

As Reported by the House Higher Education Committee

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**

Representative Williams

A BILL

To amend sections 3335.02, 3337.01, 3339.01, 1
3341.02, 3343.02, 3344.01, 3345.45, 3350.10, 2
3352.01, 3356.01, 3359.01, 3361.01, 3362.01, and 3
3364.01; to enact new section 3333.045 and 4
sections 1715.551, 3345.029, 3345.0216, 5
3345.0217, 3345.0218, 3345.0219, 3345.382, 6
3345.451, 3345.452, 3345.453, 3345.454, 7
3345.455, 3345.456, 3345.591, 3345.80, and 8
3345.87; and to repeal section 3333.045 of the 9
Revised Code to enact the Ohio Higher Education 10
Enhancement Act regarding the operation of state 11
institutions of higher education, and to revise 12
the Uniform Prudent Management of Institutional 13
Funds Act. 14

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

Section 1. That sections 3335.02, 3337.01, 3339.01, 15
3341.02, 3343.02, 3344.01, 3345.45, 3350.10, 3352.01, 3356.01, 16
3359.01, 3361.01, 3362.01, and 3364.01 be amended and new 17

section 3333.045 and sections 1715.551, 3345.029, 3345.0216, 18
3345.0217, 3345.0218, 3345.0219, 3345.382, 3345.451, 3345.452, 19
3345.453, 3345.454, 3345.455, 3345.456, 3345.591, 3345.80, and 20
3345.87 of the Revised Code be enacted to read as follows: 21

Sec. 1715.551. (A) As used in this section: 22

(1) (a) "Benefactor representative" means either of the 23
following: 24

(i) The administrator or executor of the estate of a 25
person who signed a qualified endowment agreement as donor; 26

(ii) A person designated in a qualified endowment 27
agreement, whether or not born or existing at the time of such 28
designation, to act in place of a party to the agreement for the 29
purpose of resolving disputes about the agreement, including 30
without limitation, its validity, interpretation, performance, 31
enforcement, and any action that it contemplates. 32

(b) "Benefactor representative" does not mean the state 33
institution of higher education receiving or administering 34
property under a qualified endowment agreement or any person 35
designated by such state institution of higher education for any 36
purpose. 37

(c) A benefactor representative named in a qualified 38
endowment agreement shall be the only benefactor representative 39
for purposes of this section, regardless of the existence of an 40
administrator or executor of the estate of a person who signed a 41
qualified endowment agreement as donor. 42

(2) "Qualified endowment agreement" means a gift 43
instrument, signed by a person and a state institution of higher 44
education prior to the effective date of this section, under 45
which the person commits to transfer property, the aggregate 46

value of which is at least three million dollars, to that or 47
another state institution of higher education and the state 48
institution of higher education commits that it or another state 49
institution of higher education will hold or administer the 50
property as an endowment fund, subject to any restrictions on 51
management, investment, spending, or purpose contained in the 52
gift instrument. 53

(3) "Aggregate value" includes the full value of all 54
property transferred by the donor pursuant to the gift 55
instrument, regardless of whether the state institution of 56
higher education holds and administers such property as one 57
endowment fund or divides the property into multiple endowment 58
funds. 59

(4) "State institution of higher education" has the same 60
meaning as in section 3345.011 of the Revised Code but also 61
includes foundations, the corporate purpose of which is solely 62
to benefit an identified state institution of higher education, 63
as defined in that section, and that receive, hold, or 64
administer charitable transfers of property for that state 65
institution of higher education. 66

(B) If a state institution of higher education violates a 67
restriction contained in a qualified endowment agreement on the 68
management, investment, spending, or purpose of the endowment 69
fund, the person who signed the qualified endowment agreement as 70
donor, or the benefactor representative of such person, may 71
notify the charitable law section of the office of the attorney 72
general in writing of the violation. 73

(C) (1) If, within one hundred eighty days after receiving 74
the notice, the attorney general has not obtained full 75
compliance with the restriction, and restitution to the 76

endowment fund of property approximately equal to any value lost 77
due to the violated restriction, the person who notified the 78
attorney general, or the benefactor representative of such 79
person, may file a complaint for either or both of the 80
following: 81

(a) Breach of the qualified endowment agreement; 82

(b) To obtain a declaration of rights and duties expressed 83
in the qualified endowment agreement and as to all of the 84
actions it contemplates, including, without limitation, the 85
interpretation, performance, and enforcement of the qualified 86
endowment agreement and determination of its validity. 87

(2) Each of the following applies to the complaint: 88

(a) It may be filed regardless of whether the qualified 89
endowment agreement expressly reserves a right to sue or 90
enforce. 91

(b) It shall not seek a judgment awarding to the plaintiff 92
damages, court costs, attorney's fees, or any other award of 93
money or other property. 94

(c) It shall seek only one or both of the following: 95

(i) Declaratory relief; 96

(ii) Equitable relief consistent with the charitable 97
purposes expressed in the qualified endowment agreement and 98
consistent with the charitable purposes of the state institution 99
of higher education. 100

(D) The attorney general may enforce the interests of the 101
beneficiaries of a qualified endowment agreement by filing a 102
complaint for breach or to obtain a declaration of rights and 103
duties expressed in the qualified endowment agreement and as to 104

all of the actions it contemplates, including, without 105
limitation, the interpretation, performance, and enforcement of 106
the qualified endowment agreement and determination of its 107
validity. 108

(E) A state institution of higher education may obtain a 109
judicial declaration of rights and duties expressed in a 110
qualified endowment agreement and as to all of the actions it 111
contemplates, including, without limitation, the interpretation, 112
performance, and enforcement of the qualified endowment 113
agreement and determination of its validity. The state 114
institution of higher education shall seek such declaration in 115
any suit brought under this section or by filing a complaint. 116

(F) Every complaint authorized by this section shall be 117
filed in a court of general jurisdiction in the county where the 118
state institution of higher education named as a party has its 119
principal office or principal place of carrying out its 120
charitable purpose, or in a court of the United States whose 121
district includes such county. Every such complaint shall: 122

(1) Name the attorney general as a party; 123

(2) Name as parties the state institution of higher 124
education that signed the qualified endowment agreement or its 125
successor, and each state institution of higher education that 126
currently administers property subject to the qualified 127
endowment agreement; 128

(3) If the attorney general or state institution of higher 129
education files the complaint within twenty-five years after the 130
date of the first transfer of property to the state institution 131
of higher education pursuant to the qualified endowment 132
agreement, name as a party the person who signed the qualified 133

endowment agreement as donor, or the benefactor representative 134
of each such person, if the person or benefactor representative 135
can be located and identified after diligent inquiry. 136

(G) The failure to name or join as a party a person who 137
signed the qualified endowment agreement as donor, or the 138
benefactor representative of such person, is not jurisdictional. 139
The court, however, shall not act on the merits of the complaint 140
or on any motion for an order to address its merits without 141
first ensuring that the plaintiff has acted diligently to notify 142
such person or the benefactor representative of such person of 143
the complaint and, if the person or benefactor representative is 144
located and identified, affords such person or benefactor 145
representative an opportunity to be heard or to intervene. 146

(H) The interest of a person who signed a qualified 147
endowment agreement as donor, and the interest represented by 148
the benefactor representative of such person, shall not be 149
presumed to be identical to the interest of either the attorney 150
general or the state institution of higher education. 151

(I) (1) Subject to division (I) (2) of this section, a 152
person who signed a qualified endowment agreement as donor, or 153
the benefactor representative of such person, shall file a 154
complaint authorized by this section within six years after 155
discovery of the accrual of the cause of action, but in no event 156
shall such a person or the benefactor representative of such 157
person file a complaint authorized by this section more than 158
twenty-five years after the date of the first transfer of 159
property under the qualified endowment agreement. 160

(2) If, during the sixth year after discovery of the 161
accrual of the cause of action, a person who signed a qualified 162
endowment agreement as donor, or the benefactor representative 163

of such person, notifies the charitable law section of the 164
office of the attorney general in writing of a violation by a 165
state institution of higher education of a restriction contained 166
in the qualified endowment agreement as authorized by this 167
section, the period within which such person or benefactor 168
representative must file a complaint authorized by this section 169
shall be extended automatically by two hundred ten days. 170

(J) This section applies only to breaches of qualified 171
endowment agreements, if those breaches are alleged to have 172
occurred on or after the effective date of this section. 173

Sec. 3333.045. As used in this section, "state institution 174
of higher education" has the same meaning as in section 3345.011 175
of the Revised Code. 176

The chancellor of higher education, in consultation with 177
state institutions of higher education and members of their 178
boards of trustees, shall develop and annually deliver 179
educational programs for members of a board of trustees of each 180
state institution. The chancellor may deliver the programs 181
virtually and may offer the programs periodically throughout 182
each year. New members of a board of trustees shall participate 183
in the programs at least once in their first two years in 184
office. Current members of a board of trustees shall participate 185
in continuing trustee training at levels to be determined by the 186
chancellor. 187

The educational programs shall be designed to address the 188
role, duties, and responsibilities of a member of a board of 189
trustees and may include in-service programs on current issues 190
in higher education. In developing the educational programs, the 191
chancellor may consider similar programs offered in other states 192
or through a recognized trustee group. 193

<u>The educational programs shall include presentations and</u>	194
<u>content related to all of the following:</u>	195
<u>(A) Each board member's duty to the state of Ohio;</u>	196
<u>(B) The committee structure and function of a board of</u>	197
<u>trustees;</u>	198
<u>(C) The duties of the executive committee of a board of</u>	199
<u>trustees;</u>	200
<u>(D) Professional accounting and reporting standards;</u>	201
<u>(E) Methods for meeting the statutory, regulatory, and</u>	202
<u>fiduciary obligations of a board of trustees;</u>	203
<u>(F) The requirements of the public records law;</u>	204
<u>(G) Institutional ethics and conflicts of interest;</u>	205
<u>(H) Creating and implementing institution-wide rules and</u>	206
<u>regulations;</u>	207
<u>(I) Business operations, administration, budgeting,</u>	208
<u>financing, financial reporting, and financial reserves,</u>	209
<u>including a segment on endowment management;</u>	210
<u>(J) Fixing student general and instructional fees, and</u>	211
<u>other necessary charges, including a review of student debt</u>	212
<u>trends;</u>	213
<u>(K) Overseeing planning, construction, maintenance,</u>	214
<u>expansion, and renovation projects that impact the state</u>	215
<u>institution's consolidated infrastructure, physical facilities,</u>	216
<u>and natural environment, including its lands, improvements, and</u>	217
<u>capital equipment;</u>	218
<u>(L) Workforce planning, strategy, and investment;</u>	219

(M) Institutional advancement, including philanthropic giving, fundraising initiatives, alumni programming, communications and media, government and public relations, and community affairs; 220
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(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; 224
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(O) Current national and state issues in higher education; 228

