

As Reported by the Senate Workforce and 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

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, 3354.05, 3354.24, 3356.01, 3357.022, 3
3357.05, 3358.03, 3359.01, 3361.01, 3362.01, 4
3364.01, 4117.14, 4117.15, and 5813.06; to enact 5
new section 3333.045 and sections 1715.551, 6
3345.029, 3345.0216, 3345.0217, 3345.0218, 7
3345.382, 3345.451, 3345.452, 3345.453, 8
3345.454, 3345.455, 3345.591, 3345.80, and 9
3345.87; and to repeal section 3333.045 of the 10
Revised Code to enact the Ohio Higher Education 11
Enhancement Act regarding the operation of state 12
institutions of higher education and to revise 13
the Uniform Prudent Management of Institutional 14
Funds Act. 15

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

Section 1. That sections 3335.02, 3337.01, 3339.01, 16
3341.02, 3343.02, 3344.01, 3345.45, 3350.10, 3352.01, 3354.05, 17
3354.24, 3356.01, 3357.022, 3357.05, 3358.03, 3359.01, 3361.01, 18
3362.01, 3364.01, 4117.14, 4117.15, and 5813.06 be amended and 19

new section 3333.045 and sections 1715.551, 3345.029, 3345.0216, 20
3345.0217, 3345.0218, 3345.382, 3345.451, 3345.452, 3345.453, 21
3345.454, 3345.455, 3345.591, 3345.80, and 3345.87 of the 22
Revised Code be enacted to read as follows: 23

Sec. 1715.551. (A) As used in this section: 24

(1) (a) "Benefactor representative" means either of the 25
following: 26

(i) The administrator or executor of a person's estate; 27

(ii) A person designated in an endowment agreement, 28
whether or not born or existing at the time of such designation, 29
to act in place of a party to the agreement for the purpose of 30
resolving disputes about the agreement, including without 31
limitation, its validity, interpretation, performance, 32
enforcement, and any action that it contemplates. 33

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

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

(2) "Endowment agreement" means a gift instrument, signed 42
by a person and a state institution of higher education, under 43
which the person commits to transfer property to that or another 44
state institution of higher education and the state institution 45
of higher education commits that it or another state institution 46
of higher education will hold or administer the property as an 47
endowment fund, subject to any restrictions on management, 48

investment, spending, or purpose contained in the endowment 49
agreement. 50

(3) "State institution of higher education" has the same 51
meaning as in section 3345.011 of the Revised Code. 52

(B) If a state institution of higher education violates a 53
restriction contained in an endowment agreement on the 54
management, investment, spending, or purpose of the endowment 55
fund, the person who transferred property to the state 56
institution of higher education under the agreement, or the 57
benefactor representative of such person, may notify the 58
charitable law section of the office of the attorney general in 59
writing of the violation. 60

(C) (1) If, within one hundred eighty days after receiving 61
the notice, the attorney general has not obtained full 62
compliance with the restriction, and restitution to the 63
endowment fund of property approximately equal to any value lost 64
due to the violated restriction, the person who notified the 65
attorney general, or the benefactor representative of such 66
person, may file a complaint: 67

(a) For breach of the endowment agreement; or 68

(b) To obtain a declaration of rights and duties expressed 69
in the agreement and as to all of the actions it contemplates, 70
including, without limitation, the interpretation, performance, 71
and enforcement of the agreement and determination of its 72
validity. 73

(2) Each of the following applies to the complaint: 74

(a) It may be filed regardless of whether the agreement 75
expressly reserves a right to sue or enforce. 76

<u>(b) It shall not seek a judgment awarding to the plaintiff</u>	77
<u>damages, court costs, attorney's fees, or any other award of</u>	78
<u>money or other property.</u>	79
<u>(c) It shall seek only one or both of the following:</u>	80
<u>(i) Declaratory relief;</u>	81
<u>(ii) Equitable relief consistent with the charitable</u>	82
<u>purposes expressed in the endowment agreement and consistent</u>	83
<u>with the charitable purposes of the state institution of higher</u>	84
<u>education.</u>	85
<u>(D) The attorney general may enforce the interests of the</u>	86
<u>beneficiaries of an endowment agreement by filing a complaint</u>	87
<u>for breach or to obtain a declaration of rights and duties</u>	88
<u>expressed in the agreement and as to all of the actions it</u>	89
<u>contemplates, including, without limitation, the interpretation,</u>	90
<u>performance, and enforcement of the agreement and determination</u>	91
<u>of its validity.</u>	92
<u>(E) A state institution of higher education may obtain a</u>	93
<u>judicial declaration of rights and duties expressed in an</u>	94
<u>endowment agreement and as to all of the actions it</u>	95
<u>contemplates, including, without limitation, the interpretation,</u>	96
<u>performance, and enforcement of the agreement and determination</u>	97
<u>of its validity. The state institution of higher education shall</u>	98
<u>seek such declaration in any suit brought under this section or</u>	99
<u>by filing a complaint.</u>	100
<u>(F) Every complaint authorized by this section shall be</u>	101
<u>filed in a court of general jurisdiction in the county where the</u>	102
<u>state institution of higher education named as a party has its</u>	103
<u>principal office or principal place of carrying out its</u>	104
<u>charitable purpose, or in a court of the United States whose</u>	105

<u>district includes such county. Every such complaint shall:</u>	106
<u>(1) Name the attorney general as a party;</u>	107
<u>(2) Name as parties the state institution of higher</u>	108
<u>education that signed the agreement or its successor, and each</u>	109
<u>state institution of higher education that currently administers</u>	110
<u>property subject to the agreement;</u>	111
<u>(3) If the attorney general or state institution of higher</u>	112
<u>education files the complaint within fifty years after the</u>	113
<u>effective date of the endowment agreement, name as parties each</u>	114
<u>person who transferred property under the agreement or the</u>	115
<u>benefactor representative of each such person if the persons or</u>	116
<u>benefactor representatives can be located and identified after</u>	117
<u>diligent inquiry.</u>	118
<u>(G) The failure to name or join as a party a person who</u>	119
<u>transferred property under the endowment agreement, or the</u>	120
<u>benefactor representative of such person, is not jurisdictional.</u>	121
<u>The court, however, shall not act on the merits of the complaint</u>	122
<u>or on any motion for an order to address its merits without</u>	123
<u>first ensuring that the plaintiff has acted diligently to notify</u>	124
<u>such person or the benefactor representative of such person of</u>	125
<u>the complaint and, if the person or benefactor representative is</u>	126
<u>located and identified, affords such person or benefactor</u>	127
<u>representative an opportunity to be heard or to intervene.</u>	128
<u>(H) The interest of a person who transferred property</u>	129
<u>under an endowment agreement, and the interest represented by</u>	130
<u>the benefactor representative of such person, shall not be</u>	131
<u>presumed to be identical with the interest of either the</u>	132
<u>attorney general or a state institution of higher education.</u>	133
<u>(I) (1) Subject to division (I) (2) of this section, a</u>	134

person who transferred property under an endowment agreement, or 135
the benefactor representative of such person, shall file a 136
complaint authorized by this section within six years after 137
discovery of the accrual of the cause of action, but in no event 138
shall such a person or the benefactor representative of such 139
person file a complaint authorized by this section more than 140
fifty years after the effective date of the endowment agreement. 141

(2) If, during the sixth year after discovery of the 142
accrual of the cause of action, a person who transferred 143
property under an endowment agreement, or the benefactor 144
representative of such person, notifies the charitable law 145
section of the office of the attorney general in writing of a 146
violation by a state institution of higher education of a 147
restriction contained in an endowment agreement as authorized by 148
this section, the period within which such person or benefactor 149
representative must file a complaint authorized by this section 150
shall be extended automatically by two hundred ten days. 151

(J) This section applies only to the following: 152

(1) State institution of higher education endowment funds 153
established on and after the one hundred twentieth day following 154
the effective date of this section; 155

(2) State institution of higher education endowment funds 156
established before the one hundred twentieth day following the 157
effective date of this section, but only with respect to 158
breaches of the related endowment agreements, if those breaches 159
occur on or after that date. 160

Sec. 3333.045. As used in this section, "state institution 161
of higher education" has the same meaning as in section 3345.011 162
of the Revised Code. 163

The chancellor of higher education, in consultation with 164
state institutions of higher education and members of their 165
boards of trustees, shall develop and annually deliver 166
educational programs for members of a board of trustees of each 167
state institution. The chancellor may deliver the programs 168
virtually and may offer the programs periodically throughout 169
each year. New members of a board of trustees shall participate 170
in the programs at least once in their first two years in 171
office. Current members of a board of trustees shall participate 172
in continuing trustee training at levels to be determined by the 173
chancellor. 174

The educational programs shall be designed to address the 175
role, duties, and responsibilities of a member of a board of 176
trustees and may include in-service programs on current issues 177
in higher education. In developing the educational programs, the 178
chancellor may consider similar programs offered in other states 179
or through a recognized trustee group. 180

The educational programs shall include presentations and 181
content related to all of the following: 182

(A) Each board member's duty to the state of Ohio; 183

(B) The committee structure and function of a board of 184
trustees; 185

(C) The duties of the executive committee of a board of 186
trustees; 187

(D) Professional accounting and reporting standards; 188

(E) Methods for meeting the statutory, regulatory, and 189
fiduciary obligations of a board of trustees; 190

(F) The requirements of the public records law; 191

<u>(G) Institutional ethics and conflicts of interest;</u>	192
<u>(H) Creating and implementing institution-wide rules and regulations;</u>	193 194
<u>(I) Business operations, administration, budgeting, financing, financial reporting, and financial reserves, including a segment on endowment management;</u>	195 196 197
<u>(J) Fixing student general and instructional fees, and other necessary charges, including a review of student debt trends;</u>	198 199 200
<u>(K) Overseeing planning, construction, maintenance, expansion, and renovation projects that impact the state institution's consolidated infrastructure, physical facilities, and natural environment, including its lands, improvements, and capital equipment;</u>	201 202 203 204 205
<u>(L) Workforce planning, strategy, and investment;</u>	206
<u>(M) Institutional advancement, including philanthropic giving, fundraising initiatives, alumni programming, communications and media, government and public relations, and community affairs;</u>	207 208 209 210
<u>(N) Student welfare issues, including academic studies, curriculum, residence life, student governance and activities, and the general physical and psychological well-being of undergraduate and graduate students;</u>	211 212 213 214
<u>(O) Current national and state issues in higher education;</u>	215
<u>(P) Future national and state issues in higher education.</u>	216
Sec. 3335.02. (A) The government of the Ohio state university shall be vested in a board of fourteen trustees in	217 218

2005, and seventeen trustees beginning in 2006, who shall be 219
appointed by the governor, with the advice and consent of the 220
senate. Two of the seventeen trustees shall be students at the 221
Ohio state university, and their selection and terms shall be in 222
accordance with division (B) of this section. ~~Except~~ 223

(1) For trustees appointed prior to January 1, 2024, 224
except as provided in division (D) of this section and except 225
for the terms of student members, terms of office shall be for 226
nine years, commencing on the fourteenth day of May and ending 227
on the thirteenth day of May. 228

(2) For trustees appointed on or after January 1, 2024, 229
except for the terms of student members, terms of office shall 230
be for four years, commencing on the fourteenth day of May and 231
ending on the thirteenth day of May. 232

Each trustee shall hold office from the date of 233
appointment until the end of the term for which the trustee was 234
appointed. Any trustee appointed to fill a vacancy occurring 235
prior to the expiration of the term for which the trustee's 236
predecessor was appointed shall hold office for the remainder of 237
such term. Any trustee shall continue in office subsequent to 238
the expiration date of the trustee's term until the trustee's 239
successor takes office, or until a period of sixty days has 240
elapsed, whichever occurs first. ~~No person who has served a full~~ 241
~~nine year term or more than six years of such a term shall be~~ 242
~~eligible for reappointment until a period of four years has~~ 243
~~elapsed since the last day of the term for which the person~~ 244
~~previously served.~~The trustees shall not receive compensation 245
for their services, but shall be paid their reasonable necessary 246
expenses while engaged in the discharge of their official 247
duties. 248

(B) The student members of the board of trustees of the Ohio state university shall be students at the Ohio state university. Unless student members have been granted voting power under division (C) of this section, they shall have no voting power on the board, shall not be considered as members of the board in determining whether a quorum is present, and shall not be entitled to attend executive sessions of the board. The student members of the board shall be appointed by the governor, with the advice and consent of the senate, from a group of five candidates selected pursuant to a procedure adopted by the university's student governments and approved by the university's board of trustees. The initial term of office of one of the student members shall commence on May 14, 1988, and shall expire on May 13, 1989, and the initial term of office of the other student member shall commence on May 14, 1988, and expire on May 13, 1990. Thereafter, terms of office of student members shall be for two years, each term ending on the same day of the same month of the year as the term it succeeds. In the event a student member cannot fulfill a two-year term, a replacement shall be selected to fill the unexpired term in the same manner used to make the original selection.

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

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

(2) Declares that student members do not have voting power

on the board. 279

Thereafter, the board may change the voting status of 280
student trustees by adopting a subsequent resolution. Each 281
resolution adopted under this division shall take effect on the 282
fourteenth day of May following the adoption of the resolution. 283
All members with voting power at the time of the adoption of a 284
resolution may vote on the resolution. 285

If student members are granted voting power under this 286
division, no student shall be disqualified from membership on 287
the board of trustees because the student receives a 288
scholarship, grant, loan, or any other financial assistance 289
payable out of the state treasury or a university fund, or 290
because the student is employed by the university in a position 291
pursuant to a work-study program or other student employment, 292
including as a graduate teaching assistant, graduate 293
administrative assistant, or graduate research assistant, the 294
compensation for which is payable out of the state treasury or a 295
university fund. 296

Acceptance of such financial assistance or employment by a 297
student trustee shall not be considered a violation of Chapter 298
102. or section 2921.42 or 2921.43 of the Revised Code. 299

(D) (1) The initial terms of office for the three 300
additional trustees appointed in 2005 shall commence on a date 301
in 2005 that is selected by the governor with one term of office 302
expiring on May 13, 2009, one term of office expiring on May 13, 303
2010, and one term of office expiring on May 13, 2011, as 304
designated by the governor upon appointment. Thereafter terms of 305
office for trustees appointed prior to January 1, 2024, shall be 306
for nine years, as provided in division ~~(A)~~ (A) (1) of this 307
section. Terms of office for trustees appointed on or after 308

January 1, 2024, shall be for four years, as provided in 309
division (A) (2) of this section. 310

(2) The initial terms of office for the three additional 311
trustees appointed in 2006 shall commence on May 14, 2006, with 312
one term of office expiring on May 13, 2012, one term of office 313
expiring on May 13, 2013, and one term of office expiring on May 314
13, 2014, as designated by the governor upon appointment. 315
Thereafter terms of office for trustees appointed prior to 316
January 1, 2024, shall be for nine years, as provided in 317
division (A) (1) of this section. Terms of office for 318
trustees appointed on or after January 1, 2024, shall be for 319
four years, as provided in division (A) (2) of this section. 320

Sec. 3337.01. (A) The body politic and corporate by the 321
name and style of "The President and Trustees of the Ohio 322
University" now in the university instituted and established in 323
Athens by the name and style of "The Ohio University" shall 324
consist of a board of trustees composed of eleven members, who 325
shall be appointed by the governor, with the advice and consent 326
of the senate. At least five of the trustees who are not 327
students shall be graduates of Ohio university. Two of the 328
trustees shall be students at Ohio university, and their 329
selection and terms shall be in accordance with division (B) of 330
this section. A majority of the board constitutes a quorum. 331
~~Except~~ For trustees appointed prior to January 1, 2024, except 332
for the terms of student members, terms of office shall be for 333
nine years, commencing on the fourteenth day of May and ending 334
on the thirteenth day of May, except that upon expiration of the 335
term ending on May 14, 1978, the new term which succeeds it 336
shall commence on May 15, 1978, and end on May 13, 1987. For 337
trustees appointed on or after January 1, 2024, except for the 338
terms of student members, terms of office shall be for four 339

years, commencing on the fourteenth day of May and ending on the 340
thirteenth day of May. Each member shall hold office from the 341
date of appointment until the end of the term for which the 342
member was appointed. Any member appointed to fill a vacancy 343
occurring prior to the expiration of the term for which the 344
member's predecessor was appointed shall hold office for the 345
remainder of such term. Any member shall continue in office 346
subsequent to the expiration date of the member's term until the 347
member's successor takes office, or until a period of sixty days 348
has elapsed, whichever occurs first. ~~No person who has served a~~ 349
~~full nine year term or more than six years of such a term shall~~ 350
~~be eligible for reappointment until a period of four years has~~ 351
~~elapsed since the last day of the term for which the person~~ 352
~~previously served.~~ Such trustees shall receive no compensation 353
for their services, but shall be paid their actual and necessary 354
expenses while engaged in the discharge of their official 355
duties. 356

