
DEPARTMENT OF HIGHER EDUCATION

Restriction on instructional fee increases

- For the 2023-2024 and 2024-2025 academic years, prohibits state universities, and university branch campuses from increasing instructional and general fees for students above 3% of what was charged in the previous academic year.
- For the 2023-2024 and 2024-2025 academic years, permits community colleges, state community colleges, and technical colleges to increase instructional and general fees by not more than \$5 per credit hour over the previous academic year.
- Excludes from the fee restrictions: student health insurance, auxiliary goods or services fees provided to students at cost, pass-through fees for licensure and certification exams, study abroad fees, elective service charges, fines, and voluntary sales transactions.

Financial aid programs

Ohio College Opportunity Grant Program

- Increases the income eligibility threshold for an Ohio College Opportunity Grant Program (OCOG) award from an expected family contribution (EFC) of \$2,190 or less to \$3,750 or less.
- Prescribes OCOG award amounts in uncodified law for FY 2024 and FY 2025, as follows:
 - For students enrolled in a state institution of higher education, \$3,000 in FY 2024 and \$4,000 in FY 2025;
 - For students enrolled in a private nonprofit college or university, \$4,500 in FY 2024 and \$5,000 in FY 2025; and
 - For students enrolled in a private for-profit career college, \$1,800 in FY 2024 and \$2,000 in FY 2025.
- Prohibits an institution of higher education that enrolls OCOG students from making changes to its scholarship or financial aid programs with the goal or net effect of shifting the cost burden of those programs to OCOG.
- Requires each institution to provide at least the same level of needs-based financial aid to its students as in the immediately prior academic year in terms of either aggregate aid or on per student basis, but permits the Chancellor of Higher Education to temporarily waive this requirement for exceptional circumstances.

Second Chance Grant Program

- Increases the award amount for the Second Chance Grant Program from \$2,000 to \$3,000.
- Designates eight months as the minimum period of disenrollment to qualify for a grant for students enrolled in institutions that do not operate on a semester calendar.

Ohio Work Ready Grant Program

- Requires the Chancellor to establish the Ohio Work Ready Grant Program to award grants of up to \$3,000 to eligible students enrolled in qualified programs at community, state community, or technical colleges, state university branch campuses, or Ohio technical centers.

War Orphans and Severely Disabled Veterans' Scholarship

- Renames the War Orphans and Severely Disabled Veterans' Children Scholarship as the Deceased or Severely Disabled Veterans' Children's Scholarship.
- Updates eligibility standards for the Deceased or Severely Disabled Veterans' Children's Scholarship by removing references to children of veterans who, while a member of the armed services, died or were discharged due to a disability on or before May 7, 1975.
- Requires the Ohio Deceased or Severely Disabled Veterans' Children's Scholarship Board to notify each scholarship applicant whose parent was killed in action of the Machine Gunnery Sergeant John David Fry Scholarship.
- Prohibits the Scholarship Board from awarding a scholarship to an applicant who is eligible for a Fry scholarship unless the board verifies that the applicant was denied a Fry scholarship.

Veterans' tuition waivers

- Updates eligibility standards by removing veterans who served between April 6, 1917, and November 11, 1918, as eligible for tuition waivers for attendance at a state-supported school, college, or university.
- Requires the Chancellor to notify applicants for a tuition waiver whose parent, spouse, or former spouse was a member of the armed services of the United States killed in the line of duty of the federal Machine Gunnery Sergeant John David Fry Scholarship.
- Prohibits the Chancellor from awarding a tuition waiver to an applicant who is eligible for a Fry scholarship unless the board verifies that the applicant was denied a Fry scholarship.

“Teach CS” Grant Program

- Requires the Chancellor of Higher Education to administer the “Teach CS” Grant Program to fund coursework, materials, and exams to support those who wish to teach computer science courses.

Ohio Computer Science Education Promise Program

- Creates the Ohio Computer Science Promise Program.

The Ohio Higher Education Enhancement Act

Diversity, equity, and inclusion (DEI), intellectual diversity, and other concepts

Policy

- Requires state institutions of higher education to adopt and enforce a policy requiring the institution to:
 - Prohibit any mandatory programs or training courses regarding DEI, except that a state institution may receive an exemption if such a program or course is required for certain specified purposes;
 - Affirm and declare a primary function to the pursuit of knowledge;
 - Affirm and declare that the institution will ensure full intellectual diversity;
 - Demonstrate intellectual diversity for course approval, approval of general education courses, student course evaluations, common reading programs, annual reviews, strategic goals for each department, and student learning outcomes;
 - Seek out invited speakers who have diverse ideological and political views;
 - Post a complete list of all speaker fees, honoraria, and other emoluments in excess of \$500 that are sponsored by the state institution prominently on its website.
- Requires each state institution's policy to affirm and declare that the state institution will not:
 - Endorse or oppose, as an institution, any controversial beliefs or policies, specified concepts, or specified ideologies;
 - Influence or require students, faculty, or administrators to endorse or express a given ideology, political stance, or view of a social policy;
 - Require a student to endorse or express a given ideology, political stance, or view to obtain an undergraduate or post-graduate degree;
 - Use political and ideological litmus tests in any hiring, promotion, and admissions decisions, including diversity statements and other requirements that applicants describe commitment to a specified concept, specified ideology, or controversial belief;
 - Influence or require students, faculty, or administrators to endorse or express a given ideology or political stance in any hiring, promotion, or admissions process or decision;
 - Use a diversity statement or any other assessment of an applicant's political or ideological views in any hiring, promotions, or admissions process or decision;
 - Influence or require students, faculty, or administrators to endorse or express a given ideology or political stance in any process or decision regulating conditions of work or study.