(P) Future national and state issues in higher education. 229

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~~ 230
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(1) For trustees appointed prior to July 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. 237
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(2) For trustees appointed on or after July 1, 2024, except for the terms of student members, terms of office shall be for six years, commencing on the fourteenth day of May and ending on the thirteenth day of May. 242
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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 246
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prior to the expiration of the term for which the trustee's 249
predecessor was appointed shall hold office for the remainder of 250
such term. Any trustee shall continue in office subsequent to 251
the expiration date of the trustee's term until the trustee's 252
successor takes office, or until a period of sixty days has 253
elapsed, whichever occurs first. ~~No person who has served a full-~~ 254
~~nine year term or more than six years of such a term shall be-~~ 255
~~eligible for reappointment until a period of four years has-~~ 256
~~elapsed since the last day of the term for which the person-~~ 257
~~previously served.~~ The trustees shall not receive compensation 258
for their services, but shall be paid their reasonable necessary 259
expenses while engaged in the discharge of their official 260
duties. 261

(B) The student members of the board of trustees of the 262
Ohio state university shall be students at the Ohio state 263
university. Unless student members have been granted voting 264
power under division (C) of this section, they shall have no 265
voting power on the board, shall not be considered as members of 266
the board in determining whether a quorum is present, and shall 267
not be entitled to attend executive sessions of the board. The 268
student members of the board shall be appointed by the governor, 269
with the advice and consent of the senate, from a group of five 270
candidates selected pursuant to a procedure adopted by the 271
university's student governments and approved by the 272
university's board of trustees. The initial term of office of 273
one of the student members shall commence on May 14, 1988, and 274
shall expire on May 13, 1989, and the initial term of office of 275
the other student member shall commence on May 14, 1988, and 276
expire on May 13, 1990. Thereafter, terms of office of student 277
members shall be for two years, each term ending on the same day 278
of the same month of the year as the term it succeeds. In the 279

event a student member cannot fulfill a two-year term, a 280
replacement shall be selected to fill the unexpired term in the 281
same manner used to make the original selection. 282

(C) Not later than ninety days after ~~the effective date of~~ 283
~~this amendment~~ September 29, 2015, the board of trustees shall 284
adopt a resolution that does one of the following: 285

(1) Grants the student members of the board voting power 286
on the board. If so granted, in addition to having voting power, 287
the student members shall be considered as members of the board 288
in determining whether a quorum is present and shall be entitled 289
to attend executive sessions of the board. 290

(2) Declares that student members do not have voting power 291
on the board. 292

Thereafter, the board may change the voting status of 293
student trustees by adopting a subsequent resolution. Each 294
resolution adopted under this division shall take effect on the 295
fourteenth day of May following the adoption of the resolution. 296
All members with voting power at the time of the adoption of a 297
resolution may vote on the resolution. 298

If student members are granted voting power under this 299
division, no student shall be disqualified from membership on 300
the board of trustees because the student receives a 301
scholarship, grant, loan, or any other financial assistance 302
payable out of the state treasury or a university fund, or 303
because the student is employed by the university in a position 304
pursuant to a work-study program or other student employment, 305
including as a graduate teaching assistant, graduate 306
administrative assistant, or graduate research assistant, the 307
compensation for which is payable out of the state treasury or a 308

university fund. 309

Acceptance of such financial assistance or employment by a 310
student trustee shall not be considered a violation of Chapter 311
102. or section 2921.42 or 2921.43 of the Revised Code. 312

(D) (1) The initial terms of office for the three 313
additional trustees appointed in 2005 shall commence on a date 314
in 2005 that is selected by the governor with one term of office 315
expiring on May 13, 2009, one term of office expiring on May 13, 316
2010, and one term of office expiring on May 13, 2011, as 317
designated by the governor upon appointment. Thereafter terms of 318
office for trustees appointed prior to July 1, 2024, shall be 319
for nine years, as provided in division ~~(A)~~ (A) (1) of this 320
section. Terms of office for trustees appointed on or after July 321
1, 2024, shall be for six years, as provided in division (A) (2) 322
of this section. 323

(2) The initial terms of office for the three additional 324
trustees appointed in 2006 shall commence on May 14, 2006, with 325
one term of office expiring on May 13, 2012, one term of office 326
expiring on May 13, 2013, and one term of office expiring on May 327
13, 2014, as designated by the governor upon appointment. 328
Thereafter terms of office for trustees appointed prior to July 329
1, 2024, shall be for nine years, as provided in division ~~(A)~~ 330
(A) (1) of this section. Terms of office for trustees appointed 331
on or after July 1, 2024, shall be for six years, as provided in 332
division (A) (2) of this section. 333

Sec. 3337.01. (A) The body politic and corporate by the 334
name and style of "The President and Trustees of the Ohio 335
University" now in the university instituted and established in 336
Athens by the name and style of "The Ohio University" shall 337
consist of a board of trustees composed of eleven members, who 338

shall be appointed by the governor, with the advice and consent 339
of the senate. At least five of the trustees who are not 340
students shall be graduates of Ohio university. Two of the 341
trustees shall be students at Ohio university, and their 342
selection and terms shall be in accordance with division (B) of 343
this section. A majority of the board constitutes a quorum. 344
~~Except For trustees appointed prior to July 1, 2024, except for~~ 345
the terms of student members, terms of office shall be for nine 346
years, commencing on the fourteenth day of May and ending on the 347
thirteenth day of May, except that upon expiration of the term 348
ending on May 14, 1978, the new term which succeeds it shall 349
commence on May 15, 1978, and end on May 13, 1987. For trustees 350
appointed on or after July 1, 2024, except for the terms of 351
student members, terms of office shall be for six years, 352
commencing on the fourteenth day of May and ending on the 353
thirteenth day of May. Each member shall hold office from the 354
date of appointment until the end of the term for which the 355
member was appointed. Any member appointed to fill a vacancy 356
occurring prior to the expiration of the term for which the 357
member's predecessor was appointed shall hold office for the 358
remainder of such term. Any member shall continue in office 359
subsequent to the expiration date of the member's term until the 360
member's successor takes office, or until a period of sixty days 361
has elapsed, whichever occurs first. ~~No person who has served a~~ 362
~~full nine-year term or more than six years of such a term shall~~ 363
~~be eligible for reappointment until a period of four years has~~ 364
~~elapsed since the last day of the term for which the person~~ 365
~~previously served.~~ Such trustees shall receive no compensation 366
for their services, but shall be paid their actual and necessary 367
expenses while engaged in the discharge of their official 368
duties. 369

(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 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 July 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; 401
upon expiration of the trustee term ending on March 1, 1977, the 402
trustee term which succeeds it shall commence on March 2, 1977, 403
and end on February 28, 1986; upon expiration of the trustee 404
term ending on March 1, 1978, the trustee term which succeeds it 405
shall commence on March 2, 1978, and end on February 28, 1987; 406
and upon expiration of the trustee term ending on March 1, 1979, 407
the trustee term which succeeds it shall commence on March 2, 408
1979, and end on February 29, 1988. For trustees appointed on or 409
after July 1, 2024, except for the terms of student members, 410
terms of office shall be for six years, commencing on the first 411
day of March and ending on the last day of February. Each 412
trustee shall hold office from the date of appointment until the 413
end of the term for which the trustee was appointed. Any trustee 414
appointed to fill a vacancy occurring prior to the end of the 415
term for which the trustee's predecessor was appointed shall 416
hold office for the remainder of such term. Any trustee shall 417
continue in office subsequent to the expiration date of the 418
trustee's term until a successor takes office, or until a period 419
of sixty days has elapsed, whichever occurs first. ~~No person who~~ 420
~~has served a full nine year term or more than six years of such~~ 421
~~a term shall be eligible for reappointment until a period of~~ 422
~~four years has elapsed since the last day of the term for which~~ 423
~~the person previously served.~~ The trustees shall receive no 424
compensation for their services but shall be paid their 425
reasonable necessary expenses while engaged in the discharge of 426
their official duties. 427

(B) The student members of the board of trustees of Miami 428
university have no voting power on the board. Student members 429
shall not be considered as members of the board in determining 430
whether a quorum is present. Student members shall not be 431

entitled to attend executive sessions of the board. The student 432
members of the board shall be appointed by the governor, with 433
the advice and consent of the senate, from a group of five 434
candidates selected pursuant to a procedure adopted by the 435
university's student governments and approved by the 436
university's board of trustees. The initial term of office of 437
one of the student members shall commence on March 1, 1988, and 438
shall expire on February 28, 1989, and the initial term of 439
office of the other student member shall commence on March 1, 440
1988, and expire on February 28, 1990. Thereafter, terms of 441
office of student members shall be for two years, each term 442
ending on the last day of February. In the event that a student 443
member cannot fulfill the student member's two-year term, a 444
replacement shall be selected to fill the unexpired term in the 445
same manner used to make the original selection. 446

Sec. 3341.02. (A) The government of Bowling Green state 447
university is vested in a board of eleven trustees, who shall be 448
appointed by the governor, with the advice and consent of the 449
senate. Two of the trustees shall be students at Bowling Green 450
state university, and their selection and terms shall be in 451
accordance with division (B) of this section. A majority of the 452
board constitutes a quorum. ~~Except For trustees appointed prior~~ 453
~~to July 1, 2024, except~~ for the terms of student members, terms 454
of office shall be for nine years, commencing on the seventeenth 455
day of May and ending on the sixteenth day of May. ~~No person who~~ 456
~~has served a full nine year term or more than six years of such~~ 457
~~a term shall be eligible for reappointment until a period of~~ 458
~~four years has elapsed since the last day of the term for which~~ 459
~~the person previously served.~~ For trustees appointed on or after 460
July 1, 2024, except for the terms of student members, terms of 461
office shall be for six years, commencing on the seventeenth day 462

of May and ending on the sixteenth day of May. 463

(B) The student members of the board of trustees of 464
Bowling Green state university have no voting power on the 465
board. Student members shall not be considered as members of the 466
board in determining whether a quorum is present. Student 467
members shall not be entitled to attend executive sessions of 468
the board. The student members of the board shall be appointed 469
by the governor, with the advice and consent of the senate, from 470
a group of five candidates selected pursuant to a procedure 471
adopted by the university's student governments and approved by 472
the university's board of trustees. The initial term of office 473
of one of the student members shall commence on March 17, 1988, 474
and shall expire on March 16, 1989, and the initial term of 475
office of the other student member shall commence on March 17, 476
1988, and expire on March 16, 1990. After September 22, 2000, 477
terms of office shall commence on the seventeenth day of May and 478
shall end on the sixteenth day of May. Terms of office of 479
student members shall be for two years, each term ending on the 480
same day of the same month of the year as the term it succeeds. 481
In the event that a student member cannot fulfill the student 482
member's two-year term, a replacement shall be selected in the 483
manner used for the original selection to fill the unexpired 484
term. 485

