

OEA Senate Bill 1 “The Advance Ohio Higher Education Act” Bill Summary

Status: Introduced on January 22, 2025. Primary sponsor is Senator Jerry Cirino (R-Kirtland) and the bill also has 13 co-sponsors. SB 1 has been referred to the Senate Workforce and Higher Education Committee.

Strike Prohibition

- Prohibits full-time faculty at any state institutions of higher education from striking.

Collective Bargaining Prohibitions

- Prohibits collective bargaining over faculty evaluations, tenure, and retrenchment.

Mission Statements

- Requires state institutions of higher education to incorporate the following statements into their mission statements:
 - The institution affirms that it will educate students by means of free, open, and rigorous intellectual inquiry to seek the truth.
 - The institution affirms that its duty is to equip students with the intellectual skills they need to reach their own informed conclusions on matters of social and political importance.
 - The institution affirms that its duty is to not require, favor, disfavor, or prohibit speech or lawful assembly.
 - The institution affirms it is committed to create a community dedicated to an ethic of civil and free inquiry, which respects the autonomy of each member, supports individual capacities for growth, and tolerates the differences in opinion that naturally occur in a public higher education community.
 - The institution affirms that its duty is to treat all faculty, staff, and students as individuals, to hold them to equal standards, and to provide them equality of opportunity.
- Requires state institutions of higher education to include the statement of commitment on all institutional documents and prominently post the statement on its publicly accessible website.

Prohibits Discrimination Based on “Membership”

- Requires institutions to affirm and guarantee that all students, faculty, and staff are to be held to equal standards and provided equality of opportunity and will not discriminate based on membership groups such as race, ethnicity, religion, sex, sexual orientation, gender identity, or gender expression.
- Prohibits advantaging or disadvantaging faculty, staff, or students based on race, ethnicity, religion, sex, sexual orientation, gender identity, or gender expression in admissions, hiring, promotion, tenure, or workplace conditions.

- Prohibits training on concepts related to being advantaged or disadvantaged based on race and sex.
- Prohibits hiring employees to provide instruction on these concepts.
- Requires institutions to implement a range of disciplinary sanctions for anyone who authorizes or engages in such training.
- Requires institutions to issue an annual report regarding violations and associated sanctions, as well as 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. Requires institutions to publish the report on their website, available through the main page by no more than three links.
- Prohibits policies designed explicitly to segregate faculty, staff, or students by group identities such as race, sex, gender identity, or gender expression in credit earning classroom settings, formal orientation ceremonies, and formal graduation ceremonies.
- Requires each higher education institution to respond to complaints from any student, student group, or faculty member about an alleged violation of the prohibitions above.

Intellectual Diversity and Controversial Matters/Specified Concepts at Public Institutions

- Defines intellectual diversity as “multiple, divergent, and varied perspectives on an extensive range of public policy issues.”
- Defines controversial belief or policy as “any belief or policy that is the subject of political controversy, including issues such as climate policies, electoral politics, foreign policy, diversity, equity, and inclusion programs, immigration policy, marriage, or abortion.”
- Requires state institutions, within 90 days of the bill’s effective date, to adopt and enforce a policy requiring the institution to prohibit mandatory diversity, equity, and inclusion (DEI) programs/trainings; prohibit the continuation of existing DEI offices and departments; prohibit the use of DEI in job descriptions; prohibit contracting with consultants whose role would be to promote admissions, hiring, or promotion on the basis of race, ethnicity, religion, sex, sexual orientation, gender identity or gender expression; and prohibit the establishment of any scholarships that use DEI in any manner.
- Allows a state institution of higher education to request a written exception to the chancellor of higher education if they are unable to comply with the prohibitions outlined above for research grant eligibility. The above prohibitions do not apply to agreements or contracts regarding any research grants entered prior to the effective date of the bill but do apply to renewals of these grants.
- Affirm and guarantee that its primary function is to practice, or support the practice, discovery, improvement, transmission, and dissemination of knowledge and citizenship by means of research, teaching, discussion, and debate; that it will ensure intellectual

diversity; affirm and guarantee that faculty and staff will allow and encourage students to form their own conclusions about “controversial matters” and shall not seek to indoctrinate any social, religious, or political viewpoint; demonstrate intellectual diversity for course approval, student course evaluations, common reading programs, annual reviews, strategic goals for each department, and student learning outcomes. These requirements do not apply to professional judgment about how to accomplish intellectual diversity within an academic discipline.

