than the effective tax rate of levies of the community college district in effect that tax year in Jefferson county, as jointly determined by the county auditors of Jefferson, Columbiana, Mahoning, and Trumbull counties.

As used in this division, "effective tax rate" means the quotient obtained by dividing the total taxes charged and payable for a taxing subdistrict for a tax year after the reduction prescribed by section 319.301 of the Revised Code but before the reduction prescribed by section 319.302 or 323.152 of the Revised Code, by the taxable value for the taxing subdistrict for that tax year.

(F)(1) For each taxing subdistrict of the eastern gateway community college district, the board of trustees may propose to
levy a tax in accordance with the procedures prescribed in
section 3354.12 of the Revised Code, except the following terms
used in that section shall have the meanings given them in this
section:

(a) "District" and "community college district" mean the
appropriate taxing subdistrict defined in this section;

(b) "Board of trustees of the community college district"
means the board of trustees for the entire eastern gateway
community college district. That board of trustees may propose
separate levies for either of the two taxing subdistricts.

(c) "Tax duplicate" means the tax duplicate of only the
appropriate taxing subdistrict and not the tax duplicate of the
entire eastern gateway community college district.

(2) The board of trustees may propose to levy a tax on
taxable property in Jefferson county to be voted on by the
electors of Jefferson county as provided in division (F)(1) of
this section. An affirmative vote by a majority of the electors
of the subdistrict voting on the question is necessary for
passage. Any money raised by a tax levied by the former
community college district of Jefferson county or a subsequent
tax levied in Jefferson county in accordance with division (F)
(1) of this section shall be used solely for the benefit of
Jefferson county residents attending the eastern gateway
community college in the form of student tuition subsidies,
student scholarships, and instructional facilities, equipment,
and support services located within Jefferson county, or for any
purpose approved by the electors. Such amounts shall be
deposited into a separate fund of the taxing subdistrict, and
shall be budgeted separately.
(3) The board of trustees may propose to levy a tax on taxable property in Columbiana, Mahoning, and Trumbull counties to be voted on by the electors of the counties as provided in division (F)(1) of this section. An affirmative vote by a majority of the electors of the subdistrict voting on the question is necessary for passage. Any amounts raised by such a tax in the tax subdistrict shall be used solely for the benefit of residents of the subdistrict attending the eastern gateway community college in the form of student tuition subsidies, student scholarships, and instructional facilities, equipment, and support services located within Columbiana, Mahoning, and Trumbull counties, or for any purpose approved by the electors. Amounts collected shall be deposited into a separate fund from all other revenues collected by each taxing subdistrict.

The board of trustees may adjust the rate of tuition charged to each taxing subdistrict's residents to an amount commensurate with the amount of tax the board of trustees dedicates for instructional and general services provided to the residents of the subdistrict.

(G) The board of trustees of the eastern gateway community college district may issue bonds in accordance with section 3354.11 of the Revised Code, but the board may limit the question of approval of the issue of those bonds to the electors of only one of the two taxing subdistricts, in which case the board also may limit the use of the property or improvements to the residents of that subdistrict.

(H) If the tax levy in Jefferson county expires, is not renewed, or is not approved by the electors of Jefferson county and the other taxing subdistrict does not levy a tax for the purposes of this section, the board of trustees of the eastern
gateway community college district shall submit a proposal to
the chancellor of the board of regents to convert to a state
community college and, upon the chancellor's approval of the
proposal, enter into a transition agreement with the chancellor
following the procedures set forth in section 3358.05 of the
Revised Code for a technical college district.

Sec. 3356.01. (A) There is hereby created Youngstown state
university. The government of Youngstown 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 Youngstown state university,
and their selection and terms shall be in accordance with
division (B) of this section. Except for trustees appointed
prior to January 1, 2024, except for the terms of student
members, terms of office shall be for nine years, commencing on
the second day of May and ending on the first day of May. For
trustees appointed on or after January 1, 2024, except for the
terms of student members, terms of office shall be for four
years, commencing on the second day of May and ending on the
first day of May. Each trustee shall hold office from the date
of appointment until the end of the term for which the trustee
was appointed. Any trustee appointed to fill a vacancy occurring
prior to the expiration of the term for which the trustee's
predecessor was appointed shall hold office for the remainder of
such term. Any trustee shall continue in office subsequent to
the expiration date of the trustee's term until the trustee's
successor takes office, or until a period of sixty days has
elapsed, whichever occurs first. No person who has served a full
nine-year term or more than six years of such a term shall be
eligible to reappointment until a period of four years has
elapsed since the last day of the term for which the person—
previously served. The trustees shall receive no compensation
for their services but shall be paid their reasonable necessary
expenses while engaged in the discharge of their duties. A
majority of the board constitutes a quorum.