(B) The student members of the board of trustees of the 357
Ohio university have no voting power on the board. Student 358
members shall not be considered as members of the board in 359
determining whether a quorum is present. Student members shall 360
not be entitled to attend executive sessions of the board. The 361
student members of the board shall be appointed by the governor, 362
with the advice and consent of the senate, from a group of five 363
candidates selected pursuant to a procedure adopted by the 364
university's student governments and approved by the 365
university's board of trustees. The initial term of office of 366
one of the student members shall commence on May 14, 1988, and 367
shall expire on May 13, 1989, and the initial term of office of 368
the other student member shall commence on May 14, 1988, and 369
expire on May 13, 1990. Thereafter, terms of office of student 370

members shall be for two years, each term ending on the same day 371
of the same month of the year as the term it succeeds. In the 372
event that a student member cannot fulfill the student member's 373
two-year term, a replacement shall be selected to fill the 374
unexpired term in the same manner used to make the original 375
selection. 376

Sec. 3339.01. (A) The government of Miami university shall 377
be vested in eleven trustees, who shall be appointed by the 378
governor with the advice and consent of the senate. Two of the 379
trustees shall be students at Miami university, and their 380
selection and terms shall be in accordance with division (B) of 381
this section. A majority of the board constitutes a quorum. 382
~~Except For trustees appointed prior to January 1, 2024, except~~ 383
for the terms of student members, terms of office shall be for 384
nine years, commencing on the first day of March and ending on 385
the last day of February, except that upon expiration of the 386
trustee term ending on March 1, 1974, the trustee term which 387
succeeds it shall commence on March 2, 1974, and end on February 388
28, 1983; upon expiration of the trustee term ending on March 1, 389
1977, the trustee term which succeeds it shall commence on March 390
2, 1977, and end on February 28, 1986; upon expiration of the 391
trustee term ending on March 1, 1978, the trustee term which 392
succeeds it shall commence on March 2, 1978, and end on February 393
28, 1987; and upon expiration of the trustee term ending on 394
March 1, 1979, the trustee term which succeeds it shall commence 395
on March 2, 1979, and end on February 29, 1988. For trustees 396
appointed on or after January 1, 2024, except for the terms of 397
student members, terms of office shall be for four years, 398
commencing on the first day of March and ending on the last day 399
of February. Each trustee shall hold office from the date of 400
appointment until the end of the term for which the trustee was 401

appointed. Any trustee appointed to fill a vacancy occurring 402
prior to the end of the term for which the trustee's predecessor 403
was appointed shall hold office for the remainder of such term. 404
Any trustee shall continue in office subsequent to the 405
expiration date of the trustee's term until a successor takes 406
office, or until a period of sixty days has elapsed, whichever 407
occurs first. ~~No person who has served a full nine year term or~~ 408
~~more than six years of such a term shall be eligible for~~ 409
~~reappointment until a period of four years has elapsed since the~~ 410
~~last day of the term for which the person previously served.~~ The 411
trustees shall receive no compensation for their services but 412
shall be paid their reasonable necessary expenses while engaged 413
in the discharge of their official duties. 414

(B) The student members of the board of trustees of Miami 415
university have no voting power on the board. Student members 416
shall not be considered as members of the board in determining 417
whether a quorum is present. Student members shall not be 418
entitled to attend executive sessions of the board. The student 419
members of the board shall be appointed by the governor, with 420
the advice and consent of the senate, from a group of five 421
candidates selected pursuant to a procedure adopted by the 422
university's student governments and approved by the 423
university's board of trustees. The initial term of office of 424
one of the student members shall commence on March 1, 1988, and 425
shall expire on February 28, 1989, and the initial term of 426
office of the other student member shall commence on March 1, 427
1988, and expire on February 28, 1990. Thereafter, terms of 428
office of student members shall be for two years, each term 429
ending on the last day of February. In the event that a student 430
member cannot fulfill the student member's two-year term, a 431
replacement shall be selected to fill the unexpired term in the 432

same manner used to make the original selection. 433

Sec. 3341.02. (A) The government of Bowling Green state 434
university is vested in a board of eleven trustees, who shall be 435
appointed by the governor, with the advice and consent of the 436
senate. Two of the trustees shall be students at Bowling Green 437
state university, and their selection and terms shall be in 438
accordance with division (B) of this section. A majority of the 439
board constitutes a quorum. ~~Except For trustees appointed prior~~ 440
~~to January 1, 2024, except~~ for the terms of student members, 441
terms of office shall be for nine years, commencing on the 442
seventeenth day of May and ending on the sixteenth day of May. 443
~~No person who has served a full nine-year term or more than six-~~ 444
~~years of such a term shall be eligible for reappointment until a~~ 445
~~period of four years has elapsed since the last day of the term-~~ 446
~~for which the person previously served. For trustees appointed~~ 447
~~on or after January 1, 2024, except for the terms of student~~ 448
~~members, terms of office shall be for four years, commencing on~~ 449
~~the seventeenth day of May and ending on the sixteenth day of~~ 450
~~May.~~ 451

(B) The student members of the board of trustees of 452
Bowling Green state university have no voting power on the 453
board. Student members shall not be considered as members of the 454
board in determining whether a quorum is present. Student 455
members shall not be entitled to attend executive sessions of 456
the board. The student members of the board shall be appointed 457
by the governor, with the advice and consent of the senate, from 458
a group of five candidates selected pursuant to a procedure 459
adopted by the university's student governments and approved by 460
the university's board of trustees. The initial term of office 461
of one of the student members shall commence on March 17, 1988, 462
and shall expire on March 16, 1989, and the initial term of 463

office of the other student member shall commence on March 17, 464
1988, and expire on March 16, 1990. After September 22, 2000, 465
terms of office shall commence on the seventeenth day of May and 466
shall end on the sixteenth day of May. Terms of office of 467
student members shall be for two years, each term ending on the 468
same day of the same month of the year as the term it succeeds. 469
In the event that a student member cannot fulfill the student 470
member's two-year term, a replacement shall be selected in the 471
manner used for the original selection to fill the unexpired 472
term. 473

(C) The government of Kent state university is vested in a 474
board of eleven trustees, who shall be appointed by the 475
governor, with the advice and consent of the senate. Two of the 476
trustees shall be students at Kent state university, and their 477
selection and terms shall be in accordance with division (D) of 478
this section. A majority of the board constitutes a quorum. 479
~~Except For trustees appointed prior to January 1, 2024, except~~ 480
~~for the terms of student members, terms of office shall be for~~ 481
~~nine years, commencing on the seventeenth day of May and ending~~ 482
~~on the sixteenth day of May. No person who has served a full~~ 483
~~nine year term or more than six years of such a term shall be~~ 484
~~eligible for reappointment until a period of four years has~~ 485
~~elapsed since the last day of the term for which the person~~ 486
~~previously served. For trustees appointed on or after January 1,~~ 487
~~2024, except for the terms of student members, terms of office~~ 488
~~shall be for four years, commencing on the seventeenth day of~~ 489
~~May and ending on the sixteenth day of May.~~ 490

(D) The student members of the board of trustees of Kent 491
state university have no voting power on the board. Student 492
members shall not be considered as members of the board in 493
determining whether a quorum is present. Student members shall 494

not be entitled to attend executive sessions of the board. The 495
student members of the board shall be appointed by the governor, 496
with the advice and consent of the senate, from a group of five 497
candidates selected pursuant to a procedure adopted by the 498
university's student governments and approved by the 499
university's board of trustees. The initial term of office of 500
one of the student members shall commence on May 17, 1988, and 501
shall expire on May 16, 1989, and the initial term of office of 502
the other student member shall commence on May 17, 1988, and 503
expire on May 16, 1990. Thereafter, terms of office of student 504
members shall be for two years, each term ending on the same day 505
of the same month of the year as the term it succeeds. In the 506
event that a student member cannot fulfill the student member's 507
two-year term, a replacement shall be selected to fill the 508
unexpired term in the same manner used to make the original 509
selection. 510

(E) The trustees shall receive no compensation for their 511
services but shall be paid their reasonable necessary expenses 512
while engaged in the discharge of their official duties. 513

(F) Each trustee shall hold office from the date of 514
appointment until the end of the term for which the trustee was 515
appointed. Any trustee appointed to fill a vacancy occurring 516
prior to the expiration of the term for which the trustee's 517
predecessor was appointed shall hold office for the remainder of 518
such term. Any trustee shall continue in office subsequent to 519
the expiration date of the trustee's term until a successor 520
takes office, or until a period of sixty days has elapsed, 521
whichever occurs first. 522

Sec. 3343.02. (A) The government of Central state 523
university shall be vested in a board of trustees to be known as 524

"the board of trustees of the Central state university." Such 525
board shall consist of eleven members who shall be appointed by 526
the governor, with the advice and consent of the senate. Two of 527
the trustees shall be students at Central state university, and 528
their selection and terms shall be in accordance with division 529
(B) of this section. A majority of the board constitutes a 530
quorum. ~~Except For trustees appointed prior to January 1, 2024,~~ 531
~~except~~ for the student members, terms of office shall be for 532
nine years, commencing on the first day of July and ending on 533
the thirtieth day of June. For trustees appointed on or after 534
January 1, 2024, except for the student members, terms of office 535
shall be for four years, commencing on the first day of July and 536
ending on the thirtieth day of June. Each member shall hold 537
office from the date of appointment until the end of the term 538
for which the member was appointed. Any member appointed to fill 539
a vacancy occurring prior to the expiration of the term for 540
which the member's predecessor was appointed shall hold office 541
for the remainder of such term. Any member shall continue in 542
office subsequent to the expiration date of the member's term 543
until the member's successor takes office, or until a period of 544
sixty days has elapsed, whichever occurs first. ~~No person who~~ 545
~~has served a full nine year term or more than six years of such~~ 546
~~a term shall be eligible for reappointment until a period of~~ 547
~~four years has elapsed since the last day of the term for which~~ 548
~~the person previously served.~~ 549

(B) The student members of the board of trustees of 550
Central state university have no voting power on the board. 551
Student members shall not be considered as members of the board 552
in determining whether a quorum is present. Student members 553
shall not be entitled to attend executive sessions of the board. 554
The student members of the board shall be appointed by the 555

governor, with the advice and consent of the senate, from a 556
group of five candidates selected pursuant to a procedure 557
adopted by the university's student governments and approved by 558
the university's board of trustees. The initial term of office 559
of one of the student members shall commence on July 1, 1988, 560
and shall expire on June 30, 1989, and the initial term of 561
office of the other student member shall commence on July 1, 562
1988, and expire on June 30, 1990. Thereafter, terms of office 563
of student members shall be for two years, each term ending on 564
the same day of the same month of the year as the term it 565
succeeds. In the event that a student member cannot fulfill a 566
two-year term, a replacement shall be selected to fill the 567
unexpired term in the same manner used to make the original 568
selection. 569

Sec. 3344.01. (A) There is hereby created the Cleveland 570
state university. The government of the Cleveland state 571
university is vested in a board of eleven trustees, who shall be 572
appointed by the governor, with the advice and consent of the 573
senate. Two of the trustees shall be students at the Cleveland 574
state university, and their selection and terms shall be in 575
accordance with division (B) of this section. ~~Except For~~ 576
trustees appointed prior to January 1, 2024, except for the 577
student members, terms of office shall be for nine years, 578
commencing on the second day of May and ending on the first day 579
of May. For trustees appointed on or after January 1, 2024, 580
except for the student members, terms of office shall be for 581
four years, commencing on the second day of May and ending on 582
the first day of May. Each trustee shall hold office from the 583
date of appointment until the end of the term for which the 584
trustee was appointed. Any trustee appointed to fill a vacancy 585
occurring prior to the expiration of the term for which the 586

trustee's predecessor was appointed shall hold office for the 587
remainder of such term. Any trustee shall continue in office 588
subsequent to the expiration date of the trustee's term until 589
the trustee's successor takes office, or until a period of sixty 590
days has elapsed, whichever occurs first. ~~No person who has~~ 591
~~served a full nine year term or more than six years of such a~~ 592
~~term shall be eligible for reappointment until a period of four~~ 593
~~years has elapsed since the last day of the term for which the~~ 594
~~person previously served.~~ The trustees shall receive no 595
compensation for their services but shall be paid their 596
reasonable necessary expenses while engaged in the discharge of 597
their official duties. A majority of the board constitutes a 598
quorum. 599

(B) The student members of the board of trustees of the 600
Cleveland state university have no voting power on the board. 601
Student members shall not be considered as members of the board 602
in determining whether a quorum is present. Student members 603
shall not be entitled to attend executive sessions of the board. 604
The student members of the board shall be appointed by the 605
governor, with the advice and consent of the senate, from a 606
group of five candidates selected pursuant to a procedure 607
adopted by the university's student governments and approved by 608
the university's board of trustees. The initial term of office 609
of one of the student members shall commence on May 2, 1988, and 610
shall expire on May 1, 1989, and the initial term of office of 611
the other student member shall commence on May 2, 1988, and 612
expire on May 1, 1990. Thereafter, terms of office of student 613
members shall be for two years, each term ending on the same day 614
of the same month of the year as the term it succeeds. In the 615
event that a student member cannot fulfill a two-year term, a 616
replacement shall be selected to fill the unexpired term in the 617

same manner used to make the original selection. 618

Sec. 3345.029. (A) As used in this section: 619

(1) "State institution of higher education" has the same meaning as in section 3345.011 of the Revised Code. 620
621

(2) "Syllabus" means a document produced for students by a course instructor that includes all of the following: 622
623

(a) The name of the course instructor; 624

(b) A calendar for the course outlining what materials and topics will be covered and when during the course they will be covered; 625
626
627

(c) A list of any required or recommended readings for the course; 628
629

(d) The course instructor's professional qualifications. 630

(B) Each state institution of higher education shall make a syllabus for each undergraduate course it offers for college credit publicly available by doing either of the following: 631
632
633

(1) Ensuring that each course instructor posts a syllabus on a publicly accessible web site. Each such web site shall include the following information: 634
635
636

(a) The course instructor's professional qualifications; 637

(b) The course instructor's contact information; 638

(c) The course instructor's course schedule; 639

(d) The syllabus for each course the instructor is currently teaching, which shall be accessible by link or download through the web site. 640
641
642

(2) Posting each course's syllabus on the institution's 643

publicly accessible web site. Each syllabus shall be all of the 644
following: 645

(a) Accessible from the main page of the state 646
institution's web site by use of not more than three links; 647

(b) Searchable by keywords and phrases; 648

(c) Accessible to the public without requiring user 649
registration of any kind. 650

(C) (1) Each state institution shall make a syllabus 651
available in accordance with division (B) of this section not 652
later than the first day of classes for the semester or academic 653
term in which the course is offered. 654

(2) For any syllabus posted under division (B) (1) of this 655
section that is no longer used, the course instructor shall, 656
upon request, make that syllabus available for not less than two 657
years after that syllabus was posted under that division. 658

(3) Any syllabus posted under division (B) (2) of this 659
section shall remain posted on the state institution's web site 660
for not less than two years after it was first posted. 661

(4) To the extent practicable, each state institution 662
shall ensure that the most recently updated syllabus for each 663
undergraduate course it offers for college credit is posted in 664
accordance with division (B) of this section. 665

(D) Divisions (B) and (C) of this section do not apply to 666
a college course that is offered through the college credit plus 667
program established under Chapter 3365. of the Revised Code, 668
delivered in a secondary school, and taught by a high school 669
teacher. 670

(E) Each state institution shall designate an 671

administrator to implement the institution's responsibilities 672
under this section. The administrator may assign duties for that 673
purpose to one or more administrative employees. 674

(F) Not later than the first day of January of each year, 675
all of the following apply: 676

(1) Each state institution shall submit a written report 677
regarding its compliance with the requirements under this 678
section to the chancellor of higher education. 679

(2) The chancellor shall prepare a report that includes 680
each report received from a state institution under this 681
division. 682

(3) The chancellor shall submit the chancellor's report to 683
the governor, speaker of the house of representatives, president 684
of the senate, and chairpersons of the senate and house of 685
representatives standing committees that consider higher 686
education legislation. 687

