

As Introduced

136th General Assembly

Regular Session

2025-2026

S. B. No. 1

Senator Cirino

**Cosponsors: Senators Brenner, Chavez, Cutrona, Johnson, Koehler, Lang,
Manchester, O'Brien, Reineke, Roegner, Romanchuk, Schaffer, Wilkin**

A BILL

To amend sections 3335.02, 3335.09, 3337.01, 1
3339.01, 3341.02, 3343.02, 3344.01, 3345.45, 2
3350.10, 3352.01, 3356.01, 3359.01, 3361.01, 3
3362.01, 3364.01, 4117.14, and 4117.15; to enact 4
new section 3333.045 and sections 3345.029, 5
3345.0216, 3345.0217, 3345.0218, 3345.0219, 6
3345.382, 3345.451, 3345.452, 3345.453, 7
3345.454, 3345.455, 3345.456, 3345.591, 3345.80, 8
and 3345.88; and to repeal section 3333.045 of 9
the Revised Code to enact the Advance Ohio 10
Higher Education Act regarding the operation of 11
state institutions of higher education. 12

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

Section 1. That sections 3335.02, 3335.09, 3337.01, 13
3339.01, 3341.02, 3343.02, 3344.01, 3345.45, 3350.10, 3352.01, 14
3356.01, 3359.01, 3361.01, 3362.01, 3364.01, 4117.14, and 15
4117.15 be amended and new section 3333.045 and sections 16
3345.029, 3345.0216, 3345.0217, 3345.0218, 3345.0219, 3345.382, 17
3345.451, 3345.452, 3345.453, 3345.454, 3345.455, 3345.456, 18

3345.591, 3345.80, and 3345.88 of the Revised Code be enacted to 19
read as follows: 20

Sec. 3333.045. As used in this section, "state institution 21
of higher education" has the same meaning as in section 3345.011 22
of the Revised Code. 23

The chancellor of higher education, in consultation with 24
state institutions of higher education and members of their 25
boards of trustees, shall develop and annually deliver 26
educational programs for members of a board of trustees of each 27
state institution. The chancellor may deliver the programs 28
virtually and may offer the programs periodically throughout 29
each year. New members of a board of trustees shall participate 30
in the programs at least once in their first two years in 31
office. Current members of a board of trustees shall participate 32
in continuing trustee training at levels to be determined by the 33
chancellor. 34

The educational programs shall be designed to address the 35
role, duties, and responsibilities of a member of a board of 36
trustees and may include in-service programs on current issues 37
in higher education. In developing the educational programs, the 38
chancellor may consider similar programs offered in other states 39
or through a recognized trustee group. 40

The educational programs shall include presentations and 41
content related to all of the following: 42

(A) Each board member's duty to the state of Ohio; 43

(B) The committee structure and function of a board of 44
trustees; 45

(C) The duties of the executive committee of a board of 46
trustees; 47

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| <u>(D) Professional accounting and reporting standards;</u> | 48 |
| <u>(E) Methods for meeting the statutory, regulatory, and fiduciary obligations of a board of trustees;</u> | 49 50 |
| <u>(F) The requirements of the public records law;</u> | 51 |
| <u>(G) Institutional ethics and conflicts of interest;</u> | 52 |
| <u>(H) Creating and implementing institution-wide rules and regulations;</u> | 53 54 |
| <u>(I) Business operations, administration, budgeting, financing, financial reporting, and financial reserves, including a segment on endowment management;</u> | 55 56 57 |
| <u>(J) Fixing student general and instructional fees, and other necessary charges, including a review of student debt trends;</u> | 58 59 60 |
| <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> | 61 62 63 64 65 |
| <u>(L) Workforce planning, strategy, and investment;</u> | 66 |
| <u>(M) Institutional advancement, including philanthropic giving, fundraising initiatives, alumni programming, communications and media, government and public relations, and community affairs;</u> | 67 68 69 70 |
| <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> | 71 72 73 74 |

(O) Current national and state issues in higher education; 75
(P) Future national and state issues in higher education; 76
(Q) State and federal anti-discrimination laws and a state 77
institution's obligations under sections 3345.0217, 3345.0218, 78
and 3345.88 of the Revised Code. 79

Sec. 3335.02. (A) The government of the Ohio state 80
university shall be vested in a board of fourteen trustees in 81
2005, and seventeen trustees beginning in 2006, who shall be 82
appointed by the governor, with the advice and consent of the 83
senate. Two of the seventeen trustees shall be students at the 84
Ohio state university, and their selection and terms shall be in 85
accordance with division (B) of this section. ~~Except~~ 86

(1) For trustees appointed prior to July 1, 2025, except 87
as provided in division ~~(D)~~(C) of this section and except for 88
the terms of student members, terms of office shall be for nine 89
years, commencing on the fourteenth day of May and ending on the 90
thirteenth day of May. 91

(2) For trustees appointed on or after July 1, 2025, 92
except for the terms of student members, terms of office shall 93
be for six years, commencing on the fourteenth day of May and 94
ending on the thirteenth day of May. 95

Each trustee shall hold office from the date of 96
appointment until the end of the term for which the trustee was 97
appointed. Any trustee appointed to fill a vacancy occurring 98
prior to the expiration of the term for which the trustee's 99
predecessor was appointed shall hold office for the remainder of 100
such term. Any trustee shall continue in office subsequent to 101
the expiration date of the trustee's term until the trustee's 102
successor takes office, or until a period of sixty days has 103

elapsed, whichever occurs first. ~~No person who has served a full~~ 104
~~nine-year term or more than six years of such a term shall be~~ 105
~~eligible for reappointment until a period of four years has~~ 106
~~elapsed since the last day of the term for which the person~~ 107
~~previously served.~~ The trustees shall not receive compensation 108
for their services, but shall be paid their reasonable necessary 109
expenses while engaged in the discharge of their official 110
duties. 111

(B) The student members of the board of trustees of the 112
Ohio state university shall be students at the Ohio state 113
university. ~~Unless student members have been granted voting~~ 114
~~power under division (C) of this section, they~~ Student members 115
shall have no voting power on the board, shall not be considered 116
as members of the board in determining whether a quorum is 117
present, and shall not be entitled to attend executive sessions 118
of the board. The student members of the board shall be 119
appointed by the governor, with the advice and consent of the 120
senate, from a group of five candidates selected pursuant to a 121
procedure adopted by the university's student governments and 122
approved by the university's board of trustees. The initial term 123
of office of one of the student members shall commence on May 124
14, 1988, and shall expire on May 13, 1989, and the initial term 125
of office of the other student member shall commence on May 14, 126
1988, and expire on May 13, 1990. Thereafter, terms of office of 127
student members shall be for two years, each term ending on the 128
same day of the same month of the year as the term it succeeds. 129
In the event a student member cannot fulfill a two-year term, a 130
replacement shall be selected to fill the unexpired term in the 131
same manner used to make the original selection. 132

~~(C) Not later than ninety days after the effective date of~~ 133
~~this amendment, the board of trustees shall adopt a resolution~~ 134

~~that does one of the following:~~ 135

~~(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.~~ 136
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~~(2) Declares that student members do not have voting power on the board.~~ 141
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~~Thereafter, the board may change the voting status of student trustees by adopting a subsequent resolution. Each resolution adopted under this division shall take effect on the fourteenth day of May following the adoption of the resolution. All members with voting power at the time of the adoption of a resolution may vote on the resolution.~~ 143
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~~If student members are granted voting power under this division, no student shall be disqualified from membership on the board of trustees because the student receives a scholarship, grant, loan, or any other financial assistance payable out of the state treasury or a university fund, or because the student is employed by the university in a position pursuant to a work-study program or other student employment, including as a graduate teaching assistant, graduate administrative assistant, or graduate research assistant, the compensation for which is payable out of the state treasury or a university fund.~~ 149
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~~Acceptance of such financial assistance or employment by a student trustee shall not be considered a violation of Chapter 102. or section 2921.42 or 2921.43 of the Revised Code.~~ 160
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~~(D) (1) (C) (1)~~ The initial terms of office for the three 163

additional trustees appointed in 2005 shall commence on a date 164
in 2005 that is selected by the governor with one term of office 165
expiring on May 13, 2009, one term of office expiring on May 13, 166
2010, and one term of office expiring on May 13, 2011, as 167
designated by the governor upon appointment. Thereafter terms of 168
office for trustees appointed prior to July 1, 2025, shall be 169
for nine years, as provided in division ~~(A)~~ (A) (1) of this 170
section. Terms of office for trustees appointed on or after July 171
1, 2025, shall be for six years, as provided in division (A) (2) 172
of this section. 173

(2) The initial terms of office for the three additional 174
trustees appointed in 2006 shall commence on May 14, 2006, with 175
one term of office expiring on May 13, 2012, one term of office 176
expiring on May 13, 2013, and one term of office expiring on May 177
13, 2014, as designated by the governor upon appointment. 178
Thereafter terms of office for trustees appointed prior to July 179
1, 2025, shall be for nine years, as provided in division ~~(A)~~ 180
(A) (1) of this section. Terms of office for trustees appointed 181
on or after July 1, 2025, shall be for six years, as provided in 182
division (A) (2) of this section. 183

Sec. 3335.09. The board of trustees of the Ohio state 184
university shall elect, fix the compensation of, and remove, the 185
president and such number of professors, teachers, and other 186
employees as are necessary. ~~Except as provided under division~~ 187
~~(C) of section 3335.02 of the Revised Code, no~~ No trustee, or 188
relative of a trustee by blood or marriage, shall be eligible to 189
a professorship or position in the university, the compensation 190
for which is payable out of the state treasury or a university 191
fund. The board shall fix and regulate the course of instruction 192
and prescribe the extent and character of experiments to be made 193
at the university. 194

Sec. 3337.01. (A) The body politic and corporate by the 195
name and style of "The President and Trustees of the Ohio 196
University" now in the university instituted and established in 197
Athens by the name and style of "The Ohio University" shall 198
consist of a board of trustees composed of eleven members, who 199
shall be appointed by the governor, with the advice and consent 200
of the senate. At least five of the trustees who are not 201
students shall be graduates of Ohio university. Two of the 202
trustees shall be students at Ohio university, and their 203
selection and terms shall be in accordance with division (B) of 204
this section. A majority of the board constitutes a quorum. 205
~~Except for trustees appointed prior to July 1, 2025, except for~~ 206
the terms of student members, terms of office shall be for nine 207
years, commencing on the fourteenth day of May and ending on the 208
thirteenth day of May, except that upon expiration of the term 209
ending on May 14, 1978, the new term which succeeds it shall 210
commence on May 15, 1978, and end on May 13, 1987. For trustees 211
appointed on or after July 1, 2025, except for the terms of 212
student members, terms of office shall be for six years, 213
commencing on the fourteenth day of May and ending on the 214
thirteenth day of May. Each member shall hold office from the 215
date of appointment until the end of the term for which the 216
member was appointed. Any member appointed to fill a vacancy 217
occurring prior to the expiration of the term for which the 218
member's predecessor was appointed shall hold office for the 219
remainder of such term. Any member shall continue in office 220
subsequent to the expiration date of the member's term until the 221
member's successor takes office, or until a period of sixty days 222
has elapsed, whichever occurs first. ~~No person who has served a~~ 223
~~full nine year term or more than six years of such a term shall~~ 224
~~be eligible for reappointment until a period of four years has~~ 225
~~elapsed since the last day of the term for which the person~~ 226

~~previously served.~~ Such trustees shall receive no compensation 227
for their services, but shall be paid their actual and necessary 228
expenses while engaged in the discharge of their official 229
duties. 230

(B) The student members of the board of trustees of the 231
Ohio university have no voting power on the board. Student 232
members shall not be considered as members of the board in 233
determining whether a quorum is present. Student members shall 234
not be entitled to attend executive sessions of the board. The 235
student members of the board shall be appointed by the governor, 236
with the advice and consent of the senate, from a group of five 237
candidates selected pursuant to a procedure adopted by the 238
university's student governments and approved by the 239
university's board of trustees. The initial term of office of 240
one of the student members shall commence on May 14, 1988, and 241
shall expire on May 13, 1989, and the initial term of office of 242
the other student member shall commence on May 14, 1988, and 243
expire on May 13, 1990. Thereafter, terms of office of student 244
members shall be for two years, each term ending on the same day 245
of the same month of the year as the term it succeeds. In the 246
event that a student member cannot fulfill the student member's 247
two-year term, a replacement shall be selected to fill the 248
unexpired term in the same manner used to make the original 249
selection. 250