(C) The government of Kent state university is vested in a 486
board of eleven trustees, who shall be appointed by the 487
governor, with the advice and consent of the senate. Two of the 488
trustees shall be students at Kent state university, and their 489
selection and terms shall be in accordance with division (D) of 490
this section. A majority of the board constitutes a quorum. 491
~~Except For trustees appointed prior to July 1, 2024, except for~~ 492
the terms of student members, terms of office shall be for nine 493

years, commencing on the seventeenth day of May and ending on 494
the sixteenth day of May. ~~No person who has served a full nine-~~ 495
~~year term or more than six years of such a term shall be~~ 496
~~eligible for reappointment until a period of four years has~~ 497
~~elapsed since the last day of the term for which the person~~ 498
~~previously served.~~ For trustees appointed on or after July 1, 499
2024, except for the terms of student members, terms of office 500
shall be for six years, commencing on the seventeenth day of May 501
and ending on the sixteenth day of May. 502

(D) The student members of the board of trustees of Kent 503
state university have no voting power on the board. Student 504
members shall not be considered as members of the board in 505
determining whether a quorum is present. Student members shall 506
not be entitled to attend executive sessions of the board. The 507
student members of the board shall be appointed by the governor, 508
with the advice and consent of the senate, from a group of five 509
candidates selected pursuant to a procedure adopted by the 510
university's student governments and approved by the 511
university's board of trustees. The initial term of office of 512
one of the student members shall commence on May 17, 1988, and 513
shall expire on May 16, 1989, and the initial term of office of 514
the other student member shall commence on May 17, 1988, and 515
expire on May 16, 1990. Thereafter, terms of office of student 516
members shall be for two years, each term ending on the same day 517
of the same month of the year as the term it succeeds. In the 518
event that a student member cannot fulfill the student member's 519
two-year term, a replacement shall be selected to fill the 520
unexpired term in the same manner used to make the original 521
selection. 522

(E) The trustees shall receive no compensation for their 523
services but shall be paid their reasonable necessary expenses 524

while engaged in the discharge of their official duties. 525

(F) Each trustee shall hold office from the date of 526
appointment until the end of the term for which the trustee was 527
appointed. Any trustee appointed to fill a vacancy occurring 528
prior to the expiration of the term for which the trustee's 529
predecessor was appointed shall hold office for the remainder of 530
such term. Any trustee shall continue in office subsequent to 531
the expiration date of the trustee's term until a successor 532
takes office, or until a period of sixty days has elapsed, 533
whichever occurs first. 534

Sec. 3343.02. (A) The government of Central state 535
university shall be vested in a board of trustees to be known as 536
"the board of trustees of the Central state university." Such 537
board shall consist of eleven members who shall be appointed by 538
the governor, with the advice and consent of the senate. Two of 539
the trustees shall be students at Central state university, and 540
their selection and terms shall be in accordance with division 541
(B) of this section. A majority of the board constitutes a 542
quorum. ~~Except For trustees appointed prior to July 1, 2024,~~ 543
except for the student members, terms of office shall be for 544
nine years, commencing on the first day of July and ending on 545
the thirtieth day of June. For trustees appointed on or after 546
July 1, 2024, except for the student members, terms of office 547
shall be for six years, commencing on the first day of July and 548
ending on the thirtieth day of June. Each member shall hold 549
office from the date of appointment until the end of the term 550
for which the member was appointed. Any member appointed to fill 551
a vacancy occurring prior to the expiration of the term for 552
which the member's predecessor was appointed shall hold office 553
for the remainder of such term. Any member shall continue in 554
office subsequent to the expiration date of the member's term 555

until the member's successor takes office, or until a period of 556
sixty days has elapsed, whichever occurs first. ~~No person who~~ 557
~~has served a full nine year term or more than six years of such~~ 558
~~a term shall be eligible for reappointment until a period of~~ 559
~~four years has elapsed since the last day of the term for which~~ 560
~~the person previously served.~~ 561

(B) The student members of the board of trustees of 562
Central state university have no voting power on the board. 563
Student members shall not be considered as members of the board 564
in determining whether a quorum is present. Student members 565
shall not be entitled to attend executive sessions of the board. 566
The student members of the board shall be appointed by the 567
governor, with the advice and consent of the senate, from a 568
group of five candidates selected pursuant to a procedure 569
adopted by the university's student governments and approved by 570
the university's board of trustees. The initial term of office 571
of one of the student members shall commence on July 1, 1988, 572
and shall expire on June 30, 1989, and the initial term of 573
office of the other student member shall commence on July 1, 574
1988, and expire on June 30, 1990. Thereafter, terms of office 575
of student members shall be for two years, each term ending on 576
the same day of the same month of the year as the term it 577
succeeds. In the event that a student member cannot fulfill a 578
two-year term, a replacement shall be selected to fill the 579
unexpired term in the same manner used to make the original 580
selection. 581

Sec. 3344.01. (A) There is hereby created the Cleveland 582
state university. The government of the Cleveland state 583
university is vested in a board of eleven trustees, who shall be 584
appointed by the governor, with the advice and consent of the 585
senate. Two of the trustees shall be students at the Cleveland 586

state university, and their selection and terms shall be in 587
accordance with division (B) of this section. ~~Except For~~ 588
~~trustees appointed prior to July 1, 2024, except~~ for the student 589
members, terms of office shall be for nine years, commencing on 590
the second day of May and ending on the first day of May. For 591
trustees appointed on or after July 1, 2024, except for the 592
student members, terms of office shall be for six years, 593
commencing on the second day of May and ending on the first day 594
of May. Each trustee shall hold office from the date of 595
appointment until the end of the term for which the trustee was 596
appointed. Any trustee appointed to fill a vacancy occurring 597
prior to the expiration of the term for which the trustee's 598
predecessor was appointed shall hold office for the remainder of 599
such term. Any trustee shall continue in office subsequent to 600
the expiration date of the trustee's term until the trustee's 601
successor takes office, or until a period of sixty days has 602
elapsed, whichever occurs first. ~~No person who has served a full-~~ 603
~~nine-year term or more than six years of such a term shall be-~~ 604
~~eligible for reappointment until a period of four years has-~~ 605
~~elapsed since the last day of the term for which the person-~~ 606
~~previously served.~~ The trustees shall receive no compensation 607
for their services but shall be paid their reasonable necessary 608
expenses while engaged in the discharge of their official 609
duties. A majority of the board constitutes a quorum. 610

(B) The student members of the board of trustees of the 611
Cleveland state university have no voting power on the board. 612
Student members shall not be considered as members of the board 613
in determining whether a quorum is present. Student members 614
shall not be entitled to attend executive sessions of the board. 615
The student members of the board shall be appointed by the 616
governor, with the advice and consent of the senate, from a 617

group of five candidates selected pursuant to a procedure 618
adopted by the university's student governments and approved by 619
the university's board of trustees. The initial term of office 620
of one of the student members shall commence on May 2, 1988, and 621
shall expire on May 1, 1989, and the initial term of office of 622
the other student member shall commence on May 2, 1988, and 623
expire on May 1, 1990. Thereafter, terms of office of student 624
members shall be for two years, each term ending on the same day 625
of the same month of the year as the term it succeeds. In the 626
event that a student member cannot fulfill a two-year term, a 627
replacement shall be selected to fill the unexpired term in the 628
same manner used to make the original selection. 629

Sec. 3345.029. (A) As used in this section: 630

(1) "Community college" has the same meaning as in section 631
3333.168 of the Revised Code. 632

(2) "Course syllabus" means a document produced for 633
students by a course instructor that includes all of the 634
following: 635

(a) The name of the course instructor; 636

(b) A calendar for the course outlining what materials and 637
topics will be covered and when during the course they will be 638
covered; 639

(c) A list of any required or recommended readings for the 640
course; 641

(d) The course instructor's professional qualifications. 642

(3) "General syllabus" means a document produced for 643
students by a community college regarding a course that includes 644
both of the following: 645

<u>(a) A calendar for the course outlining what materials and</u>	646
<u>topics will be covered and when during the course they will be</u>	647
<u>covered;</u>	648
<u>(b) A list of any required or recommended readings for the</u>	649
<u>course.</u>	650
<u>(4) "State institution of higher education" has the same</u>	651
<u>meaning as in section 3345.011 of the Revised Code.</u>	652
<u>(B) Each state institution of higher education shall make</u>	653
<u>a syllabus for each undergraduate course it offers for college</u>	654
<u>credit publicly available by doing one of the following:</u>	655
<u>(1) Ensuring that each course instructor posts a course</u>	656
<u>syllabus on a publicly accessible web site. Each such web site</u>	657
<u>shall include the following information:</u>	658
<u>(a) The course instructor's professional qualifications;</u>	659
<u>(b) The course instructor's contact information;</u>	660
<u>(c) The course instructor's course schedule;</u>	661
<u>(d) The course syllabus for each course the instructor is</u>	662
<u>currently teaching, which shall be accessible by link or</u>	663
<u>download through the web site.</u>	664
<u>(2) Posting a course syllabus for each course on the</u>	665
<u>institution's publicly accessible web site. Each course syllabus</u>	666
<u>shall be all of the following:</u>	667
<u>(a) Accessible from the main page of the state</u>	668
<u>institution's web site by use of not more than three links;</u>	669
<u>(b) Searchable by keywords and phrases;</u>	670
<u>(c) Accessible to the public without requiring user</u>	671
<u>registration of any kind.</u>	672

(3) If the institution is a community college, posting a 673
general syllabus for a course on the college's publicly 674
available web site. Each general syllabus shall be all of the 675
following: 676

(a) Accessible from the main page of the college's web 677
site by use of not more than three links; 678

(b) Searchable by keywords and phrases; 679

(c) Accessible to the public without requiring user 680
registration of any kind. 681

(C) (1) Each state institution shall make a syllabus 682
available in accordance with division (B) of this section not 683
later than the first day of classes for the semester or academic 684
term in which the course is offered. 685

(2) For any syllabus posted under division (B) (1) of this 686
section that is no longer used, the course instructor shall, 687
upon request, make that syllabus available for not less than two 688
years after that syllabus was posted under that division. 689

(3) Any syllabus posted under division (B) (2) or (3) of 690
this section shall remain posted on the state institution's web 691
site for not less than two years after it was first posted. 692

(4) To the extent practicable, each state institution 693
shall ensure that the most recently updated syllabus for each 694
undergraduate course it offers for college credit is posted in 695
accordance with division (B) of this section. 696

(D) Divisions (B) and (C) of this section do not apply to 697
a college course that is offered through the college credit plus 698
program established under Chapter 3365. of the Revised Code, 699
delivered in a secondary school, and taught by a high school 700

teacher. 701

(E) Each state institution shall designate an 702
administrator to implement the institution's responsibilities 703
under this section. The administrator may assign duties for that 704
purpose to one or more administrative employees. 705

(F) Each state institution shall prepare a written report 706
regarding its compliance with the requirements under this 707
section for the chancellor of higher education in accordance 708
with guidelines established under section 3345.0219 of the 709
Revised Code. 710

The chancellor shall prepare a report that includes each 711
report received from a state institution under this division. 712

Sec. 3345.0216. Each state institution of higher 713
education, as defined in section 3345.011 of the Revised Code, 714
shall incorporate all of the following statements into a 715
statement of commitment: 716

(A) The institution declares that it will educate students 717
by means of free, open, and rigorous intellectual inquiry to 718
seek the truth. 719