Sec. 3345.0216. Each state institution of higher 688
education, as defined in section 3345.011 of the Revised Code, 689
shall incorporate all of the following statements into the 690
institution's mission statement: 691

(A) The institution declares that it will educate students 692
by means of free, open, and rigorous intellectual inquiry to 693
seek the truth. 694

(B) The institution declares that its duty is to equip 695
students with the opportunity to develop the intellectual skills 696
they need to reach their own, informed conclusions. 697

(C) The institution declares that its duty is to ensure 698
that, within or outside the classroom, the institution shall not 699

require, favor, disfavor, or prohibit speech or lawful assembly. 700

(D) The institution declares it is committed to create a 701
community dedicated to an ethic of civil and free inquiry, which 702
respects the autonomy of each member, supports individual 703
capacities for growth, and tolerates the differences in opinion 704
that naturally occur in a public higher education community. 705

(E) The institution declares that its duty is to treat all 706
faculty, staff, and students as individuals, to hold them to 707
equal standards, and to provide them equality of opportunity. 708

Sec. 3345.0217. (A) As used in this section: 709

(1) "Controversial belief or policy" means any belief or 710
policy that is the subject of political controversy, including 711
issues such as climate policies, electoral politics, foreign 712
policy, diversity, equity, and inclusion programs, immigration 713
policy, marriage, or abortion. 714

(2) "Intellectual diversity" means multiple, divergent, 715
and varied perspectives on an extensive range of public policy 716
issues. 717

(3) "Specified concept" means a concept such as allyship, 718
diversity, social justice, sustainability, systematic racism, 719
gender identity, equity, or inclusion. 720

(4) "Specified ideology" means any ideology that 721
classifies individuals within identity groups, divides identity 722
groups into oppressed and oppressors, and prescribes advantages, 723
disadvantages, or segregation based upon identity group 724
membership. 725

(5) "State institution of higher education" has the same 726
meaning as in section 3345.011 of the Revised Code. 727

(B) Not later than ninety days after the effective date of 728
this section, the board of trustees of each state institution of 729
higher education shall adopt and enforce a policy that requires 730
the institution to do all of the following: 731

(1) Prohibit any mandatory programs or training courses 732
regarding diversity, equity, and inclusion, unless the 733
institution receives an exemption under division (C) of this 734
section for a diversity, equity, and inclusion program or 735
training course that is required to do any of the following: 736

(a) Comply with state and federal laws or regulations; 737

(b) Comply with professional licensure requirements; 738

(c) Obtain or retain accreditation; 739

(d) Secure or retain grants or cooperative agreements. 740

(2) Affirm and declare that its primary function is to 741
practice, or support the practice, discovery, improvement, 742
transmission, and dissemination of knowledge by means of 743
research, teaching, discussion, and debate; 744

(3) Affirm and declare that, to fulfill the function 745
described in division (B)(2) of this section, the institution 746
shall ensure the fullest degree of intellectual diversity; 747

(4) Affirm and declare that faculty and staff shall allow 748
and encourage students to reach their own conclusions about all 749
controversial beliefs or policies and shall not seek to 750
inculcate any social, political, or religious point of view; 751

(5) Demonstrate intellectual diversity for course 752
approval, approval of courses to satisfy general education 753
requirements, student course evaluations, common reading 754
programs, annual reviews, strategic goals for each department, 755

and student learning outcomes. 756

Divisions (B) (2) to (5) of this section do not apply to 757
the exercise of professional judgment about how to accomplish 758
intellectual diversity within an academic discipline, unless 759
that exercise is misused to constrict intellectual diversity. 760

(6) Declare that it will not endorse or oppose, as an 761
institution, any controversial belief or policy, specified 762
concept, or specified ideology, although it may endorse the 763
congress of the United States when it establishes a state of 764
armed hostility against a foreign power. 765

This division does not include the recognition of national 766
and state holidays, support for the Constitution and laws of the 767
United States or the state of Ohio, or the display of the 768
American or Ohio flag. 769

(7) Affirm and declare that the institution will not 770
encourage, discourage, require, or forbid students, faculty, or 771
administrators to endorse, assent to, or publicly express a 772
given ideology, political stance, or view of a social policy, 773
nor will the institution require students to do any of those 774
things to obtain an undergraduate or post-graduate degree; 775

Divisions (B) (6) and (7) of this section do not apply to 776
the exercise of professional judgement about whether to endorse 777
the consensus or foundational beliefs of an academic discipline, 778
unless that exercise is misused to take an action prohibited in 779
division (B) (6) of this section. 780

(8) Prohibit political and ideological litmus tests in all 781
hiring, promotion, and admissions decisions, including diversity 782
statements and any other requirement that applicants describe 783
their commitment to a specified concept, specified ideology, or 784

any other ideology, principle, concept, or formulation that 785
requires commitment to any controversial belief or policy; 786

(9) Affirm and declare that no hiring, promotion, or 787
admissions process or decision shall encourage, discourage, 788
require, or forbid students, faculty, or administrators to 789
endorse, assent to, or publicly express a given ideology or 790
political stance; 791

(10) Affirm and declare that the institution will not use 792
a diversity statement or any other assessment of an applicant's 793
political or ideological views in any hiring, promotions, or 794
admissions process or decision; 795

(11) Affirm and declare that no process or decision 796
regulating conditions of work or study, such as committee 797
assignments, course scheduling, or workload adjustment policies, 798
shall encourage, discourage, require, or forbid students, 799
faculty, or administrators to endorse, assent to, or publicly 800
express a given ideology or political stance; 801

(12) Affirm and declare that the institution will seek out 802
invited speakers who have diverse ideological or political 803
views; 804

(13) Post prominently on its web site a complete list of 805
all speaker fees, honoraria, and other emoluments in excess of 806
five hundred dollars for events that are sponsored by the state 807
institution. That information shall be all of the following: 808

(a) Accessible from the main page of the institution's web 809
site by use of not more than three links; 810

(b) Searchable by keywords and phrases; 811

(c) Accessible to the public without requiring user 812

registration of any kind. 813

(C) (1) Prior to the initial offering of a diversity, equity, and inclusion program or training course, a state institution of higher education shall request from the chancellor of higher education an exemption for that program or training course from the prohibition prescribed in division (B) (1) of this section. The request shall include all of the following: 814
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817
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819
820

(a) The specific law, licensure requirement, accreditation, grant, or cooperative agreement at issue; 821
822

(b) The specific language in the law, licensure requirement, accreditation, grant, or cooperative agreement that requires the training; 823
824
825

(c) A detailed description of the diversity, equity, and inclusion program or training to be taught, including any materials that will be used; 826
827
828

(d) The specific population of individuals who will be mandated to take the training; 829
830

(e) The number of times the training is expected to be offered on a six-month basis; 831
832

(f) An estimate of the cost of the program or training; 833

(g) In the case of an exemption sought for an accreditation, proof that alternative accreditation has been researched and evaluated. An alternative accreditation is an accreditation that would obtain the same or similar results for the institution while not requiring a diversity, equity, and inclusion program or training. 834
835
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(2) The chancellor shall approve a request under division 840

(C) (1) of this section if the chancellor determines the request 841
satisfies at least one of the conditions listed in division (B) 842
(1) of this section. 843

(3) If a state institution of higher education makes a 844
change to a diversity, equity, and inclusion program or training 845
course approved by the chancellor under this division due to a 846
change in the information listed in division (C) (1) of this 847
section, the institution shall submit a new request for approval 848
under this division with respect to that program or training. 849

(D) At least once every six months, the chancellor shall 850
prepare a report that summarizes all exemptions sought under 851
division (C) of this section during that six month period, 852
including how many exemptions were granted and rejected. The 853
chancellor shall submit each report to the chairpersons of the 854
standing committees of the senate and the house of 855
representatives that consider higher education legislation. 856

(E) Nothing in this section prohibits faculty or students 857
from classroom instruction, discussion, or debate, so long as 858
faculty members remain committed to expressing intellectual 859
diversity and allowing intellectual diversity to be expressed. 860

Sec. 3345.0218. (A) As used in this section: 861

(1) "Intellectual diversity" has the same meaning as in 862
section 3345.0217 of the Revised Code. 863

(2) "State institution of higher education" has the same 864
meaning as in section 3345.011 of the Revised Code. 865

(B) Each state institution of higher education shall 866
implement a range of disciplinary sanctions for any 867
administrator, faculty member, staff, or student who interferes 868
with the intellectual diversity rights, prescribed under section 869

3345.0217 of the Revised Code, of another. 870

(C) Each state institution shall inform all of its 871
students and employees of the protections afforded to them under 872
section 3345.0217 of the Revised Code and any policies it has 873
adopted to put them into practice, including by providing the 874
information to new employees and to each student during any new 875
student orientation the institution offers. 876

(D) Each state institution shall issue an annual report on 877
any violations of the intellectual diversity rights prescribed 878
under section 3345.0217 of the Revised Code by any individual 879
under the institution's jurisdiction and any consequent 880
disciplinary sanctions issued for that violation. 881

(E) Each state institution shall post the information 882
described in division (C) of this section and a report issued 883
under division (D) of this section on the institution's publicly 884
accessible web site. Both the information and report shall be 885
all of the following: 886

(1) Accessible from the main page of the institution's web 887
site by use of not more than three links; 888

(2) Searchable by keywords and phrases; 889

(3) Accessible to the public without requiring user 890
registration of any kind. 891

Sec. 3345.382. (A) As used in this section, "state 892
institution of higher education" has the same meaning as in 893
section 3345.011 of the Revised Code. 894

(B) The chancellor of higher education shall develop a 895
course with not fewer than three credit hours in the subject 896
area of American government or American history. The course 897

shall comply with the criteria, policies, and procedures 898
established under section 3333.16 of the Revised Code. The 899
course may be offered under the college credit plus program 900
established under Chapter 3365. of the Revised Code. The course 901
shall, at a minimum, require each student to read all the 902
following: 903

(1) The entire Constitution of the United States; 904

(2) The entire Declaration of Independence; 905

(3) A minimum of five essays in their entirety from the 906
Federalist Papers. The essays shall be selected by the 907
department chair. 908

(4) The entire Emancipation Proclamation; 909

(5) The entire Gettysburg Address; 910

(6) The entire Letter from Birmingham Jail written by Dr. 911
Martin Luther King Jr. 912

Any student who takes the course shall be required to pass 913
a cumulative final examination at the conclusion of the course 914
that assesses student proficiency about the documents described 915
in divisions (B) (1) to (6) of this section. 916

(C) Beginning with students who graduate from a state 917
institution of higher education in the spring semester, or 918
equivalent quarter, of the 2028-2029 academic year, no state 919
institution of higher education shall grant a bachelor's degree 920
to any student unless the student completes a course described 921
in division (B) of this section or is a student described in 922
division (D) of this section. 923

(D) The president of a state institution, or the 924
president's designee, may exempt a student from the requirement 925

to complete a course described in division (B) of this section 926
if the president or designee determines that the student has 927
either: 928

(1) Completed at least three credit hours, or the 929
equivalent, in a course in the subject area of American history 930
or American government; 931

(2) Passed an examination, developed by the chancellor, 932
that assesses the student's competence in the documents and 933
concepts described in division (B) of this section. 934

(E) This section does not apply to associate's degrees 935
programs. 936

Sec. 3345.45. (A) ~~On or before January 1, 1994, the~~ The 937
chancellor of higher education jointly with all state 938
~~universities~~ institutions of higher education, as defined in 939
section 3345.011 of the Revised Code, shall develop standards 940
for instructional workloads for full-time and part-time faculty 941
in keeping with the ~~universities'~~ institutions' missions and 942
with special emphasis on the undergraduate learning experience. 943
The standards shall contain clear guidelines for institutions to 944
determine a range of acceptable undergraduate teaching by 945
faculty. 946

(B) ~~On or before June 30, 1994, the~~ The board of trustees 947
of each state ~~university~~ institution of higher education shall 948
take formal action to adopt a faculty workload policy consistent 949
with the standards developed under this section. ~~Notwithstanding~~ 950
~~section 4117.08 of the Revised Code, the policies adopted under~~ 951
~~this section are not appropriate subjects for collective~~ 952
~~bargaining. Notwithstanding division (A) of section 4117.10 of~~ 953
~~the Revised Code, any policy adopted under this section by a~~ 954

~~board of trustees prevails over any conflicting provisions of~~ 955
~~any collective bargaining agreement between an employees~~ 956
~~organization and that board of trustees.~~ 957

(C) (1) The board of trustees of each state ~~university~~ 958
institution of higher education shall review the ~~university's~~ 959
institution's policy on faculty tenure and update that policy to 960
promote excellence in instruction, research, service, or 961
commercialization, or any combination thereof. 962

(2) ~~Beginning on July 1, 2018, as~~ As a condition for a 963
state ~~university~~ institution of higher education to receive any 964
state funds for research that are allocated to the department of 965
higher education under the appropriation line items referred to 966
as either "research incentive third frontier fund" or "research 967
incentive third frontier-tax," the chancellor shall require the 968
~~university~~ institution to include multiple pathways for faculty 969
tenure, one of which may be a commercialization pathway, in its 970
policy. 971

(D) (1) At least once every five years, each state 972
institution of higher education shall update its faculty 973
workload policy and submit the policy to the chancellor. The 974
updated policies shall be approved by the state institution's 975
board of trustees each time it is submitted to the chancellor. 976

(2) Each state institution of higher education's faculty 977
workload policy shall include all of the following: 978

(a) An objective and numerically defined teaching workload 979
expectation based on credit hours as defined in 34 C.F.R. 600.2; 980

(b) A definition of all faculty workload elements in terms 981
of credit hours as defined in 34 CFR 600.2 with a full-time 982
workload minimum standard established by the board of trustees 983

and made publicly accessible on the state institution's web 984
site. 985

(c) A definition of justifiable credit hour equivalents 986
for activities other than teaching, including research, clinical 987
care, administration, service, and other activities as 988
determined by the state institution of higher education; 989

(d) Administrative action that a state institution of 990
higher education may take, including censure, remedial training, 991
for-cause termination, or other disciplinary action, regardless 992
of tenure status, if a faculty member fails to comply with the 993
policy's requirements. Termination under these circumstances 994
requires the recommendation of the dean, provost, or equivalent 995
official, concurrence of the state institution of higher 996
education's president, and approval of the state institution of 997
higher education's board of trustees. 998

Sec. 3345.451. (A) As used in this section, "state 999
institution of higher education" has the same meaning as in 1000
section 3345.011 of the Revised Code. 1001

(B) The chancellor of higher education shall develop a 1002
minimum set of standard questions for use by state institutions 1003
of higher education in student evaluations of faculty members. 1004
The questions shall include the following: 1005

"Does the faculty member create a classroom atmosphere 1006
free of political, racial, gender, and religious bias?" 1007

(C) Each state institution of higher education shall 1008
establish a written system of faculty evaluations completed by 1009
students with a focus on teaching effectiveness and student 1010
learning. Each state institution shall include in its student 1011
evaluations of faculty the minimum set of standard questions 1012

developed by the department in division (B) of this section. 1013

(D) Each state institution of higher education shall 1014
establish a written system of peer evaluations for faculty 1015
members with emphasis placed on the faculty member's 1016
professional development regarding the faculty member's teaching 1017
responsibilities. 1018

Sec. 3345.452. (A) As used in this section, "state 1019
institution of higher education" has the same meaning as in 1020
section 3345.011 of the Revised Code. 1021

(B) The board of trustees of each state institution of 1022
higher education shall adopt a faculty annual performance 1023
evaluation policy and submit the policy to the chancellor of 1024
higher education. Each state institution's board of trustees 1025
shall review and update its policy every five years. 1026

(C) Each state institution of higher education shall 1027
conduct an annual evaluation for each full-time faculty member 1028
who it directly compensates. 1029

(D) Each faculty annual performance evaluation shall meet 1030
all of the following: 1031

(1) The evaluation is comprehensive and includes 1032
standardized, objective, and measurable performance metrics. 1033

(2) The evaluation includes an assessment of performance 1034
for each of the following areas that the faculty member has 1035
spent at least five per cent of their annual work time on over 1036
the preceding year: 1037