- Declare that the institution will not endorse or oppose any controversial belief or policy, except on matters that directly impact the institution’s funding or mission of discovery, improvement, and dissemination of knowledge. This does not include the recognition of national and state holidays, support for the Constitution and laws of the United States or Ohio or display of the American or Ohio flags.
- Affirm and declare that the state institution of higher education will not encourage, discourage, require, or forbid students, faculty, or administrators to endorse or publicly express a given ideology, political stance, or view of a social policy nor will the institution require students to do these things to obtain a degree. These requirements do not apply to the exercise of professional judgment about endorsing consensus or foundational beliefs of an academic discipline.
- Prohibits political and ideological litmus tests in hiring and promotion, including use of diversity statements, and prohibits institutions from requiring students, faculty, and administrators from being forced to assent to an ideology for purposes of hiring, promotion, or admissions.
- The policy must affirm and guarantee diverse ideological or political views in invited speakers. Requires the college or university to post prominently on its website a complete list of all speaker fees more than \$500.
- Requires the state institution of higher education to respond to all complaints from any student, student group or faculty members about an alleged violation of the policy.
- Does not prohibit faculty or students from classroom instruction, discussion, or debate, so long as faculty members remain committed to expressing intellectual diversity and allowing it to be expressed.
- Allows the Ohio General Assembly (OGA) to withhold or reduce state operating payments, capital improvement funds, or other state appropriations if the OGA determines that the institution of higher education has failed to comply with the bill’s requirements related to the policy on DEI, intellectual diversity, or other concepts.
- Requires institutions to inform all students and employees of the protections under these policies.
- Requires institutions to issue a report on “intellectual diversity rights,” and requires the Chancellor to post the report on ODHE’s website.

Student and Peer Evaluations of Faculty

- Requires the Chancellor of the Ohio Department of Higher Education to develop a minimum set of standard questions for state institutions to use in student evaluation of faculty. The following question is required: *"Does the faculty member create a classroom atmosphere free of political, racial, gender, and religious bias?"*
- Requires institutions to establish a written system of faculty evaluations by students with a focus on teaching effectiveness and student learning.
- Requires each institution to establish a written peer evaluation system for faculty with emphasis on professional development regarding teaching responsibilities.

Faculty Annual Performance Evaluation

- Requires boards of trustees to adopt a faculty annual performance policy, submit it to the Chancellor, and update the policy every five years. Each policy must contain an appeals process for faculty to appeal the final evaluation.
- Each annual faculty evaluation is to include standardized, objective, and measurable performance metrics covering teaching, research, service, clinical care, administration, and other categories determined by the institution.
- The evaluation summaries must include the parameters: "exceeds performance expectations," "meets performance expectations," or "does not meet performance expectations."
- Student evaluations in the above-mentioned section must account for at least 25% of the teaching area evaluation component.
- The evaluation establishes a projected work effort distribution for the faculty member for the following year which shall be used during the next year's evaluation.
- Evaluations shall be conducted by the department chairperson or equivalent administrator, reviewed and approved or disapproved by the dean, and submitted to the provost for review. If there is disagreement between the chairperson and dean, the provost shall have final decision authority.

Post-Tenure Review

- Requires boards of trustees to adopt a post-tenure review (PTR) policy, submit it to the Chancellor, and update the policy every five years.
- Requires institutions to conduct a PTR 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 under the above-mentioned annual performance evaluation policy.
- Requires institutions to conduct an additional PTR on a faculty member who maintains tenure after a previous review that received an additional "does not meet performance expectations" assessment on any area of the faculty member's annual performance evaluation in the subsequent two years.