(B) The institution declares that its duty is to equip 720
students with the opportunity to develop the intellectual skills 721
they need to reach their own, informed conclusions. 722

(C) The institution declares its commitment to not 723
requiring, favoring, disfavoring, or prohibiting speech or 724
lawful assembly. 725

(D) The institution declares it is committed to create a 726
community dedicated to an ethic of civil and free inquiry, which 727
respects the autonomy of each member, supports individual 728

capacities for growth, and tolerates the differences in opinion 729
that naturally occur in a public higher education community. 730

(E) The institution declares that its duty is to treat all 731
faculty, staff, and students as individuals, to hold them to 732
equal standards, and to provide them equality of opportunity. 733

Sec. 3345.0217. (A) As used in this section: 734

(1) "Controversial belief or policy" means any belief or 735
policy that is the subject of political controversy, including 736
issues such as climate policies, electoral politics, foreign 737
policy, diversity, equity, and inclusion programs, immigration 738
policy, marriage, or abortion. 739

(2) "Intellectual diversity" means multiple, divergent, 740
and varied perspectives on an extensive range of public policy 741
issues. 742

(3) "State institution of higher education" has the same 743
meaning as in section 3345.011 of the Revised Code. 744

(B) Not later than ninety days after the effective date of 745
this section, the board of trustees of each state institution of 746
higher education shall adopt and enforce a policy that requires 747
the institution to do all of the following: 748

(1) Prohibit any mandatory orientation or training course 749
regarding diversity, equity, and inclusion, unless the 750
institution determines the orientation or training course is 751
exempt from that prohibition because the orientation or course 752
is required to do any of the following: 753

(a) Comply with state and federal laws or regulations; 754

(b) Comply with professional licensure requirements; 755

<u>(c) Obtain or retain accreditation;</u>	756
<u>(d) Secure or retain grants or cooperative agreements;</u>	757
<u>(e) Apply policies of the state institution of higher education with respect to employee or student discipline.</u>	758 759
<u>(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;</u>	760 761 762 763
<u>(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;</u>	764 765 766
<u>(4) Affirm and declare that faculty and staff shall allow and encourage students to reach their own conclusions about all controversial beliefs or policies and shall not seek to indoctrinate any social, political, or religious point of view;</u>	767 768 769 770
<u>(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, and student learning outcomes.</u>	771 772 773 774 775
<u>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.</u>	776 777 778 779
<u>(6) Declare that it will not endorse or oppose, as an institution, any controversial belief or policy, except on matters that directly impact the institution's funding or mission of discovery, improvement, and dissemination of</u>	780 781 782 783

knowledge. The institution may also endorse the congress of the 784
United States when it establishes a state of armed hostility 785
against a foreign power. 786

This division does not include the recognition of national 787
and state holidays, support for the Constitution and laws of the 788
United States or the state of Ohio, or the display of the 789
American or Ohio flag. 790

(7) Affirm and declare that the institution will not 791
encourage, discourage, require, or forbid students, faculty, or 792
administrators to endorse, assent to, or publicly express a 793
given ideology, political stance, or view of a social policy, 794
nor will the institution require students to do any of those 795
things to obtain an undergraduate or post-graduate degree; 796

Divisions (B) (6) and (7) of this section do not apply to 797
the exercise of professional judgment about whether to endorse 798
the consensus or foundational beliefs of an academic discipline, 799
unless that exercise is misused to take an action prohibited in 800
division (B) (6) of this section. 801

(8) Prohibit political and ideological litmus tests in all 802
hiring, promotion, and admissions decisions, including diversity 803
statements and any other requirement that applicants describe 804
their commitment to any ideology, principle, concept, or 805
formulation that requires commitment to any controversial belief 806
or policy; 807

(9) Affirm and declare that no hiring, promotion, or 808
admissions process or decision shall encourage, discourage, 809
require, or forbid students, faculty, or administrators to 810
endorse, assent to, or publicly express a given ideology or 811
political stance; 812

(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; 813
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815
816

(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; 817
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(12) Affirm and declare that the institution will seek out invited speakers who have diverse ideological or political views; 823
824
825

(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: 826
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828
829

(a) Accessible from the main page of the institution's web site by use of not more than three links; 830
831

(b) Searchable by keywords and phrases; 832

(c) Accessible to the public without requiring user registration of any kind. 833
834

(C) Each state institution of higher education shall prepare a report that summarizes all mandatory diversity, equity, and inclusion programming and training at the state institution and submit the report to the chancellor of higher education in accordance with guidelines established under section 3345.0219 of the Revised Code. 835
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(D) Each state institution of higher education shall 841
respond to complaints from any student, student group, or 842
faculty member about an alleged violation of the prohibitions 843
and requirements included in the policy adopted under this 844
section using the process established under division (C) of 845
section 3345.0215 of the Revised Code. 846

(E) Nothing in this section prohibits faculty or students 847
from classroom instruction, discussion, or debate, so long as 848
faculty members remain committed to expressing intellectual 849
diversity and allowing intellectual diversity to be expressed. 850

Sec. 3345.0218. (A) As used in this section: 851

(1) "Intellectual diversity" has the same meaning as in 852
section 3345.0217 of the Revised Code. 853

(2) "State institution of higher education" has the same 854
meaning as in section 3345.011 of the Revised Code. 855

(B) Each state institution of higher education shall 856
respond to complaints regarding any administrator, faculty 857
member, staff, or student who interferes with the intellectual 858
diversity rights, prescribed under section 3345.0217 of the 859
Revised Code, of another using the process under division (C) of 860
section 3345.0215 of the Revised Code. 861

(C) Each state institution shall inform all of its 862
students and employees of the protections afforded to them under 863
section 3345.0217 of the Revised Code and any policies it has 864
adopted to put them into practice, including by providing the 865
information to new employees and to each student during any new 866
student orientation the institution offers. 867

(D) Each state institution shall comply with any reporting 868
guidelines established by the chancellor under section 3345.0219 869

of the Revised Code regarding any violations of the intellectual 870
diversity rights prescribed under section 3345.0217 of the 871
Revised Code by any individual under the institution's 872
jurisdiction and any consequent disciplinary sanctions issued 873
for that violation. 874

Sec. 3345.0219. Each state institution of higher 875
education, as defined in section 3345.011 of the Revised Code, 876
shall comply with guidelines established by the chancellor of 877
higher education when the institution adopts policies or issues 878
reports under sections 3345.029, 3345.0217, 3345.0218, 3345.452, 879
3345.453, 3345.454, 3345.591, 3345.80, and 3345.87 of the 880
Revised Code. The guidelines shall address the form and manner 881
by which the state institution shall submit a policy or report 882
to the chancellor when the institution is required to do so by 883
one of those sections. The chancellor shall post each such 884
policy or report that the chancellor receives on the 885
chancellor's publicly accessible web site. 886

Sec. 3345.382. (A) As used in this section, "state 887
institution of higher education" has the same meaning as in 888
section 3345.011 of the Revised Code. 889

(B) Each state institution of higher education shall 890
develop a course with not fewer than three credit hours in the 891
subject area of American government or American history. The 892
course shall comply with the criteria, policies, and procedures 893
established under section 3333.16 of the Revised Code. The 894
course may be offered under the college credit plus program 895
established under Chapter 3365. of the Revised Code. The course 896
shall, at a minimum, require each student to read all the 897
following: 898

(1) The entire Constitution of the United States; 899

<u>(2) The entire Declaration of Independence;</u>	900
<u>(3) A minimum of five essays in their entirety from the Federalist Papers. The essays shall be selected by the department chair.</u>	901 902 903
<u>(4) The entire Emancipation Proclamation;</u>	904
<u>(5) The entire Gettysburg Address;</u>	905
<u>(6) The entire Letter from Birmingham Jail written by Dr. Martin Luther King Jr.</u>	906 907
<u>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.</u>	908 909 910 911
<u>Each state institution of higher education board of trustees shall adopt a resolution approving a plan to offer the course developed under this section. Each state institution shall submit that plan to the chancellor of higher education. The chancellor shall review and approve each plan. Prior to approving a plan, the chancellor may require a state institution to revise the plan and the course.</u>	912 913 914 915 916 917 918
<u>(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.</u>	919 920 921 922 923 924 925
<u>(D) The president of a state institution, or the president's designee, may exempt a student from the requirement</u>	926 927

to complete a course described in division (B) of this section 928
if the president or designee determines that the student has 929
either: 930

(1) Completed at least three credit hours, or the 931
equivalent, in a course in the subject area of American history 932
or American government; 933

(2) Passed an examination, developed by the chancellor, 934
that assesses the student's competence in the documents and 935
concepts described in division (B) of this section. 936

(E) This section does not apply to associate's degrees 937
programs. 938

Sec. 3345.45. (A) ~~On or before January 1, 1994, the~~ The 939
chancellor of higher education jointly with all state 940
~~universities~~ institutions of higher education, as defined in 941
section 3345.011 of the Revised Code, shall develop standards 942
for instructional workloads for full-time and part-time faculty 943
in keeping with the ~~universities'~~ institutions' missions and 944
with special emphasis on the undergraduate learning experience. 945
The standards shall contain clear guidelines for institutions to 946
determine a range of acceptable undergraduate teaching by 947
faculty. 948

(B) ~~On or before June 30, 1994, the~~ The board of trustees 949
of each state ~~university~~ institution of higher education shall 950
take formal action to adopt a faculty workload policy consistent 951
with the standards developed under this section. ~~Notwithstanding~~ 952
~~section 4117.08 of the Revised Code, the policies adopted under~~ 953
~~this section are not appropriate subjects for collective~~ 954
~~bargaining. Notwithstanding division (A) of section 4117.10 of~~ 955
~~the Revised Code, any policy adopted under this section by a~~ 956

~~board of trustees prevails over any conflicting provisions of~~ 957
~~any collective bargaining agreement between an employees~~ 958
~~organization and that board of trustees.~~ 959

(C) (1) The board of trustees of each state ~~university~~ 960
institution of higher education shall review the ~~university's~~ 961
institution's policy on faculty tenure and update that policy to 962
promote excellence in instruction, research, service, or 963
commercialization, or any combination thereof. 964

(2) ~~Beginning on July 1, 2018, as~~ As a condition for a 965
state ~~university~~ institution of higher education to receive any 966
state funds for research that are allocated to the department of 967
higher education under the appropriation line items referred to 968
as either "research incentive third frontier fund" or "research 969
incentive third frontier-tax," the chancellor shall require the 970
~~university~~ institution to include multiple pathways for faculty 971
tenure, one of which may be a commercialization pathway, in its 972
policy. 973

(D) (1) At least once every five years, each state 974
institution of higher education shall update its faculty 975
workload policy and submit the policy to the chancellor. The 976
updated policies shall be approved by the state institution's 977
board of trustees each time it is submitted to the chancellor. 978

(2) Each state institution of higher education's faculty 979
workload policy shall include all of the following: 980

(a) An objective and numerically defined teaching workload 981
expectation based on credit hours as defined in 34 C.F.R. 600.2; 982