(a) Teaching; 1038

(b) Research; 1039

<u>(c) Service;</u>	1040
<u>(d) Clinical care;</u>	1041
<u>(e) Administration;</u>	1042
<u>(f) Other categories, as determined by the state</u>	1043
<u>institution of higher education.</u>	1044
<u>(3) The evaluation includes a summary assessment of the</u>	1045
<u>performance areas listed in division (D) (2) of this section</u>	1046
<u>including the parameters "exceeds performance expectations,"</u>	1047
<u>"meets performance expectations," or "does not meet performance</u>	1048
<u>expectations."</u>	1049
<u>(4) Student evaluations conducted pursuant to section</u>	1050
<u>3345.451 of the Revised Code account for at least fifty per cent</u>	1051
<u>of the teaching area component of the evaluation.</u>	1052
<u>(5) The evaluation establishes a projected work effort</u>	1053
<u>distribution for the faculty member for the next year which</u>	1054
<u>shall be used during the next year's evaluation. The</u>	1055
<u>distribution shall be compliant with the state institution's</u>	1056
<u>established workload policies adopted under section 3345.45 of</u>	1057
<u>the Revised Code and shall receive approval from the dean of</u>	1058
<u>faculty or the equivalent.</u>	1059
<u>(E) Evaluations shall be conducted by the department</u>	1060
<u>chairperson or equivalent administrator, reviewed and approved</u>	1061
<u>or disapproved by the dean, and submitted to the provost for</u>	1062
<u>review. If there is disagreement between the chairperson and</u>	1063
<u>dean, the provost shall have final decision authority.</u>	1064
<u>Sec. 3345.453. This section applies only to state</u>	1065
<u>institutions of higher education that have tenured faculty</u>	1066
<u>members.</u>	1067

(A) As used in this section, "state institution of higher education" has the same meaning as in section 3345.011 of the Revised Code. 1068
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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 state institution's board of trustees shall update the post-tenure review policy every five years. 1071
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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. 1076
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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. 1083
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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 significant underperformance outside of the faculty member's annual performance evaluation. For this purpose, for cause shall not be based on a faculty member's allowable expression of academic freedom as defined by the state institution of higher education or Ohio law. 1089
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(F) The state institution of higher education's post-tenure review due process period, from beginning to end, shall not exceed six months, except that a one-time two-month extension may be granted by the state institution's president. 1098
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(G) The state institution of higher education's provost shall submit a recommended outcome of the post-tenure review process to the institution's entity that is responsible for the final decision of post-tenure review pursuant to the institution's policy. The administrative action that a state institution of higher education may take includes censure, remedial training, or for-cause termination, regardless of tenure status, and any other action permitted by the institution's post-tenure review policy. 1102
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Sec. 3345.454. This section applies only to state institutions of higher education that have tenured faculty members. 1111
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(A) As used in this section, "state institution of higher education" has the same meaning as in section 3345.011 of the Revised Code. 1114
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(B) In addition to the policies described in sections 3345.45 to 3345.454 of the Revised Code, each state institution of higher education board of trustees shall develop policies on tenure and retrenchment. Each state institution shall submit those policies to the chancellor of higher education. Each state institution's board of trustees shall update those policies every five years. 1117
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Sec. 3345.455. With respect to a collective bargaining agreement entered into on or after the effective date of this section, both of the following apply to the standards, policies, 1124
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and systems adopted under sections 3345.45 to 3345.454 of the 1127
Revised Code: 1128

(A) Notwithstanding section 4117.08 of the Revised Code, 1129
the standards, policies, and systems are not appropriate 1130
subjects for collective bargaining. 1131

(B) Notwithstanding division (A) of section 4117.10 of the 1132
Revised Code, the standards, policies, and systems prevail over 1133
any conflicting provision of a collective bargaining agreement. 1134

Sec. 3345.591. (A) As used in this section: 1135

(1) "Confucius institute" means a public education 1136
partnership that is both of the following: 1137

(a) Established by an institution of higher education in 1138
China and an institution of higher education in a different 1139
country; 1140

(b) Funded and arranged by an entity affiliated with the 1141
People's Republic of China. 1142

(2) "People's Republic of China" means the government of 1143
China, the Chinese Communist Party, the People's Liberation 1144
Army, or any other extension of, or entity affiliated with, the 1145
government of China. 1146

(3) "State institution of higher education" has the same 1147
meaning as in section 3345.011 of the Revised Code. 1148

(B) No state institution of higher education shall accept 1149
gifts, donations, or contributions from the People's Republic of 1150
China or any organization the institution reasonably suspects is 1151
acting on behalf of the People's Republic of China. 1152

Nothing in this section prohibits a state institution of 1153

higher education from accepting payments from Chinese citizens 1154
related to instructional fees, general fees, special fees, cost 1155
of instruction, or educational expenses or donations from the 1156
institution's alumni. 1157

(C) Each state institution shall submit to the chancellor 1158
of higher education a copy of the report it submits to the 1159
United States department of education pursuant to 20 U.S.C. 1160
1011(f). 1161

(D) Upon the request, the chancellor shall make any 1162
information reported under division (C) of this section 1163
available to any member of the general assembly. 1164

(E) Subject to the approval of the chancellor, a state 1165
institution shall only enter into a new or renewed academic 1166
partnership with an academic or research institution located in 1167
China if the state institution maintains sufficient structural 1168
safeguards to protect the state institution's intellectual 1169
property, the security of the state of Ohio, and the national 1170
security interests of the United States. The chancellor shall 1171
only approve a state institution's partnership if the 1172
chancellor, in consultation with the attorney general, 1173
determines the partnership meets the safeguard requirements 1174
prescribed under this division. The safeguard requirements shall 1175
include, at a minimum, all of the following: 1176

(1) Compliance with all federal requirements, including 1177
the requirements of federal research sponsors and federal export 1178
control agencies, including regulations regarding international 1179
traffic in arms and export administration regulations, and 1180
economic and trade sanctions administered by the federal office 1181
of foreign assets control; 1182

<u>(2) Annual formal institution-level programs for faculty</u>	1183
<u>on conflicts of interest and conflicts of commitment;</u>	1184
<u>(3) A formalized foreign visitor process and uniform</u>	1185
<u>visiting scholar agreement.</u>	1186
<u>(F) The auditor of state shall audit the safeguards</u>	1187
<u>implemented by state institutions of higher education under</u>	1188
<u>division (E) of this section in the course of a normal audit</u>	1189
<u>conducted under section 117.46 of the Revised Code.</u>	1190
<u>Sec. 3345.80. (A) As used in this section, "state</u>	1191
<u>institution of higher education" has the same meaning as in</u>	1192
<u>section 3345.011 of the Revised Code.</u>	1193
<u>(B) For each biennial main operating appropriations bill</u>	1194
<u>and capital appropriations bill, each state institution of</u>	1195
<u>higher education shall prepare and submit to the chancellor of</u>	1196
<u>higher education, by a date determined by the chancellor, a</u>	1197
<u>rolling five-year summary of its institutional costs to be</u>	1198
<u>considered by the general assembly when evaluating operating and</u>	1199
<u>capital project funding. The chancellor shall submit a report</u>	1200
<u>including each state institution's five-year institutional cost</u>	1201
<u>summaries to the general assembly under section 101.68 of the</u>	1202
<u>Revised Code.</u>	1203
<u>(C) Each state institution of higher education's five-year</u>	1204
<u>institutional cost summary shall consist of the following</u>	1205
<u>categories:</u>	1206
<u>(1) All costs related to student instruction, including</u>	1207
<u>instructor salaries, benefits, and related operating costs;</u>	1208
<u>(2) All general staff costs related to maintenance,</u>	1209
<u>grounds, utilities, food service, and other areas as determined</u>	1210
<u>by the institution;</u>	1211

<u>(3) All other costs for staff, including academic</u>	1212
<u>administrators, counseling, financial aid assistance, healthcare</u>	1213
<u>services, and housing management.</u>	1214
<u>(D) Each of the categories presented in the five-year</u>	1215
<u>institutional cost summary shall include all of the following:</u>	1216
<u>(1) A detailed breakdown of annual costs and employee</u>	1217
<u>headcounts;</u>	1218
<u>(2) A complete accounting of all spending on diversity,</u>	1219
<u>equity, and inclusion, or related subjects;</u>	1220
<u>(3) An annual count of all faculty, administration, and</u>	1221
<u>employees.</u>	1222
<u>(E) The chancellor shall consult with state institutions</u>	1223
<u>of higher education to develop a standardized reporting format</u>	1224
<u>for the institutional cost summaries and a uniform approach to</u>	1225
<u>completing the categories required in division (C) of this</u>	1226
<u>section.</u>	1227
<u>(F) During the general assembly's consideration of the</u>	1228
<u>main operating appropriations and capital appropriations bills,</u>	1229
<u>the president of each state institution of higher education or</u>	1230
<u>the chancellor of higher education shall have the opportunity to</u>	1231
<u>present in the appropriate hearings conducted by committees that</u>	1232
<u>consider higher education legislation to provide commentary on</u>	1233
<u>trends, potential justifications, or other explanations</u>	1234
<u>regarding the institution's five-year summary of institutional</u>	1235
<u>costs.</u>	1236
<u>(G) Prior to the enactment of the main operating</u>	1237
<u>appropriations and capital appropriations bills, the chancellor</u>	1238
<u>shall create and present to the general assembly an aggregation</u>	1239
<u>report summarizing the total institutional costs for state</u>	1240

<u>universities and community colleges separately.</u>	1241
<u>Sec. 3345.87. (A) As used in this section:</u>	1242
<u>(1) "Position, policy, program, and activity" includes all</u>	1243
<u>of the following:</u>	1244
<u>(a) All forms of employment, including staff positions,</u>	1245
<u>internships, and work studies;</u>	1246
<u>(b) All policies, including mission statements, hiring</u>	1247
<u>policies, promotion policies, and tenure policies;</u>	1248
<u>(c) All programs and positions, including deanships,</u>	1249
<u>provostships, offices, programs, programs presented by residence</u>	1250
<u>halls, and committees;</u>	1251
<u>(d) All activities, including those conducted by the</u>	1252
<u>administrative units of orientation, first-year experience,</u>	1253
<u>student life, and residential life.</u>	1254
<u>(2) "State institution of higher education" has the same</u>	1255
<u>meaning as in section 3345.011 of the Revised Code.</u>	1256
<u>(B) With respect to every position, policy, program, and</u>	1257
<u>activity, each state institution of higher education shall do</u>	1258
<u>both of the following:</u>	1259
<u>(1) Treat all faculty, staff, and students as individuals,</u>	1260
<u>hold every individual to equal standards, and provide those</u>	1261
<u>individuals with equality of opportunity with regard to those</u>	1262
<u>individuals' race, ethnicity, religion, sex, sexual orientation,</u>	1263
<u>gender identity, or gender expression;</u>	1264
<u>(2) Provide no advantage or disadvantage to faculty,</u>	1265
<u>staff, or students on the basis of race, ethnicity, religion,</u>	1266
<u>sex, sexual orientation, gender identity, or gender expression</u>	1267

<u>in admissions, hiring, promotion, tenuring, or workplace</u>	1268
<u>conditions.</u>	1269
<u>(C) No state institution of higher education shall provide</u>	1270
<u>or require training for any administrator, teacher, staff</u>	1271
<u>member, or employee that advocates or promotes any of the</u>	1272
<u>following concepts:</u>	1273
<u>(1) One race or sex is inherently superior to another race</u>	1274
<u>or sex.</u>	1275
<u>(2) An individual, by virtue of his or her race or sex, is</u>	1276
<u>inherently racist, sexist, or oppressive, whether consciously or</u>	1277
<u>unconsciously.</u>	1278
<u>(3) An individual should be discriminated against or</u>	1279
<u>receive adverse treatment solely or partly because of the</u>	1280
<u>individual's race.</u>	1281
<u>(4) Members of one race cannot nor should not attempt to</u>	1282
<u>treat others without respect to race.</u>	1283
<u>(5) An individual's moral standing or worth is necessarily</u>	1284
<u>determined by the individual's race or sex.</u>	1285
<u>(6) An individual, by virtue of the individual's race or</u>	1286
<u>sex, bears responsibility for actions committed in the past by</u>	1287
<u>other members of the same race or sex.</u>	1288
<u>(7) An individual should feel discomfort, guilt, anguish,</u>	1289
<u>or any other form of psychological distress on account of his or</u>	1290
<u>her race or sex.</u>	1291
<u>(8) Meritocracy or traits such as hard work ethic are</u>	1292
<u>racist or sexist, or were created by members of a particular</u>	1293
<u>race to oppress members of another race.</u>	1294

(9) Fault, blame, or bias should be assigned to a race or sex, or to members of a race or sex because of their race or sex. 1295
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(D) Each state institution of higher education shall implement a range of disciplinary sanctions for any administrator, teacher, staff member, or employee who authorizes or engages in a training prohibited in division (C) of this section. 1298
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(E) Each state institution of higher education shall issue an annual report regarding each of the following: 1303
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(1) All violations of division (D) of this section committed by anyone under the institution's jurisdiction and of all consequent disciplinary sanctions; 1305
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(2) Statistics on the academic qualifications of accepted and matriculating students, disaggregated by race and sex. The statistics shall include information correlating students' academic qualifications and retention rates, disaggregated by race and sex. 1308
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(F) Each state institution of higher education shall post the reports prescribed under division (E) of this section in a prominent place on the institution's web site. The reports shall be: 1313
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(1) Accessible from the main page of the institution's web site by use of not more than three links; 1317
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(2) Searchable by keywords and phrases; 1319

(3) Accessible to the public without requiring user registration of any kind. 1320
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(G) Each state institution of higher education shall 1322

prohibit all policies designed explicitly to segregate faculty, 1323
staff, or students based on those individuals' race, ethnicity, 1324
religion, sex, sexual orientation, gender identity, or gender 1325
expression in credit-earning classroom settings, formal 1326
orientation ceremonies, and formal graduation ceremonies. 1327

Sec. 3350.10. (A) There is hereby created the northeast 1328
Ohio medical university. ~~The principal goal of the medical-~~ 1329
~~university shall be to collaborate with the university of Akron,~~ 1330
~~Cleveland state university, Kent state university, and~~ 1331
~~Youngstown state university to graduate physicians oriented to~~ 1332
~~the practice of medicine at the community level, especially~~ 1333
~~family physicians. To accomplish this goal, the medical-~~ 1334
~~university may incorporate in the clinical experience provided-~~ 1335
~~its students the several community hospitals in the cities and~~ 1336
~~areas served by the medical university; utilize practicing-~~ 1337
~~physicians as teachers; and to the fullest extent possible-~~ 1338
~~utilize the basic science capabilities of the university of~~ 1339
~~Akron, Cleveland state university, Kent state university, and~~ 1340
~~Youngstown state university.~~The government of northeast Ohio 1341
medical university is vested in a board of eleven trustees, who 1342
shall be appointed by the governor with the advice and consent 1343
of the senate pursuant to division (A) (2) of this section. 1344

(1) Until December 22, 2008, the government of the 1345
northeast Ohio medical university is vested in a nine-member 1346
board of trustees consisting of the presidents of the university 1347
of Akron, Kent state university, and Youngstown state 1348
university; one member each of the boards of trustees of the 1349
university of Akron, Kent state university, and Youngstown state 1350
university, to be appointed by their respective boards of 1351
trustees for a term of six years ending on the first day of May 1352
or until the trustee's term on the respective university board 1353

of trustees expires, whichever occurs first; and one person each 1354
to be appointed by the boards of trustees of the university of 1355
Akron, Kent state university, and Youngstown state university, 1356
for a term of nine years ending on the first day of May; except 1357
that the term of those first appointed by the several boards of 1358
trustees shall expire on the first day of May next following 1359
their appointment. Vacancies shall be filled for the unexpired 1360
term in the manner provided for original appointment. The 1361
trustees shall receive no compensation for their services but 1362
shall be paid their reasonable necessary expenses while engaged 1363
in the discharge of their official duties. A majority of the 1364
board constitutes a quorum. 1365

(2) Beginning December 22, 2008, the government of the 1366
northeast Ohio medical university is vested in a board of eleven 1367
trustees, who shall be appointed by the governor, with the 1368
advice and consent of the senate. Two of the trustees shall be 1369
current students of the medical university, and their selection 1370
and terms shall be in accordance with division (B) of this 1371
section. ~~Except~~ For trustees appointed prior to January 1, 2024, 1372
except as provided in division (A) (3) of this section and except 1373
for the student members, terms of office shall be for nine 1374
years. For trustees appointed on or after January 1, 2024, 1375
except for the student members, terms of office shall be for 1376
four years. Each trustee shall hold office from the date of 1377
appointment until the end of the term for which the trustee was 1378
appointed. Any trustee appointed to fill a vacancy occurring 1379
prior to the expiration of the term for which the trustee's 1380
predecessor was appointed shall hold office for the remainder of 1381
such term. Any trustee shall continue in office subsequent to 1382
the expiration date of the trustee's term until the trustee's 1383
successor takes office, or until a period of sixty days has 1384

elapsed, whichever occurs first. ~~No person who has served a full-~~ 1385
~~nine-year term or more than six years of such a term shall be-~~ 1386
~~eligible for reappointment until a period of four years has-~~ 1387
~~elapsed since the last day of the term for which the person-~~ 1388
~~previously served.~~ The trustees shall receive no compensation 1389
for their services but shall be paid their reasonable necessary 1390
expenses while engaged in the discharge of their official 1391
duties. A majority of the board constitutes a quorum. 1392

