



S.B. 24

126th General Assembly
(As Introduced)

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BILL SUMMARY

- Requires each public and private nonprofit institution of higher education to adopt a policy recognizing an academic bill of rights for students and faculty and to adopt a grievance procedure for alleged violations of those rights.

CONTENT AND OPERATION

Under the bill, each state university (including the Medical University of Ohio at Toledo and the Northeastern Ohio Universities College of Medicine), community college, state community college, university branch, technical college, and private nonprofit college or university with a certificate of authorization issued by the Ohio Board of Regents must adopt a policy outlining an academic bill of rights for students and faculty.¹ The policy must be adopted by the board of trustees or other governing authority of the institution. Each policy must recognize the following rights:

(1) The institution will provide students with a learning environment that offers students access to a broad range of serious scholarly opinion pertaining to their subjects of study. In the humanities, social sciences, and arts, the fostering of a plurality of serious scholarly methodologies and perspectives will be a significant institutional purpose. Curricula and reading lists in the humanities and social sciences will respect all human knowledge in those areas and include dissenting sources and viewpoints.

¹ R.C. 3345.80. *The 13 state universities are the University of Akron, Bowling Green State University, Central State University, University of Cincinnati, Cleveland State University, Kent State University, Miami University, Ohio University, Ohio State University, Shawnee State University, University of Toledo, Wright State University, and Youngstown State University (R.C. 3345.011, not in the bill).*

(2) Students will be graded solely on their knowledge of a subject area. They will not be discriminated against due to their political, ideological, or religious beliefs. Faculty members will not use their courses or their positions for the purpose of political, ideological, religious, or antireligious indoctrination.

(3) Faculty members will not infringe the academic freedom and quality of education for their students by "persistently introducing controversial matter into the classroom or coursework that has no relation to their subject of study and that serves no legitimate pedagogical purpose."

(4) Administrators, student government organizations, and policies, rules, and procedures of the institution will not infringe on students' or student organizations' freedom of speech, freedom of expression, freedom of assembly, or freedom of conscience.

(5) The institution will remain neutral with respect to political and religious disagreements, differences, and opinions and distribute funds collected from student fees accordingly. Student activities and the selection and funding of campus speakers will observe the principles of academic freedom and promote diverse opinions. The institution will not permit the obstruction of invited speakers, the destruction of campus literature, or other efforts to impede the exchange of ideas.²

(6) Faculty members may pursue and discuss their own perspectives and research findings, but they will make students aware of other serious scholarly viewpoints through classroom discussion or written materials. Faculty members will "encourage intellectual honesty, civil debate, and the critical analysis of ideas in the pursuit of knowledge and truth."

(7) Decisions regarding the hiring, termination, promotion, and granting of tenure to faculty members will be based on their competence and knowledge in their fields of expertise and not on their political, ideological, or religious beliefs.

(8) Faculty members will not be excluded from tenure, search, and hiring committees because of their political, ideological, or religious beliefs.

(9) The institution and its professional associations will be neutral with respect to substantive disagreements that divide researchers.

² *The bill indicates that activities intended to hinder the presentation or exchange of ideas will not be permitted "except as provided by law" (R.C. 3345.80(E)). Although it is not clear what activities would be covered by this exception, presumably institutions must allow peaceful protests or other activities that are not criminal acts.*

In addition to the policy outlining academic rights, each institution covered by the bill must adopt a grievance procedure by which a student or faculty member may seek redress for an alleged violation of the rights specified in the policy.³ The institution must provide students and faculty with notice of both the rights and the grievance procedure by publishing them in the institution's course catalog and student handbook and posting them on the institution's website.

HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	01-26-05	p. 109

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³ R.C. 3345.81.