Sec. 3339.01. (A) The government of Miami university shall 251
be vested in eleven trustees, who shall be appointed by the 252
governor with the advice and consent of the senate. Two of the 253
trustees shall be students at Miami university, and their 254
selection and terms shall be in accordance with division (B) of 255
this section. A majority of the board constitutes a quorum. 256
~~Except For trustees appointed prior to July 1, 2025, except for~~ 257

the terms of student members, terms of office shall be for nine 258
years, commencing on the first day of March and ending on the 259
last day of February, except that upon expiration of the trustee 260
term ending on March 1, 1974, the trustee term which succeeds it 261
shall commence on March 2, 1974, and end on February 28, 1983; 262
upon expiration of the trustee term ending on March 1, 1977, the 263
trustee term which succeeds it shall commence on March 2, 1977, 264
and end on February 28, 1986; upon expiration of the trustee 265
term ending on March 1, 1978, the trustee term which succeeds it 266
shall commence on March 2, 1978, and end on February 28, 1987; 267
and upon expiration of the trustee term ending on March 1, 1979, 268
the trustee term which succeeds it shall commence on March 2, 269
1979, and end on February 29, 1988. For trustees appointed on or 270
after July 1, 2025, except for the terms of student members, 271
terms of office shall be for six years, commencing on the first 272
day of March and ending on the last day of February. Each 273
trustee shall hold office from the date of appointment until the 274
end of the term for which the trustee was appointed. Any trustee 275
appointed to fill a vacancy occurring prior to the end of the 276
term for which the trustee's predecessor was appointed shall 277
hold office for the remainder of such term. Any trustee shall 278
continue in office subsequent to the expiration date of the 279
trustee's term until a successor takes office, or until a period 280
of sixty days has elapsed, whichever occurs first. ~~No person who 281
has served a full nine-year term or more than six years of such 282
a term shall be eligible for reappointment until a period of 283
four years has elapsed since the last day of the term for which 284
the person previously served.~~ The trustees shall receive no 285
compensation for their services but shall be paid their 286
reasonable necessary expenses while engaged in the discharge of 287
their official duties. 288

(B) The student members of the board of trustees of Miami university have no voting power on the board. Student members shall not be considered as members of the board in determining whether a quorum is present. Student members shall not be entitled to attend executive sessions of the board. The student members of the board shall be appointed by the governor, with the advice and consent of the senate, from a group of five candidates selected pursuant to a procedure adopted by the university's student governments and approved by the university's board of trustees. The initial term of office of one of the student members shall commence on March 1, 1988, and shall expire on February 28, 1989, and the initial term of office of the other student member shall commence on March 1, 1988, and expire on February 28, 1990. Thereafter, terms of office of student members shall be for two years, each term ending on the last day of February. In the event that a student member cannot fulfill the student member's two-year term, a replacement shall be selected to fill the unexpired term in the same manner used to make the original selection.

Sec. 3341.02. (A) The government of Bowling Green state university is vested in a board of eleven trustees, who shall be appointed by the governor, with the advice and consent of the senate. Two of the trustees shall be students at Bowling Green state university, and their selection and terms shall be in accordance with division (B) of this section. A majority of the board constitutes a quorum. ~~Except For trustees appointed prior to July 1, 2025, except for~~ the terms of student members, terms of office shall be for nine years, commencing on the seventeenth day of May and ending on the sixteenth day of May. ~~No person who has served a full nine year term or more than six years of such a term shall be eligible for reappointment until a period of~~

~~four years has elapsed since the last day of the term for which~~ 320
~~the person previously served. For trustees appointed on or after~~ 321
~~July 1, 2025, except for the terms of student members, terms of~~ 322
~~office shall be for six years, commencing on the seventeenth day~~ 323
~~of May and ending on the sixteenth day of May.~~ 324

(B) The student members of the board of trustees of 325
Bowling Green state university have no voting power on the 326
board. Student members shall not be considered as members of the 327
board in determining whether a quorum is present. Student 328
members shall not be entitled to attend executive sessions of 329
the board. The student members of the board shall be appointed 330
by the governor, with the advice and consent of the senate, from 331
a group of five candidates selected pursuant to a procedure 332
adopted by the university's student governments and approved by 333
the university's board of trustees. The initial term of office 334
of one of the student members shall commence on March 17, 1988, 335
and shall expire on March 16, 1989, and the initial term of 336
office of the other student member shall commence on March 17, 337
1988, and expire on March 16, 1990. After September 22, 2000, 338
terms of office shall commence on the seventeenth day of May and 339
shall end on the sixteenth day of May. Terms of office of 340
student members shall be for two years, each term ending on the 341
same day of the same month of the year as the term it succeeds. 342
In the event that a student member cannot fulfill the student 343
member's two-year term, a replacement shall be selected in the 344
manner used for the original selection to fill the unexpired 345
term. 346

(C) The government of Kent state university is vested in a 347
board of eleven trustees, who shall be appointed by the 348
governor, with the advice and consent of the senate. Two of the 349
trustees shall be students at Kent state university, and their 350

selection and terms shall be in accordance with division (D) of 351
this section. A majority of the board constitutes a quorum. 352
~~Except For trustees appointed prior to July 1, 2025, except for~~ 353
the terms of student members, terms of office shall be for nine 354
years, commencing on the seventeenth day of May and ending on 355
the sixteenth day of May. ~~No person who has served a full nine-~~ 356
~~year term or more than six years of such a term shall be~~ 357
~~eligible for reappointment until a period of four years has~~ 358
~~elapsed since the last day of the term for which the person~~ 359
~~previously served. For trustees appointed on or after July 1,~~ 360
2025, except for the terms of student members, terms of office 361
shall be for six years, commencing on the seventeenth day of May 362
and ending on the sixteenth day of May. 363

(D) The student members of the board of trustees of Kent 364
state university have no voting power on the board. Student 365
members shall not be considered as members of the board in 366
determining whether a quorum is present. Student members shall 367
not be entitled to attend executive sessions of the board. The 368
student members of the board shall be appointed by the governor, 369
with the advice and consent of the senate, from a group of five 370
candidates selected pursuant to a procedure adopted by the 371
university's student governments and approved by the 372
university's board of trustees. The initial term of office of 373
one of the student members shall commence on May 17, 1988, and 374
shall expire on May 16, 1989, and the initial term of office of 375
the other student member shall commence on May 17, 1988, and 376
expire on May 16, 1990. Thereafter, terms of office of student 377
members shall be for two years, each term ending on the same day 378
of the same month of the year as the term it succeeds. In the 379
event that a student member cannot fulfill the student member's 380
two-year term, a replacement shall be selected to fill the 381

unexpired term in the same manner used to make the original 382
selection. 383

(E) The trustees shall receive no compensation for their 384
services but shall be paid their reasonable necessary expenses 385
while engaged in the discharge of their official duties. 386

(F) Each trustee shall hold office from the date of 387
appointment until the end of the term for which the trustee was 388
appointed. Any trustee appointed to fill a vacancy occurring 389
prior to the expiration of the term for which the trustee's 390
predecessor was appointed shall hold office for the remainder of 391
such term. Any trustee shall continue in office subsequent to 392
the expiration date of the trustee's term until a successor 393
takes office, or until a period of sixty days has elapsed, 394
whichever occurs first. 395

Sec. 3343.02. (A) The government of Central state 396
university shall be vested in a board of trustees to be known as 397
"the board of trustees of the Central state university." Such 398
board shall consist of eleven members who shall be appointed by 399
the governor, with the advice and consent of the senate. Two of 400
the trustees shall be students at Central state university, and 401
their selection and terms shall be in accordance with division 402
(B) of this section. A majority of the board constitutes a 403
quorum. ~~Except For trustees appointed prior to July 1, 2025,~~ 404
~~except for the student members, terms of office shall be for~~ 405
~~nine years, commencing on the first day of July and ending on~~ 406
~~the thirtieth day of June. For trustees appointed on or after~~ 407
~~July 1, 2025, except for the student members, terms of office~~ 408
~~shall be for six years, commencing on the first day of July and~~ 409
~~ending on the thirtieth day of June. Each member shall hold~~ 410
office from the date of appointment until the end of the term 411

for which the member was appointed. Any member appointed to fill 412
a vacancy occurring prior to the expiration of the term for 413
which the member's predecessor was appointed shall hold office 414
for the remainder of such term. Any member shall continue in 415
office subsequent to the expiration date of the member's term 416
until the member's successor takes office, or until a period of 417
sixty days has elapsed, whichever occurs first. ~~No person who~~ 418
~~has served a full nine year term or more than six years of such~~ 419
~~a term shall be eligible for reappointment until a period of~~ 420
~~four years has elapsed since the last day of the term for which~~ 421
~~the person previously served.~~ 422

(B) The student members of the board of trustees of 423
Central state university have no voting power on the board. 424
Student members shall not be considered as members of the board 425
in determining whether a quorum is present. Student members 426
shall not be entitled to attend executive sessions of the board. 427
The student members of the board shall be appointed by the 428
governor, with the advice and consent of the senate, from a 429
group of five candidates selected pursuant to a procedure 430
adopted by the university's student governments and approved by 431
the university's board of trustees. The initial term of office 432
of one of the student members shall commence on July 1, 1988, 433
and shall expire on June 30, 1989, and the initial term of 434
office of the other student member shall commence on July 1, 435
1988, and expire on June 30, 1990. Thereafter, terms of office 436
of student members shall be for two years, each term ending on 437
the same day of the same month of the year as the term it 438
succeeds. In the event that a student member cannot fulfill a 439
two-year term, a replacement shall be selected to fill the 440
unexpired term in the same manner used to make the original 441
selection. 442

Sec. 3344.01. (A) There is hereby created the Cleveland 443
state university. The government of the Cleveland state 444
university is vested in a board of eleven trustees, who shall be 445
appointed by the governor, with the advice and consent of the 446
senate. Two of the trustees shall be students at the Cleveland 447
state university, and their selection and terms shall be in 448
accordance with division (B) of this section. ~~Except For~~ 449
trustees appointed prior to July 1, 2025, except for the student 450
members, terms of office shall be for nine years, commencing on 451
the second day of May and ending on the first day of May. For 452
trustees appointed on or after July 1, 2025, except for the 453
student members, terms of office shall be for six years, 454
commencing on the second day of May and ending on the first day 455
of May. Each trustee shall hold office from the date of 456
appointment until the end of the term for which the trustee was 457
appointed. Any trustee appointed to fill a vacancy occurring 458
prior to the expiration of the term for which the trustee's 459
predecessor was appointed shall hold office for the remainder of 460
such term. Any trustee shall continue in office subsequent to 461
the expiration date of the trustee's term until the trustee's 462
successor takes office, or until a period of sixty days has 463
elapsed, whichever occurs first. ~~No person who has served a full~~ 464
~~nine year term or more than six years of such a term shall be~~ 465
~~eligible for reappointment until a period of four years has~~ 466
~~elapsed since the last day of the term for which the person~~ 467
~~previously served.~~ The trustees shall receive no compensation 468
for their services but shall be paid their reasonable necessary 469
expenses while engaged in the discharge of their official 470
duties. A majority of the board constitutes a quorum. 471

(B) The student members of the board of trustees of the 472
Cleveland state university have no voting power on the board. 473

Student members shall not be considered as members of the board 474
in determining whether a quorum is present. Student members 475
shall not be entitled to attend executive sessions of the board. 476
The student members of the board shall be appointed by the 477
governor, with the advice and consent of the senate, from a 478
group of five candidates selected pursuant to a procedure 479
adopted by the university's student governments and approved by 480
the university's board of trustees. The initial term of office 481
of one of the student members shall commence on May 2, 1988, and 482
shall expire on May 1, 1989, and the initial term of office of 483
the other student member shall commence on May 2, 1988, and 484
expire on May 1, 1990. Thereafter, terms of office of student 485
members shall be for two years, each term ending on the same day 486
of the same month of the year as the term it succeeds. In the 487
event that a student member cannot fulfill a two-year term, a 488
replacement shall be selected to fill the unexpired term in the 489
same manner used to make the original selection. 490

Sec. 3345.029. (A) As used in this section: 491

(1) "Community college" has the same meaning as in section 492
3333.168 of the Revised Code. 493

(2) "Course syllabus" means a document produced for 494
students by a course instructor that includes all of the 495
following: 496

(a) The name of the course instructor; 497

(b) A calendar for the course outlining what materials and 498
topics will be covered and when during the course they will be 499
covered; 500

(c) A list of any required or recommended readings for the 501
course; 502

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|---|-----|
| <u>(d) The course instructor's professional qualifications.</u> | 503 |
| <u>(3) "General syllabus" means a document produced for</u> | 504 |
| <u>students by a community college regarding a course that includes</u> | 505 |
| <u>both of the following:</u> | 506 |
| <u>(a) A calendar for the course outlining what materials and</u> | 507 |
| <u>topics will be covered and when during the course they will be</u> | 508 |
| <u>covered;</u> | 509 |
| <u>(b) A list of any required or recommended readings for the</u> | 510 |
| <u>course.</u> | 511 |
| <u>(4) "State institution of higher education" has the same</u> | 512 |
| <u>meaning as in section 3345.011 of the Revised Code.</u> | 513 |
| <u>(B) Each state institution of higher education shall make</u> | 514 |
| <u>a syllabus for each undergraduate course it offers for college</u> | 515 |
| <u>credit publicly available by doing one of the following:</u> | 516 |
| <u>(1) Ensuring that each course instructor posts a course</u> | 517 |
| <u>syllabus on a publicly accessible web site. Each such web site</u> | 518 |
| <u>shall include the following information:</u> | 519 |
| <u>(a) The course instructor's professional qualifications;</u> | 520 |
| <u>(b) The course instructor's contact information;</u> | 521 |
| <u>(c) The course instructor's course schedule;</u> | 522 |
| <u>(d) The course syllabus for each course the instructor is</u> | 523 |
| <u>currently teaching, which shall be accessible by link or</u> | 524 |
| <u>download through the web site.</u> | 525 |
| <u>(2) Posting a course syllabus for each course on the</u> | 526 |
| <u>institution's publicly accessible web site. Each course syllabus</u> | 527 |
| <u>shall be all of the following:</u> | 528 |
| <u>(a) Accessible from the main page of the state</u> | 529 |