(3) Not later than December 22, 2008, the governor, with 1393
the advice and consent of the senate, shall appoint the two 1394
student trustees and successors for the trustees serving under 1395
division (A) (1) of this section. Except for the student 1396
trustees, who shall serve terms pursuant to division (B) of this 1397
section, the initial terms of office for trustees appointed 1398
under division (A) (2) of this section shall be as follows: one 1399
term ending September 23, 2009; one term ending September 23, 1400
2010; one term ending September 23, 2011; one term ending 1401
September 23, 2012; one term ending September 23, 2013; one term 1402
ending September 23, 2014; one term ending September 23, 2015; 1403
one term ending September 23, 2016; one term ending September 1404
23, 2017. Thereafter, for trustees appointed prior to January 1, 1405
2024, terms of office shall be for nine years, as provided in 1406
division (A) (2) of this section. For trustees appointed on or 1407
after January 1, 2024, terms of office shall be for four years, 1408
as provided in division (A) (2) of this section. 1409

(B) The student members of the board of trustees of the 1410
northeast Ohio medical university have no voting power on the 1411
board. Student members shall not be considered as members of the 1412
board in determining whether a quorum is present. Student 1413
members shall not be entitled to attend executive sessions of 1414
the board. The student members of the board shall be appointed 1415

by the governor, with the advice and consent of the senate, from 1416
a group of five candidates selected pursuant to a procedure 1417
adopted by the university's student governments and approved by 1418
the university's board of trustees. The initial term of office 1419
of one of the student members shall commence December 22, 2008, 1420
and shall expire on June 30, 2009, and the initial term of 1421
office of the other student member shall commence December 22, 1422
2008, and shall expire on June 30, 2010. Thereafter, terms of 1423
office of student members shall be for two years, each term 1424
ending on the same day of the same month of the year as the term 1425
it succeeds. In the event that a student member cannot fulfill a 1426
two-year term, a replacement shall be selected to fill the 1427
unexpired term in the same manner used to make the original 1428
selection. 1429

Sec. 3352.01. (A) There is hereby created a state 1430
university to be known as "Wright state university." The 1431
government of Wright state university is vested in a board of 1432
eleven trustees, who shall be appointed by the governor, with 1433
the advice and consent of the senate. Two of the trustees shall 1434
be students at Wright state university, and their selection and 1435
terms shall be in accordance with division (B) of this section. 1436
~~Except~~ For trustees appointed prior to January 1, 2024, except 1437
for the terms of student members, terms of office shall be for 1438
nine years, commencing on the first day of July and ending on 1439
the thirtieth day of June. For trustees appointed on or after 1440
January 1, 2024, except for the terms of student members, terms 1441
of office shall be for four years, commencing on the first day 1442
of July and ending on the thirtieth day of June. Each trustee 1443
shall hold office from the date of appointment until the end of 1444
the term for which the trustee was appointed. Any trustee 1445
appointed to fill a vacancy occurring prior to the expiration of 1446

the term for which the trustee's predecessor was appointed shall 1447
hold office for the remainder of such term. Any trustee shall 1448
continue in office subsequent to the expiration date of the 1449
trustee's term until the trustee's successor takes office, or 1450
until a period of sixty days has elapsed, whichever occurs 1451
first. ~~No person who has served a full nine year term or more~~ 1452
~~than six years of such a term shall be eligible for~~ 1453
~~reappointment until a period of four years has elapsed since the~~ 1454
~~last day of the term for which the person previously served.~~ 1455
The trustees shall receive no compensation for their services but 1456
shall be paid their reasonable necessary expenses while engaged 1457
in the discharge of their official duties. A majority of the 1458
board constitutes a quorum. 1459

(B) The student members of the board of trustees of Wright 1460
state university have no voting power on the board. Student 1461
members shall not be considered as members of the board in 1462
determining whether a quorum is present. Student members shall 1463
not be entitled to attend executive sessions of the board. The 1464
student members of the board shall be appointed by the governor, 1465
with the advice and consent of the senate, from a group of five 1466
candidates selected pursuant to a procedure adopted by the 1467
university's student governments and approved by the 1468
university's board of trustees. The initial term of office of 1469
one of the student members shall commence on July 1, 1988, and 1470
shall expire on June 30, 1989, and the initial term of office of 1471
the other student member shall commence on July 1, 1988, and 1472
shall expire on June 30, 1990. Thereafter, terms of office of 1473
student members shall be for two years, each term ending on the 1474
same day of the same month of the year as the term it succeeds. 1475
In the event that a student member cannot fulfill a two-year 1476
term, a replacement shall be selected to fill the unexpired term 1477

in the same manner used to make the original selection. 1478

Sec. 3354.05. (A) Within ninety days after a community 1479
college district has been declared to be established, pursuant 1480
to sections 3354.02 to 3354.04 of the Revised Code, nine 1481
persons, all of whom shall be residents of the district, shall 1482
be appointed as a board of trustees of the community college 1483
district. Six trustees shall be appointed by the board of county 1484
commissioners or boards of county commissioners of such district 1485
and three trustees shall be appointed by the governor, with the 1486
advice and consent of the senate. At the time of the initial 1487
meeting of the trustees a drawing shall be held to determine the 1488
initial term of each appointee, one trustee to serve for a term 1489
ending two years after the date upon which the community college 1490
district had been declared established, three for terms ending 1491
three years after that date, three for terms ending four years 1492
after that date, and two for terms ending five years after that 1493
date. 1494

(B) At the expiration of each of the three terms appointed 1495
by the governor, and thereafter, the governor shall make 1496
appointments, with the advice and consent of the senate. At the 1497
expiration of each of the remaining six terms, and thereafter, 1498
the board of county commissioners or boards of county 1499
commissioners shall make appointments. Except as provided in 1500
division (C) of this section, the successive terms of trustees 1501
appointed prior to January 1, 2024, shall be for five years, 1502
each term ending on the same day of the same month of the year 1503
as did the term which it succeeds. For trustees appointed by the 1504
board of county commissioners or boards of county commissioners 1505
on or after January 1, 2024, the term shall be for five years. 1506
For trustees appointed by the governor on or after January 1, 1507
2024, the term shall be for four years. Each trustee shall hold 1508

office from the date of ~~his~~ appointment until the end of the 1509
term for which ~~he was~~ appointed. Any trustee appointed to fill a 1510
vacancy occurring prior to the expiration of the term for which 1511
~~his~~ the trustee's predecessor was appointed shall hold office 1512
for the remainder of such term. Any trustee shall continue in 1513
office subsequent to the expiration date of ~~his~~ the trustee's 1514
term until ~~his~~ the trustee's successor takes office, or until a 1515
period of sixty days has elapsed, whichever occurs first. 1516

(C) Upon expiration of the Cuyahoga county community 1517
college district trustee term which ends on January 19, 1974 and 1518
for which the governor is required to appoint a successor, the 1519
new term which succeeds it shall commence on January 20, 1974 1520
and end on October 12, 1978. Upon expiration of the Mahoning 1521
county community college district trustee terms which end on 1522
February 22, 1975 and for which the governor is required to 1523
appoint successors, the new terms which succeed them shall 1524
commence on February 23, 1975 and end on February 10, 1980. Upon 1525
expiration of the Lorain county community college district 1526
trustee terms which end on October 12, 1977 and for which the 1527
governor is required to appoint successors, the new terms which 1528
succeed them shall commence on October 13, 1977 and end on 1529
August 30, 1982. Upon expiration of the Montgomery county 1530
community college district trustee term which ends on July 1, 1531
1973 and for which the governor is required to appoint a 1532
successor, the new term which succeeds it shall commence on July 1533
2, 1973 and end on October 12, 1977. Upon expiration of the 1534
Lakeland community college district trustee term which ends on 1535
March 6, 1978, and for which the governor is required to appoint 1536
a successor, the new term which succeeds it shall commence on 1537
March 7, 1978 and end on October 12, 1982. 1538

Sec. 3354.24. (A) The provisions of this section prevail 1539

over conflicting provisions of this chapter; however, except as 1540
otherwise provided in this section, the eastern gateway 1541
community college district and its board of trustees shall 1542
comply with the provisions of this chapter. 1543

(B) The territory of Columbiana, Mahoning, and Trumbull 1544
counties is hereby added to the territory of the community 1545
college district of Jefferson county, creating a new community 1546
college district to replace the former community college 1547
district of Jefferson county. The district created under this 1548
section shall be known as and operate under the name of "eastern 1549
gateway community college district," and its charter shall be 1550
amended to this name. The Jefferson county campus is hereby part 1551
of the eastern gateway community college district and shall 1552
remain in operation unless otherwise specified by the board of 1553
trustees of the community college. 1554

The eastern gateway community college district is divided 1555
into two taxing subdistricts, one consisting of the territory of 1556
Jefferson county, and the other consisting of the territories of 1557
Columbiana, Mahoning, and Trumbull counties. 1558

~~(C) On the effective date of this section as enacted by~~ 1559
~~H.B. 1 of the 128th general assembly, October 16, 2009,~~ the 1560
government of the eastern gateway community college district 1561
shall be vested in a board of eleven trustees to be appointed by 1562
the governor, with the advice and consent of the senate. The 1563
board of trustees of the former community college district of 1564
Jefferson county is abolished on that date. 1565

The governor shall appoint the members of the board of 1566
trustees of the eastern gateway community college district as 1567
successors to the board of trustees of Jefferson community 1568
college as follows: Three members of the board of trustees shall 1569

be residents of Jefferson county. (The initial Jefferson county 1570
members shall be members of the board of trustees of the former 1571
community college district of Jefferson county, as it existed 1572
before ~~the effective date of this section~~ October 16, 2009.) 1573
Eight members of the board of trustees shall be residents of 1574
Columbiana, Mahoning, and Trumbull counties. 1575

The initial board of trustees shall be appointed within 1576
ninety days after ~~the effective date of this section~~ October 16, 1577
2009, for terms as follows: Of the trustees who are residents of 1578
Jefferson county, one trustee shall be appointed for a one-year 1579
term, one trustee shall be appointed for a three-year term, and 1580
one trustee shall be appointed for a five-year term. Of the 1581
trustees who are residents of Columbiana, Mahoning, and Trumbull 1582
counties, one trustee shall be appointed for a one-year term, 1583
two trustees shall be appointed for two-year terms, two trustees 1584
shall be appointed for three-year terms, two trustees shall be 1585
appointed for four-year terms, and one trustee shall be 1586
appointed for a five-year term. 1587

At the conclusion of each initial term, the term of office 1588
of each trustee appointed prior to January 1, 2024, shall be 1589
five years, each term ending on the same day of the same month 1590
of the year as did the term that it succeeds. For trustees 1591
appointed on or after January 1, 2024, the terms of office shall 1592
be four years, each term ending on the same day of the same 1593
month of the year as did the term that it succeeds. 1594

Each trustee shall hold office from the date of the 1595
trustee's appointment until the end of the term for which the 1596
trustee was appointed. Any trustee appointed to fill a vacancy 1597
occurring before the expiration of the term for which the 1598
trustee's predecessor was appointed shall hold office for the 1599

remainder of that term. Any trustee shall continue in office 1600
subsequent to the expiration date of the trustee's term until 1601
the trustee's successor takes office, or until a period of sixty 1602
days has elapsed, whichever occurs first. 1603

If a vacancy occurs and the Jefferson county tax levy is 1604
no longer in place or a conversion under division (H) of this 1605
section has occurred, the governor shall fill the vacancy with a 1606
person residing within the eastern gateway community college 1607
district. 1608

(D) The board of trustees of the eastern gateway community 1609
college district shall continue to comply with division (G) of 1610
section 3354.09 of the Revised Code regarding tuition for 1611
students who are residents of Ohio but not residents of the 1612
district, and for students who are nonresidents of Ohio. The 1613
tuition rate shall be based on the student's county of residence 1614
and shall apply to all eastern gateway community college 1615
district classes in all district locations. Except as provided 1616
in division (F) (3) of this section, students who are residents 1617
of Columbiana, Mahoning, or Trumbull county shall continue to be 1618
charged tuition at the same rate as Ohio residents who are not 1619
residents of the district. 1620

(E) (1) Except as provided in divisions (E) (2) and (3) of 1621
this section, each member of the board of trustees shall have 1622
full voting rights on all matters that come before the board. 1623

(2) The three trustees representing Jefferson county shall 1624
have sole authority to vote on the following matters: 1625

(a) The Jefferson county tax levy; 1626

(b) The expenditure of revenue from that tax levy; 1627

(c) Levy-subsidized tuition rates. 1628

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

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

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

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

(F)(1) For each taxing subdistrict of the eastern gateway community college district, the board of trustees may propose to

levy a tax in accordance with the procedures prescribed in 1659
section 3354.12 of the Revised Code, except the following terms 1660
used in that section shall have the meanings given them in this 1661
section: 1662

(a) "District" and "community college district" mean the 1663
appropriate taxing subdistrict defined in this section; 1664

(b) "Board of trustees of the community college district" 1665
means the board of trustees for the entire eastern gateway 1666
community college district. That board of trustees may propose 1667
separate levies for either of the two taxing subdistricts. 1668

(c) "Tax duplicate" means the tax duplicate of only the 1669
appropriate taxing subdistrict and not the tax duplicate of the 1670
entire eastern gateway community college district. 1671

(2) The board of trustees may propose to levy a tax on 1672
taxable property in Jefferson county to be voted on by the 1673
electors of Jefferson county as provided in division (F) (1) of 1674
this section. An affirmative vote by a majority of the electors 1675
of the subdistrict voting on the question is necessary for 1676
passage. Any money raised by a tax levied by the former 1677
community college district of Jefferson county or a subsequent 1678
tax levied in Jefferson county in accordance with division (F) 1679
(1) of this section shall be used solely for the benefit of 1680
Jefferson county residents attending the eastern gateway 1681
community college in the form of student tuition subsidies, 1682
student scholarships, and instructional facilities, equipment, 1683
and support services located within Jefferson county, or for any 1684
purpose approved by the electors. Such amounts shall be 1685
deposited into a separate fund of the taxing subdistrict, and 1686
shall be budgeted separately. 1687

(3) The board of trustees may propose to levy a tax on 1688
taxable property in Columbiana, Mahoning, and Trumbull counties 1689
to be voted on by the electors of the counties as provided in 1690
division (F)(1) of this section. An affirmative vote by a 1691
majority of the electors of the subdistrict voting on the 1692
question is necessary for passage. Any amounts raised by such a 1693
tax in the tax subdistrict shall be used solely for the benefit 1694
of residents of the subdistrict attending the eastern gateway 1695
community college in the form of student tuition subsidies, 1696
student scholarships, and instructional facilities, equipment, 1697
and support services located within Columbiana, Mahoning, and 1698
Trumbull counties, or for any purpose approved by the electors. 1699
Amounts collected shall be deposited into a separate fund from 1700
all other revenues collected by each taxing subdistrict. 1701

The board of trustees may adjust the rate of tuition 1702
charged to each taxing subdistrict's residents to an amount 1703
commensurate with the amount of tax the board of trustees 1704
dedicates for instructional and general services provided to the 1705
residents of the subdistrict. 1706

(G) The board of trustees of the eastern gateway community 1707
college district may issue bonds in accordance with section 1708
3354.11 of the Revised Code, but the board may limit the 1709
question of approval of the issue of those bonds to the electors 1710
of only one of the two taxing subdistricts, in which case the 1711
board also may limit the use of the property or improvements to 1712
the residents of that subdistrict. 1713

(H) If the tax levy in Jefferson county expires, is not 1714
renewed, or is not approved by the electors of Jefferson county 1715
and the other taxing subdistrict does not levy a tax for the 1716
purposes of this section, the board of trustees of the eastern 1717

gateway community college district shall submit a proposal to 1718
the chancellor of the board of regents to convert to a state 1719
community college and, upon the chancellor's approval of the 1720
proposal, enter into a transition agreement with the chancellor 1721
following the procedures set forth in section 3358.05 of the 1722
Revised Code for a technical college district. 1723