(B) The student members of the board of trustees of
Youngstown state 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 May 2, 1988, and
shall expire on May 1, 1989, and the initial term of office of
the other student member shall commence on May 2, 1988, and
expire on May 1, 1990. 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. 3357.022. (A) The provisions of this section prevail
over conflicting provisions of this chapter; however, except as
otherwise provided in this section, the stark state college
district and its board of trustees shall comply with the
provisions of this chapter.

(B) The territory of Summit county is hereby added to the
territory of the technical college district of Stark county,
creating a new technical college district to replace the former technical college district of Stark county. The district created under this section shall be known as and operate under the name of "stark state college district," and its charter shall be amended to reflect this name. The Stark county campus is hereby part of the stark state college district and shall remain in operation unless otherwise specified by the board of trustees of the technical college.

(C) On the effective date of this section November 2, 2018, the government of the stark state college district shall be vested in a board of nine trustees. Appointees shall be qualified electors residing in the stark state college district and shall not be employees of the college. No new trustee may be appointed who is a member of any board of education or educational service center governing board. The term of office shall be three years for trustees appointed prior to January 1, 2024. On and after January 1, 2024, the terms of office of trustees appointed by the governor shall be four years and the terms of office for all other trustees shall be three years. Each trustee shall hold office from the date of appointment until the end of the appointed term. Any trustee appointed to fill a vacancy occurring prior to the expiration of the term for which the trustee's predecessor was appointed shall hold office for the remainder of such term. Any trustee shall continue in office subsequent to the expiration date of the trustee's term until a successor takes office, or until a period of sixty days has elapsed, whichever occurs first.

(1) Three trustees shall be appointed by the governor with the advice and consent of the senate.

The governor shall appoint members of the board of
trustees that are residents of the stark state college district.
Not more than one member of the board of trustees appointed by
the governor shall be an employee of a government agency. The
members of the board of trustees of the former technical college
district of Stark county shall remain members of the board until
the expiration of their terms as each existed prior to the
effective date of this section November 2, 2018.

(2) Six trustees shall be appointed by the presidents, or
their representatives, of the city and exempted village school
district boards of education and of the educational service
center governing boards whose territories are included in the
stark state college district. Prior to the appointment of
trustees, the president of the governing board of the
educational service center serving Stark county or, if more than
one service center serves the county, the president of the
governing board of the educational service center serving the
largest portion of Stark county shall call a caucus of those
board presidents at a time and place designated by the service
center board president. At such caucus, the board presidents or
their representatives shall select trustees by majority vote of
those attending. Not more than one member of the board of
trustees selected in this manner shall be a resident of Summit
county, and not more than two members of the board of trustees
selected in this manner shall be employees of government
agencies. The members of the board of trustees of the former
technical college district of Stark county shall remain members
of the board until the expiration of their terms as each existed prior to
the effective date of this section November 2, 2018.

(D) The board of trustees of the stark state college
district shall continue to comply with division (G) of section
3357.09 of the Revised Code regarding tuition for students who
are residents of Ohio, but not residents of the district, and for students who are nonresidents of Ohio. The tuition rate shall be based on the student's county of residence and shall apply to all stark state college district classes in all district locations.

(E) Each member of the board of trustees shall have full voting rights on all matters that come before the board.

Sec. 3357.05. Within ninety days after a technical college district is created pursuant to section 3357.02 of the Revised Code, trustees shall be appointed to serve as a board of trustees of the technical college district. Appointees shall be qualified electors residing in the technical college district and shall not be employees of that technical college. No new trustee may be appointed who is a member of any board of education or educational service center governing board. The term of office shall be three or four years with the exception of initial appointments as provided in this section and section 3357.021 of the Revised Code. Trustees shall be appointed in the manner and for the terms provided by this section. Each trustee shall hold office from the date of appointment until the end of the appointed term. Any trustee appointed to fill a vacancy occurring prior to the expiration of the term for which the trustee's predecessor was appointed shall hold office for the remainder of such term. Any trustee shall continue in office subsequent to the expiration date of the trustee's term until a successor takes office, or until a period of sixty days has elapsed, whichever occurs first.