(b) A definition of all faculty workload elements in terms 983
of credit hours as defined in 34 CFR 600.2 with a full-time 984
workload minimum standard established by the board of trustees 985

and made publicly accessible on the state institution's web 986
site. 987

(c) A definition of justifiable credit hour equivalents 988
for activities other than teaching, including research, clinical 989
care, administration, service, and other activities as 990
determined by the state institution of higher education; 991

(d) Administrative action that a state institution of 992
higher education may take, including censure, remedial training, 993
for-cause termination, or other disciplinary action, regardless 994
of tenure status, if a faculty member fails to comply with the 995
policy's requirements. Termination under these circumstances 996
requires the recommendation of the dean, provost, or equivalent 997
official, concurrence of the state institution of higher 998
education's president, and approval of the state institution of 999
higher education's board of trustees. 1000

Sec. 3345.451. (A) As used in this section, "state 1001
institution of higher education" has the same meaning as in 1002
section 3345.011 of the Revised Code. 1003

(B) The chancellor of higher education shall develop a 1004
minimum set of standard questions for use by state institutions 1005
of higher education in student evaluations of faculty members. 1006
The questions shall include the following: 1007

"Does the faculty member create a classroom atmosphere 1008
free of political, racial, gender, and religious bias?" 1009

(C) Each state institution of higher education shall 1010
establish a written system of faculty evaluations completed by 1011
students with a focus on teaching effectiveness and student 1012
learning. Each state institution shall include in its student 1013
evaluations of faculty the minimum set of standard questions 1014

developed by the department in division (B) of this section. 1015

(D) Each state institution of higher education shall 1016
establish a written system of peer evaluations for faculty 1017
members with emphasis placed on the faculty member's 1018
professional development regarding the faculty member's teaching 1019
responsibilities. 1020

Sec. 3345.452. (A) As used in this section, "state 1021
institution of higher education" has the same meaning as in 1022
section 3345.011 of the Revised Code. 1023

(B) The board of trustees of each state institution of 1024
higher education shall adopt a faculty annual performance 1025
evaluation policy and submit the policy to the chancellor of 1026
higher education. Each policy must contain an appeals process 1027
for faculty to appeal the final evaluation. Each state 1028
institution's board of trustees shall review and update its 1029
policy every five years. 1030

(C) Each state institution of higher education shall 1031
conduct an annual evaluation for each full-time faculty member 1032
who it directly compensates. 1033

(D) Each faculty annual performance evaluation shall meet 1034
all of the following: 1035

(1) The evaluation is comprehensive and includes 1036
standardized, objective, and measurable performance metrics. 1037

(2) The evaluation includes an assessment of performance 1038
for each of the following areas that the faculty member has 1039
spent at least five per cent of their annual work time on over 1040
the preceding year: 1041

(a) Teaching; 1042

<u>(b) Research;</u>	1043
<u>(c) Service;</u>	1044
<u>(d) Clinical care;</u>	1045
<u>(e) Administration;</u>	1046
<u>(f) Other categories, as determined by the state</u>	1047
<u>institution of higher education.</u>	1048
<u>(3) The evaluation includes a summary assessment of the</u>	1049
<u>performance areas listed in division (D) (2) of this section</u>	1050
<u>including the parameters "exceeds performance expectations,"</u>	1051
<u>"meets performance expectations," or "does not meet performance</u>	1052
<u>expectations."</u>	1053
<u>(4) Student evaluations conducted pursuant to section</u>	1054
<u>3345.451 of the Revised Code account for at least twenty-five</u>	1055
<u>per cent of the teaching area component of the evaluation.</u>	1056
<u>(5) The evaluation establishes a projected work effort</u>	1057
<u>distribution for the faculty member for the next year which</u>	1058
<u>shall be used during the next year's evaluation. The</u>	1059
<u>distribution shall be compliant with the state institution's</u>	1060
<u>established workload policies adopted under section 3345.45 of</u>	1061
<u>the Revised Code and shall receive approval from the dean of</u>	1062
<u>faculty or the equivalent.</u>	1063
<u>(E) Evaluations shall be conducted by the department</u>	1064
<u>chairperson or equivalent administrator, reviewed and approved</u>	1065
<u>or disapproved by the dean, and submitted to the provost for</u>	1066
<u>review. If there is disagreement between the chairperson and</u>	1067
<u>dean, the provost shall have final decision authority.</u>	1068
<u>Sec. 3345.453. This section applies only to state</u>	1069
<u>institutions of higher education that have tenured faculty</u>	1070

members. 1071

(A) As used in this section, "state institution of higher education" has the same meaning as in section 3345.011 of the Revised Code. 1072
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(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 policy must contain an appeals process for tenured faculty whose post-tenure review process results in a recommendation for administrative action pursuant to division (G) of this section. Each state institution's board of trustees shall update the post-tenure review policy every five years. 1075
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(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. 1083
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(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. 1090
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(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 1096
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significant underperformance outside of the faculty member's 1100
annual performance evaluation. For this purpose, for cause shall 1101
not be based on a faculty member's allowable expression of 1102
academic freedom as defined by the state institution of higher 1103
education or Ohio law. 1104

(F) The state institution of higher education's post- 1105
tenure review due process period, from beginning to end, shall 1106
not exceed six months, except that a one-time two-month 1107
extension may be granted by the state institution's president. 1108

(G) The state institution of higher education's provost 1109
shall submit a recommended outcome of the post-tenure review 1110
process to the institution's entity that is responsible for the 1111
final decision of post-tenure review pursuant to the 1112
institution's policy. The administrative action that a state 1113
institution of higher education may take includes censure, 1114
remedial training, or for-cause termination, regardless of 1115
tenure status, and any other action permitted by the 1116
institution's post-tenure review policy. 1117

Sec. 3345.454. This section applies only to state 1118
institutions of higher education that have tenured faculty 1119
members. 1120

(A) As used in this section: 1121

(1) "State institution of higher education" has the same 1122
meaning as in section 3345.011 of the Revised Code. 1123

(2) "Retrenchment" means a process by which a state 1124
institution of higher education reduces programs or services, 1125
thus resulting in a temporary suspension or permanent separation 1126
of one or more institution faculty, to account for a reduction 1127
in student population or overall funding, a change to 1128

institutional missions or programs, or other fiscal pressures or 1129
emergencies facing the institution. 1130

(B) In addition to the policies described in sections 1131
3345.45 to 3345.454 of the Revised Code, each state institution 1132
of higher education board of trustees shall develop policies on 1133
tenure and retrenchment. Each state institution shall submit 1134
those policies to the chancellor of higher education. Each state 1135
institution's board of trustees shall update those policies 1136
every five years. 1137

Sec. 3345.455. With respect to a collective bargaining 1138
agreement entered into on or after the effective date of this 1139
section, both of the following apply to the standards, policies, 1140
and systems adopted under sections 3345.45 to 3345.454 of the 1141
Revised Code: 1142

(A) Notwithstanding section 4117.08 of the Revised Code, 1143
the standards, policies, and systems are not appropriate 1144
subjects for collective bargaining. 1145

(B) Notwithstanding division (A) of section 4117.10 of the 1146
Revised Code, the standards, policies, and systems prevail over 1147
any conflicting provision of a collective bargaining agreement. 1148

Sec. 3345.456. (A) As used in this section: 1149

(1) "State institution of higher education" has the same 1150
meaning as in section 3345.011 of the Revised Code. 1151

(2) "Retrenchment" has the same meaning as in section 1152
3345.454 of the Revised Code. 1153

(B) Notwithstanding anything to the contrary in section 1154
3345.454 or 3345.455 of the Revised Code, a state institution of 1155
higher education that is a party to a collective bargaining 1156

agreement in effect on the effective date of this section 1157
containing a provision regarding retrenchment shall only 1158
continue to bargain over retrenchment policies for a new or 1159
renewed collective bargaining agreement with respect to 1160
institution faculty that have at least thirty years, but not 1161
more than thirty-five years, of service in one of the state 1162
retirement systems at the time of any retrenchment 1163
determination. 1164

(C) Nothing in this section prohibits a faculty member 1165
from accepting any separation incentive that may otherwise be 1166
offered by a state institution of higher education, regardless 1167
of whether the incentive is contained in a collective bargaining 1168
agreement. 1169

Sec. 3345.591. (A) As used in this section: 1170

(1) "Confucius institute" means a public education 1171
partnership that is both of the following: 1172

(a) Established by an institution of higher education in 1173
China and an institution of higher education in a different 1174
country; 1175

(b) Funded and arranged by an entity affiliated with the 1176
People's Republic of China. 1177

(2) "People's Republic of China" means the government of 1178
China, the Chinese Communist Party, the People's Liberation 1179
Army, or any other extension of, or entity affiliated with, the 1180
government of China. 1181

(3) "State institution of higher education" has the same 1182
meaning as in section 3345.011 of the Revised Code. 1183

(B) No state institution of higher education shall accept 1184

gifts, donations, or contributions from the People's Republic of 1185
China or any organization the institution reasonably suspects is 1186
acting on behalf of the People's Republic of China. 1187

Nothing in this section prohibits a state institution of 1188
higher education from accepting payments from Chinese citizens 1189
related to instructional fees, general fees, special fees, cost 1190
of instruction, or educational expenses or donations from the 1191
institution's alumni. 1192

Nothing in this section prohibits a state institution of 1193
higher education from receiving philanthropic or unrestricted 1194
grants so long as it maintains the structural safeguard 1195
requirements provided for in division (E) of this section. 1196

(C) Each state institution shall submit to the chancellor 1197
of higher education a copy of the report it submits to the 1198
United States department of education pursuant to 20 U.S.C. 1199
1011(f). 1200

(D) Upon the request, the chancellor shall make any 1201
information reported under division (C) of this section 1202
available to any member of the general assembly. 1203

(E) A state institution shall notify the chancellor of any 1204
new or renewed academic partnership with an academic or research 1205
institution located in China. A state institution shall only 1206
enter into a new or renewed academic partnership with an 1207
academic or research institution located in China if the state 1208
institution maintains sufficient structural safeguards to 1209
protect the state institution's intellectual property, the 1210
security of the state of Ohio, and the national security 1211
interests of the United States. The safeguards shall include, at 1212
a minimum, all of the following: 1213

(1) Compliance with all federal requirements, including 1214
the requirements of federal research sponsors and federal export 1215
control agencies, including regulations regarding international 1216
traffic in arms and export administration regulations, and 1217
economic and trade sanctions administered by the federal office 1218
of foreign assets control; 1219

(2) Annual formal institution-level programs for faculty 1220
on conflicts of interest and conflicts of commitment; 1221

(3) A formalized foreign visitor process and uniform 1222
visiting scholar agreement. 1223

(F) The auditor of state shall audit the safeguards 1224
implemented by state institutions of higher education under 1225
division (E) of this section in the course of a normal audit 1226
conducted under section 117.46 of the Revised Code. 1227

Sec. 3345.80. (A) As used in this section, "state 1228
institution of higher education" has the same meaning as in 1229
section 3345.011 of the Revised Code. 1230