Sec. 3356.01. (A) There is hereby created Youngstown state 1724
university. The government of Youngstown state university is 1725
vested in a board of eleven trustees, who shall be appointed by 1726
the governor, with the advice and consent of the senate. Two of 1727
the trustees shall be students at Youngstown state university, 1728
and their selection and terms shall be in accordance with 1729
division (B) of this section. ~~Except For trustees appointed~~ 1730
prior to January 1, 2024, except for the terms of student 1731
members, terms of office shall be for nine years, commencing on 1732
the second day of May and ending on the first day of May. For 1733
trustees appointed on or after January 1, 2024, except for the 1734
terms of student members, terms of office shall be for four 1735
years, commencing on the second day of May and ending on the 1736
first day of May. Each trustee shall hold office from the date 1737
of appointment until the end of the term for which the trustee 1738
was appointed. Any trustee appointed to fill a vacancy occurring 1739
prior to the expiration of the term for which the trustee's 1740
predecessor was appointed shall hold office for the remainder of 1741
such term. Any trustee shall continue in office subsequent to 1742
the expiration date of the trustee's term until the trustee's 1743
successor takes office, or until a period of sixty days has 1744
elapsed, whichever occurs first. ~~No person who has served a full~~ 1745
~~nine year term or more than six years of such a term shall be~~ 1746
~~eligible to reappointment until a period of four years has~~ 1747
~~elapsed since the last day of the term for which the person~~ 1748

~~previously served.~~ The trustees shall receive no compensation 1749
for their services but shall be paid their reasonable necessary 1750
expenses while engaged in the discharge of their duties. A 1751
majority of the board constitutes a quorum. 1752

(B) The student members of the board of trustees of 1753
Youngstown state university have no voting power on the board. 1754
Student members shall not be considered as members of the board 1755
in determining whether a quorum is present. Student members 1756
shall not be entitled to attend executive sessions of the board. 1757
The student members of the board shall be appointed by the 1758
governor, with the advice and consent of the senate, from a 1759
group of five candidates selected pursuant to a procedure 1760
adopted by the university's student governments and approved by 1761
the university's board of trustees. The initial term of office 1762
of one of the student members shall commence on May 2, 1988, and 1763
shall expire on May 1, 1989, and the initial term of office of 1764
the other student member shall commence on May 2, 1988, and 1765
expire on May 1, 1990. Thereafter, terms of office of student 1766
members shall be for two years, each term ending on the same day 1767
of the same month of the year as the term it succeeds. In the 1768
event that a student member cannot fulfill a two-year term, a 1769
replacement shall be selected to fill the unexpired term in the 1770
same manner used to make the original selection. 1771

Sec. 3357.022. (A) The provisions of this section prevail 1772
over conflicting provisions of this chapter; however, except as 1773
otherwise provided in this section, the stark state college 1774
district and its board of trustees shall comply with the 1775
provisions of this chapter. 1776

(B) The territory of Summit county is hereby added to the 1777
territory of the technical college district of Stark county, 1778

creating a new technical college district to replace the former 1779
technical college district of Stark county. The district created 1780
under this section shall be known as and operate under the name 1781
of "stark state college district," and its charter shall be 1782
amended to reflect this name. The Stark county campus is hereby 1783
part of the stark state college district and shall remain in 1784
operation unless otherwise specified by the board of trustees of 1785
the technical college. 1786

(C) ~~On the effective date of this section~~ November 2, 1787
2018, the government of the stark state college district shall 1788
be vested in a board of nine trustees. Appointees shall be 1789
qualified electors residing in the stark state college district 1790
and shall not be employees of the college. No new trustee may be 1791
appointed who is a member of any board of education or 1792
educational service center governing board. The term of office 1793
shall be three years for trustees appointed prior to January 1, 1794
2024. On and after January 1, 2024, the terms of office of 1795
trustees appointed by the governor shall be four years and the 1796
terms of office for all other trustees shall be three years. 1797
Each trustee shall hold office from the date of appointment 1798
until the end of the appointed term. Any trustee appointed to 1799
fill a vacancy occurring prior to the expiration of the term for 1800
which the trustee's predecessor was appointed shall hold office 1801
for the remainder of such term. Any trustee shall continue in 1802
office subsequent to the expiration date of the trustee's term 1803
until a successor takes office, or until a period of sixty days 1804
has elapsed, whichever occurs first. 1805

(1) Three trustees shall be appointed by the governor with 1806
the advice and consent of the senate. 1807

The governor shall appoint members of the board of 1808

trustees that are residents of the stark state college district. 1809
Not more than one member of the board of trustees appointed by 1810
the governor shall be an employee of a government agency. The 1811
members of the board of trustees of the former technical college 1812
district of Stark county shall remain members of the board until 1813
the expiration of their terms as each existed prior to ~~the~~ 1814
~~effective date of this section~~ November 2, 2018. 1815

(2) Six trustees shall be appointed by the presidents, or 1816
their representatives, of the city and exempted village school 1817
district boards of education and of the educational service 1818
center governing boards whose territories are included in the 1819
stark state college district. Prior to the appointment of 1820
trustees, the president of the governing board of the 1821
educational service center serving Stark county or, if more than 1822
one service center serves the county, the president of the 1823
governing board of the educational service center serving the 1824
largest portion of Stark county shall call a caucus of those 1825
board presidents at a time and place designated by the service 1826
center board president. At such caucus, the board presidents or 1827
their representatives shall select trustees by majority vote of 1828
those attending. Not more than one member of the board of 1829
trustees selected in this manner shall be a resident of Summit 1830
county, and not more than two members of the board of trustees 1831
selected in this manner shall be employees of government 1832
agencies. The members of the board of trustees of the former 1833
technical college district of Stark county shall remain members 1834
of the board until the expiration of their terms as each existed 1835
prior to ~~the effective date of this section~~ November 2, 2018. 1836

(D) The board of trustees of the stark state college 1837
district shall continue to comply with division (G) of section 1838
3357.09 of the Revised Code regarding tuition for students who 1839

are residents of Ohio, but not residents of the district, and 1840
for students who are nonresidents of Ohio. The tuition rate 1841
shall be based on the student's county of residence and shall 1842
apply to all stark state college district classes in all 1843
district locations. 1844

(E) Each member of the board of trustees shall have full 1845
voting rights on all matters that come before the board. 1846

Sec. 3357.05. Within ninety days after a technical college 1847
district is created pursuant to section 3357.02 of the Revised 1848
Code, trustees shall be appointed to serve as a board of 1849
trustees of the technical college district. Appointees shall be 1850
qualified electors residing in the technical college district 1851
and shall not be employees of that technical college. No new 1852
trustee may be appointed who is a member of any board of 1853
education or educational service center governing board. The 1854
term of office shall be three or four years with the exception 1855
of initial appointments as provided in this section and section 1856
3357.021 of the Revised Code. Trustees shall be appointed in the 1857
manner and for the terms provided by this section. Each trustee 1858
shall hold office from the date of appointment until the end of 1859
the appointed term. Any trustee appointed to fill a vacancy 1860
occurring prior to the expiration of the term for which the 1861
trustee's predecessor was appointed shall hold office for the 1862
remainder of such term. Any trustee shall continue in office 1863
subsequent to the expiration date of ~~his~~ the trustee's term 1864
until a successor takes office, or until a period of sixty days 1865
has elapsed, whichever occurs first. 1866

(A) If a technical college district embraces the territory 1867
of one or more school districts and more than half of the 1868
territory of each such district is in the same county, seven 1869

trustees shall be appointed. Two trustees shall be appointed by 1870
the governor with the advice and consent of the senate. Not more 1871
than one of such trustees appointed shall be an employee of a 1872
governmental agency. Of the initial appointments, one shall be 1873
for a term ending two years after the date upon which the 1874
technical college district was created and one for a term ending 1875
three years after that date. The successive terms of trustees 1876
appointed by the governor shall be for three years for trustees 1877
appointed prior to January 1, 2024, and four years for trustees 1878
appointed on or after that date, with each term ending on the 1879
same day of the same month of the year as did the term which it 1880
succeeds. Five trustees shall be appointed by the presidents or 1881
their representatives of the city and exempted village boards of 1882
education of school districts and the governing boards of 1883
service centers whose territories are embraced in the technical 1884
college district. Prior to the appointment of the trustees, the 1885
president of the board of education of the city school district 1886
having the largest pupil enrollment shall call a caucus of the 1887
presidents of the aforementioned boards of education at a time 1888
and place designated by such president. At such caucus, the 1889
board presidents or their representatives shall select five 1890
trustees by majority vote of those attending. Not more than two 1891
of such trustees selected shall be employees of any governmental 1892
agency. Of the initial appointments, two shall be for one year 1893
terms, two shall be for two year terms, and one shall be for a 1894
three year term. The successive terms of trustees appointed by 1895
the board presidents or their representatives shall be for three 1896
years. If there is a vacancy, such vacancy shall be filled by 1897
the authority making the original appointment for the balance of 1898
the unexpired term. 1899

(B) If a technical college district embraces territory 1900

other than described in division (A) of this section, nine 1901
trustees shall be appointed. Three trustees shall be appointed 1902
by the governor with the advice and consent of the senate. Not 1903
more than one of such trustees appointed shall be an employee of 1904
a governmental agency. Of the initial appointments, one shall be 1905
for a term ending one year after the date upon which the 1906
technical college district was created, one for a term ending 1907
two years after that date, and one for a term ending three years 1908
after that date. ~~The successive terms of trustees appointed by~~ 1909
~~the governor shall be for three created, one for a term ending~~ 1910
~~two years after that date, and one for a term ending three years~~ 1911
~~after that date.~~ The successive terms of trustees appointed by 1912
the governor shall be for three years for trustees appointed 1913
prior to January 1, 2024, and four years for trustees appointed 1914
on or after that date, with each term ending on the same day of 1915
the same month of the year as did the term which it succeeds. 1916
Six trustees shall be appointed by the presidents or their 1917
representatives of the city and exempted village boards of 1918
education of school districts and the governing boards of 1919
service districts whose territories are embraced in the 1920
technical college district. Prior to the appointment of the 1921
trustees, the president of the board of education of the city 1922
school district having the largest pupil enrollment shall call a 1923
caucus of the presidents of the foregoing boards of education at 1924
a time and place designated by such president. At such caucus, 1925
the board presidents or their representatives shall select six 1926
trustees by majority vote of those attending. Not more than two 1927
of such trustees selected shall be employees of any governmental 1928
agency. Of the initial appointments, two shall be for one year 1929
terms, two shall be for two year terms, and two shall be for 1930
three year terms. The successive terms of trustees appointed by 1931
the board presidents or their representatives shall be for three 1932

years. If there is a vacancy, such vacancy shall be filled by 1933
the authority making the original appointment for the balance of 1934
the unexpired term. 1935

(C) A board of trustees of a technical college district 1936
established prior to November 5, 1965, may, by a resolution 1937
approved by a majority of the members of the board, abolish such 1938
board. Immediately thereafter, a new board shall be appointed 1939
under division (A) of this section, except that the persons 1940
serving on the board at the time of its dissolution shall be 1941
appointed to initial appointments which most nearly coincide in 1942
length with the time remaining in their terms at the time those 1943
terms were terminated under this division. 1944

Sec. 3358.03. The government of a state community college 1945
district is vested in a board of nine trustees who shall be 1946
appointed by the governor with the advice and consent of the 1947
senate. Within ninety days after a state community college 1948
district is created pursuant to section 3358.02 of the Revised 1949
Code, the governor shall make initial appointments to the board. 1950
Of these appointments three shall be for terms ending two years 1951
after the date upon which the district was created, three shall 1952
be for terms ending four years after that date, and three shall 1953
be for terms ending six years after that date. Thereafter, the 1954
successive terms of trustees appointed prior to January 1, 2024, 1955
shall be for six years, each term ending on the same day of the 1956
same month of the year as did the term which it succeeds. For 1957
trustees appointed on or after January 1, 2024, the terms shall 1958
be for four years. Each trustee shall hold office from the date 1959
of appointment until the end of the term for which the trustee 1960
was appointed. Any trustee appointed to fill a vacancy occurring 1961
prior to the expiration of the term for which the trustee's 1962
predecessor was appointed shall hold office for the remainder of 1963

such term. Any trustee shall continue in office subsequent to 1964
the expiration date of the trustee's term until the trustee's 1965
successor takes office, or until a period of sixty days has 1966
elapsed, whichever occurs first. Where a state community college 1967
district succeeds to the operations of a state general and 1968
technical college, or a technical college district, the initial 1969
board of trustees of the district shall be composed of the 1970
members of the board of trustees of the state general and 1971
technical college, or a technical college district, to serve for 1972
the balance of their existing terms, and such additional number 1973
appointed by the governor, with the advice and consent of the 1974
senate, as will total nine members; and the terms of such 1975
members appointed by the governor originally and to all 1976
succeeding terms shall be such that, in combination with the 1977
original remaining terms of the members from the technical 1978
college district, the eventual result will be that three terms 1979
will expire every second year. Appointees shall be qualified 1980
electors of the state. The trustees shall receive no 1981
compensation for their services, but may be paid for their 1982
reasonably necessary expenses while engaged in the discharge of 1983
their official duties. A majority of the board constitutes a 1984
quorum. 1985

Sec. 3359.01. (A) There is hereby created a state 1986
university to be known as "The University of Akron." The 1987
government of the university of Akron is vested in a board of 1988
eleven trustees who shall be appointed by the governor, with the 1989
advice and consent of the senate. Two of the trustees shall be 1990
students at the university of Akron, and their selection and 1991
terms shall be in accordance with division (B) of this section. 1992
~~Except~~ For trustees appointed prior to January 1, 2024, except 1993
for the terms of student members, terms of office shall be for 1994

nine years, commencing on the second day of July and ending on 1995
the first day of July. For trustees appointed on or after 1996
January 1, 2024, except for the terms of student members, terms 1997
of office shall be for four years. Each trustee shall hold 1998
office from the date of appointment until the end of the term 1999
for which the trustee was appointed. Any trustee appointed to 2000
fill a vacancy occurring prior to the expiration of the term for 2001
which the trustee's predecessor was appointed shall hold office 2002
for the remainder of such term. Any trustee shall continue in 2003
office subsequent to the expiration date of the trustee's term 2004
until the trustee's successor takes office, or until a period of 2005
sixty days has elapsed, whichever occurs first. ~~No person who~~ 2006
~~has served a full nine year term or more than six years of such~~ 2007
~~a term shall be eligible for reappointment until a period of~~ 2008
~~four years has elapsed since the last day of the term for which~~ 2009
~~the person previously served.~~ The trustees shall receive no 2010
compensation for their services but shall be paid their 2011
reasonable necessary expenses while engaged in the discharge of 2012
their official duties. A majority of the board constitutes a 2013
quorum. 2014

(B) The student members of the board of trustees of the 2015
university of Akron have no voting power on the board. Student 2016
members shall not be considered as members of the board in 2017
determining whether a quorum is present. Student members shall 2018
not be entitled to attend executive sessions of the board. The 2019
student members of the board shall be appointed by the governor, 2020
with the advice and consent of the senate, from a group of five 2021
candidates selected pursuant to a procedure adopted by the 2022
university's student governments and approved by the 2023
university's board of trustees. The initial term of office of 2024
one of the student members shall commence on July 2, 1988, and 2025

shall expire on July 1, 1989, and the initial term of office of 2026
the other student member shall commence on July 2, 1988, and 2027
expire on July 1, 1990. Thereafter, terms of office of student 2028
members shall be for two years, each term ending on the same day 2029
of the same month of the year as the term it succeeds. In the 2030
event that a student member cannot fulfill a two-year term, a 2031
replacement shall be selected to fill the unexpired term in the 2032
same manner used to make the original selection. 2033

Sec. 3361.01. (A) There is hereby created a state 2034
university to be known as the "university of Cincinnati." The 2035
government of the university of Cincinnati is vested in a board 2036
of eleven trustees who shall be appointed by the governor with 2037
the advice and consent of the senate. Two of the trustees shall 2038
be students at the university of Cincinnati, and their selection 2039
and terms shall be in accordance with division (B) of this 2040
section. The terms of the first nine members of the board of 2041
trustees shall commence upon the effective date of the transfer 2042
of assets of the state-affiliated university of Cincinnati to 2043
the university of Cincinnati hereby created. One of such 2044
trustees shall be appointed for a term ending on the first day 2045
of January occurring at least twelve months after such date of 2046
transfer, and each of the other trustees shall be appointed for 2047
respective terms ending on each succeeding first day of January, 2048
so that one term will expire on each first day of January after 2049
expiration of the shortest term. ~~Except For trustees appointed~~ 2050
prior to January 1, 2024, except for the two student trustees, 2051
each successor trustee shall be appointed for a term ending on 2052
the first day of January, nine years from the expiration date of 2053
the term the trustee succeeds, except that any person appointed 2054
to fill a vacancy shall be appointed to serve only for the 2055
unexpired term. For trustees appointed on or after January 1, 2056

