



# Ohio Legislative Service Commission

## Bill Analysis

Carrie Burggraf

### H.B. 111

130th General Assembly  
(As Introduced)

**Reps.** Duffey and Stinziano, Brenner, Carney, Cera, Grossman, Hackett, C. Hagan, R. Hagan, Henne, Letson, Mallory, Milkovich, O'Brien, Stebelton, Wachtmann, Dovilla

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## BILL SUMMARY

- Grants student members of state university boards of trustees voting power, considers them in determining whether a quorum of a board is present, and entitles them to attend executive sessions of the boards on which they serve.
- Prohibits a student from being disqualified as a student trustee if the student receives financial aid or is employed in certain student employment positions.

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## CONTENT AND OPERATION

### The bill

The bill grants student members of the board of trustees of each state university (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)<sup>1</sup> and the Northeast Ohio Medical University voting power and the authority to attend executive sessions of the board. Under the bill, student trustees are also considered as members in determining if a quorum is present for meetings,<sup>2</sup> thereby changing the quorum on most boards from five of nine voting members to six of 11 voting members. Student members would continue to be appointed by the Governor, with the advice and

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<sup>1</sup> R.C. 3345.011, not in the bill.

<sup>2</sup> R.C. 3335.02(B), 3337.01(B), 3339.01(B), 3341.02(B) and (D), 3343.02(B), 3344.01(B), 3350.10, 3352.01(B), 3356.01(B), 3359.01(B), 3361.01(B), 3362.01, and 3364.01(B)(3) and (C).

consent of the Senate, to two-year terms, as under current law (see "**Background**," below).

Also, under the bill, a student cannot be disqualified from membership on a board of trustees because the student (1) receives a scholarship, grant, loan, or any other financial assistance payable out of the state treasury or a university fund or (2) is employed by the institution in 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. Moreover, the bill specifically prohibits acceptance of such financial assistance or employment by a student trustee from being considered a violation of provisions of the Ohio Ethics Law<sup>3</sup> and other provisions of state law<sup>4</sup> pertaining to receipt of improper compensation by public officials or improper financial interests in public contracts by public officials.

The bill further exempts students of Ohio State University from the law that disqualifies OSU trustees and their relatives from holding faculty or other positions at the university if the compensation for that position is paid from the state treasury or a university fund.<sup>5</sup>

## **Background**

Under current law, each four-year state university is governed by a board of trustees consisting of 11 members (except for Ohio State University, which has 17 members, and the University of Toledo, which is phasing down to 11 members since its 2006 merger with the Medical University of Ohio at Toledo). Each board includes two students at the institution governed by that board. These student members are appointed by the Governor, with the advice and consent of the Senate, from a group of candidates selected under a procedure adopted by the student governments of each institution. The student members serve for two years. (Nonstudent trustees serve for nine years.) Currently, student trustees have no voting power on these boards, are not considered in determining whether a quorum is present, and are not entitled to attend executive sessions. Neither student nor nonstudent trustees are compensated for their service, but are to be paid their reasonable and necessary expenses of discharging official duties.

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<sup>3</sup> R.C. Chapter 102., not in the bill.

<sup>4</sup> R.C. 2921.42 and 2921.43, neither in the bill.

<sup>5</sup> R.C. 3335.09.



Presumably, granting voting power to student trustees would place them under the same ethics and conflict of interest requirements as nonstudent trustees. These could include annual financial disclosure filings with the Ohio Ethics Commission<sup>6</sup> and recusal from votes on matters with which they may have conflicts of interest.

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## HISTORY

| ACTION     | DATE     |
|------------|----------|
| Introduced | 03-27-13 |

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<sup>6</sup> R.C. 102.02 and 102.22, neither in the bill.