(A) If a technical college district embraces the territory of one or more school districts and more than half of the territory of each such district is in the same county, seven
trustees shall be appointed. Two trustees shall be appointed by
the governor with the advice and consent of the senate. Not more
than one of such trustees appointed shall be an employee of a
governmental agency. Of the initial appointments, one shall be
for a term ending two years after the date upon which the
technical college district was created and one for a term ending
three years after that date. The successive terms of trustees
appointed by the governor shall be for three years for trustees
appointed prior to January 1, 2024, and four years for trustees
appointed on or after that date, with each term ending on the
same day of the same month of the year as did the term which it
succeeds. Five trustees shall be appointed by the presidents or
their representatives of the city and exempted village boards of
education of school districts and the governing boards of
service centers whose territories are embraced in the technical
college district. Prior to the appointment of the trustees, the
president of the board of education of the city school district
having the largest pupil enrollment shall call a caucus of the
presidents of the aforementioned boards of education at a time
and place designated by such president. At such caucus, the
board presidents or their representatives shall select five
trustees by majority vote of those attending. Not more than two
of such trustees selected shall be employees of any governmental
agency. Of the initial appointments, two shall be for one year
terms, two shall be for two year terms, and one shall be for a
three year term. The successive terms of trustees appointed by
the board presidents or their representatives shall be for three
years. If there is a vacancy, such vacancy shall be filled by
the authority making the original appointment for the balance of
the unexpired term.

(B) If a technical college district embraces territory
other than described in division (A) of this section, nine trustees shall be appointed. Three trustees shall be appointed by the governor with the advice and consent of the senate. Not more than one of such trustees appointed shall be an employee of a governmental agency. Of the initial appointments, one shall be for a term ending one year after the date upon which the technical college district was created, one for a term ending two years after that date, and one for a term ending three years after that date. The successive terms of trustees appointed by the governor shall be for three years for trustees appointed prior to January 1, 2024, and four years for trustees appointed on or after that date, with each term ending on the same day of the same month of the year as did the term which it succeeds.

Six trustees shall be appointed by the presidents or their representatives of the city and exempted village boards of education of school districts and the governing boards of service districts whose territories are embraced in the technical college district. Prior to the appointment of the trustees, the president of the board of education of the city school district having the largest pupil enrollment shall call a caucus of the presidents of the foregoing boards of education at a time and place designated by such president. At such caucus, the board presidents or their representatives shall select six trustees by majority vote of those attending. Not more than two of such trustees selected shall be employees of any governmental agency. Of the initial appointments, two shall be for one year terms, two shall be for two year terms, and two shall be for three year terms. The successive terms of trustees appointed by the board presidents or their representatives shall be for three.
years. If there is a vacancy, such vacancy shall be filled by
the authority making the original appointment for the balance of
the unexpired term.

(C) A board of trustees of a technical college district
established prior to November 5, 1965, may, by a resolution
approved by a majority of the members of the board, abolish such
board. Immediately thereafter, a new board shall be appointed
under division (A) of this section, except that the persons
serving on the board at the time of its dissolution shall be
appointed to initial appointments which most nearly coincide in
length with the time remaining in their terms at the time those
terms were terminated under this division.