2024, except for the two student trustees, each trustee shall be 2057
appointed for a term ending on the first day of January, four 2058
years from the expiration date of the term the trustee succeeds, 2059
except that any person appointed to fill a vacancy shall be 2060
appointed to serve only for the unexpired term. 2061

Any trustee shall continue in office subsequent to the 2062
expiration date of the trustee's term until the trustee's 2063
successor takes office, or until a period of sixty days has 2064
elapsed, whichever occurs first. 2065

~~No person who has served a full nine-year term or longer~~ 2066
~~or more than six years of such a term shall be eligible to~~ 2067
~~reappointment until a period of four years has elapsed since the~~ 2068
~~last day of the term for which the person previously served.~~ 2069

The trustees shall receive no compensation for their 2070
services but shall be paid their reasonable necessary expenses 2071
while engaged in the discharge of their official duties. A 2072
majority of the board constitutes a quorum. 2073

(B) The student members of the board of trustees of the 2074
university of Cincinnati have no voting power on the board. 2075
Student members shall not be considered as members of the board 2076
in determining whether a quorum is present. Student members 2077
shall not be entitled to attend executive sessions of the board. 2078
The student members of the board shall be appointed by the 2079
governor, with the advice and consent of the senate, from a 2080
group of five candidates selected pursuant to a procedure 2081
adopted by the university's student governments and approved by 2082
the university's board of trustees. The initial term of office 2083
of one of the student members shall commence on May 14, 1988, 2084
and shall expire on May 13, 1989, and the initial term of office 2085
of the other student member shall commence on May 14, 1988, and 2086

expire on May 13, 1990. Thereafter, terms of office of student 2087
members shall be for two years, each term ending on the same day 2088
of the same month of the year as the term it succeeds. In the 2089
event that a student cannot fulfill a two-year term, a 2090
replacement shall be selected to fill the unexpired term in the 2091
same manner used to make the original selection. 2092

Sec. 3362.01. (A) There is hereby created a state 2093
university to be known as "Shawnee state university." The 2094
government of Shawnee state university is vested in a board of 2095
eleven trustees who shall be appointed by the governor with the 2096
advice and consent of the senate. Two of the trustees shall be 2097
students at Shawnee state university, and their selection and 2098
terms shall be in accordance with division (B) of this section. 2099
The remaining trustees shall be appointed as follows: one for a 2100
term of one year, one for a term of two years, one for a term of 2101
three years, one for a term of four years, one for a term of 2102
five years, one for a term of six years, one for a term of seven 2103
years, one for a term of eight years, and one for a term of nine 2104
years. Thereafter, for trustees appointed prior to January 1, 2105
2024, terms shall be for nine years. For trustees appointed on 2106
or after January 1, 2024, terms shall be for four years. All 2107
terms of office shall commence on the first day of July and end 2108
on the thirtieth day of June. 2109

Each trustee shall hold office from the date of 2110
appointment until the end of the term for which the trustee was 2111
appointed. Any trustee appointed to fill a vacancy occurring 2112
prior to the expiration of the term for which the trustee's 2113
predecessor was appointed shall hold office for the remainder of 2114
such term. Any trustee shall continue in office subsequent to 2115
the expiration date of the trustee's term until the trustee's 2116
successor takes office, or until a period of sixty days has 2117

elapsed, whichever occurs first. ~~No person who has served a full-~~ 2118
~~nine-year term or more than six years of such a term shall be-~~ 2119
~~eligible for reappointment until a period of four years has-~~ 2120
~~elapsed since the last day of the term for which the person-~~ 2121
~~previously served.~~ 2122

The trustees shall receive no compensation for their 2123
services but shall be paid their reasonable and necessary 2124
expenses while engaged in the discharge of their official 2125
duties. 2126

A majority of the board constitutes a quorum. 2127

(B) The student members of the board of trustees of 2128
Shawnee state university have no voting power on the board. 2129
Student members shall not be considered as members of the board 2130
in determining whether a quorum is present. Student members 2131
shall not be entitled to attend executive sessions of the board. 2132
The student members of the board shall be appointed by the 2133
governor, with the advice and consent of the senate, from a 2134
group of five candidates selected pursuant to a procedure 2135
adopted by the university's student governments and approved by 2136
the university's board of trustees. The initial term of office 2137
of one of the student members shall commence on July 1, 1988, 2138
and shall expire on June 30, 1989, and the initial term of 2139
office of the other student member shall commence on July 1, 2140
1988, and expire on June 30, 1990. Thereafter, terms of office 2141
of student members shall be for two years, each term ending on 2142
the same day of the same month of the year as the term it 2143
succeeds. In the event a student member cannot fulfill a two- 2144
year term, a replacement shall be selected to fill the unexpired 2145
term in the same manner used to make the original selection. 2146

Sec. 3364.01. (A) The university of Toledo, as authorized 2147

under former Chapter 3360. of the Revised Code, and the medical 2148
university of Ohio at Toledo, as authorized under former 2149
sections 3350.01 to 3350.05 of the Revised Code, shall be 2150
combined as one state university to be known as the "university 2151
of Toledo." 2152

(B) (1) The government of the combined university of Toledo 2153
is vested in a board of trustees which, except as prescribed in 2154
division (B) (2) of this section, shall be appointed by the 2155
governor with the advice and consent of the senate. The initial 2156
board of trustees of the combined university shall be as 2157
prescribed in division (B) (2) of this section. After the 2158
abolishment of offices as prescribed in division (B) (2) (a) of 2159
this section, the board of trustees of the combined university 2160
shall consist of nine voting members, who, if appointed prior to 2161
January 1, 2024, shall serve for terms of nine years, or, if 2162
appointed on or after January 1, 2024, shall serve for terms of 2163
four years, and two nonvoting members, who shall be students of 2164
the combined university and who shall serve for terms of two 2165
years. Terms of office of trustees shall begin on the second day 2166
of July and end on the first day of July. 2167

(2) The initial board of trustees of the combined 2168
university shall consist of seventeen voting members who are the 2169
eight members who made up the board of trustees of the medical 2170
university of Ohio at Toledo prior to May 1, 2006, under former 2171
section 3350.01 of the Revised Code, and whose terms would 2172
expire under that section after May 1, 2006; the eight voting 2173
members who made up the board of trustees of the university of 2174
Toledo, under former section 3360.01 of the Revised Code, and 2175
whose terms would expire under that section after July 1, 2006; 2176
and one additional member appointed by the governor with the 2177
advice and consent of the senate. The terms of office, 2178

abolishment of office, and succession of the voting members of 2179
the initial board shall be as prescribed in division (B) (2) (a) 2180
of this section. The initial board also shall consist of two 2181
nonvoting members who are students of the combined university, 2182
as prescribed in division (B) (2) (b) of this section. 2183

(a) The term of office of the voting member of the initial 2184
board of trustees of the combined university who was not 2185
formerly a member of either the board of trustees of the medical 2186
university of Ohio at Toledo or the board of trustees of the 2187
university of Toledo shall be for nine years, beginning on July 2188
2, 2006, and ending on July 1, 2015. 2189

The terms of office of the sixteen other voting members of 2190
the initial board of trustees shall expire on July 1 of the year 2191
they otherwise would expire under former section 3350.01 or 2192
3360.01 of the Revised Code. 2193

The office of one voting member whose term expires on July 2194
1, 2007, shall be abolished on that date. The governor, with the 2195
advice and consent of the senate, shall appoint a successor to 2196
the office of the other voting member whose term expires on that 2197
date to a nine-year term beginning on July 2, 2007. 2198

The office of one voting member whose term expires on July 2199
1, 2008, shall be abolished on that date. The governor, with the 2200
advice and consent of the senate, shall appoint a successor to 2201
the office of the other voting member whose term expires on that 2202
date to a nine-year term beginning on July 2, 2008. 2203

The office of one voting member whose term expires on July 2204
1, 2009, shall be abolished on that date. The governor, with the 2205
advice and consent of the senate, shall appoint a successor to 2206
the office of the other voting member whose term expires on that 2207

date to a nine-year term beginning on July 2, 2009. 2208

The office of one voting member whose term expires on July 2209
1, 2010, shall be abolished on that date. The governor, with the 2210
advice and consent of the senate, shall appoint a successor to 2211
the office of the other voting member whose term expires on that 2212
date to a nine-year term beginning on July 2, 2010. 2213

The office of one voting member whose term expires on July 2214
1, 2011, shall be abolished on that date. The governor, with the 2215
advice and consent of the senate, shall appoint a successor to 2216
the office of the other voting member whose term expires on that 2217
date to a nine-year term beginning on July 2, 2011. 2218

The office of one voting member whose term expires on July 2219
1, 2012, shall be abolished on that date. The governor, with the 2220
advice and consent of the senate, shall appoint a successor to 2221
the office of the other voting member whose term expires on that 2222
date to a nine-year term beginning on July 2, 2012. 2223

The office of one voting member whose term expires on July 2224
1, 2013, shall be abolished on that date. The governor, with the 2225
advice and consent of the senate, shall appoint a successor to 2226
the office of the other voting member whose term expires on that 2227
date to a nine-year term beginning on July 2, 2013. 2228

The office of one voting member whose term expires on July 2229
1, 2014, shall be abolished on that date. The governor, with the 2230
advice and consent of the senate, shall appoint a successor to 2231
the office of the other voting member whose term expires on that 2232
date to a nine-year term beginning on July 2, 2014. 2233

The governor, with the advice and consent of the senate, 2234
shall appoint a successor to the office of the voting member 2235
whose term expires on July 1, 2015, to a nine-year term 2236

beginning on July 2, 2015. 2237

Thereafter the terms of office of all subsequent voting 2238
members of the board of trustees who are appointed prior to 2239
January 1, 2024, shall be for nine years beginning on the second 2240
day of July and ending on the first day of July. The terms of 2241
office for voting members of the board of trustees who are 2242
appointed on or after January 1, 2024, shall be for four years 2243
beginning on the second day of July and ending on the first day 2244
of July. 2245

(b) One of the student members of the initial board of 2246
trustees shall be the student member of the former university of 2247
Toledo board of trustees, appointed under former section 3360.01 2248
of the Revised Code, whose term would expire under that section 2249
on July 1, 2007. The term of that student member shall expire on 2250
July 1, 2007. The other student member shall be a new appointee, 2251
representing the portion of the combined university that made up 2252
the former medical university of Ohio at Toledo, appointed to a 2253
two-year term beginning on July 2, 2006, and ending on July 1, 2254
2008. That student trustee shall be appointed by the governor, 2255
with the advice and consent of the senate, from a group of three 2256
candidates selected pursuant to a procedure adopted by the 2257
university's student governments and approved by the 2258
university's board of trustees. Thereafter appointment and terms 2259
of office of student members of the board of trustees shall be 2260
as prescribed by division (B)(3) of this section. 2261

(3) The student members of the board of trustees of the 2262
combined university shall be appointed by the governor, with the 2263
advice and consent of the senate, from a group of six candidates 2264
selected pursuant to a procedure adopted by the university's 2265
student governments and approved by the university's board of 2266

trustees. Terms of office of student members shall be for two 2267
years, each term ending on the same day of the same month of the 2268
year as the term it succeeds. In the event that a student member 2269
cannot fulfill a two-year term, a replacement shall be selected 2270
to fill the unexpired term in the same manner used to make the 2271
original selection. 2272

(4) Each trustee shall hold office from the date of 2273
appointment until the end of the term for which the trustee was 2274
appointed. Any trustee appointed to fill a vacancy occurring 2275
prior to the expiration of the term for which the trustee's 2276
predecessor was appointed shall hold office for the remainder of 2277
such term. Any trustee shall continue in office subsequent to 2278
the expiration date of the trustee's term until the trustee's 2279
successor takes office, or until a period of sixty days has 2280
elapsed, whichever occurs first. 2281

~~(5) No person who has served as a voting member of the 2282
board of trustees for a full nine year term or more than six 2283
years of such a term and no person who is a voting member of the 2284
initial board of trustees as prescribed in division (B) (2) (a) of 2285
this section is eligible for reappointment to the board until a 2286
period of four years has elapsed since the last day of the term 2287
for which the person previously served. 2288~~

~~No person who served as a voting member of the board of 2289
trustees of the former university of Toledo, as authorized under 2290
former Chapter 3360. of the Revised Code, for a full nine year 2291
term or more than six years of such a term, and no person who 2292
served on the board of trustees of the former medical university 2293
of Ohio at Toledo, as authorized under former sections 3350.01 2294
to 3350.05 of the Revised Code, for a full nine year term or 2295
more than six years of such a term is eligible for appointment 2296~~

~~to the board of trustees of the combined university until a~~ 2297
~~period of four years has elapsed since the last day of the term~~ 2298
~~for which the person previously served.~~ 2299

(C) The trustees shall receive no compensation for their 2300
services but shall be paid their reasonable necessary expenses 2301
while engaged in the discharge of their official duties. A 2302
majority of the board constitutes a quorum. The student members 2303
of the board have no voting power on the board. Student members 2304
shall not be considered as members of the board in determining 2305
whether a quorum is present. Student members shall not be 2306
entitled to attend executive sessions of the board. 2307

Sec. 4117.14. (A) The procedures contained in this section 2308
govern the settlement of disputes between an exclusive 2309
representative and a public employer concerning the termination 2310
or modification of an existing collective bargaining agreement 2311
or negotiation of a successor agreement, or the negotiation of 2312
an initial collective bargaining agreement. 2313

(B) (1) In those cases where there exists a collective 2314
bargaining agreement, any public employer or exclusive 2315
representative desiring to terminate, modify, or negotiate a 2316
successor collective bargaining agreement shall: 2317

(a) Serve written notice upon the other party of the 2318
proposed termination, modification, or successor agreement. The 2319
party must serve the notice not less than sixty days prior to 2320
the expiration date of the existing agreement or, in the event 2321
the existing collective bargaining agreement does not contain an 2322
expiration date, not less than sixty days prior to the time it 2323
is proposed to make the termination or modifications or to make 2324
effective a successor agreement. 2325

(b) Offer to bargain collectively with the other party for 2326
the purpose of modifying or terminating any existing agreement 2327
or negotiating a successor agreement; 2328

(c) Notify the state employment relations board of the 2329
offer by serving upon the board a copy of the written notice to 2330
the other party and a copy of the existing collective bargaining 2331
agreement. 2332

(2) In the case of initial negotiations between a public 2333
employer and an exclusive representative, where a collective 2334
bargaining agreement has not been in effect between the parties, 2335
any party may serve notice upon the board and the other party 2336
setting forth the names and addresses of the parties and 2337
offering to meet, for a period of ninety days, with the other 2338
party for the purpose of negotiating a collective bargaining 2339
agreement. 2340

If the settlement procedures specified in divisions (B), 2341
(C), and (D) of this section govern the parties, where those 2342
procedures refer to the expiration of a collective bargaining 2343
agreement, it means the expiration of the sixty-day period to 2344
negotiate a collective bargaining agreement referred to in this 2345
subdivision, or in the case of initial negotiations, it means 2346
the ninety-day period referred to in this subdivision. 2347

(3) The parties shall continue in full force and effect 2348
all the terms and conditions of any existing collective 2349
bargaining agreement, without resort to strike or lock-out, for 2350
a period of sixty days after the party gives notice or until the 2351
expiration date of the collective bargaining agreement, 2352
whichever occurs later, or for a period of ninety days where 2353
applicable. 2354

(4) Upon receipt of the notice, the parties shall enter into collective bargaining. 2355
2356

(C) In the event the parties are unable to reach an agreement, they may submit, at any time prior to forty-five days before the expiration date of the collective bargaining agreement, the issues in dispute to any mutually agreed upon dispute settlement procedure which supersedes the procedures contained in this section. 2357
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(1) The procedures may include: 2363