(B) For each biennial main operating appropriations bill 1231
and capital appropriations bill, each state institution of 1232
higher education shall prepare, in accordance with guidelines 1233
established under section 3345.0219 of the Revised Code, a 1234
rolling five-year summary of its institutional costs to be 1235
considered by the general assembly when evaluating operating and 1236
capital project funding. The chancellor shall submit a report 1237
including each state institution's five-year institutional cost 1238
summaries to the general assembly under section 101.68 of the 1239
Revised Code. 1240

(C) Each state institution of higher education's five-year 1241
institutional cost summary shall consist of the following 1242

<u>categories:</u>	1243
<u>(1) All costs related to student instruction, including</u>	1244
<u>instructor salaries, benefits, and related operating costs;</u>	1245
<u>(2) All general staff costs related to maintenance,</u>	1246
<u>grounds, utilities, food service, and other areas as determined</u>	1247
<u>by the institution;</u>	1248
<u>(3) All other costs for staff, including academic</u>	1249
<u>administrators, counseling, financial aid assistance, healthcare</u>	1250
<u>services, and housing management.</u>	1251
<u>(D) Each of the categories presented in the five-year</u>	1252
<u>institutional cost summary shall include all of the following:</u>	1253
<u>(1) A detailed breakdown of annual costs and employee</u>	1254
<u>headcounts;</u>	1255
<u>(2) A complete accounting of all spending on diversity,</u>	1256
<u>equity, and inclusion, or related subjects;</u>	1257
<u>(3) An annual count of all faculty, administration, and</u>	1258
<u>employees.</u>	1259
<u>(E) The chancellor shall consult with state institutions</u>	1260
<u>of higher education to develop a standardized reporting format</u>	1261
<u>for the institutional cost summaries and a uniform approach to</u>	1262
<u>completing the categories required in division (C) of this</u>	1263
<u>section.</u>	1264
<u>(F) During the general assembly's consideration of the</u>	1265
<u>main operating appropriations and capital appropriations bills,</u>	1266
<u>the president of each state institution of higher education or</u>	1267
<u>the chancellor of higher education shall have the opportunity to</u>	1268
<u>present in the appropriate hearings conducted by committees that</u>	1269
<u>consider higher education legislation to provide commentary on</u>	1270

trends, potential justifications, or other explanations 1271
regarding the institution's five-year summary of institutional 1272
costs. 1273

(G) Prior to the enactment of the main operating 1274
appropriations and capital appropriations bills, the chancellor 1275
shall create and present to the general assembly an aggregation 1276
report summarizing the total institutional costs for state 1277
universities and community colleges separately. 1278

Sec. 3345.87. (A) As used in this section: 1279

(1) "Position, policy, program, and activity" includes all 1280
of the following: 1281

(a) All forms of employment, including staff positions, 1282
internships, and work studies; 1283

(b) All policies, including mission statements, hiring 1284
policies, promotion policies, and tenure policies; 1285

(c) All programs and positions, including deanships, 1286
provostships, offices, programs, programs presented by residence 1287
halls, and committees; 1288

(d) All activities, including those conducted by the 1289
administrative units of orientation, first-year experience, 1290
student life, and residential life. 1291

(2) "State institution of higher education" has the same 1292
meaning as in section 3345.011 of the Revised Code. 1293

(B) With respect to every position, policy, program, and 1294
activity, each state institution of higher education shall do 1295
both of the following: 1296

(1) Treat all faculty, staff, and students as individuals, 1297

hold every individual to equal standards, and provide those 1298
individuals with equality of opportunity with regard to those 1299
individuals' race, ethnicity, religion, or sex; 1300

(2) Provide no advantage or disadvantage to faculty, 1301
staff, or students on the basis of race, ethnicity, religion, or 1302
sex in admissions, hiring, promotion, tenuring, or workplace 1303
conditions. 1304

(C) No state institution of higher education shall provide 1305
or require training for any administrator, teacher, staff 1306
member, or employee that advocates or promotes any of the 1307
following concepts: 1308

(1) One race or sex is inherently superior to another race 1309
or sex. 1310

(2) An individual, by virtue of his or her race or sex, is 1311
inherently racist, sexist, or oppressive, whether consciously or 1312
unconsciously. 1313

(3) An individual should be discriminated against or 1314
receive adverse treatment solely or partly because of the 1315
individual's race. 1316

(4) Members of one race cannot nor should not attempt to 1317
treat others without respect to race. 1318

(5) An individual's moral standing or worth is necessarily 1319
determined by the individual's race or sex. 1320

(6) An individual, by virtue of the individual's race or 1321
sex, bears responsibility for actions committed in the past by 1322
other members of the same race or sex. 1323

(7) An individual should feel discomfort, guilt, anguish, 1324
or any other form of psychological distress on account of his or 1325

her race or sex. 1326

(8) Meritocracy or traits such as hard work ethic are 1327
racist or sexist, or were created by members of a particular 1328
race to oppress members of another race. 1329

(9) Fault, blame, or bias should be assigned to a race or 1330
sex, or to members of a race or sex because of their race or 1331
sex. 1332

Division (C) of this section shall not be construed to 1333
preclude a state institution of higher education from providing 1334
or facilitating continuing education that complies with this 1335
division's requirements to public safety officers. 1336

(D) Each state institution of higher education shall 1337
implement a range of disciplinary sanctions for any 1338
administrator, teacher, staff member, or employee who authorizes 1339
or engages in a training prohibited in division (C) of this 1340
section. 1341

(E) Each state institution of higher education shall issue 1342
a report in accordance with guidelines established under section 1343
3345.0219 of the Revised Code regarding each of the following: 1344

(1) All violations of division (D) of this section 1345
committed by anyone under the institution's jurisdiction and of 1346
all consequent disciplinary sanctions; 1347

(2) Statistics on the academic qualifications of accepted 1348
and matriculating students, disaggregated by race and sex. The 1349
statistics shall include information correlating students' 1350
academic qualifications and retention rates, disaggregated by 1351
race and sex. 1352

(F) Each state institution of higher education shall 1353

prohibit all policies designed explicitly to segregate faculty, 1354
staff, or students based on those individuals' race, ethnicity, 1355
religion, or sex in credit-earning classroom settings, formal 1356
orientation ceremonies, and formal graduation ceremonies. 1357

(G) The board of trustees of each state institution of 1358
higher education shall establish a process by which a student, 1359
student group, or faculty member may submit a complaint about an 1360
alleged violation of the prohibitions and requirements under 1361
this section by an employee of the state institution of higher 1362
education. The process shall comply with standards adopted by 1363
the chancellor of higher education. The process shall require 1364
the state institution to investigate the alleged violation and 1365
conduct a fair and impartial hearing regarding the alleged 1366
violation. If the hearing results in a determination that a 1367
violation has occurred, the board of trustees shall determine a 1368
resolution to address the violation and prevent further 1369
violation of the state institution's policy. 1370

Sec. 3350.10. (A) There is hereby created the northeast 1371
Ohio medical university. ~~The principal goal of the medical-~~ 1372
~~university shall be to collaborate with the university of Akron,~~ 1373
~~Cleveland state university, Kent state university, and-~~ 1374
~~Youngstown state university to graduate physicians oriented to-~~ 1375
~~the practice of medicine at the community level, especially-~~ 1376
~~family physicians. To accomplish this goal, the medical-~~ 1377
~~university may incorporate in the clinical experience provided-~~ 1378
~~its students the several community hospitals in the cities and-~~ 1379
~~areas served by the medical university; utilize practicing-~~ 1380
~~physicians as teachers; and to the fullest extent possible-~~ 1381
~~utilize the basic science capabilities of the university of-~~ 1382
~~Akron, Cleveland state university, Kent state university, and-~~ 1383
~~Youngstown state university.~~The government of northeast Ohio 1384

medical university is vested in a board of eleven trustees, who 1385
shall be appointed by the governor with the advice and consent 1386
of the senate pursuant to division (A) (2) of this section. 1387

(1) Until December 22, 2008, the government of the 1388
northeast Ohio medical university is vested in a nine-member 1389
board of trustees consisting of the presidents of the university 1390
of Akron, Kent state university, and Youngstown state 1391
university; one member each of the boards of trustees of the 1392
university of Akron, Kent state university, and Youngstown state 1393
university, to be appointed by their respective boards of 1394
trustees for a term of six years ending on the first day of May 1395
or until the trustee's term on the respective university board 1396
of trustees expires, whichever occurs first; and one person each 1397
to be appointed by the boards of trustees of the university of 1398
Akron, Kent state university, and Youngstown state university, 1399
for a term of nine years ending on the first day of May; except 1400
that the term of those first appointed by the several boards of 1401
trustees shall expire on the first day of May next following 1402
their appointment. Vacancies shall be filled for the unexpired 1403
term in the manner provided for original appointment. The 1404
trustees shall receive no compensation for their services but 1405
shall be paid their reasonable necessary expenses while engaged 1406
in the discharge of their official duties. A majority of the 1407
board constitutes a quorum. 1408

(2) Beginning December 22, 2008, the government of the 1409
northeast Ohio medical university is vested in a board of eleven 1410
trustees, who shall be appointed by the governor, with the 1411
advice and consent of the senate. Two of the trustees shall be 1412
current students of the medical university, and their selection 1413
and terms shall be in accordance with division (B) of this 1414
section. ~~Except For trustees appointed prior to July 1, 2024,~~ 1415

except as provided in division (A) (3) of this section and except 1416
for the student members, terms of office shall be for nine 1417
years. For trustees appointed on or after July 1, 2024, except 1418
for the student members, terms of office shall be for six years. 1419
Each trustee shall hold office from the date of appointment 1420
until the end of the term for which the trustee was appointed. 1421
Any trustee appointed to fill a vacancy occurring prior to the 1422
expiration of the term for which the trustee's predecessor was 1423
appointed shall hold office for the remainder of such term. Any 1424
trustee shall continue in office subsequent to the expiration 1425
date of the trustee's term until the trustee's successor takes 1426
office, or until a period of sixty days has elapsed, whichever 1427
occurs first. ~~No person who has served a full nine year term or~~ 1428
~~more than six years of such a term shall be eligible for~~ 1429
~~reappointment until a period of four years has elapsed since the~~ 1430
~~last day of the term for which the person previously served.~~ The 1431
trustees shall receive no compensation for their services but 1432
shall be paid their reasonable necessary expenses while engaged 1433
in the discharge of their official duties. A majority of the 1434
board constitutes a quorum. 1435

(3) Not later than December 22, 2008, the governor, with 1436
the advice and consent of the senate, shall appoint the two 1437
student trustees and successors for the trustees serving under 1438
division (A) (1) of this section. Except for the student 1439
trustees, who shall serve terms pursuant to division (B) of this 1440
section, the initial terms of office for trustees appointed 1441
under division (A) (2) of this section shall be as follows: one 1442
term ending September 23, 2009; one term ending September 23, 1443
2010; one term ending September 23, 2011; one term ending 1444
September 23, 2012; one term ending September 23, 2013; one term 1445
ending September 23, 2014; one term ending September 23, 2015; 1446

one term ending September 23, 2016; one term ending September 23, 2017. Thereafter, for trustees appointed prior to July 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 July 1, 2024, terms of office shall be for six years, as provided in division (A) (2) of this section.

