



Ralph D. Clark

*Bill Analysis*  
*Legislative Service Commission*

**H.B. 174**  
126th General Assembly  
(As Introduced)

**Reps. McGregor, Martin, Reidelbach, Schaffer, Seaver, White**

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**BILL SUMMARY**

- Requires the Ohio Board of Regents to adopt rules to accomplish several goals, including the avoidance of unnecessary duplication and the conservation of public resources at state-assisted institutions of higher education.
- Directs the Board to advise state-assisted institutions on the nature of programs and services they should offer and to recommend to institutions programs that should be added to their present programs in accordance with the Board's goals.
- Provides the Board with the power to eliminate undergraduate, graduate, and professional programs at state-assisted institutions, in contrast to current law which allows the Board to recommend the programs' elimination.
- Allows the Board to reduce the funds available for certain programs or state-assisted institutions and prohibits the institutions from funding the programs from another source.
- Prohibits the Board from eliminating a program at a state-assisted institution that is required by the Revised Code.

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**CONTENT AND OPERATION**

**Application to public institutions of higher education**

(R.C. 3333.04(A))

The bill expands the regulatory authority of the Ohio Board of Regents, over "state-assisted institutions of higher education," defined as including state

universities, public medical colleges, community college districts, technical college districts, university branch districts, and state community colleges.

**Goals of the Board of Regents**

(R.C. 3333.04(B) and 3333.06)

The bill requires the Board of Regents to adopt rules to achieve multiple goals. The goals are (1) conserving public resources by eliminating duplicative practices, (2) practicing conservation of administration and resources, (3) authorizing the construction or acquisition of only those buildings, grounds, and infrastructure necessary for the education of students and for appropriate research, (4) producing an efficient and affordable system of state colleges and universities, (5) increasing or decreasing the number of students graduating with certain degrees to meet the needs of the state's employment market, and (6) coordinating, modifying, and approving all state college and university appropriation requests. The bill specifies that the Board has sole authority to submit the appropriation requests to the General Assembly and Office of Budget and Management.

**Methods available to the Board to accomplish its goals**

(R.C. 3333.04(C), 3333.07, and 3333.99)

In order to accomplish its goals, the Board may adopt orders and directions to take several actions.

**Closing, limiting, or advising programs**

Among the new powers granted to the Board is the power to adopt orders and directions to close, limit, or advise academic programs. Current law allows the Board only to *recommend* that state-assisted institutions of higher education eliminate certain programs if they constitute unnecessary duplication. The bill would give the Board the power to *require* that programs be eliminated. (However, the bill prohibits the Board from eliminating a program if the institution is required by another provision of the Revised Code to establish and maintain the program.) As under current law, the Board's decision that a program constitutes unnecessary duplication may be made using a process developed by rule, "or for other good and sufficient cause." The bill eliminates a requirement that the Board develop the process jointly with the institutions.

Also under the power to close, limit, or advise academic programs, the bill authorizes the Board to adopt orders or directions to *advise* state-assisted institutions of higher education on the nature of programs, state-financed research, and public services that the institutions should offer. Current law prescribes that the Board *recommend* the nature of the programs, research, and services.

Finally, under the power to close, limit, or advise academic programs, the Board may recommend to state-assisted institutions of higher education programs that should be added to their present programs, may approve or disapprove new degrees and new degree programs at the state-assisted institutions, may approve or disapprove new branches or academic centers of the state-assisted institutions, and may approve or disapprove the establishment of new state-assisted institutions of higher education. The Board currently possesses these abilities, but the bill directs the Board to exercise them in accordance with its goals.

### **Reducing funds**

The bill gives the Board the power to adopt orders or directions to reduce the funds available to certain programs or institutions of higher education. As under current law, the Board may exclude students enrolled in a program that it has decided to eliminate when determining the amount of state instructional subsidies paid to an institution. However, an institution's share of the state instructional subsidy cannot be reduced in the case of students who were enrolled in the affected program before the Board decided to eliminate the program. The bill adds that an institution cannot continue to fund a program from another source if the Board has decided to reduce the program's funds.

### **Other powers**

In addition, the Board may adopt orders or directions to restructure the faculty and administration of state-assisted institutions of higher education, and to require that the officers, trustees, and employees of the institutions provide truthful and accurate information regarding their institutions when so requested by the Board.

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## **HISTORY**

<b>ACTION</b>	<b>DATE</b>	<b>JOURNAL ENTRY</b>
Introduced	04-06-05	p. 365

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