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|---|--------------------------|
| <u>institution's web site by use of not more than three links;</u> | 530 |
| <u>(b) Searchable by keywords and phrases;</u> | 531 |
| <u>(c) Accessible to the public without requiring user</u> <u>registration of any kind.</u> | 532 533 |
| <u>(3) If the institution is a community college, posting a</u> <u>general syllabus for a course on the college's publicly</u> <u>accessible web site. Each general syllabus shall be all of the</u> <u>following:</u> | 534 535 536 537 |
| <u>(a) Accessible from the main page of the college's web</u> <u>site by use of not more than three links;</u> | 538 539 |
| <u>(b) Searchable by keywords and phrases;</u> | 540 |
| <u>(c) Accessible to the public without requiring user</u> <u>registration of any kind.</u> | 541 542 |
| <u>(C) (1) Each state institution shall make a syllabus</u> <u>available in accordance with division (B) of this section not</u> <u>later than the first day of classes for the semester or academic</u> <u>term in which the course is offered.</u> | 543 544 545 546 |
| <u>(2) For any syllabus posted under division (B) (1) of this</u> <u>section that is no longer used, the course instructor shall,</u> <u>upon request, make that syllabus available for not less than two</u> <u>years after that syllabus was posted under that division.</u> | 547 548 549 550 |
| <u>(3) Any syllabus posted under division (B) (2) or (3) of</u> <u>this section shall remain posted on the state institution's web</u> <u>site for not less than two years after it was first posted.</u> | 551 552 553 |
| <u>(4) To the extent practicable, each state institution</u> <u>shall ensure that the most recently updated syllabus for each</u> <u>undergraduate course it offers for college credit is posted in</u> | 554 555 556 |

accordance with division (B) of this section. 557

(D) Divisions (B) and (C) of this section do not apply to 558
a college course that is offered through the college credit plus 559
program established under Chapter 3365. of the Revised Code, 560
delivered in a secondary school, and taught by a high school 561
teacher. 562

(E) Each state institution shall designate an 563
administrator to implement the institution's responsibilities 564
under this section. The administrator may assign duties for that 565
purpose to one or more administrative employees. 566

(F) Each state institution shall prepare a written report 567
regarding its compliance with the requirements under this 568
section for the chancellor of higher education in accordance 569
with guidelines established under section 3345.0219 of the 570
Revised Code. 571

The chancellor shall prepare a report that includes each 572
report received from a state institution under this division. 573

Sec. 3345.0216. (A) Each state institution of higher 574
education, as defined in section 3345.011 of the Revised Code, 575
shall incorporate all of the following statements into a 576
statement of commitment: 577

(1) The institution declares that it will educate students 578
by means of free, open, and rigorous intellectual inquiry to 579
seek the truth. 580

(2) The institution declares that its duty is to equip 581
students with the opportunity to develop the intellectual skills 582
they need to reach their own, informed conclusions. 583

(3) The institution declares its commitment to not 584

requiring, favoring, disfavoring, or prohibiting speech or 585
lawful assembly. 586

(4) The institution declares it is committed to create a 587
community dedicated to an ethic of civil and free inquiry, which 588
respects the autonomy of each member, supports individual 589
capacities for growth, and tolerates the differences in opinion 590
that naturally occur in a public higher education community. 591

(5) The institution declares that its duty is to treat all 592
faculty, staff, and students as individuals, to hold them to 593
equal standards, and to provide them equality of opportunity. 594

(B) Each state institution of higher education shall 595
include the statement of commitment developed under this section 596
on all official institution documents and prominently post the 597
statement on its publicly accessible web site. 598

Sec. 3345.0217. (A) As used in this section: 599

(1) "Controversial belief or policy" means any belief or 600
policy that is the subject of political controversy, including 601
issues such as climate policies, electoral politics, foreign 602
policy, diversity, equity, and inclusion programs, immigration 603
policy, marriage, or abortion. 604

(2) "Intellectual diversity" means multiple, divergent, 605
and varied perspectives on an extensive range of public policy 606
issues. 607

(3) "State institution of higher education" has the same 608
meaning as in section 3345.011 of the Revised Code. 609

(B) Not later than ninety days after the effective date of 610
this section, the board of trustees of each state institution of 611
higher education shall adopt and enforce a policy that requires 612

the institution to do all of the following: 613

(1) (a) Prohibit all of the following: 614

(i) Any orientation or training course regarding 615
diversity, equity, and inclusion; 616

(ii) The continuation of existing diversity, equity, and 617
inclusion offices or departments; 618

(iii) Establishing new diversity, equity, and inclusion 619
offices or departments; 620

(iv) Using diversity, equity, and inclusion in job 621
descriptions; 622

(v) Contracting with consultants or third-parties whose 623
role is or would be to promote admissions, hiring, or promotion 624
on the basis of race, ethnicity, religion, sex, sexual 625
orientation, gender identity, or gender expression; 626

(vi) The establishment of any new institutional 627
scholarships that use diversity, equity, and inclusion in any 628
manner. For any institutional scholarships existing on the 629
effective date of this section, a state institution shall, to 630
the extent possible, eliminate diversity, equity, and inclusion 631
requirements. If the state institution is unable to do so 632
because of donor requirements, the institution may continue to 633
offer those institutional scholarships. However, the state 634
institution shall not accept any additional funds for the 635
operation of institutional scholarships that have diversity, 636
equity, and inclusion requirements. 637

(b) A state institution shall not replace any orientation, 638
training, office, or position designated for the purpose of 639
diversity, equity, and inclusion that is prohibited under this 640

division with an orientation, training, office, or position 641
under a different designation that serves the same or similar 642
purposes, or that uses the same or similar means. 643

(c) In the event that the requirements to obtain a 644
research grant conflict with the prohibitions listed under 645
division (B) (1) (a) of this section, a state institution shall 646
endeavor, to the extent possible, to comply with division (B) (1) 647
(a) of this section while retaining eligibility for the research 648
grant, including by consulting with legal counsel. A state 649
institution that is unable to comply with division (B) (1) (a) of 650
this section with respect to a research grant shall submit a 651
written request for an exception to the chancellor of higher 652
education. The exception request shall include an explanation of 653
the circumstances and the effort made by the state institution 654
to comply with division (B) (1) (a) of this section while 655
retaining eligibility for the research grant. 656

(d) Divisions (B) (1) (a) and (c) of this section do not 657
apply to agreements or contracts regarding any research grants 658
entered into prior to the effective date of this section. 659
Divisions (B) (1) (a) and (c) of this section apply to any renewal 660
of such agreements or contracts occurring on or after the 661
effective date of this section. 662

(2) Affirm and declare that its primary function is to 663
practice, or support the practice, discovery, improvement, 664
transmission, and dissemination of knowledge and citizenship 665
education by means of research, teaching, discussion, and 666
debate; 667

(3) Affirm and declare that, to fulfill the function 668
described in division (B) (2) of this section, the state 669
institution shall ensure the fullest degree of intellectual 670

diversity; 671

(4) Affirm and declare that faculty and staff shall allow 672
and encourage students to reach their own conclusions about all 673
controversial beliefs or policies and shall not seek to 674
indoctrinate any social, political, or religious point of view; 675

(5) Demonstrate intellectual diversity for course 676
approval, approval of courses to satisfy general education 677
requirements, student course evaluations, common reading 678
programs, annual reviews, strategic goals for each department, 679
and student learning outcomes. 680

Divisions (B) (2) to (5) of this section do not apply to 681
the exercise of professional judgment about how to accomplish 682
intellectual diversity within an academic discipline, unless 683
that exercise is misused to constrict intellectual diversity. 684

(6) Declare that it will not endorse or oppose, as an 685
institution, any controversial belief or policy, except on 686
matters that directly impact the institution's funding or 687
mission of discovery, improvement, and dissemination of 688
knowledge. The institution may also endorse the congress of the 689
United States when it establishes a state of armed hostility 690
against a foreign power. 691

This division does not include the recognition of national 692
and state holidays, support for the Constitution and laws of the 693
United States or the state of Ohio, or the display of the 694
American or Ohio flag. 695

(7) Affirm and declare that the state institution will not 696
encourage, discourage, require, or forbid students, faculty, or 697
administrators to endorse, assent to, or publicly express a 698
given ideology, political stance, or view of a social policy, 699

nor will the institution require students to do any of those 700
things to obtain an undergraduate or post-graduate degree. 701

Divisions (B) (6) and (7) of this section do not apply to 702
the exercise of professional judgment about whether to endorse 703
the consensus or foundational beliefs of an academic discipline, 704
unless that exercise is misused to take an action prohibited in 705
division (B) (6) of this section. 706

(8) Prohibit political and ideological litmus tests in all 707
hiring, promotion, and admissions decisions, including diversity 708
statements and any other requirement that applicants describe 709
their commitment to any ideology, principle, concept, or 710
formulation that requires commitment to any controversial belief 711
or policy; 712

(9) Affirm and declare that no hiring, promotion, or 713
admissions process or decision shall encourage, discourage, 714
require, or forbid students, faculty, or administrators to 715
endorse, assent to, or publicly express a given ideology or 716
political stance; 717

(10) Affirm and declare that the state institution will 718
not use a diversity statement or any other assessment of an 719
applicant's political or ideological views in any hiring, 720
promotions, or admissions process or decision; 721

(11) Affirm and declare that no process or decision 722
regulating conditions of work or study, such as committee 723
assignments, course scheduling, or workload adjustment policies, 724
shall encourage, discourage, require, or forbid students, 725
faculty, or administrators to endorse, assent to, or publicly 726
express a given ideology or political stance; 727

(12) Affirm and declare that the state institution will 728

seek out invited speakers who have diverse ideological or 729
political views; 730

(13) Post prominently on its web site a complete list of 731
all speaker fees, honoraria, and other emoluments in excess of 732
five hundred dollars for events that are sponsored by the state 733
institution. That information shall be all of the following: 734

(a) Accessible from the main page of the institution's web 735
site by use of not more than three links; 736

(b) Searchable by keywords and phrases; 737

(c) Accessible to the public without requiring user 738
registration of any kind. 739

(C) Each state institution of higher education shall 740
respond to complaints from any student, student group, or 741
faculty member about an alleged violation of the prohibitions 742
and requirements included in the policy adopted under this 743
section using the process established under division (C) of 744
section 3345.0215 of the Revised Code. 745

(D) Nothing in this section prohibits faculty or students 746
from classroom instruction, discussion, or debate, so long as 747
faculty members remain committed to expressing intellectual 748
diversity and allowing intellectual diversity to be expressed. 749

(E) The general assembly may withhold or reduce any state 750
operating subsidy payments, state capital improvement funds, or 751
other state appropriation to a state institution of higher 752
education if the general assembly determines the institution has 753
failed to comply with the requirements established under this 754
section. 755

Sec. 3345.0218. (A) As used in this section: 756

(1) "Intellectual diversity" has the same meaning as in section 3345.0217 of the Revised Code. 757
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(2) "State institution of higher education" has the same meaning as in section 3345.011 of the Revised Code. 759
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(B) Each state institution of higher education shall respond to complaints regarding any administrator, faculty member, staff, or student who interferes with the intellectual diversity rights, prescribed under section 3345.0217 of the Revised Code, of another using the process established under division (C) of section 3345.0215 of the Revised Code. 761
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(C) Each state institution shall inform all of its students and employees of the protections afforded to them under section 3345.0217 of the Revised Code and any policies it has adopted to put them into practice, including by providing the information to new employees and to each student during any new student orientation the institution offers. 767
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(D) Each state institution shall comply with any reporting guidelines established by the chancellor under section 3345.0219 of the Revised Code regarding any violations of the intellectual diversity rights prescribed under section 3345.0217 of the Revised Code by any individual under the institution's jurisdiction and any consequent disciplinary sanctions issued for that violation. 773
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Sec. 3345.0219. Each state institution of higher education, as defined in section 3345.011 of the Revised Code, shall comply with guidelines established by the chancellor of higher education when the institution adopts policies or issues reports under sections 3345.029, 3345.0217, 3345.0218, 3345.452, 3345.453, 3345.454, 3345.591, 3345.80, and 3345.88 of the 780
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Revised Code. The guidelines shall address the form and manner 786
by which the state institution shall submit a policy or report 787
to the chancellor when the institution is required to do so by 788
one of those sections. The chancellor shall post each such 789
policy or report that the chancellor receives on the 790
chancellor's publicly accessible web site. 791