Sec. 3358.03. The government of a state community college
district is vested in a board of nine trustees who shall be
appointed by the governor with the advice and consent of the
senate. Within ninety days after a state community college
district is created pursuant to section 3358.02 of the Revised
Code, the governor shall make initial appointments to the board.
Of these appointments three shall be for terms ending two years
after the date upon which the district was created, three shall
be for terms ending four years after that date, and three shall
be for terms ending six years after that date. Thereafter, the
successive terms of trustees appointed prior to January 1, 2024,
shall be for six years, each term ending on the same day of the
same month of the year as did the term which it succeeds. For
trustees appointed on or after January 1, 2024, the terms shall
be for four years. Each trustee shall hold office from the date
of appointment until the end of the term for which the trustee
was appointed. Any trustee appointed to fill a vacancy occurring
prior to the expiration of the term for which the trustee’s
predecessor was appointed shall hold office for the remainder of
such term. Any trustee shall continue in office subsequent to the expiration date of the trustee's term until the trustee's successor takes office, or until a period of sixty days has elapsed, whichever occurs first. Where a state community college district succeeds to the operations of a state general and technical college, or a technical college district, the initial board of trustees of the district shall be composed of the members of the board of trustees of the state general and technical college, or a technical college district, to serve for the balance of their existing terms, and such additional number appointed by the governor, with the advice and consent of the senate, as will total nine members; and the terms of such members appointed by the governor originally and to all succeeding terms shall be such that, in combination with the original remaining terms of the members from the technical college district, the eventual result will be that three terms will expire every second year. Appointees shall be qualified electors of the state. The trustees shall receive no compensation for their services, but may be paid for their reasonably necessary expenses while engaged in the discharge of their official duties. A majority of the board constitutes a quorum.

**Sec. 3359.01.** (A) There is hereby created a state university to be known as "The University of Akron." The government of the university of Akron 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 the university of Akron, and their selection and terms shall be in accordance with division (B) of this section. Except for trustees appointed prior to January 1, 2024, except for the terms of student members, terms of office shall be for
nine years, commencing on the second day of July and ending on
the first day of July. For trustees appointed on or after
January 1, 2024, except for the terms of student members, terms
of office shall be for four years. Each trustee shall hold
office from the date of appointment until the end of the term
for which the trustee was appointed. Any trustee appointed to
fill a vacancy occurring prior to the expiration of the term for
which the trustee's predecessor was appointed shall hold office
for the remainder of such term. Any trustee shall continue in
office subsequent to the expiration date of the trustee's term
until the trustee's successor takes office, or until a period of
sixty days has elapsed, whichever occurs first. No person who
has served a full nine-year term or more than six years of such
term shall be eligible for reappointment until a period of
four years has elapsed since the last day of the term for which
the person previously served. The trustees shall receive no
compensation for their services but shall be paid their
reasonable necessary expenses while engaged in the discharge of
their official duties. A majority of the board constitutes a
quorum.

(B) The student members of the board of trustees of the
university of Akron 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 July 2, 1988,
shall expire on July 1, 1989, and the initial term of office of
the other student member shall commence on July 2, 1988, and
expire on July 1, 1990. 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. 3361.01. (A) There is hereby created a state
university to be known as the "university of Cincinnati." The
government of the university of Cincinnati 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 the university of Cincinnati, and their selection
and terms shall be in accordance with division (B) of this
section. The terms of the first nine members of the board of
trustees shall commence upon the effective date of the transfer
of assets of the state-affiliated university of Cincinnati to
the university of Cincinnati hereby created. One of such
trustees shall be appointed for a term ending on the first day
of January occurring at least twelve months after such date of
transfer, and each of the other trustees shall be appointed for
respective terms ending on each succeeding first day of January,
so that one term will expire on each first day of January after
expiration of the shortest term. Except for trustees appointed
prior to January 1, 2024, except for the two student trustees,
each successor trustee shall be appointed for a term ending on
the first day of January, nine years from the expiration date of
the term the trustee succeeds, except that any person appointed
to fill a vacancy shall be appointed to serve only for the
unexpired term. For trustees appointed on or after January 1,
2024, except for the two student trustees, each trustee shall be appointed for a term ending on the first day of January, four years from the expiration date of the term the trustee succeeds, except that any person appointed to fill a vacancy shall be appointed to serve only for the unexpired term.

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

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

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

(B) The student members of the board of trustees of the university of Cincinnati 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 May 14, 1988, and shall expire on May 13, 1989, and the initial term of office of the other student member shall commence on May 14, 1988,
expire on May 13, 1990. 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 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. 3362.01. (A) There is hereby created a state
university to be known as "Shawnee state university." The
government of Shawnee 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 Shawnee state university, and their selection and
terms shall be in accordance with division (B) of this section.
The remaining trustees shall be appointed as follows: one for a
term of one year, one for a term of two years, one for a term of
three years, one for a term of four years, one for a term of
five years, one for a term of six years, one for a term of seven
years, one for a term of eight years, and one for a term of nine
years. Thereafter, for trustees appointed prior to January 1,
2024, terms shall be for nine years. For trustees appointed on
or after January 1, 2024, terms shall be for four years. All
terms of office shall commence on the first day of July and end
on the thirtieth day of June.

