

**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**

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**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

<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  
the person previously served. For trustees appointed on or after  
July 1, 2025, except for the terms of student members, terms of  
office shall be for six years, commencing on the seventeenth day  
of May and ending on the sixteenth day of May.~~

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

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

selection and terms shall be in accordance with division (D) of 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

<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

<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

<u>the institution to do all of the following:</u>	613
<u>(1) (a) Prohibit all of the following:</u>	614
<u>(i) Any orientation or training course regarding</u> <u>diversity, equity, and inclusion;</u>	615 616
<u>(ii) The continuation of existing diversity, equity, and</u> <u>inclusion offices or departments;</u>	617 618
<u>(iii) Establishing new diversity, equity, and inclusion</u> <u>offices or departments;</u>	619 620
<u>(iv) Using diversity, equity, and inclusion in job</u> <u>descriptions;</u>	621 622
<u>(v) Contracting with consultants or third-parties whose</u> <u>role is or would be to promote admissions, hiring, or promotion</u> <u>on the basis of race, ethnicity, religion, sex, sexual</u> <u>orientation, gender identity, or gender expression;</u>	623 624 625 626
<u>(vi) The establishment of any new institutional</u> <u>scholarships that use diversity, equity, and inclusion in any</u> <u>manner. For any institutional scholarships existing on the</u> <u>effective date of this section, a state institution shall, to</u> <u>the extent possible, eliminate diversity, equity, and inclusion</u> <u>requirements. If the state institution is unable to do so</u> <u>because of donor requirements, the institution may continue to</u> <u>offer those institutional scholarships. However, the state</u> <u>institution shall not accept any additional funds for the</u> <u>operation of institutional scholarships that have diversity,</u> <u>equity, and inclusion requirements.</u>	627 628 629 630 631 632 633 634 635 636 637
<u>(b) A state institution shall not replace any orientation,</u> <u>training, office, or position designated for the purpose of</u> <u>diversity, equity, and inclusion that is prohibited under this</u>	638 639 640

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 chancellor of higher education jointly with all state-  
universities institutions of higher education, as defined in section 3345.011 of the Revised Code, shall develop standards for instructional workloads for full-time and part-time faculty 838  
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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



<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
<b><u>Sec. 3345.88. (A) As used in this section:</u></b>	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.

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

(e) The board shall prescribe guidelines for the fact-finding panel to follow in making findings. In making its recommendations, the fact-finding panel shall take into consideration the factors listed in divisions (G) (7) (a) to (f) of this section.

(f) The fact-finding panel may attempt mediation at any time during the fact-finding process. From the time of appointment until the fact-finding panel makes a final recommendation, it shall not discuss the recommendations for settlement of the dispute with parties other than the direct parties to the dispute.

(5) The fact-finding panel, acting by a majority of its members, shall transmit its findings of fact and recommendations on the unresolved issues to the public employer and employee organization involved and to the board no later than fourteen days after the appointment of the fact-finding panel, unless the parties mutually agree to an extension. The parties shall share the cost of the fact-finding panel in a manner agreed to by the parties.

(6) (a) Not later than seven days after the findings and recommendations are sent, the legislative body, by a three-fifths vote of its total membership, and in the case of the public employee organization, the membership, by a three-fifths vote of the total membership, may reject the recommendations; if neither rejects the recommendations, the recommendations shall be deemed agreed upon as the final resolution of the issues

submitted and a collective bargaining agreement shall be 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;

<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  
2055

(4) Upon the request by the conciliator, the board shall issue subpoenas for the hearing. 2056  
2057

(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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2061  
2062  
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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  
2065  
2066  
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(a) Past collectively bargained agreements, if any, between the parties; 2068  
2069

(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  
2071  
2072  
2073  
2074

(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  
2076  
2077  
2078

(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