Sec. 3345.382. (A) As used in this section, "state 792
institution of higher education" has the same meaning as in 793
section 3345.011 of the Revised Code. 794

(B) Each state institution of higher education shall 795
develop a course with not fewer than three credit hours in the 796
subject area of American civic literacy. The course shall 797
include a study of the American economic system and capitalism. 798
The course shall comply with the criteria, policies, and 799
procedures established under section 3333.16 of the Revised 800
Code. The course may be offered under the college credit plus 801
program established under Chapter 3365. of the Revised Code. The 802
course shall, at a minimum, require each student to read all the 803
following: 804

(1) The entire Constitution of the United States; 805

(2) The entire Declaration of Independence; 806

(3) A minimum of five essays in their entirety from the 807
Federalist Papers. The essays shall be selected by the 808
department chair. 809

(4) The entire Emancipation Proclamation; 810

(5) The entire Gettysburg Address; 811

(6) The entire Letter from Birmingham Jail written by Dr. 812
Martin Luther King Jr; 813

(7) The writings of Adam Smith, including a study of the principles written in The Wealth of Nations. 814
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Any student who takes the course shall be required to pass a cumulative final examination at the conclusion of the course that assesses student proficiency about the documents described in divisions (B)(1) to (7) of this section. 816
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Each state institution of higher education board of trustees shall adopt a resolution approving a plan to offer the course developed under this section. Each state institution shall submit that plan to the chancellor of higher education. The chancellor shall review and approve each plan. Prior to approving a plan, the chancellor may require a state institution to revise the plan and the course. 820
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(C) Beginning with students who graduate from a state institution of higher education in the spring semester, or equivalent quarter, of the 2029-2030 academic year, no state institution of higher education shall grant a bachelor's degree to any student unless the student completes a course described in division (B) of this section. A state institution may require students to complete the course as part of the institution's general education courses of study. 827
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This section does not apply to associate's degree programs. 836
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Sec. 3345.45. ~~(A) On or before January 1, 1994, the~~ The 838
chancellor of higher education jointly with all state- 839
~~universities~~ institutions of higher education, as defined in 840
section 3345.011 of the Revised Code, shall develop standards 841
for instructional workloads for full-time and part-time faculty 842

in keeping with the ~~universities'~~ institutions' missions and 843
with special emphasis on the undergraduate learning experience. 844
The standards shall contain clear guidelines for institutions to 845
determine a range of acceptable undergraduate teaching by 846
faculty. 847

(B) ~~On or before June 30, 1994, the~~ The board of trustees 848
of each state ~~university~~ institution of higher education shall 849
take formal action to adopt a faculty workload policy consistent 850
with the standards developed under this section. ~~Notwithstanding~~ 851
~~section 4117.08 of the Revised Code, the policies adopted under~~ 852
~~this section are not appropriate subjects for collective~~ 853
~~bargaining. Notwithstanding division (A) of section 4117.10 of~~ 854
~~the Revised Code, any policy adopted under this section by a~~ 855
~~board of trustees prevails over any conflicting provisions of~~ 856
~~any collective bargaining agreement between an employees~~ 857
~~organization and that board of trustees.~~ 858

(C) (1) The board of trustees of each state ~~university~~ 859
institution of higher education shall review the ~~university's~~ 860
institution's policy on faculty tenure and update that policy to 861
promote excellence in instruction, research, service, or 862
commercialization, or any combination thereof. 863

(2) ~~Beginning on July 1, 2018, as~~ As a condition for a 864
state ~~university~~ institution of higher education to receive any 865
state funds for research that are allocated to the department of 866
higher education under the appropriation line items referred to 867
as either "research incentive third frontier fund" or "research 868
incentive third frontier-tax," the chancellor shall require the 869
~~university~~ institution to include multiple pathways for faculty 870
tenure, one of which may be a commercialization pathway, in its 871
policy. 872

(D) (1) At least once every five years, each state institution of higher education shall update its faculty workload policy and submit the policy to the chancellor. The updated policies shall be approved by the state institution's board of trustees each time it is submitted to the chancellor. 873
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(2) Each state institution of higher education's faculty workload policy shall include all of the following: 878
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(a) An objective and numerically defined teaching workload expectation based on credit hours as defined in 34 C.F.R. 600.2; 880
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(b) A definition of all faculty workload elements in terms of credit hours as defined in 34 CFR 600.2 with a full-time workload minimum standard established by the board of trustees and made publicly accessible on the state institution's web site; 882
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(c) A definition of justifiable credit hour equivalents for activities other than teaching, including research, clinical care, administration, service, and other activities as determined by the state institution of higher education; 887
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(d) Administrative action that a state institution of higher education may take, including censure, remedial training, for-cause termination, or other disciplinary action, regardless of tenure status, if a faculty member fails to comply with the policy's requirements. Termination under these circumstances requires the recommendation of the dean, provost, or equivalent official, concurrence of the state institution of higher education's president, and approval of the state institution of higher education's board of trustees. 891
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Sec. 3345.451. (A) As used in this section, "state institution of higher education" has the same meaning as in 900
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section 3345.011 of the Revised Code. 902

(B) The chancellor of higher education shall develop a 903
minimum set of standard questions for use by state institutions 904
of higher education in student evaluations of faculty members. 905
The questions shall include the following: 906

"Does the faculty member create a classroom atmosphere 907
free of political, racial, gender, and religious bias?" 908

(C) Each state institution of higher education shall 909
establish a written system of faculty evaluations completed by 910
students with a focus on teaching effectiveness and student 911
learning. Each state institution shall include in its student 912
evaluations of faculty the minimum set of standard questions 913
developed by the chancellor in division (B) of this section. 914

(D) Each state institution of higher education shall 915
establish a written system of peer evaluations for faculty 916
members with emphasis placed on the faculty member's 917
professional development regarding the faculty member's teaching 918
responsibilities. 919

Sec. 3345.452. (A) As used in this section, "state 920
institution of higher education" has the same meaning as in 921
section 3345.011 of the Revised Code. 922

(B) The board of trustees of each state institution of 923
higher education shall adopt a faculty annual performance 924
evaluation policy and submit the policy to the chancellor of 925
higher education. Each policy must contain an appeals process 926
for faculty to appeal the final evaluation. Each state 927
institution's board of trustees shall review and update its 928
policy every five years. 929

(C) Each state institution of higher education shall 930

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| <u>conduct an annual evaluation for each full-time faculty member</u> | 931 |
| <u>who it directly compensates.</u> | 932 |
| <u>(D) Each faculty annual performance evaluation shall meet</u> | 933 |
| <u>all of the following:</u> | 934 |
| <u>(1) The evaluation is comprehensive and includes</u> | 935 |
| <u>standardized, objective, and measurable performance metrics.</u> | 936 |
| <u>(2) The evaluation includes an assessment of performance</u> | 937 |
| <u>for each of the following areas that the faculty member has</u> | 938 |
| <u>spent at least five per cent of their annual work time on over</u> | 939 |
| <u>the preceding year:</u> | 940 |
| <u>(a) Teaching;</u> | 941 |
| <u>(b) Research;</u> | 942 |
| <u>(c) Service;</u> | 943 |
| <u>(d) Clinical care;</u> | 944 |
| <u>(e) Administration;</u> | 945 |
| <u>(f) Other categories, as determined by the state</u> | 946 |
| <u>institution of higher education.</u> | 947 |
| <u>(3) The evaluation includes a summary assessment of the</u> | 948 |
| <u>performance areas listed in division (D) (2) of this section</u> | 949 |
| <u>including the parameters "exceeds performance expectations,"</u> | 950 |
| <u>"meets performance expectations," or "does not meet performance</u> | 951 |
| <u>expectations."</u> | 952 |
| <u>(4) Student evaluations conducted pursuant to section</u> | 953 |
| <u>3345.451 of the Revised Code account for at least twenty-five</u> | 954 |
| <u>per cent of the teaching area component of the evaluation.</u> | 955 |
| <u>(5) The evaluation establishes a projected work effort</u> | 956 |
| <u>distribution for the faculty member for the next year which</u> | 957 |

shall be used during the next year's evaluation. The 958
distribution shall be compliant with the state institution's 959
established workload policies adopted under section 3345.45 of 960
the Revised Code and shall receive approval from the dean of 961
faculty or the equivalent. 962

(E) Evaluations shall be conducted by the department 963
chairperson or equivalent administrator, reviewed and approved 964
or disapproved by the dean, and submitted to the provost for 965
review. If there is disagreement between the chairperson and 966
dean, the provost shall have final decision authority. 967

Sec. 3345.453. This section applies only to state 968
institutions of higher education that have tenured faculty 969
members. 970

(A) As used in this section, "state institution of higher 971
education" has the same meaning as in section 3345.011 of the 972
Revised Code. 973

(B) The board of trustees of each state institution of 974
higher education shall adopt a post-tenure review policy and 975
submit the policy to the chancellor of higher education. Each 976
policy must contain an appeals process for tenured faculty whose 977
post-tenure review process results in a recommendation for 978
administrative action pursuant to division (G) of this section. 979
Each state institution's board of trustees shall update the 980
post-tenure review policy every five years. 981

(C) A state institution of higher education shall conduct 982
a post-tenure review if a tenured faculty member receives a 983
"does not meet performance expectations" evaluation within the 984
same evaluative category for a minimum of two of the past three 985
consecutive years on the faculty member's annual performance 986

evaluation conducted pursuant to section 3345.452 of the Revised Code. 987
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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. 989
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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. 995
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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. 1004
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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. 1008
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Sec. 3345.454. This section applies only to state 1017
institutions of higher education that have tenured faculty 1018
members. 1019

(A) As used in this section: 1020

(1) "State institution of higher education" has the same 1021
meaning as in section 3345.011 of the Revised Code. 1022

(2) "Retrenchment" means a process by which a state 1023
institution of higher education reduces programs or services, 1024
thus resulting in a temporary suspension or permanent separation 1025
of one or more institution faculty, to account for a reduction 1026
in student population or overall funding, a change to 1027
institutional missions or programs, or other fiscal pressures or 1028
emergencies facing the institution. 1029

(B) In addition to the policies described in sections 1030
3345.45 to 3345.453 of the Revised Code, each state institution 1031
of higher education board of trustees shall develop policies on 1032
tenure and retrenchment. Each state institution shall submit 1033
those policies to the chancellor of higher education. Each state 1034
institution's board of trustees shall update those policies 1035
every five years. 1036

(C) A state institution of higher education shall 1037
eliminate any undergraduate degree program it offers if the 1038
institution confers an average of fewer than five degrees in 1039
that program annually over any three-year period. A state 1040
institution shall not consider any academic year prior to the 1041
first academic year in which an undergraduate degree is 1042
conferred in determining whether this division applies to the 1043
program offering that degree. 1044

The chancellor may grant a waiver to a state institution 1045

for a program to which this division applies. State institutions 1046
shall appeal for a waiver in a form and manner determined by the 1047
chancellor. If the chancellor grants a waiver to a state 1048
institution, the chancellor shall establish terms under which 1049
the state institution may conditionally continue the program, 1050
including whether the program is eligible to be supported by 1051
state share of instruction funds. 1052

Sec. 3345.455. With respect to a collective bargaining 1053
agreement entered into on or after the effective date of this 1054
section, both of the following apply to the standards, policies, 1055
and systems adopted under sections 3345.45 to 3345.454 of the 1056
Revised Code: 1057

(A) Notwithstanding section 4117.08 of the Revised Code, 1058
the standards, policies, and systems are not appropriate 1059
subjects for collective bargaining. 1060

(B) Notwithstanding division (A) of section 4117.10 of the 1061
Revised Code, the standards, policies, and systems prevail over 1062
any conflicting provision of a collective bargaining agreement. 1063

Sec. 3345.456. (A) As used in this section: 1064

(1) "State institution of higher education" has the same 1065
meaning as in section 3345.011 of the Revised Code. 1066

(2) "Retrenchment" has the same meaning as in section 1067
3345.454 of the Revised Code. 1068

(B) Notwithstanding anything to the contrary in section 1069
3345.454 or 3345.455 of the Revised Code, a state institution of 1070
higher education that is a party to a collective bargaining 1071
agreement in effect on the effective date of this section 1072
containing a provision regarding retrenchment shall only 1073
continue to bargain over retrenchment policies for a new or 1074

renewed collective bargaining agreement with respect to 1075
institution faculty that have at least thirty years, but not 1076
more than thirty-five years, of service in one of the state 1077
retirement systems at the time of any retrenchment 1078
determination. 1079

(C) Nothing in this section prohibits a faculty member 1080
from accepting any separation incentive that may otherwise be 1081
offered by a state institution of higher education, regardless 1082
of whether the incentive is contained in a collective bargaining 1083
agreement. 1084

Sec. 3345.591. (A) As used in this section: 1085

(1) "People's Republic of China" means the government of 1086
China, the Chinese Communist Party, the People's Liberation 1087
Army, or any other extension of, or entity affiliated with, the 1088
government of China. 1089

(2) "State institution of higher education" has the same 1090
meaning as in section 3345.011 of the Revised Code. 1091