Intellectual diversity protections and disciplinary sanctions

- Requires each state institution to do all of the following:
 - Implement a range of disciplinary sanctions for any an administrator, faculty member, staff, or student who interferes with the intellectual diversity rights of another;
 - Inform all students and employees of their intellectual diversity protections and any applicable policies adopted by the state institution to put the protections into practice;
 - Issue and post to its website an annual report on any violations of intellectual diversity rights and resulting disciplinary sanctions.

Statements of commitment

- Requires each state institution to incorporate statements into a statement of commitment declaring commitment to free and open intellectual inquiry, independence of thought, tolerance of differing viewpoints, and equality of opportunity.

Equal opportunity policies

- Requires state institutions to do both of the following with regard to every position, policy, program, and activity:
 - Treat all faculty, staff, and students as individuals, hold all individuals to equal standards, and provide every individual with equality of opportunity with regard to those individuals' race, ethnicity, religion, or sex;
 - Provide no advantage or disadvantage to faculty, staff, or students on the basis of race, ethnicity, religion, or sex in admissions, hiring, promotion, tenuring, or workplace conditions.

Prohibition on support and training for certain concepts

- Prohibits state institutions from providing or requiring training for any administrator, teacher, or staff member that advocates or promotes certain prescribed concepts regarding race and sex.
- Requires state institutions to implement a range of disciplinary sanctions for any administrator, teacher, staff member, or employee who authorizes or engages in a training that violates the above prohibitions.
- Requires state institutions to issue and post on their websites an annual report regarding violations of the above prohibitions, resulting disciplinary sanctions, and statistics on the academic qualifications of accepted and matriculating students, disaggregated by race and sex.

Segregation prohibition

- Requires state institutions to prohibit all policies designed explicitly to segregate faculty, staff, or students based on those individuals' race, ethnicity, religion, or sex in credit-

earning classroom settings, formal orientation ceremonies, and formal graduation ceremonies.

Complaint procedures

- Requires the board of trustees of each state institution of higher education to establish a process for handling complaints from students, student groups, or faculty members about the institution's employees' compliance with the bill's provisions.

Higher education employee strikes

- Prohibits state institutions of higher education employees from striking and instead requires them to submit unresolved collective bargaining disputes to a final offer settlement procedure.

Faculty evaluations

Student and peer evaluations

- Requires the Department of Higher Education (DHE) to develop a minimum set of standard questions to be used in student evaluations, including a question about whether a faculty member creates a classroom atmosphere free of bias.
- Requires each state institution to establish a written system of faculty evaluations completed by students that uses the questions developed by DHE.
- Requires state institutions to establish a written system of peer evaluations for faculty members with a focus on professional development regarding the faculty member's teaching responsibilities.

Faculty annual performance evaluations

- Requires state institutions to adopt and, every five years, submit to the Chancellor of Higher Education a faculty annual performance evaluation policy.
- Requires the policy to include an appeals process for faculty.
- Requires state institutions to conduct an annual evaluation for each full-time faculty member directly compensated by the state institution.

Post-tenure review policies

- Requires state institutions with tenured faculty to adopt and, every five years, submit to the Chancellor a post-tenure review policy.
- Requires state institutions with tenured faculty to adopt and, every five years, submit to the Chancellor policies on tenure and retrenchment.
- Requires the policy to contain an appeals process for tenured faculty whose review results in a recommendation for administration action.

Uniform Prudent Management of Institutional Funds Act

- Establishes the scope and procedures for a civil action, under certain limited circumstances, when a state institution of higher education violates a restriction in a qualified endowment agreement.
- Permits the Attorney General, the donor who transferred property under the agreement, or the donor's benefactor representative to file a complaint for breach of a qualified endowment agreement.
- Permits the Attorney General and any party to a qualified endowment agreement, including the recipient state institution of higher education, to file a complaint to obtain a declaration of rights and duties under the agreement.
- Requires complaints to be filed within six years of discovering the violation, or within 25 years after the effective date of the qualified endowment agreement, whichever is sooner.
- Limits application the cause of action to future breaches of existing endowment agreements.

Other changes

Five-year institutional cost summaries

- Requires state institutions to submit to the Chancellor a rolling five-year summary of institutional costs to be considered by the General Assembly when evaluating operating and capital project funding for each biennial main operating appropriations bill and capital appropriations bill.
- Requires the Chancellor to submit a report to the General Assembly including all state institutions' five-year institutional cost summaries.
- Requires that the president of each state institution or the Chancellor have the opportunity to present in the appropriate hearings conducted by committees considering higher education legislation regarding the institutions' five-year summaries.
- Requires the Chancellor to, prior to the enactment of each main operating appropriations and capital appropriations bill, create and present a report to the General Assembly including the total institutional costs for state universities and community colleges separately.