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

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

be students at Wright state university, and their selection and 1478
terms shall be in accordance with division (B) of this section. 1479
~~Except For trustees appointed prior to July 1, 2024, except for~~ 1480
the terms of student members, terms of office shall be for nine 1481
years, commencing on the first day of July and ending on the 1482
thirtieth day of June. For trustees appointed on or after July 1483
1, 2024, except for the terms of student members, terms of 1484
office shall be for six years, commencing on the first day of 1485
July and ending on the thirtieth day of June. Each trustee shall 1486
hold office from the date of appointment until the end of the 1487
term for which the trustee was appointed. Any trustee appointed 1488
to fill a vacancy occurring prior to the expiration of the term 1489
for which the trustee's predecessor was appointed shall hold 1490
office for the remainder of such term. Any trustee shall 1491
continue in office subsequent to the expiration date of the 1492
trustee's term until the trustee's successor takes office, or 1493
until a period of sixty days has elapsed, whichever occurs 1494
first. ~~No person who has served a full nine-year term or more~~ 1495
~~than six years of such a term shall be eligible for~~ 1496
~~reappointment until a period of four years has elapsed since the~~ 1497
~~last day of the term for which the person previously served.~~ The 1498
trustees shall receive no compensation for their services but 1499
shall be paid their reasonable necessary expenses while engaged 1500
in the discharge of their official duties. A majority of the 1501
board constitutes a quorum. 1502

(B) The student members of the board of trustees of Wright 1503
state university have no voting power on the board. Student 1504
members shall not be considered as members of the board in 1505
determining whether a quorum is present. Student members shall 1506
not be entitled to attend executive sessions of the board. The 1507
student members of the board shall be appointed by the governor, 1508

with the advice and consent of the senate, from a group of five 1509
candidates selected pursuant to a procedure adopted by the 1510
university's student governments and approved by the 1511
university's board of trustees. The initial term of office of 1512
one of the student members shall commence on July 1, 1988, and 1513
shall expire on June 30, 1989, and the initial term of office of 1514
the other student member shall commence on July 1, 1988, and 1515
shall expire on June 30, 1990. Thereafter, terms of office of 1516
student members shall be for two years, each term ending on the 1517
same day of the same month of the year as the term it succeeds. 1518
In the event that a student member cannot fulfill a two-year 1519
term, a replacement shall be selected to fill the unexpired term 1520
in the same manner used to make the original selection. 1521

Sec. 3356.01. (A) There is hereby created Youngstown state 1522
university. The government of Youngstown state university is 1523
vested in a board of eleven trustees, who shall be appointed by 1524
the governor, with the advice and consent of the senate. Two of 1525
the trustees shall be students at Youngstown state university, 1526
and their selection and terms shall be in accordance with 1527
division (B) of this section. ~~Except For trustees appointed~~ 1528
prior to July 1, 2024, except for the terms of student members, 1529
terms of office shall be for nine years, commencing on the 1530
second day of May and ending on the first day of May. For 1531
trustees appointed on or after July 1, 2024, except for the 1532
terms of student members, terms of office shall be for six 1533
years, commencing on the second day of May and ending on the 1534
first day of May. Each trustee shall hold office from the date 1535
of appointment until the end of the term for which the trustee 1536
was appointed. Any trustee appointed to fill a vacancy occurring 1537
prior to the expiration of the term for which the trustee's 1538
predecessor was appointed shall hold office for the remainder of 1539

such term. Any trustee shall continue in office subsequent to 1540
the expiration date of the trustee's term until the trustee's 1541
successor takes office, or until a period of sixty days has 1542
elapsed, whichever occurs first. ~~No person who has served a full-~~ 1543
~~nine year term or more than six years of such a term shall be~~ 1544
~~eligible to reappointment until a period of four years has~~ 1545
~~elapsed since the last day of the term for which the person~~ 1546
~~previously served.~~ The trustees shall receive no compensation 1547
for their services but shall be paid their reasonable necessary 1548
expenses while engaged in the discharge of their duties. A 1549
majority of the board constitutes a quorum. 1550

(B) The student members of the board of trustees of 1551
Youngstown state university have no voting power on the board. 1552
Student members shall not be considered as members of the board 1553
in determining whether a quorum is present. Student members 1554
shall not be entitled to attend executive sessions of the board. 1555
The student members of the board shall be appointed by the 1556
governor, with the advice and consent of the senate, from a 1557
group of five candidates selected pursuant to a procedure 1558
adopted by the university's student governments and approved by 1559
the university's board of trustees. The initial term of office 1560
of one of the student members shall commence on May 2, 1988, and 1561
shall expire on May 1, 1989, and the initial term of office of 1562
the other student member shall commence on May 2, 1988, and 1563
expire on May 1, 1990. Thereafter, terms of office of student 1564
members shall be for two years, each term ending on the same day 1565
of the same month of the year as the term it succeeds. In the 1566
event that a student member cannot fulfill a two-year term, a 1567
replacement shall be selected to fill the unexpired term in the 1568
same manner used to make the original selection. 1569

Sec. 3359.01. (A) There is hereby created a state 1570

university to be known as "The University of Akron." The 1571
government of the university of Akron is vested in a board of 1572
eleven trustees who shall be appointed by the governor, with the 1573
advice and consent of the senate. Two of the trustees shall be 1574
students at the university of Akron, and their selection and 1575
terms shall be in accordance with division (B) of this section. 1576
~~Except For trustees appointed prior to July 1, 2024, except for~~ 1577
the terms of student members, terms of office shall be for nine 1578
years, commencing on the second day of July and ending on the 1579
first day of July. For trustees appointed on or after July 1, 1580
2024, except for the terms of student members, terms of office 1581
shall be for six years. Each trustee shall hold office from the 1582
date of appointment until the end of the term for which the 1583
trustee was appointed. Any trustee appointed to fill a vacancy 1584
occurring prior to the expiration of the term for which the 1585
trustee's predecessor was appointed shall hold office for the 1586
remainder of such term. Any trustee shall continue in office 1587
subsequent to the expiration date of the trustee's term until 1588
the trustee's successor takes office, or until a period of sixty 1589
days has elapsed, whichever occurs first. ~~No person who has~~ 1590
~~served a full nine year term or more than six years of such a~~ 1591
~~term shall be eligible for reappointment until a period of four~~ 1592
~~years has elapsed since the last day of the term for which the~~ 1593
~~person previously served.~~ The trustees shall receive no 1594
compensation for their services but shall be paid their 1595
reasonable necessary expenses while engaged in the discharge of 1596
their official duties. A majority of the board constitutes a 1597
quorum. 1598

(B) The student members of the board of trustees of the 1599
university of Akron have no voting power on the board. Student 1600
members shall not be considered as members of the board in 1601

determining whether a quorum is present. Student members shall 1602
not be entitled to attend executive sessions of the board. The 1603
student members of the board shall be appointed by the governor, 1604
with the advice and consent of the senate, from a group of five 1605
candidates selected pursuant to a procedure adopted by the 1606
university's student governments and approved by the 1607
university's board of trustees. The initial term of office of 1608
one of the student members shall commence on July 2, 1988, and 1609
shall expire on July 1, 1989, and the initial term of office of 1610
the other student member shall commence on July 2, 1988, and 1611
expire on July 1, 1990. Thereafter, terms of office of student 1612
members shall be for two years, each term ending on the same day 1613
of the same month of the year as the term it succeeds. In the 1614
event that a student member cannot fulfill a two-year term, a 1615
replacement shall be selected to fill the unexpired term in the 1616
same manner used to make the original selection. 1617

Sec. 3361.01. (A) There is hereby created a state 1618
university to be known as the "university of Cincinnati." The 1619
government of the university of Cincinnati is vested in a board 1620
of eleven trustees who shall be appointed by the governor with 1621
the advice and consent of the senate. Two of the trustees shall 1622
be students at the university of Cincinnati, and their selection 1623
and terms shall be in accordance with division (B) of this 1624
section. The terms of the first nine members of the board of 1625
trustees shall commence upon the effective date of the transfer 1626
of assets of the state-affiliated university of Cincinnati to 1627
the university of Cincinnati hereby created. One of such 1628
trustees shall be appointed for a term ending on the first day 1629
of January occurring at least twelve months after such date of 1630
transfer, and each of the other trustees shall be appointed for 1631
respective terms ending on each succeeding first day of January, 1632

so that one term will expire on each first day of January after 1633
expiration of the shortest term. ~~Except For trustees appointed~~ 1634
~~prior to July 1, 2024, except~~ for the two student trustees, each 1635
successor trustee shall be appointed for a term ending on the 1636
first day of January, nine years from the expiration date of the 1637
term the trustee succeeds, except that any person appointed to 1638
fill a vacancy shall be appointed to serve only for the 1639
unexpired term. For trustees appointed on or after July 1, 2024, 1640
except for the two student trustees, each trustee shall be 1641
appointed for a term ending on the first day of January, six 1642
years from the expiration date of the term the trustee succeeds, 1643
except that any person appointed to fill a vacancy shall be 1644
appointed to serve only for the unexpired term. 1645

Any trustee shall continue in office subsequent to the 1646
expiration date of the trustee's term until the trustee's 1647
successor takes office, or until a period of sixty days has 1648
elapsed, whichever occurs first. 1649

~~No person who has served a full nine-year term or longer~~ 1650
~~or more than six years of such a term shall be eligible to~~ 1651
~~reappointment until a period of four years has elapsed since the~~ 1652
~~last day of the term for which the person previously served.~~ 1653

The trustees shall receive no compensation for their 1654
services but shall be paid their reasonable necessary expenses 1655
while engaged in the discharge of their official duties. A 1656
majority of the board constitutes a quorum. 1657

(B) The student members of the board of trustees of the 1658
university of Cincinnati have no voting power on the board. 1659
Student members shall not be considered as members of the board 1660
in determining whether a quorum is present. Student members 1661
shall not be entitled to attend executive sessions of the board. 1662

The student members of the board shall be appointed by the 1663
governor, with the advice and consent of the senate, from a 1664
group of five candidates selected pursuant to a procedure 1665
adopted by the university's student governments and approved by 1666
the university's board of trustees. The initial term of office 1667
of one of the student members shall commence on May 14, 1988, 1668
and shall expire on May 13, 1989, and the initial term of office 1669
of the other student member shall commence on May 14, 1988, 1670
and expire on May 13, 1990. Thereafter, terms of office of student 1671
members shall be for two years, each term ending on the same day 1672
of the same month of the year as the term it succeeds. In the 1673
event that a student cannot fulfill a two-year term, a 1674
replacement shall be selected to fill the unexpired term in the 1675
same manner used to make the original selection. 1676