(B) No state institution of higher education shall accept 1092
gifts, donations, or contributions from the People's Republic of 1093
China or any organization the institution reasonably suspects is 1094
acting on behalf of the People's Republic of China. 1095

Nothing in this section prohibits a state institution of 1096
higher education from accepting payments from Chinese citizens 1097
related to instructional fees, general fees, special fees, cost 1098
of instruction, or educational expenses or donations from the 1099
institution's alumni. 1100

Nothing in this section prohibits a state institution of 1101
higher education from receiving philanthropic or unrestricted 1102
grants so long as it maintains the structural safeguard 1103

requirements provided for in division (E) of this section. 1104

(C) Each state institution shall submit to the chancellor 1105
of higher education a copy of the report it submits to the 1106
United States department of education pursuant to 20 U.S.C. 1107
1011(f). 1108

(D) Upon request, the chancellor shall make any 1109
information reported under division (C) of this section 1110
available to any member of the general assembly. 1111

(E) A state institution shall notify the chancellor of any 1112
new or renewed academic partnership with an academic or research 1113
institution located in China. A state institution shall only 1114
enter into a new or renewed academic partnership with an 1115
academic or research institution located in China if the state 1116
institution maintains sufficient structural safeguards to 1117
protect the state institution's intellectual property, the 1118
security of the state of Ohio, and the national security 1119
interests of the United States. The safeguards shall include, at 1120
a minimum, all of the following: 1121

(1) Compliance with all federal requirements, including 1122
the requirements of federal research sponsors and federal export 1123
control agencies, including regulations regarding international 1124
traffic in arms and export administration regulations, and 1125
economic and trade sanctions administered by the federal office 1126
of foreign assets control; 1127

(2) Annual formal institution-level programs for faculty 1128
on conflicts of interest and conflicts of commitment; 1129

(3) A formalized foreign visitor process and uniform 1130
visiting scholar agreement. 1131

(F) The auditor of state shall audit the safeguards 1132

implemented by state institutions of higher education under 1133
division (E) of this section in the course of a normal audit 1134
conducted under section 117.46 of the Revised Code. 1135

Sec. 3345.80. (A) As used in this section, "state 1136
institution of higher education" has the same meaning as in 1137
section 3345.011 of the Revised Code. 1138

(B) For each biennial main operating appropriations bill 1139
and capital appropriations bill, each state institution of 1140
higher education shall prepare, in accordance with guidelines 1141
established under section 3345.0219 of the Revised Code, a 1142
rolling five-year summary of its institutional costs to be 1143
considered by the general assembly when evaluating operating and 1144
capital project funding. The chancellor shall submit a report 1145
including each state institution's five-year institutional cost 1146
summaries to the general assembly under section 101.68 of the 1147
Revised Code. 1148

(C) Each state institution of higher education's five-year 1149
institutional cost summary shall consist of the following 1150
categories: 1151

(1) All costs related to student instruction, including 1152
instructor salaries, benefits, and related operating costs; 1153

(2) All general staff costs related to maintenance, 1154
grounds, utilities, food service, and other areas as determined 1155
by the institution; 1156

(3) All other costs for staff, including academic 1157
administrators, counseling, financial aid assistance, healthcare 1158
services, and housing management. 1159

(D) Each of the categories presented in the five-year 1160
institutional cost summary shall include all of the following: 1161

| | |
|---|------|
| <u>(1) A detailed breakdown of annual costs and employee</u> | 1162 |
| <u>headcounts;</u> | 1163 |
| <u>(2) A complete accounting of all spending on diversity,</u> | 1164 |
| <u>equity, and inclusion, or related subjects;</u> | 1165 |
| <u>(3) An annual count of all faculty, administration, and</u> | 1166 |
| <u>employees.</u> | 1167 |
| <u>(E) The chancellor shall consult with state institutions</u> | 1168 |
| <u>of higher education to develop a standardized reporting format</u> | 1169 |
| <u>for the institutional cost summaries and a uniform approach to</u> | 1170 |
| <u>completing the categories required in division (C) of this</u> | 1171 |
| <u>section.</u> | 1172 |
| <u>(F) During the general assembly's consideration of the</u> | 1173 |
| <u>main operating appropriations and capital appropriations bills,</u> | 1174 |
| <u>the president of each state institution of higher education or</u> | 1175 |
| <u>the chancellor of higher education shall have the opportunity to</u> | 1176 |
| <u>present in the appropriate hearings conducted by committees that</u> | 1177 |
| <u>consider higher education legislation to provide commentary on</u> | 1178 |
| <u>trends, potential justifications, or other explanations</u> | 1179 |
| <u>regarding the institution's five-year summary of institutional</u> | 1180 |
| <u>costs.</u> | 1181 |
| <u>(G) Prior to the enactment of the main operating</u> | 1182 |
| <u>appropriations and capital appropriations bills, the chancellor</u> | 1183 |
| <u>shall create and present to the general assembly an aggregation</u> | 1184 |
| <u>report summarizing the total institutional costs for state</u> | 1185 |
| <u>universities and community colleges separately.</u> | 1186 |
| <u>Sec. 3345.88. (A) As used in this section:</u> | 1187 |
| <u>(1) "Position, policy, program, and activity" includes all</u> | 1188 |
| <u>of the following:</u> | 1189 |

| | |
|---|------|
| <u>(a) All forms of employment, including staff positions,</u> | 1190 |
| <u>internships, and work studies;</u> | 1191 |
| <u>(b) All policies, including mission statements, hiring</u> | 1192 |
| <u>policies, promotion policies, and tenure policies;</u> | 1193 |
| <u>(c) All programs and positions, including deanships,</u> | 1194 |
| <u>provostships, offices, programs, programs presented by residence</u> | 1195 |
| <u>halls, and committees;</u> | 1196 |
| <u>(d) All activities, including those conducted by the</u> | 1197 |
| <u>administrative units of orientation, first-year experience,</u> | 1198 |
| <u>student life, and residential life.</u> | 1199 |
| <u>(2) "State institution of higher education" has the same</u> | 1200 |
| <u>meaning as in section 3345.011 of the Revised Code.</u> | 1201 |
| <u>(B) With respect to every position, policy, program, and</u> | 1202 |
| <u>activity, each state institution of higher education shall do</u> | 1203 |
| <u>both of the following:</u> | 1204 |
| <u>(1) Treat all faculty, staff, and students as individuals,</u> | 1205 |
| <u>hold every individual to equal standards, and provide those</u> | 1206 |
| <u>individuals with equality of opportunity with regard to those</u> | 1207 |
| <u>individuals' race, ethnicity, religion, sex, sexual orientation,</u> | 1208 |
| <u>gender identity, or gender expression;</u> | 1209 |
| <u>(2) Provide no advantage or disadvantage to faculty,</u> | 1210 |
| <u>staff, or students on the basis of race, ethnicity, religion,</u> | 1211 |
| <u>sex, sexual orientation, gender identity, or gender expression</u> | 1212 |
| <u>in admissions, hiring, promotion, tenuring, or workplace</u> | 1213 |
| <u>conditions.</u> | 1214 |
| <u>(C) No state institution of higher education shall provide</u> | 1215 |
| <u>or require training for any administrator, teacher, staff</u> | 1216 |
| <u>member, or employee that advocates or promotes any of the</u> | 1217 |

| | |
|---|------|
| <u>following concepts:</u> | 1218 |
| <u>(1) One race or sex is inherently superior to another race or sex.</u> | 1219 |
| | 1220 |
| <u>(2) An individual, by virtue of his or her race or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously.</u> | 1221 |
| | 1222 |
| | 1223 |
| <u>(3) An individual should be discriminated against or receive adverse treatment solely or partly because of the individual's race.</u> | 1224 |
| | 1225 |
| | 1226 |
| <u>(4) Members of one race cannot nor should not attempt to treat others without respect to race.</u> | 1227 |
| | 1228 |
| <u>(5) An individual's moral standing or worth is necessarily determined by the individual's race or sex.</u> | 1229 |
| | 1230 |
| <u>(6) An individual, by virtue of the individual's race or sex, bears responsibility for actions committed in the past by other members of the same race or sex.</u> | 1231 |
| | 1232 |
| | 1233 |
| <u>(7) An individual should feel discomfort, guilt, anguish, or any other form of psychological distress on account of his or her race or sex.</u> | 1234 |
| | 1235 |
| | 1236 |
| <u>(8) Meritocracy or traits such as hard work ethic are racist or sexist, or were created by members of a particular race to oppress members of another race.</u> | 1237 |
| | 1238 |
| | 1239 |
| <u>(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.</u> | 1240 |
| | 1241 |
| | 1242 |
| <u>Division (C) of this section shall not be construed to preclude a state institution of higher education from providing</u> | 1243 |
| | 1244 |

or facilitating continuing education that complies with this 1245
division's requirements to public safety officers. 1246

(D) Each state institution of higher education shall 1247
implement a range of disciplinary sanctions for any 1248
administrator, teacher, staff member, or employee who authorizes 1249
or engages in a training prohibited in division (C) of this 1250
section. 1251

(E) Each state institution of higher education shall issue 1252
a report in accordance with guidelines established under section 1253
3345.0219 of the Revised Code regarding each of the following: 1254

(1) All violations of division (D) of this section 1255
committed by anyone under the institution's jurisdiction and of 1256
all consequent disciplinary sanctions; 1257

(2) Statistics on the academic qualifications of accepted 1258
and matriculating students, disaggregated by race and sex. The 1259
statistics shall include information correlating students' 1260
academic qualifications and retention rates, disaggregated by 1261
race and sex. 1262

(F) Each state institution of higher education shall 1263
prohibit all policies designed explicitly to segregate faculty, 1264
staff, or students based on those individuals' race, ethnicity, 1265
religion, sex, sexual orientation, gender identity, or gender 1266
expression in credit-earning classroom settings, formal 1267
orientation ceremonies, and formal graduation ceremonies. 1268

(G) Each state institution of higher education shall 1269
respond to complaints from any student, student group, or 1270
faculty member about an alleged violation of the prohibitions 1271
and requirements under this section by an employee of the state 1272
institution of higher education using the process established 1273

under division (C) of section 3345.0215 of the Revised Code. 1274

Sec. 3350.10. (A) There is hereby created the northeast 1275
Ohio medical university. ~~The principal goal of the medical~~ 1276
~~university shall be to collaborate with the university of Akron,~~ 1277
~~Cleveland state university, Kent state university, and~~ 1278
~~Youngstown state university to graduate physicians oriented to~~ 1279
~~the practice of medicine at the community level, especially~~ 1280
~~family physicians. To accomplish this goal, the medical~~ 1281
~~university may incorporate in the clinical experience provided~~ 1282
~~its students the several community hospitals in the cities and~~ 1283
~~areas served by the medical university; utilize practicing~~ 1284
~~physicians as teachers; and to the fullest extent possible~~ 1285
~~utilize the basic science capabilities of the university of~~ 1286
~~Akron, Cleveland state university, Kent state university, and~~ 1287
~~Youngstown state university.~~
The government of northeast Ohio 1288
medical university is vested in a board of eleven trustees, who 1289
shall be appointed by the governor with the advice and consent 1290
of the senate pursuant to division (A) (2) of this section. 1291

(1) Until December 22, 2008, the government of the 1292
northeast Ohio medical university is vested in a nine-member 1293
board of trustees consisting of the presidents of the university 1294
of Akron, Kent state university, and Youngstown state 1295
university; one member each of the boards of trustees of the 1296
university of Akron, Kent state university, and Youngstown state 1297
university, to be appointed by their respective boards of 1298
trustees for a term of six years ending on the first day of May 1299
or until the trustee's term on the respective university board 1300
of trustees expires, whichever occurs first; and one person each 1301
to be appointed by the boards of trustees of the university of 1302
Akron, Kent state university, and Youngstown state university, 1303
for a term of nine years ending on the first day of May; except 1304

that the term of those first appointed by the several boards of 1305
trustees shall expire on the first day of May next following 1306
their appointment. Vacancies shall be filled for the unexpired 1307
term in the manner provided for original appointment. The 1308
trustees shall receive no compensation for their services but 1309
shall be paid their reasonable necessary expenses while engaged 1310
in the discharge of their official duties. A majority of the 1311
board constitutes a quorum. 1312

(2) Beginning December 22, 2008, the government of the 1313
northeast Ohio medical university is vested in a board of eleven 1314
trustees, who shall be appointed by the governor, with the 1315
advice and consent of the senate. Two of the trustees shall be 1316
current students of the medical university, and their selection 1317
and terms shall be in accordance with division (B) of this 1318
section. ~~Except For trustees appointed prior to July 1, 2025,~~ 1319
except as provided in division (A) (3) of this section and except 1320
for the student members, terms of office shall be for nine 1321
years. For trustees appointed on or after July 1, 2025, except 1322
for the student members, terms of office shall be for six years. 1323
Each trustee shall hold office from the date of appointment 1324
until the end of the term for which the trustee was appointed. 1325
Any trustee appointed to fill a vacancy occurring prior to the 1326
expiration of the term for which the trustee's predecessor was 1327
appointed shall hold office for the remainder of such term. Any 1328
trustee shall continue in office subsequent to the expiration 1329
date of the trustee's term until the trustee's successor takes 1330
office, or until a period of sixty days has elapsed, whichever 1331
occurs first. ~~No person who has served a full nine year term or~~ 1332
~~more than six years of such a term shall be eligible for~~ 1333
~~reappointment until a period of four years has elapsed since the~~ 1334
~~last day of the term for which the person previously served. The~~ 1335

trustees shall receive no compensation for their services but 1336
shall be paid their reasonable necessary expenses while engaged 1337
in the discharge of their official duties. A majority of the 1338
board constitutes a quorum. 1339