Each trustee shall hold office from the date of
appointment until the end of the term for which the trustee was
appointed. Any trustee appointed to fill a vacancy occurring
prior to the expiration of the term for which the trustee's
predecessor was appointed shall hold office for the remainder of
such term. Any trustee shall continue in office subsequent to
the expiration date of the trustee's term until the trustee's
successor takes office, or until a period of sixty days has
elapsed, whichever occurs first. 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 the person
previously served.

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

A majority of the board constitutes a quorum.

(B) The student members of the board of trustees of
Shawnee state 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 July 1, 1988,
and shall expire on June 30, 1989, and the initial term of
office of the other student member shall commence on July 1,
1988, and expire on June 30, 1990. 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 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. 3364.01. (A) The university of Toledo, as authorized
As Passed by the Senate

under former Chapter 3360. of the Revised Code, and the medical university of Ohio at Toledo, as authorized under former sections 3350.01 to 3350.05 of the Revised Code, shall be combined as one state university to be known as the "university of Toledo."

(B)(1) The government of the combined university of Toledo is vested in a board of trustees which, except as prescribed in division (B)(2) of this section, shall be appointed by the governor with the advice and consent of the senate. The initial board of trustees of the combined university shall be as prescribed in division (B)(2) of this section. After the abolishment of offices as prescribed in division (B)(2)(a) of this section, the board of trustees of the combined university shall consist of nine voting members, who, if appointed prior to January 1, 2024, shall serve for terms of nine years, or, if appointed on or after January 1, 2024, shall serve for terms of four years, and two nonvoting members, who shall be students of the combined university and who shall serve for terms of two years. Terms of office of trustees shall begin on the second day of July and end on the first day of July.

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

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

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

The office of one voting member whose term expires on July
1, 2007, 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, 2007.

The office of one voting member whose term expires on July
1, 2008, 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, 2008.

The office of one voting member whose term expires on July
1, 2009, 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, 2009.

The office of one voting member whose term expires on July 1, 2010, 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, 2010.

The office of one voting member whose term expires on July 1, 2011, 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, 2011.

The office of one voting member whose term expires on July 1, 2012, 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, 2012.

The office of one voting member whose term expires on July 1, 2013, 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, 2013.

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 January 1, 2024, 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 January 1, 2024, shall be for four 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 as prescribed by division (B)(3) of this section.

(3) The student members of the board of trustees of the combined university shall be appointed by the governor, with the advice and consent of the senate, from a group of six candidates selected pursuant to a procedure adopted by the university's student governments and approved by the university's board of
trustees. 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.

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

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

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

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

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

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.

Sec. 5813.06. (A) Nothing in sections 5813.01 to 5813.05 of the Revised Code affects the construction or interpretation of sections 1715.51 to 1715.59 of the Revised Code relating to
the uniform prudent management of institutional funds act. Specifically, neither the percentage set forth in division (B) of section 5813.02 of the Revised Code nor the amount actually requested by a governing board pursuant to that section shall be construed or interpreted to limit or expand what is a prudent amount that can be expended by a governing board of an institution under sections 1715.51 to 1715.59 of the Revised Code.

(B) If an institutional trust fund is also an institutional fund as defined in division (C)–(D) of section 1715.51 of the Revised Code with the result that sections 1715.51 to 1715.59 of the Revised Code also are applicable to the institutional trust fund, then sections 1715.51 to 1715.59 of the Revised Code apply to the institutional trust fund, and sections 5813.01 to 5813.07 of the Revised Code do not apply to the institutional trust fund.

Section 2. That existing sections 3335.02, 3337.01, 3339.01, 3341.02, 3343.02, 3344.01, 3345.45, 3350.10, 3352.01, 3354.05, 3354.24, 3356.01, 3357.022, 3357.05, 3358.03, 3359.01, 3361.01, 3362.01, 3364.01, 4117.14, 4117.15, and 5813.06 of the Revised Code are hereby repealed.

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

Section 4. The amendment or enactment by this act of sections 3345.45, 3345.451, 3345.452, 3345.453, 3345.454, and 3345.455 of the Revised Code take effect July 1, 2024.

Section 5. 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 6. This act shall be known as The Ohio Higher
Education Enhancement Act.