(a) Conventional arbitration of all unsettled issues; 2364

(b) Arbitration confined to a choice between the last offer of each party to the agreement as a single package; 2365
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(c) Arbitration confined to a choice of the last offer of each party to the agreement on each issue submitted; 2367
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(d) The procedures described in division (C) (1) (a), (b), or (c) of this section and including among the choices for the arbitrator, the recommendations of the fact finder, if there are recommendations, either as a single package or on each issue submitted; 2369
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(e) Settlement by a citizens' conciliation council composed of three residents within the jurisdiction of the public employer. The public employer shall select one member and the exclusive representative shall select one member. The two members selected shall select the third member who shall chair the council. If the two members cannot agree upon a third member within five days after their appointments, the board shall appoint the third member. Once appointed, the council shall make a final settlement of the issues submitted to it pursuant to division (G) of this section. 2374
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(f) Any other dispute settlement procedure mutually agreed to by the parties. 2384
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(2) If, fifty days before the expiration date of the collective bargaining agreement, the parties are unable to reach an agreement, any party may request the state employment relations board to intervene. The request shall set forth the names and addresses of the parties, the issues involved, and, if applicable, the expiration date of any agreement. 2386
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The board shall intervene and investigate the dispute to determine whether the parties have engaged in collective bargaining. 2392
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If an impasse exists or forty-five days before the expiration date of the collective bargaining agreement if one exists, the board shall appoint a mediator to assist the parties in the collective bargaining process. 2395
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(3) Any time after the appointment of a mediator, either party may request the appointment of a fact-finding panel. Within fifteen days after receipt of a request for a fact-finding panel, the board shall appoint a fact-finding panel of not more than three members who have been selected by the parties in accordance with rules established by the board, from a list of qualified persons maintained by the board. 2399
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(a) The fact-finding panel shall, in accordance with rules and procedures established by the board that include the regulation of costs and expenses of fact-finding, gather facts and make recommendations for the resolution of the matter. The board shall by its rules require each party to specify in writing the unresolved issues and its position on each issue to the fact-finding panel. The fact-finding panel shall make final 2406
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recommendations as to all the unresolved issues.	2413
(b) The board may continue mediation, order the parties to engage in collective bargaining until the expiration date of the agreement, or both.	2414 2415 2416
(4) The following guidelines apply to fact-finding:	2417
(a) The fact-finding panel may establish times and place of hearings which shall be, where feasible, in the jurisdiction of the state.	2418 2419 2420
(b) The fact-finding panel shall conduct the hearing pursuant to rules established by the board.	2421 2422
(c) Upon request of the fact-finding panel, the board shall issue subpoenas for hearings conducted by the panel.	2423 2424
(d) The fact-finding panel may administer oaths.	2425
(e) The board shall prescribe guidelines for the fact-finding panel to follow in making findings. In making its recommendations, the fact-finding panel shall take into consideration the factors listed in divisions (G) (7) (a) to (f) of this section.	2426 2427 2428 2429 2430
(f) The fact-finding panel may attempt mediation at any time during the fact-finding process. From the time of appointment until the fact-finding panel makes a final recommendation, it shall not discuss the recommendations for settlement of the dispute with parties other than the direct parties to the dispute.	2431 2432 2433 2434 2435 2436
(5) The fact-finding panel, acting by a majority of its members, shall transmit its findings of fact and recommendations on the unresolved issues to the public employer and employee organization involved and to the board no later than fourteen	2437 2438 2439 2440

days after the appointment of the fact-finding panel, unless the parties mutually agree to an extension. The parties shall share the cost of the fact-finding panel in a manner agreed to by the parties.

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

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

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

(1) Public employees, who are ~~members of a police or fire~~

~~department, members of the state highway patrol, deputy~~ 2471
~~sheriffs, dispatchers employed by a police, fire, or sheriff's~~ 2472
~~department or the state highway patrol or civilian dispatchers~~ 2473
~~employed by a public employer other than a police, fire, or~~ 2474
~~sheriff's department to dispatch police, fire, sheriff's~~ 2475
~~department, or emergency medical or rescue personnel and units,~~ 2476
~~an exclusive nurse's unit, employees of the state school for the~~ 2477
~~deaf or the state school for the blind, employees of any public~~ 2478
~~employee retirement system, corrections officers, guards at~~ 2479
~~penal or mental institutions, special police officers appointed~~ 2480
~~in accordance with sections 5119.08 and 5123.13 of the Revised~~ 2481
~~Code, psychiatric attendants employed at mental health forensic~~ 2482
~~facilities, youth leaders employed at juvenile correctional~~ 2483
~~facilities, or members of a law enforcement security force that~~ 2484
~~is established and maintained exclusively by a board of county~~ 2485
~~commissioners and whose members are employed by that~~ 2486
~~board, prohibited from striking under this division shall submit~~ 2487
the matter to a final offer settlement procedure pursuant to a 2488
board order issued forthwith to the parties to settle by a 2489
conciliator selected by the parties. The parties shall request 2490
from the board a list of five qualified conciliators and the 2491
parties shall select a single conciliator from the list by 2492
alternate striking of names. If the parties cannot agree upon a 2493
conciliator within five days after the board order, the board 2494
shall on the sixth day after its order appoint a conciliator 2495
from a list of qualified persons maintained by the board or 2496
shall request a list of qualified conciliators from the American 2497
arbitration association and appoint therefrom. 2498

The following public employees shall not strike: 2499

(a) Members of a police or fire department; 2500

<u>(b) Members of the state highway patrol;</u>	2501
<u>(c) Deputy sheriffs;</u>	2502
<u>(d) Dispatchers employed by a police, fire, or sheriff's</u>	2503
<u>department or the state highway patrol or civilian dispatchers</u>	2504
<u>employed by a public employer other than a police, fire, or</u>	2505
<u>sheriff's department to dispatch police, fire, sheriff's</u>	2506
<u>department, or emergency medical or rescue personnel and units;</u>	2507
<u>(e) Members of an exclusive nurse's unit;</u>	2508
<u>(f) Employees of the state school for the deaf or the</u>	2509
<u>state school for the blind;</u>	2510
<u>(g) Employees of any public employee retirement system;</u>	2511
<u>(h) Corrections officers;</u>	2512
<u>(i) Guards at penal or mental institutions;</u>	2513
<u>(j) Special police officers appointed in accordance with</u>	2514
<u>sections 5119.08 and 5123.13 of the Revised Code;</u>	2515
<u>(k) Psychiatric attendants employed at mental health</u>	2516
<u>forensic facilities;</u>	2517
<u>(l) Youth leaders employed at juvenile correctional</u>	2518
<u>facilities;</u>	2519
<u>(m) Members of a law enforcement security force that is</u>	2520
<u>established and maintained exclusively by a board of county</u>	2521
<u>commissioners and whose members are employed by that board;</u>	2522
<u>(n) Employees of any state institution of higher</u>	2523
<u>education.</u>	2524
(2) Public employees other than those listed in division	2525
(D) (1) of this section have the right to strike under Chapter	2526

4117. of the Revised Code provided that the employee 2527
organization representing the employees has given a ten-day 2528
prior written notice of an intent to strike to the public 2529
employer and to the board, and further provided that the strike 2530
is for full, consecutive work days and the beginning date of the 2531
strike is at least ten work days after the ending date of the 2532
most recent prior strike involving the same bargaining unit; 2533
however, the board, at its discretion, may attempt mediation at 2534
any time. 2535

(E) Nothing in this section shall be construed to prohibit 2536
the parties, at any time, from voluntarily agreeing to submit 2537
any or all of the issues in dispute to any other alternative 2538
dispute settlement procedure. An agreement or statutory 2539
requirement to arbitrate or to settle a dispute pursuant to a 2540
final offer settlement procedure and the award issued in 2541
accordance with the agreement or statutory requirement is 2542
enforceable in the same manner as specified in division (B) of 2543
section 4117.09 of the Revised Code. 2544

(F) Nothing in this section shall be construed to prohibit 2545
a party from seeking enforcement of a collective bargaining 2546
agreement or a conciliator's award as specified in division (B) 2547
of section 4117.09 of the Revised Code. 2548

(G) The following guidelines apply to final offer 2549
settlement proceedings under division (D)(1) of this section: 2550

(1) The parties shall submit to final offer settlement 2551
those issues that are subject to collective bargaining as 2552
provided by section 4117.08 of the Revised Code and upon which 2553
the parties have not reached agreement and other matters 2554
mutually agreed to by the public employer and the exclusive 2555
representative; except that the conciliator may attempt 2556

mediation at any time. 2557

(2) The conciliator shall hold a hearing within thirty 2558
days of the board's order to submit to a final offer settlement 2559
procedure, or as soon thereafter as is practicable. 2560

(3) The conciliator shall conduct the hearing pursuant to 2561
rules developed by the board. The conciliator shall establish 2562
the hearing time and place, but it shall be, where feasible, 2563
within the jurisdiction of the state. Not later than five 2564
calendar days before the hearing, each of the parties shall 2565
submit to the conciliator, to the opposing party, and to the 2566
board, a written report summarizing the unresolved issues, the 2567
party's final offer as to the issues, and the rationale for that 2568
position. 2569

(4) Upon the request by the conciliator, the board shall 2570
issue subpoenas for the hearing. 2571

(5) The conciliator may administer oaths. 2572

(6) The conciliator shall hear testimony from the parties 2573
and provide for a written record to be made of all statements at 2574
the hearing. The board shall submit for inclusion in the record 2575
and for consideration by the conciliator the written report and 2576
recommendation of the fact-finders. 2577

(7) After hearing, the conciliator shall resolve the 2578
dispute between the parties by selecting, on an issue-by-issue 2579
basis, from between each of the party's final settlement offers, 2580
taking into consideration the following: 2581

(a) Past collectively bargained agreements, if any, 2582
between the parties; 2583

(b) Comparison of the issues submitted to final offer 2584

settlement relative to the employees in the bargaining unit	2585
involved with those issues related to other public and private	2586
employees doing comparable work, giving consideration to factors	2587
peculiar to the area and classification involved;	2588
(c) The interests and welfare of the public, the ability	2589
of the public employer to finance and administer the issues	2590
proposed, and the effect of the adjustments on the normal	2591
standard of public service;	2592
(d) The lawful authority of the public employer;	2593
(e) The stipulations of the parties;	2594
(f) Such other factors, not confined to those listed in	2595
this section, which are normally or traditionally taken into	2596
consideration in the determination of the issues submitted to	2597
final offer settlement through voluntary collective bargaining,	2598
mediation, fact-finding, or other impasse resolution procedures	2599
in the public service or in private employment.	2600
(8) Final offer settlement awards made under Chapter 4117.	2601
of the Revised Code are subject to Chapter 2711. of the Revised	2602
Code.	2603
(9) If more than one conciliator is used, the	2604
determination must be by majority vote.	2605
(10) The conciliator shall make written findings of fact	2606
and promulgate a written opinion and order upon the issues	2607
presented to the conciliator, and upon the record made before	2608
the conciliator and shall mail or otherwise deliver a true copy	2609
thereof to the parties and the board.	2610
(11) Increases in rates of compensation and other matters	2611
with cost implications awarded by the conciliator may be	2612

effective only at the start of the fiscal year next commencing 2613
after the date of the final offer settlement award; provided 2614
that if a new fiscal year has commenced since the issuance of 2615
the board order to submit to a final offer settlement procedure, 2616
the awarded increases may be retroactive to the commencement of 2617
the new fiscal year. The parties may, at any time, amend or 2618
modify a conciliator's award or order by mutual agreement. 2619

(12) The parties shall bear equally the cost of the final 2620
offer settlement procedure. 2621

(13) Conciliators appointed pursuant to this section shall 2622
be residents of the state. 2623

(H) All final offer settlement awards and orders of the 2624
conciliator made pursuant to Chapter 4117. of the Revised Code 2625
are subject to review by the court of common pleas having 2626
jurisdiction over the public employer as provided in Chapter 2627
2711. of the Revised Code. If the public employer is located in 2628
more than one court of common pleas district, the court of 2629
common pleas in which the principal office of the chief 2630
executive is located has jurisdiction. 2631

(I) The issuance of a final offer settlement award 2632
constitutes a binding mandate to the public employer and the 2633
exclusive representative to take whatever actions are necessary 2634
to implement the award. 2635

Sec. 4117.15. (A) Whenever a strike by ~~members of a police~~ 2636
~~or fire department, members of the state highway patrol, deputy~~ 2637
~~sheriffs, dispatchers employed by a police, fire, or sheriff's~~ 2638
~~department or the state highway patrol or civilian dispatchers~~ 2639
~~employed by a public employer other than a police, fire, or~~ 2640
~~sheriff's department to dispatch police, fire, sheriff's~~ 2641

~~department, or emergency medical or rescue personnel and units,~~ 2642
~~an exclusive nurse's unit, employees of the state school for the~~ 2643
~~deaf or the state school for the blind, employees of any public~~ 2644
~~employee retirement system, correction officers, guards at penal~~ 2645
~~or mental institutions, or special police officers appointed in~~ 2646
~~accordance with sections 5119.08 and 5123.13 of the Revised~~ 2647
~~Code, psychiatric attendants employed at mental health forensic~~ 2648
~~facilities, youth leaders employed at juvenile correctional~~ 2649
~~facilities, or members of a law enforcement security force that~~ 2650
~~is established and maintained exclusively by a board of county~~ 2651
~~commissioners and whose members are employed by that board~~ 2652
employees who are prohibited from striking under division (D) (1) 2653
of section 4117.14 of the Revised Code, a strike by other public 2654
employees during the pendency of the settlement procedures set 2655
forth in section 4117.14 of the Revised Code, or a strike during 2656
the term or extended term of a collective bargaining agreement 2657
occurs, the public employer may seek an injunction against the 2658
strike in the court of common pleas of the county in which the 2659
strike is located. 2660

(B) An unfair labor practice by a public employer is not a 2661
defense to the injunction proceeding noted in division (A) of 2662
this section. Allegations of unfair labor practices during the 2663
settlement procedures set forth in section 4117.14 of the 2664
Revised Code shall receive priority by the state employment 2665
relations board. 2666

(C) No public employee is entitled to pay or compensation 2667
from the public employer for the period engaged in any strike. 2668

Sec. 5813.06. (A) Nothing in sections 5813.01 to 5813.05 2669
of the Revised Code affects the construction or interpretation 2670
of sections 1715.51 to 1715.59 of the Revised Code relating to 2671

the uniform prudent management of institutional funds act. 2672
Specifically, neither the percentage set forth in division (B) 2673
of section 5813.02 of the Revised Code nor the amount actually 2674
requested by a governing board pursuant to that section shall be 2675
construed or interpreted to limit or expand what is a prudent 2676
amount that can be expended by a governing board of an 2677
institution under sections 1715.51 to 1715.59 of the Revised 2678
Code. 2679

(B) If an institutional trust fund is also an 2680
institutional fund as defined in division ~~(C)~~ (D) of section 2681
1715.51 of the Revised Code with the result that sections 2682
1715.51 to 1715.59 of the Revised Code also are applicable to 2683
the institutional trust fund, then sections 1715.51 to 1715.59 2684
of the Revised Code apply to the institutional trust fund, and 2685
sections 5813.01 to 5813.07 of the Revised Code do not apply to 2686
the institutional trust fund. 2687

Section 2. That existing sections 3335.02, 3337.01, 2688
3339.01, 3341.02, 3343.02, 3344.01, 3345.45, 3350.10, 3352.01, 2689
3354.05, 3354.24, 3356.01, 3357.022, 3357.05, 3358.03, 3359.01, 2690
3361.01, 3362.01, 3364.01, 4117.14, 4117.15, and 5813.06 of the 2691
Revised Code are hereby repealed. 2692

Section 3. That section 3333.045 of the Revised Code is 2693
hereby repealed. 2694

Section 4. The amendment or enactment by this act of 2695
sections 3345.45, 3345.451, 3345.452, 3345.453, 3345.454, and 2696
3345.455 of the Revised Code take effect July 1, 2024. 2697

Section 5. The Department of Higher Education shall 2698
conduct a feasibility study about implementing bachelors degree 2699
programs that require three years to complete in this state. The 2700

study shall investigate a variety of fields of study and 2701
determine the feasibility of reducing specific course 2702
requirements, quantity of electives, and total credit hours 2703
required for graduation. However, the study shall not include 2704
the use of College Credit Plus or any other current programs 2705
used to accelerate degree programs. Finally, the study shall 2706
present and evaluate potential issues related to accreditation. 2707

Not later than one year after the effective date of this 2708
section, the Department shall submit to the General Assembly, in 2709
accordance with section 101.68 of the Revised Code, a report 2710
about the study's findings. 2711

Section 6. This act shall be known as The Ohio Higher 2712
Education Enhancement Act. 2713