(3) Not later than December 22, 2008, the governor, with 1340
the advice and consent of the senate, shall appoint the two 1341
student trustees and successors for the trustees serving under 1342
division (A)(1) of this section. Except for the student 1343
trustees, who shall serve terms pursuant to division (B) of this 1344
section, the initial terms of office for trustees appointed 1345
under division (A)(2) of this section shall be as follows: one 1346
term ending September 23, 2009; one term ending September 23, 1347
2010; one term ending September 23, 2011; one term ending 1348
September 23, 2012; one term ending September 23, 2013; one term 1349
ending September 23, 2014; one term ending September 23, 2015; 1350
one term ending September 23, 2016; one term ending September 1351
23, 2017. Thereafter, for trustees appointed prior to July 1, 1352
2025, terms of office shall be for nine years, as provided in 1353
division (A)(2) of this section. For trustees appointed on or 1354
after July 1, 2025, terms of office shall be for six years, as 1355
provided in division (A)(2) of this section. 1356

(B) The student members of the board of trustees of the 1357
northeast Ohio medical university have no voting power on the 1358
board. Student members shall not be considered as members of the 1359
board in determining whether a quorum is present. Student 1360
members shall not be entitled to attend executive sessions of 1361
the board. The student members of the board shall be appointed 1362
by the governor, with the advice and consent of the senate, from 1363
a group of five candidates selected pursuant to a procedure 1364
adopted by the university's student governments and approved by 1365
the university's board of trustees. The initial term of office 1366

of one of the student members shall commence December 22, 2008, 1367
and shall expire on June 30, 2009, and the initial term of 1368
office of the other student member shall commence December 22, 1369
2008, and shall expire on June 30, 2010. Thereafter, terms of 1370
office of student members shall be for two years, each term 1371
ending on the same day of the same month of the year as the term 1372
it succeeds. In the event that a student member cannot fulfill a 1373
two-year term, a replacement shall be selected to fill the 1374
unexpired term in the same manner used to make the original 1375
selection. 1376

Sec. 3352.01. (A) There is hereby created a state 1377
university to be known as "Wright state university." The 1378
government of Wright state university is vested in a board of 1379
eleven trustees, who shall be appointed by the governor, with 1380
the advice and consent of the senate. Two of the trustees shall 1381
be students at Wright state university, and their selection and 1382
terms shall be in accordance with division (B) of this section. 1383
~~Except for trustees appointed prior to July 1, 2025, except for~~ 1384
the terms of student members, terms of office shall be for nine 1385
years, commencing on the first day of July and ending on the 1386
thirtieth day of June. For trustees appointed on or after July 1387
1, 2025, except for the terms of student members, terms of 1388
office shall be for six years, commencing on the first day of 1389
July and ending on the thirtieth day of June. Each trustee shall 1390
hold office from the date of appointment until the end of the 1391
term for which the trustee was appointed. Any trustee appointed 1392
to fill a vacancy occurring prior to the expiration of the term 1393
for which the trustee's predecessor was appointed shall hold 1394
office for the remainder of such term. Any trustee shall 1395
continue in office subsequent to the expiration date of the 1396
trustee's term until the trustee's successor takes office, or 1397

until a period of sixty days has elapsed, whichever occurs 1398
first. ~~No person who has served a full nine-year term or more~~ 1399
~~than six years of such a term shall be eligible for~~ 1400
~~reappointment until a period of four years has elapsed since the~~ 1401
~~last day of the term for which the person previously served.~~The 1402
trustees shall receive no compensation for their services but 1403
shall be paid their reasonable necessary expenses while engaged 1404
in the discharge of their official duties. A majority of the 1405
board constitutes a quorum. 1406

(B) The student members of the board of trustees of Wright 1407
state university have no voting power on the board. Student 1408
members shall not be considered as members of the board in 1409
determining whether a quorum is present. Student members shall 1410
not be entitled to attend executive sessions of the board. The 1411
student members of the board shall be appointed by the governor, 1412
with the advice and consent of the senate, from a group of five 1413
candidates selected pursuant to a procedure adopted by the 1414
university's student governments and approved by the 1415
university's board of trustees. The initial term of office of 1416
one of the student members shall commence on July 1, 1988, and 1417
shall expire on June 30, 1989, and the initial term of office of 1418
the other student member shall commence on July 1, 1988, and 1419
shall expire on June 30, 1990. Thereafter, terms of office of 1420
student members shall be for two years, each term ending on the 1421
same day of the same month of the year as the term it succeeds. 1422
In the event that a student member cannot fulfill a two-year 1423
term, a replacement shall be selected to fill the unexpired term 1424
in the same manner used to make the original selection. 1425

Sec. 3356.01. (A) There is hereby created Youngstown state 1426
university. The government of Youngstown state university is 1427
vested in a board of eleven trustees, who shall be appointed by 1428

the governor, with the advice and consent of the senate. Two of 1429
the trustees shall be students at Youngstown state university, 1430
and their selection and terms shall be in accordance with 1431
division (B) of this section. ~~Except For trustees appointed~~ 1432
~~prior to July 1, 2025, except~~ for the terms of student members, 1433
terms of office shall be for nine years, commencing on the 1434
second day of May and ending on the first day of May. For 1435
trustees appointed on or after July 1, 2025, except for the 1436
terms of student members, terms of office shall be for six 1437
years, commencing on the second day of May and ending on the 1438
first day of May. Each trustee shall hold office from the date 1439
of appointment until the end of the term for which the trustee 1440
was appointed. Any trustee appointed to fill a vacancy occurring 1441
prior to the expiration of the term for which the trustee's 1442
predecessor was appointed shall hold office for the remainder of 1443
such term. Any trustee shall continue in office subsequent to 1444
the expiration date of the trustee's term until the trustee's 1445
successor takes office, or until a period of sixty days has 1446
elapsed, whichever occurs first. ~~No person who has served a full~~ 1447
~~nine year term or more than six years of such a term shall be~~ 1448
~~eligible to reappointment until a period of four years has~~ 1449
~~elapsed since the last day of the term for which the person~~ 1450
~~previously served.~~ The trustees shall receive no compensation 1451
for their services but shall be paid their reasonable necessary 1452
expenses while engaged in the discharge of their duties. A 1453
majority of the board constitutes a quorum. 1454

(B) The student members of the board of trustees of 1455
Youngstown state university have no voting power on the board. 1456
Student members shall not be considered as members of the board 1457
in determining whether a quorum is present. Student members 1458
shall not be entitled to attend executive sessions of the board. 1459

The student members of the board shall be appointed by the 1460
governor, with the advice and consent of the senate, from a 1461
group of five candidates selected pursuant to a procedure 1462
adopted by the university's student governments and approved by 1463
the university's board of trustees. The initial term of office 1464
of one of the student members shall commence on May 2, 1988, and 1465
shall expire on May 1, 1989, and the initial term of office of 1466
the other student member shall commence on May 2, 1988, and 1467
expire on May 1, 1990. Thereafter, terms of office of student 1468
members shall be for two years, each term ending on the same day 1469
of the same month of the year as the term it succeeds. In the 1470
event that a student member cannot fulfill a two-year term, a 1471
replacement shall be selected to fill the unexpired term in the 1472
same manner used to make the original selection. 1473

Sec. 3359.01. (A) There is hereby created a state 1474
university to be known as "The University of Akron." The 1475
government of the university of Akron is vested in a board of 1476
eleven trustees who shall be appointed by the governor, with the 1477
advice and consent of the senate. Two of the trustees shall be 1478
students at the university of Akron, and their selection and 1479
terms shall be in accordance with division (B) of this section. 1480
~~Except for trustees appointed prior to July 1, 2025, except for~~ 1481
the terms of student members, terms of office shall be for nine 1482
years, commencing on the second day of July and ending on the 1483
first day of July. For trustees appointed on or after July 1, 1484
2025, except for the terms of student members, terms of office 1485
shall be for six years. Each trustee shall hold office from the 1486
date of appointment until the end of the term for which the 1487
trustee was appointed. Any trustee appointed to fill a vacancy 1488
occurring prior to the expiration of the term for which the 1489
trustee's predecessor was appointed shall hold office for the 1490

remainder of such term. Any trustee shall continue in office 1491
subsequent to the expiration date of the trustee's term until 1492
the trustee's successor takes office, or until a period of sixty 1493
days has elapsed, whichever occurs first. ~~No person who has~~ 1494
~~served a full nine year term or more than six years of such a~~ 1495
~~term shall be eligible for reappointment until a period of four~~ 1496
~~years has elapsed since the last day of the term for which the~~ 1497
~~person previously served.~~ The trustees shall receive no 1498
compensation for their services but shall be paid their 1499
reasonable necessary expenses while engaged in the discharge of 1500
their official duties. A majority of the board constitutes a 1501
quorum. 1502

(B) The student members of the board of trustees of the 1503
university of Akron have no voting power on the board. Student 1504
members shall not be considered as members of the board in 1505
determining whether a quorum is present. Student members shall 1506
not be entitled to attend executive sessions of the board. The 1507
student members of the board shall be appointed by the governor, 1508
with the advice and consent of the senate, from a group of five 1509
candidates selected pursuant to a procedure adopted by the 1510
university's student governments and approved by the 1511
university's board of trustees. The initial term of office of 1512
one of the student members shall commence on July 2, 1988, and 1513
shall expire on July 1, 1989, and the initial term of office of 1514
the other student member shall commence on July 2, 1988, and 1515
expire on July 1, 1990. Thereafter, terms of office of student 1516
members shall be for two years, each term ending on the same day 1517
of the same month of the year as the term it succeeds. In the 1518
event that a student member cannot fulfill a two-year term, a 1519
replacement shall be selected to fill the unexpired term in the 1520
same manner used to make the original selection. 1521

Sec. 3361.01. (A) There is hereby created a state 1522
university to be known as the "university of Cincinnati." The 1523
government of the university of Cincinnati is vested in a board 1524
of eleven trustees who shall be appointed by the governor with 1525
the advice and consent of the senate. Two of the trustees shall 1526
be students at the university of Cincinnati, and their selection 1527
and terms shall be in accordance with division (B) of this 1528
section. The terms of the first nine members of the board of 1529
trustees shall commence upon the effective date of the transfer 1530
of assets of the state-affiliated university of Cincinnati to 1531
the university of Cincinnati hereby created. One of such 1532
trustees shall be appointed for a term ending on the first day 1533
of January occurring at least twelve months after such date of 1534
transfer, and each of the other trustees shall be appointed for 1535
respective terms ending on each succeeding first day of January, 1536
so that one term will expire on each first day of January after 1537
expiration of the shortest term. ~~Except~~ For trustees appointed 1538
prior to July 1, 2025, except for the two student trustees, each 1539
successor trustee shall be appointed for a term ending on the 1540
first day of January, nine years from the expiration date of the 1541
term the trustee succeeds, except that any person appointed to 1542
fill a vacancy shall be appointed to serve only for the 1543
unexpired term. For trustees appointed on or after July 1, 2025, 1544
except for the two student trustees, each trustee shall be 1545
appointed for a term ending on the first day of January, six 1546
years from the expiration date of the term the trustee succeeds, 1547
except that any person appointed to fill a vacancy shall be 1548
appointed to serve only for the unexpired term. 1549

Any trustee shall continue in office subsequent to the 1550
expiration date of the trustee's term until the trustee's 1551
successor takes office, or until a period of sixty days has 1552

elapsed, whichever occurs first. 1553

~~No person who has served a full nine-year term or longer 1554
or more than six years of such a term shall be eligible to 1555
reappointment until a period of four years has elapsed since the 1556
last day of the term for which the person previously served. 1557~~

The trustees shall receive no compensation for their 1558
services but shall be paid their reasonable necessary expenses 1559
while engaged in the discharge of their official duties. A 1560
majority of the board constitutes a quorum. 1561

(B) The student members of the board of trustees of the 1562
university of Cincinnati have no voting power on the board. 1563
Student members shall not be considered as members of the board 1564
in determining whether a quorum is present. Student members 1565
shall not be entitled to attend executive sessions of the board. 1566
The student members of the board shall be appointed by the 1567
governor, with the advice and consent of the senate, from a 1568
group of five candidates selected pursuant to a procedure 1569
adopted by the university's student governments and approved by 1570
the university's board of trustees. The initial term of office 1571
of one of the student members shall commence on May 14, 1988, 1572
and shall expire on May 13, 1989, and the initial term of office 1573
of the other student member shall commence on May 14, 1988, 1574
and expire on May 13, 1990. Thereafter, terms of office of student 1575
members shall be for two years, each term ending on the same day 1576
of the same month of the year as the term it succeeds. In the 1577
event that a student cannot fulfill a two-year term, a 1578
replacement shall be selected to fill the unexpired term in the 1579
same manner used to make the original selection. 1580