- Allows department chair, dean, or provost to call for immediate PTR for cause on 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.
- The PTR due process should not exceed six months, but the institution's president can grant a one-time, two-month extension.
- Requires a provost to submit a recommended outcome of the PTR process to the academic affairs committee of the board of trustees. The administrative action may include censure, remedial training, or for-cause termination, regardless of tenure status, and any other action permitted by the institution's post-tenure review policy.

Faculty Workload

- Requires each state institution of higher education to update its faculty workload policy, have it approved by the board of trustees, and submit it to the Chancellor at least once every five years.
- The institution's workload policy must contain the following elements: credit-hour-based teaching workload expectation; definition of all faculty workload elements in terms of credit hours with a full-time 12-month workload minimum equal to 30 credit hours; faculty not on 12-month appointments will have workload prorated based on 30 credit hour formula; definition of justifiable credit hour equivalents for activities other than teaching, including research, service and administration; administrative action (including termination) that an institution may take if a faculty member fails to comply with the policy.

Community College Syllabi Requirements

- Requires course instructors to include all the following their syllabi including instructor name, course calendar (including details of when topics will be covered), required and recommended readings, and instructor qualifications.
- Allows community colleges to have a general syllabus for purposes of meeting public posting requirements.

University Syllabi Requirements

- Requires syllabi to contain the following: instructor's name and professional qualification information, description of course requirements and major assignments/exams, required and recommended reading, description of each lecture or discussion.
- Requires universities to make public the syllabus for each undergraduate course, accessible through the main page of the institution's website by use of no more than three links.

- Requires institutions to designate an administrator to implement these responsibilities.
- Requires institutions of higher education to submit a report to the chancellor detailing its compliance with these requirements.

Degree Elimination

- Requires each higher education institution to eliminate any undergraduate degree program it offers if the institution confers an average of fewer than five degrees in that program annually over any three-year period.
- Allows the Chancellor to grant a waiver for which this division applies.

Requires 3-credit American Civic Literacy Course

- Requires beginning with students who graduate in the 2029-2030 academic year, to have three credit hours in American government or American history. The course requires students to read the Constitution, Declaration of Independence, at least five essays from the Federalist Papers (chosen by department chair), the Emancipation Proclamation, the Gettysburg Address, the Letter from Birmingham Jail by Dr. Martin Luther King, Jr., and writings of Adam Smith including the principles outlined in the Wealth of Nations.
- Requires students to pass a cumulative final exam.
- Requires the Chancellor to review and approve course plan.

Five-Year Annual Costs Submission Requirement

- For each state operating budget and capital budget, requires state institutions of higher education to submit to the Chancellor a five-year summary of its institutional costs (instructional, staff, maintenance, operating, etc.) to be considered by the General Assembly during the budget process.
- Requires reporting on DEI spending and tallies of faculty, staff, and administration. The Chancellor is to present this cumulative information (separating universities and community colleges) to the General Assembly.

Prohibitions on Academic Relationships with China

- Prohibits institutions from accepting gifts, donations, or contributions from the People's Republic of China or any organization or individual who may be acting on behalf of the People's Republic of China, including a student or a student's family member.

Educational Programs for Boards of Trustees

- Requires the Chancellor, in consultation with institutions and boards of trustees, to develop and annually deliver educational programs (e.g., role, duties, responsibilities,

current higher education issues) to boards of trustees. Requires new trustees to participate in a program at least once in their first two years on a board.

Three-Year Bachelor's Degree Feasibility Study

- Requires the Ohio Department of Higher Education to conduct a study that investigates reducing requirements in a variety of fields of study to see if programs can be shortened to three years without impacting accreditation. CCP and other existing acceleration programs are not to be considered.