Sec. 3362.01. (A) There is hereby created a state 1677
university to be known as "Shawnee state university." The 1678
government of Shawnee state university is vested in a board of 1679
eleven trustees who shall be appointed by the governor with the 1680
advice and consent of the senate. Two of the trustees shall be 1681
students at Shawnee state university, and their selection and 1682
terms shall be in accordance with division (B) of this section. 1683
The remaining trustees shall be appointed as follows: one for a 1684
term of one year, one for a term of two years, one for a term of 1685
three years, one for a term of four years, one for a term of 1686
five years, one for a term of six years, one for a term of seven 1687
years, one for a term of eight years, and one for a term of nine 1688
years. Thereafter, for trustees appointed prior to July 1, 2024, 1689
terms shall be for nine years. For trustees appointed on or 1690
after July 1, 2024, terms shall be for six years. All terms of 1691
office shall commence on the first day of July and end on the 1692
thirtieth day of June. 1693

Each trustee shall hold office from the date of 1694
appointment until the end of the term for which the trustee was 1695
appointed. Any trustee appointed to fill a vacancy occurring 1696
prior to the expiration of the term for which the trustee's 1697
predecessor was appointed shall hold office for the remainder of 1698
such term. Any trustee shall continue in office subsequent to 1699
the expiration date of the trustee's term until the trustee's 1700
successor takes office, or until a period of sixty days has 1701
elapsed, whichever occurs first. ~~No person who has served a full-~~ 1702
~~nine-year term or more than six years of such a term shall be-~~ 1703
~~eligible for reappointment until a period of four years has-~~ 1704
~~elapsed since the last day of the term for which the person-~~ 1705
~~previously served.~~ 1706

The trustees shall receive no compensation for their 1707
services but shall be paid their reasonable and necessary 1708
expenses while engaged in the discharge of their official 1709
duties. 1710

A majority of the board constitutes a quorum. 1711

(B) The student members of the board of trustees of 1712
Shawnee state university have no voting power on the board. 1713
Student members shall not be considered as members of the board 1714
in determining whether a quorum is present. Student members 1715
shall not be entitled to attend executive sessions of the board. 1716
The student members of the board shall be appointed by the 1717
governor, with the advice and consent of the senate, from a 1718
group of five candidates selected pursuant to a procedure 1719
adopted by the university's student governments and approved by 1720
the university's board of trustees. The initial term of office 1721
of one of the student members shall commence on July 1, 1988, 1722
and shall expire on June 30, 1989, and the initial term of 1723

office of the other student member shall commence on July 1, 1724
1988, and expire on June 30, 1990. Thereafter, terms of office 1725
of student members shall be for two years, each term ending on 1726
the same day of the same month of the year as the term it 1727
succeeds. In the event a student member cannot fulfill a two- 1728
year term, a replacement shall be selected to fill the unexpired 1729
term in the same manner used to make the original selection. 1730

Sec. 3364.01. (A) The university of Toledo, as authorized 1731
under former Chapter 3360. of the Revised Code, and the medical 1732
university of Ohio at Toledo, as authorized under former 1733
sections 3350.01 to 3350.05 of the Revised Code, shall be 1734
combined as one state university to be known as the "university 1735
of Toledo." 1736

(B) (1) The government of the combined university of Toledo 1737
is vested in a board of trustees which, except as prescribed in 1738
division (B) (2) of this section, shall be appointed by the 1739
governor with the advice and consent of the senate. The initial 1740
board of trustees of the combined university shall be as 1741
prescribed in division (B) (2) of this section. After the 1742
abolishment of offices as prescribed in division (B) (2) (a) of 1743
this section, the board of trustees of the combined university 1744
shall consist of nine voting members, who, if appointed prior to 1745
July 1, 2024, shall serve for terms of nine years, or, if 1746
appointed on or after July 1, 2024, shall serve for terms of six 1747
years, and two nonvoting members, who shall be students of the 1748
combined university and who shall serve for terms of two years. 1749
Terms of office of trustees shall begin on the second day of 1750
July and end on the first day of July. 1751

(2) The initial board of trustees of the combined 1752
university shall consist of seventeen voting members who are the 1753

eight members who made up the board of trustees of the medical 1754
university of Ohio at Toledo prior to May 1, 2006, under former 1755
section 3350.01 of the Revised Code, and whose terms would 1756
expire under that section after May 1, 2006; the eight voting 1757
members who made up the board of trustees of the university of 1758
Toledo, under former section 3360.01 of the Revised Code, and 1759
whose terms would expire under that section after July 1, 2006; 1760
and one additional member appointed by the governor with the 1761
advice and consent of the senate. The terms of office, 1762
abolishment of office, and succession of the voting members of 1763
the initial board shall be as prescribed in division (B) (2) (a) 1764
of this section. The initial board also shall consist of two 1765
nonvoting members who are students of the combined university, 1766
as prescribed in division (B) (2) (b) of this section. 1767

(a) The term of office of the voting member of the initial 1768
board of trustees of the combined university who was not 1769
formerly a member of either the board of trustees of the medical 1770
university of Ohio at Toledo or the board of trustees of the 1771
university of Toledo shall be for nine years, beginning on July 1772
2, 2006, and ending on July 1, 2015. 1773

The terms of office of the sixteen other voting members of 1774
the initial board of trustees shall expire on July 1 of the year 1775
they otherwise would expire under former section 3350.01 or 1776
3360.01 of the Revised Code. 1777

The office of one voting member whose term expires on July 1778
1, 2007, shall be abolished on that date. The governor, with the 1779
advice and consent of the senate, shall appoint a successor to 1780
the office of the other voting member whose term expires on that 1781
date to a nine-year term beginning on July 2, 2007. 1782

The office of one voting member whose term expires on July 1783

1, 2008, shall be abolished on that date. The governor, with the 1784
advice and consent of the senate, shall appoint a successor to 1785
the office of the other voting member whose term expires on that 1786
date to a nine-year term beginning on July 2, 2008. 1787

The office of one voting member whose term expires on July 1788
1, 2009, shall be abolished on that date. The governor, with the 1789
advice and consent of the senate, shall appoint a successor to 1790
the office of the other voting member whose term expires on that 1791
date to a nine-year term beginning on July 2, 2009. 1792

The office of one voting member whose term expires on July 1793
1, 2010, shall be abolished on that date. The governor, with the 1794
advice and consent of the senate, shall appoint a successor to 1795
the office of the other voting member whose term expires on that 1796
date to a nine-year term beginning on July 2, 2010. 1797

The office of one voting member whose term expires on July 1798
1, 2011, shall be abolished on that date. The governor, with the 1799
advice and consent of the senate, shall appoint a successor to 1800
the office of the other voting member whose term expires on that 1801
date to a nine-year term beginning on July 2, 2011. 1802

The office of one voting member whose term expires on July 1803
1, 2012, shall be abolished on that date. The governor, with the 1804
advice and consent of the senate, shall appoint a successor to 1805
the office of the other voting member whose term expires on that 1806
date to a nine-year term beginning on July 2, 2012. 1807

The office of one voting member whose term expires on July 1808
1, 2013, shall be abolished on that date. The governor, with the 1809
advice and consent of the senate, shall appoint a successor to 1810
the office of the other voting member whose term expires on that 1811
date to a nine-year term beginning on July 2, 2013. 1812

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

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

Thereafter the terms of office of all subsequent voting members of the board of trustees who are appointed prior to July 1, 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 July 1, 2024, shall be for six years beginning on the second day of July and ending on the first day of July.

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

of office of student members of the board of trustees shall be 1843
as prescribed by division (B) (3) of this section. 1844

(3) The student members of the board of trustees of the 1845
combined university shall be appointed by the governor, with the 1846
advice and consent of the senate, from a group of six candidates 1847
selected pursuant to a procedure adopted by the university's 1848
student governments and approved by the university's board of 1849
trustees. Terms of office of student members shall be for two 1850
years, each term ending on the same day of the same month of the 1851
year as the term it succeeds. In the event that a student member 1852
cannot fulfill a two-year term, a replacement shall be selected 1853
to fill the unexpired term in the same manner used to make the 1854
original selection. 1855

(4) Each trustee shall hold office from the date of 1856
appointment until the end of the term for which the trustee was 1857
appointed. Any trustee appointed to fill a vacancy occurring 1858
prior to the expiration of the term for which the trustee's 1859
predecessor was appointed shall hold office for the remainder of 1860
such term. Any trustee shall continue in office subsequent to 1861
the expiration date of the trustee's term until the trustee's 1862
successor takes office, or until a period of sixty days has 1863
elapsed, whichever occurs first. 1864

~~(5) No person who has served as a voting member of the 1865
board of trustees for a full nine year term or more than six 1866
years of such a term and no person who is a voting member of the 1867
initial board of trustees as prescribed in division (B) (2) (a) of 1868
this section is eligible for reappointment to the board until a 1869
period of four years has elapsed since the last day of the term 1870
for which the person previously served. 1871~~

~~No person who served as a voting member of the board of 1872~~

~~trustees of the former university of Toledo, as authorized under 1873~~
~~former Chapter 3360. of the Revised Code, for a full nine year 1874~~
~~term or more than six years of such a term, and no person who 1875~~
~~served on the board of trustees of the former medical university 1876~~
~~of Ohio at Toledo, as authorized under former sections 3350.01 1877~~
~~to 3350.05 of the Revised Code, for a full nine year term or 1878~~
~~more than six years of such a term is eligible for appointment 1879~~
~~to the board of trustees of the combined university until a 1880~~
~~period of four years has elapsed since the last day of the term 1881~~
~~for which the person previously served. 1882~~

(C) The trustees shall receive no compensation for their 1883
services but shall be paid their reasonable necessary expenses 1884
while engaged in the discharge of their official duties. A 1885
majority of the board constitutes a quorum. The student members 1886
of the board have no voting power on the board. Student members 1887
shall not be considered as members of the board in determining 1888
whether a quorum is present. Student members shall not be 1889
entitled to attend executive sessions of the board. 1890

Section 2. That existing sections 3335.02, 3337.01, 1891
3339.01, 3341.02, 3343.02, 3344.01, 3345.45, 3350.10, 3352.01, 1892
3356.01, 3359.01, 3361.01, 3362.01, and 3364.01 of the Revised 1893
Code are hereby repealed. 1894

Section 3. That section 3333.045 of the Revised Code is 1895
hereby repealed. 1896

Section 4. The Department of Higher Education shall 1897
conduct a feasibility study about implementing bachelors degree 1898
programs that require three years to complete in this state. The 1899
study shall investigate a variety of fields of study and 1900
determine the feasibility of reducing specific course 1901
requirements, quantity of electives, and total credit hours 1902

required for graduation. However, the study shall not include 1903
the use of College Credit Plus or any other current programs 1904
used to accelerate degree programs. Finally, the study shall 1905
present and evaluate potential issues related to accreditation. 1906

Not later than one year after the effective date of this 1907
section, the Department shall submit to the General Assembly, in 1908
accordance with section 101.68 of the Revised Code, a report 1909
about the study's findings. 1910

Section 5. This act shall be known as The Ohio Higher 1911
Education Enhancement Act. 1912