Sec. 3362.01. (A) There is hereby created a state 1581
university to be known as "Shawnee state university." The 1582

government of Shawnee state university is vested in a board of 1583
eleven trustees who shall be appointed by the governor with the 1584
advice and consent of the senate. Two of the trustees shall be 1585
students at Shawnee state university, and their selection and 1586
terms shall be in accordance with division (B) of this section. 1587
The remaining trustees shall be appointed as follows: one for a 1588
term of one year, one for a term of two years, one for a term of 1589
three years, one for a term of four years, one for a term of 1590
five years, one for a term of six years, one for a term of seven 1591
years, one for a term of eight years, and one for a term of nine 1592
years. Thereafter, for trustees appointed prior to July 1, 2025, 1593
terms shall be for nine years. For trustees appointed on or 1594
after July 1, 2025, terms shall be for six years. All terms of 1595
office shall commence on the first day of July and end on the 1596
thirtieth day of June. 1597

Each trustee shall hold office from the date of 1598
appointment until the end of the term for which the trustee was 1599
appointed. Any trustee appointed to fill a vacancy occurring 1600
prior to the expiration of the term for which the trustee's 1601
predecessor was appointed shall hold office for the remainder of 1602
such term. Any trustee shall continue in office subsequent to 1603
the expiration date of the trustee's term until the trustee's 1604
successor takes office, or until a period of sixty days has 1605
elapsed, whichever occurs first. ~~No person who has served a full 1606
nine-year term or more than six years of such a term shall be 1607
eligible for reappointment until a period of four years has 1608
elapsed since the last day of the term for which the person 1609
previously served.~~ 1610

The trustees shall receive no compensation for their 1611
services but shall be paid their reasonable and necessary 1612
expenses while engaged in the discharge of their official 1613

duties. 1614

A majority of the board constitutes a quorum. 1615

(B) The student members of the board of trustees of 1616

Shawnee state university have no voting power on the board. 1617

Student members shall not be considered as members of the board 1618

in determining whether a quorum is present. Student members 1619

shall not be entitled to attend executive sessions of the board. 1620

The student members of the board shall be appointed by the 1621

governor, with the advice and consent of the senate, from a 1622

group of five candidates selected pursuant to a procedure 1623

adopted by the university's student governments and approved by 1624

the university's board of trustees. The initial term of office 1625

of one of the student members shall commence on July 1, 1988, 1626

and shall expire on June 30, 1989, and the initial term of 1627

office of the other student member shall commence on July 1, 1628

1988, and expire on June 30, 1990. Thereafter, terms of office 1629

of student members shall be for two years, each term ending on 1630

the same day of the same month of the year as the term it 1631

succeeds. In the event a student member cannot fulfill a two- 1632

year term, a replacement shall be selected to fill the unexpired 1633

term in the same manner used to make the original selection. 1634

Sec. 3364.01. (A) The university of Toledo, as authorized 1635

under former Chapter 3360. of the Revised Code, and the medical 1636

university of Ohio at Toledo, as authorized under former 1637

sections 3350.01 to 3350.05 of the Revised Code, shall be 1638

combined as one state university to be known as the "university 1639

of Toledo." 1640

(B) (1) The government of the combined university of Toledo 1641

is vested in a board of trustees which, except as prescribed in 1642

division (B) (2) of this section, shall be appointed by the 1643

governor with the advice and consent of the senate. The initial 1644
board of trustees of the combined university shall be as 1645
prescribed in division (B) (2) of this section. After the 1646
abolishment of offices as prescribed in division (B) (2) (a) of 1647
this section, the board of trustees of the combined university 1648
shall consist of nine voting members, who, if appointed prior to 1649
July 1, 2025, shall serve for terms of nine years, or, if 1650
appointed on or after July 1, 2025, shall serve for terms of six 1651
years, and two nonvoting members, who shall be students of the 1652
combined university and who shall serve for terms of two years. 1653
Terms of office of trustees shall begin on the second day of 1654
July and end on the first day of July. 1655

(2) The initial board of trustees of the combined 1656
university shall consist of seventeen voting members who are the 1657
eight members who made up the board of trustees of the medical 1658
university of Ohio at Toledo prior to May 1, 2006, under former 1659
section 3350.01 of the Revised Code, and whose terms would 1660
expire under that section after May 1, 2006; the eight voting 1661
members who made up the board of trustees of the university of 1662
Toledo, under former section 3360.01 of the Revised Code, and 1663
whose terms would expire under that section after July 1, 2006; 1664
and one additional member appointed by the governor with the 1665
advice and consent of the senate. The terms of office, 1666
abolishment of office, and succession of the voting members of 1667
the initial board shall be as prescribed in division (B) (2) (a) 1668
of this section. The initial board also shall consist of two 1669
nonvoting members who are students of the combined university, 1670
as prescribed in division (B) (2) (b) of this section. 1671

(a) The term of office of the voting member of the initial 1672
board of trustees of the combined university who was not 1673
formerly a member of either the board of trustees of the medical 1674

university of Ohio at Toledo or the board of trustees of the 1675
university of Toledo shall be for nine years, beginning on July 1676
2, 2006, and ending on July 1, 2015. 1677

The terms of office of the sixteen other voting members of 1678
the initial board of trustees shall expire on July 1 of the year 1679
they otherwise would expire under former section 3350.01 or 1680
3360.01 of the Revised Code. 1681

The office of one voting member whose term expires on July 1682
1, 2007, shall be abolished on that date. The governor, with the 1683
advice and consent of the senate, shall appoint a successor to 1684
the office of the other voting member whose term expires on that 1685
date to a nine-year term beginning on July 2, 2007. 1686

The office of one voting member whose term expires on July 1687
1, 2008, shall be abolished on that date. The governor, with the 1688
advice and consent of the senate, shall appoint a successor to 1689
the office of the other voting member whose term expires on that 1690
date to a nine-year term beginning on July 2, 2008. 1691

The office of one voting member whose term expires on July 1692
1, 2009, shall be abolished on that date. The governor, with the 1693
advice and consent of the senate, shall appoint a successor to 1694
the office of the other voting member whose term expires on that 1695
date to a nine-year term beginning on July 2, 2009. 1696

The office of one voting member whose term expires on July 1697
1, 2010, shall be abolished on that date. The governor, with the 1698
advice and consent of the senate, shall appoint a successor to 1699
the office of the other voting member whose term expires on that 1700
date to a nine-year term beginning on July 2, 2010. 1701

The office of one voting member whose term expires on July 1702
1, 2011, shall be abolished on that date. The governor, with the 1703

advice and consent of the senate, shall appoint a successor to 1704
the office of the other voting member whose term expires on that 1705
date to a nine-year term beginning on July 2, 2011. 1706

The office of one voting member whose term expires on July 1707
1, 2012, shall be abolished on that date. The governor, with the 1708
advice and consent of the senate, shall appoint a successor to 1709
the office of the other voting member whose term expires on that 1710
date to a nine-year term beginning on July 2, 2012. 1711

The office of one voting member whose term expires on July 1712
1, 2013, shall be abolished on that date. The governor, with the 1713
advice and consent of the senate, shall appoint a successor to 1714
the office of the other voting member whose term expires on that 1715
date to a nine-year term beginning on July 2, 2013. 1716

The office of one voting member whose term expires on July 1717
1, 2014, shall be abolished on that date. The governor, with the 1718
advice and consent of the senate, shall appoint a successor to 1719
the office of the other voting member whose term expires on that 1720
date to a nine-year term beginning on July 2, 2014. 1721

The governor, with the advice and consent of the senate, 1722
shall appoint a successor to the office of the voting member 1723
whose term expires on July 1, 2015, to a nine-year term 1724
beginning on July 2, 2015. 1725

Thereafter the terms of office of all subsequent voting 1726
members of the board of trustees who are appointed prior to July 1727
1, 2025, shall be for nine years beginning on the second day of 1728
July and ending on the first day of July. The terms of office 1729
for voting members of the board of trustees who are appointed on 1730
or after July 1, 2025, shall be for six years beginning on the 1731
second day of July and ending on the first day of July. 1732

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

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

(4) Each trustee shall hold office from the date of appointment until the end of the term for which the trustee was appointed. Any trustee appointed to fill a vacancy occurring prior to the expiration of the term for which the trustee's

predecessor was appointed shall hold office for the remainder of 1764
such term. Any trustee shall continue in office subsequent to 1765
the expiration date of the trustee's term until the trustee's 1766
successor takes office, or until a period of sixty days has 1767
elapsed, whichever occurs first. 1768

~~(5) No person who has served as a voting member of the 1769
board of trustees for a full nine year term or more than six 1770
years of such a term and no person who is a voting member of the 1771
initial board of trustees as prescribed in division (B) (2) (a) of 1772
this section is eligible for reappointment to the board until a 1773
period of four years has elapsed since the last day of the term 1774
for which the person previously served. 1775~~

~~No person who served as a voting member of the board of 1776
trustees of the former university of Toledo, as authorized under 1777
former Chapter 3360. of the Revised Code, for a full nine year 1778
term or more than six years of such a term, and no person who 1779
served on the board of trustees of the former medical university 1780
of Ohio at Toledo, as authorized under former sections 3350.01 1781
to 3350.05 of the Revised Code, for a full nine year term or 1782
more than six years of such a term is eligible for appointment 1783
to the board of trustees of the combined university until a 1784
period of four years has elapsed since the last day of the term 1785
for which the person previously served. 1786~~

(C) The trustees shall receive no compensation for their 1787
services but shall be paid their reasonable necessary expenses 1788
while engaged in the discharge of their official duties. A 1789
majority of the board constitutes a quorum. The student members 1790
of the board have no voting power on the board. Student members 1791
shall not be considered as members of the board in determining 1792
whether a quorum is present. Student members shall not be 1793

entitled to attend executive sessions of the board. 1794

Sec. 4117.14. (A) The procedures contained in this section 1795
govern the settlement of disputes between an exclusive 1796
representative and a public employer concerning the termination 1797
or modification of an existing collective bargaining agreement 1798
or negotiation of a successor agreement, or the negotiation of 1799
an initial collective bargaining agreement. 1800

(B) (1) In those cases where there exists a collective 1801
bargaining agreement, any public employer or exclusive 1802
representative desiring to terminate, modify, or negotiate a 1803
successor collective bargaining agreement shall: 1804

(a) Serve written notice upon the other party of the 1805
proposed termination, modification, or successor agreement. The 1806
party must serve the notice not less than sixty days prior to 1807
the expiration date of the existing agreement or, in the event 1808
the existing collective bargaining agreement does not contain an 1809
expiration date, not less than sixty days prior to the time it 1810
is proposed to make the termination or modifications or to make 1811
effective a successor agreement. 1812

(b) Offer to bargain collectively with the other party for 1813
the purpose of modifying or terminating any existing agreement 1814
or negotiating a successor agreement; 1815

(c) Notify the state employment relations board of the 1816
offer by serving upon the board a copy of the written notice to 1817
the other party and a copy of the existing collective bargaining 1818
agreement. 1819

(2) In the case of initial negotiations between a public 1820
employer and an exclusive representative, where a collective 1821
bargaining agreement has not been in effect between the parties, 1822

any party may serve notice upon the board and the other party 1823
setting forth the names and addresses of the parties and 1824
offering to meet, for a period of ninety days, with the other 1825
party for the purpose of negotiating a collective bargaining 1826
agreement. 1827

If the settlement procedures specified in divisions (B), 1828
(C), and (D) of this section govern the parties, where those 1829
procedures refer to the expiration of a collective bargaining 1830
agreement, it means the expiration of the sixty-day period to 1831
negotiate a collective bargaining agreement referred to in this 1832
subdivision, or in the case of initial negotiations, it means 1833
the ninety-day period referred to in this subdivision. 1834

(3) The parties shall continue in full force and effect 1835
all the terms and conditions of any existing collective 1836
bargaining agreement, without resort to strike or lock-out, for 1837
a period of sixty days after the party gives notice or until the 1838
expiration date of the collective bargaining agreement, 1839
whichever occurs later, or for a period of ninety days where 1840
applicable. 1841

(4) Upon receipt of the notice, the parties shall enter 1842
into collective bargaining. 1843

(C) In the event the parties are unable to reach an 1844
agreement, they may submit, at any time prior to forty-five days 1845
before the expiration date of the collective bargaining 1846
agreement, the issues in dispute to any mutually agreed upon 1847
dispute settlement procedure which supersedes the procedures 1848
contained in this section. 1849

(1) The procedures may include: 1850

(a) Conventional arbitration of all unsettled issues; 1851

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

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

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

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

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

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

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

bargaining. 1881

If an impasse exists or forty-five days before the 1882
expiration date of the collective bargaining agreement if one 1883
exists, the board shall appoint a mediator to assist the parties 1884
in the collective bargaining process. 1885

(3) Any time after the appointment of a mediator, either 1886
party may request the appointment of a fact-finding panel. 1887
Within fifteen days after receipt of a request for a fact- 1888
finding panel, the board shall appoint a fact-finding panel of 1889
not more than three members who have been selected by the 1890
parties in accordance with rules established by the board, from 1891
a list of qualified persons maintained by the board. 1892

(a) The fact-finding panel shall, in accordance with rules 1893
and procedures established by the board that include the 1894
regulation of costs and expenses of fact-finding, gather facts 1895
and make recommendations for the resolution of the matter. The 1896
board shall by its rules require each party to specify in 1897
writing the unresolved issues and its position on each issue to 1898
the fact-finding panel. The fact-finding panel shall make final 1899
recommendations as to all the unresolved issues. 1900

(b) The board may continue mediation, order the parties to 1901
engage in collective bargaining until the expiration date of the 1902
agreement, or both. 1903

(4) The following guidelines apply to fact-finding: 1904

(a) The fact-finding panel may establish times and place 1905
of hearings which shall be, where feasible, in the jurisdiction 1906
of the state. 1907

(b) The fact-finding panel shall conduct the hearing 1908
pursuant to rules established by the board. 1909

(c) Upon request of the fact-finding panel, the board shall issue subpoenas for hearings conducted by the panel. 1910
1911

(d) The fact-finding panel may administer oaths. 1912

(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. 1913
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(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. 1918
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(5) The fact-finding panel, acting by a majority of its members, shall transmit its findings of fact and recommendations on the unresolved issues to the public employer and employee organization involved and to the board no later than fourteen days after the appointment of the fact-finding panel, unless the parties mutually agree to an extension. The parties shall share the cost of the fact-finding panel in a manner agreed to by the parties. 1924
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(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 1932
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submitted and a collective bargaining agreement shall be 1939
executed between the parties, including the fact-finding panel's 1940
recommendations, except as otherwise modified by the parties by 1941
mutual agreement. If either the legislative body or the public 1942
employee organization rejects the recommendations, the board 1943
shall publicize the findings of fact and recommendations of the 1944
fact-finding panel. The board shall adopt rules governing the 1945
procedures and methods for public employees to vote on the 1946
recommendations of the fact-finding panel. 1947

(b) As used in division (C) (6) (a) of this section, 1948
"legislative body" means the controlling board when the state or 1949
any of its agencies, authorities, commissions, boards, or other 1950
branch of public employment is party to the fact-finding 1951
process. 1952

(D) If the parties are unable to reach agreement within 1953
seven days after the publication of findings and recommendations 1954
from the fact-finding panel or the collective bargaining 1955
agreement, if one exists, has expired, then the: 1956

(1) Public employees, who are ~~members of a police or fire~~ 1957
~~department, members of the state highway patrol, deputy~~ 1958
~~sheriffs, dispatchers employed by a police, fire, or sheriff's~~ 1959
~~department or the state highway patrol or civilian dispatchers~~ 1960
~~employed by a public employer other than a police, fire, or~~ 1961
~~sheriff's department to dispatch police, fire, sheriff's~~ 1962
~~department, or emergency medical or rescue personnel and units,~~ 1963
~~an exclusive nurse's unit, employees of Ohio deaf and blind~~ 1964
~~education services, employees of any public employee retirement~~ 1965
~~system, corrections officers, guards at penal or mental~~ 1966
~~institutions, special police officers appointed in accordance~~ 1967
~~with sections 5119.08 and 5123.13 of the Revised Code,~~ 1968

~~psychiatric attendants employed at mental health forensic facilities, youth leaders employed at juvenile correctional facilities, or members of a law enforcement security force that is established and maintained exclusively by a board of county commissioners and whose members are employed by that board,~~ prohibited from striking under this division shall submit the matter to a final offer settlement procedure pursuant to a board order issued forthwith to the parties to settle by a conciliator selected by the parties. The parties shall request from the board a list of five qualified conciliators and the parties shall select a single conciliator from the list by alternate striking of names. If the parties cannot agree upon a conciliator within five days after the board order, the board shall on the sixth day after its order appoint a conciliator from a list of qualified persons maintained by the board or shall request a list of qualified conciliators from the American arbitration association and appoint therefrom.

The following public employees shall not strike:

(a) Members of a police or fire department;

(b) Members of the state highway patrol;

(c) Deputy sheriffs;

(d) Dispatchers employed by a police, fire, or sheriff's department or the state highway patrol or civilian dispatchers employed by a public employer other than a police, fire, or sheriff's department to dispatch police, fire, sheriff's department, or emergency medical or rescue personnel and units;

(e) Members of an exclusive nurse's unit;

(f) Employees of Ohio deaf and blind education services;

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|--|--|
| <u>(g) Employees of any public employee retirement system;</u> | 1997 |
| <u>(h) Corrections officers;</u> | 1998 |
| <u>(i) Guards at penal or mental institutions;</u> | 1999 |
| <u>(j) Special police officers appointed in accordance with sections 5119.08 and 5123.13 of the Revised Code;</u> | 2000 2001 |
| <u>(k) Psychiatric attendants employed at mental health forensic facilities;</u> | 2002 2003 |
| <u>(l) Youth leaders employed at juvenile correctional facilities;</u> | 2004 2005 |
| <u>(m) Members of a law enforcement security force that is established and maintained exclusively by a board of county commissioners and whose members are employed by that board;</u> | 2006 2007 2008 |
| <u>(n) Full-time faculty members of any state institution of higher education.</u> | 2009 2010 |
| (2) Public employees other than those listed in division (D) (1) of this section have the right to strike under Chapter 4117. of the Revised Code provided that the employee organization representing the employees has given a ten-day prior written notice of an intent to strike to the public employer and to the board, and further provided that the strike is for full, consecutive work days and the beginning date of the strike is at least ten work days after the ending date of the most recent prior strike involving the same bargaining unit; however, the board, at its discretion, may attempt mediation at any time. | 2011 2012 2013 2014 2015 2016 2017 2018 2019 2020 2021 |
| (E) Nothing in this section shall be construed to prohibit the parties, at any time, from voluntarily agreeing to submit any or all of the issues in dispute to any other alternative | 2022 2023 2024 |

dispute settlement procedure. An agreement or statutory 2025
requirement to arbitrate or to settle a dispute pursuant to a 2026
final offer settlement procedure and the award issued in 2027
accordance with the agreement or statutory requirement is 2028
enforceable in the same manner as specified in division (B) of 2029
section 4117.09 of the Revised Code. 2030

(F) Nothing in this section shall be construed to prohibit 2031
a party from seeking enforcement of a collective bargaining 2032
agreement or a conciliator's award as specified in division (B) 2033
of section 4117.09 of the Revised Code. 2034

(G) The following guidelines apply to final offer 2035
settlement proceedings under division (D) (1) of this section: 2036

(1) The parties shall submit to final offer settlement 2037
those issues that are subject to collective bargaining as 2038
provided by section 4117.08 of the Revised Code and upon which 2039
the parties have not reached agreement and other matters 2040
mutually agreed to by the public employer and the exclusive 2041
representative; except that the conciliator may attempt 2042
mediation at any time. 2043

(2) The conciliator shall hold a hearing within thirty 2044
days of the board's order to submit to a final offer settlement 2045
procedure, or as soon thereafter as is practicable. 2046

(3) The conciliator shall conduct the hearing pursuant to 2047
rules developed by the board. The conciliator shall establish 2048
the hearing time and place, but it shall be, where feasible, 2049
within the jurisdiction of the state. Not later than five 2050
calendar days before the hearing, each of the parties shall 2051
submit to the conciliator, to the opposing party, and to the 2052
board, a written report summarizing the unresolved issues, the 2053

party's final offer as to the issues, and the rationale for that position. 2054
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(4) Upon the request by the conciliator, the board shall issue subpoenas for the hearing. 2056
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(5) The conciliator may administer oaths. 2058

(6) The conciliator shall hear testimony from the parties and provide for a written record to be made of all statements at the hearing. The board shall submit for inclusion in the record and for consideration by the conciliator the written report and recommendation of the fact-finders. 2059
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(7) After hearing, the conciliator shall resolve the dispute between the parties by selecting, on an issue-by-issue basis, from between each of the party's final settlement offers, taking into consideration the following: 2064
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(a) Past collectively bargained agreements, if any, between the parties; 2068
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(b) Comparison of the issues submitted to final offer settlement relative to the employees in the bargaining unit involved with those issues related to other public and private employees doing comparable work, giving consideration to factors peculiar to the area and classification involved; 2070
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(c) The interests and welfare of the public, the ability of the public employer to finance and administer the issues proposed, and the effect of the adjustments on the normal standard of public service; 2075
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(d) The lawful authority of the public employer; 2079

(e) The stipulations of the parties; 2080

(f) Such other factors, not confined to those listed in 2081
this section, which are normally or traditionally taken into 2082
consideration in the determination of the issues submitted to 2083
final offer settlement through voluntary collective bargaining, 2084
mediation, fact-finding, or other impasse resolution procedures 2085
in the public service or in private employment. 2086

(8) Final offer settlement awards made under Chapter 4117. 2087
of the Revised Code are subject to Chapter 2711. of the Revised 2088
Code. 2089

(9) If more than one conciliator is used, the 2090
determination must be by majority vote. 2091

(10) The conciliator shall make written findings of fact 2092
and promulgate a written opinion and order upon the issues 2093
presented to the conciliator, and upon the record made before 2094
the conciliator and shall mail or otherwise deliver a true copy 2095
thereof to the parties and the board. 2096

(11) Increases in rates of compensation and other matters 2097
with cost implications awarded by the conciliator may be 2098
effective only at the start of the fiscal year next commencing 2099
after the date of the final offer settlement award; provided 2100
that if a new fiscal year has commenced since the issuance of 2101
the board order to submit to a final offer settlement procedure, 2102
the awarded increases may be retroactive to the commencement of 2103
the new fiscal year. The parties may, at any time, amend or 2104
modify a conciliator's award or order by mutual agreement. 2105

(12) The parties shall bear equally the cost of the final 2106
offer settlement procedure. 2107

(13) Conciliators appointed pursuant to this section shall 2108
be residents of the state. 2109

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

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

Sec. 4117.15. (A) Whenever a strike by ~~members of a police
or fire department, members of the state highway patrol, deputy
sheriffs, dispatchers employed by a police, fire, or sheriff's
department or the state highway patrol or civilian dispatchers
employed by a public employer other than a police, fire, or
sheriff's department to dispatch police, fire, sheriff's
department, or emergency medical or rescue personnel and units,
an exclusive nurse's unit, employees of Ohio deaf and blind
education services, employees of any public employee retirement
system, correction officers, guards at penal or mental
institutions, or special police officers appointed in accordance
with sections 5119.08 and 5123.13 of the Revised Code,
psychiatric attendants employed at mental health forensic
facilities, youth leaders employed at juvenile correctional
facilities, or members of a law enforcement security force that
is established and maintained exclusively by a board of county
commissioners and whose members are employed by that board~~public
employees who are prohibited from striking under division (D) (1)
of section 4117.14 of the Revised Code, a strike by other public

employees during the pendency of the settlement procedures set 2141
forth in section 4117.14 of the Revised Code, or a strike during 2142
the term or extended term of a collective bargaining agreement 2143
occurs, the public employer may seek an injunction against the 2144
strike in the court of common pleas of the county in which the 2145
strike is located. 2146

(B) An unfair labor practice by a public employer is not a 2147
defense to the injunction proceeding noted in division (A) of 2148
this section. Allegations of unfair labor practices during the 2149
settlement procedures set forth in section 4117.14 of the 2150
Revised Code shall receive priority by the state employment 2151
relations board. 2152

(C) No public employee is entitled to pay or compensation 2153
from the public employer for the period engaged in any strike. 2154

Section 2. That existing sections 3335.02, 3335.09, 2155
3337.01, 3339.01, 3341.02, 3343.02, 3344.01, 3345.45, 3350.10, 2156
3352.01, 3356.01, 3359.01, 3361.01, 3362.01, 3364.01, 4117.14, 2157
and 4117.15 of the Revised Code are hereby repealed. 2158

Section 3. That section 3333.045 of the Revised Code is 2159
hereby repealed. 2160

Section 4. The Department of Higher Education shall 2161
conduct a feasibility study about implementing bachelor's degree 2162
programs that require three years to complete in this state. The 2163
study shall investigate a variety of fields of study and 2164
determine the feasibility of reducing specific course 2165
requirements, quantity of electives, and total credit hours 2166
required for graduation. However, the study shall not include 2167
the use of College Credit Plus or any other current programs 2168
used to accelerate degree programs. Finally, the study shall 2169

present and evaluate potential issues related to accreditation. 2170

Not later than one year after the effective date of this 2171

section, the Department shall submit to the General Assembly, in 2172

accordance with section 101.68 of the Revised Code, a report 2173

about the study's findings. 2174

Section 5. This act shall be known as The Advance Ohio 2175

Higher Education Act. 2176