Faculty workload policy

- Requires each state institution to take formal action to adopt a faculty workload policy consistent with standards adopted by the Chancellor, review and update its policy on faculty tenure, require multiple pathways to tenure to receive certain state funds, and update its faculty workload policy every five years.
- Requires each state institution to include in its faculty workload policy a teaching workload expectation based on credit hours, a definition of all faculty workload elements

in terms of credit hours including a full-time minimum standard established by the board of trustees, justifiable credit hour equivalents, and any administrative action that the state institution may take if a faculty member fails to comply with the policy's requirements.

American government or history course requirement

- Requires the Chancellor of Higher Education to develop a three credit hour course in the subject of American government or American history with mandatory reading assignments including the United States Constitution, Declaration of Independence, five essays from the Federalist Papers, the Emancipation Proclamation, Gettysburg Address, and Letter from Birmingham Jail by Dr. Martin Luther King, Jr.
- Requires state institutions to require all students seeking a bachelor's degree to take the course or receive an exemption, beginning with students who graduate in the spring of the 2028-2029 academic year.
- Permits state institutions to offer the course under the College Credit Plus Program.

Syllabus requirements

- Requires each state institution to either post a course syllabus for each undergraduate course offered for college credit on its website or ensure that each course instructor posts the syllabus on a publicly accessible website that has specified information about the instructor and each syllabus the instructor is teaching.
- Permits community colleges to instead post a general syllabus for each course offered for credit.
- Requires each state institution and the Chancellor to prepare reports regarding state institution compliance with syllabus posting requirements.

Interactions with the People's Republic of China

- Prohibits state institutions from accepting gifts, donations, or contributions from the People's Republic of China or any organization that the institution reasonably suspects is acting on behalf of the People's Republic of China.
- Requires state institutions to submit to the Chancellor a copy of the foreign gifts report it sends to the United States Department of Education.
- Require state institutions to notify the Chancellor before entering into new or renewed academic partnerships with an academic or research institution located in China.
- Requires the state institution to maintain sufficient structural safeguards to protect the state institution's intellectual property, the security of Ohio, and national security interests.
- Requires the Auditor of State to audit state institutions' structural safeguards during the course of a normal audit.

Board of trustees training

- Requires the Chancellor to develop and provide annual training to the board of trustees of each state institution.
- Eliminates a requirement that the Chancellor, working with specified stakeholders, develop voluntary, model training for state institution board of trustee members.

Board of trustees terms of office

- Changes the term of office to six years for all nonstudent trustees at state universities who are appointed by the Governor on or after January 1, 2024.
- Eliminates a prohibition on state university trustees who served at least six years of a term being reappointed as a trustee before four years have elapsed since the end of the trustee's previous term.

Northeast Ohio Medical University principal goals

- Removes language establishing the principal goals of the Northeast Ohio Medical University to work in collaboration with area state universities.

Three-year bachelor's degree study

- Requires the Department of Higher Education to conduct a study on the feasibility of implementing three-year bachelor's degree programs in Ohio.

State institutions of higher education boards of trustees

The Ohio State University student trustees

- Prohibits student members of the Ohio State University (OSU) board of trustees from having voting power on the board, being considered members of the board in determining whether a quorum is present, and being entitled to attend executive sessions.
- Eliminates a requirement that the OSU board of trustees adopt a resolution determining whether to grant student trustees voting power and related authority.

Two-year institution boards of trustees

- Permits a member of a technical college, community college, or state community college board of trustees whose term has expired to continue in office until the trustee's successor takes office.
- States that for technical college, community college, and state community college boards of trustees, a majority of the sitting board members at the time of a meeting constitutes a quorum.

Technical college trustee appointments

- Transfers appointing power for technical college boards of trustees from school district boards of education to trustee selection committees beginning with trustees appointed on or after January 1, 2024.

- Requires the initial appointment of a trustee not appointed by the Governor during the expansion of a technical college district to be made by the technical college board of trustees' trustee selection committee.

State institution policies

Notice regarding access to transcript and institutional debts

- Requires each state institution of higher education, private nonprofit college or university, and private for-profit career college to post on its website:
 - An explanation that students have a right to access transcripts for employment-seeking purposes, regardless of whether the student owes an institutional debt; and
 - A list of resources for students who owe an institutional debt.

College transcripts

- Requires each state institution of higher education to adopt a resolution determining whether to end the practice of transcript withholding by December 1, 2023.
- Requires the Chancellor to provide a copy of each resolution to the Governor, the Speaker of the House, and the Senate President by January 1, 2024.

Mandatory on-campus student housing

- Prohibits state universities from requiring a student to live in on-campus student housing, unless the student is a first-year student who lives more than 25 miles away from the campus.

College student authority to decline vaccines

- Authorizes a student – if required by a private college or state institution of higher education to receive a vaccine – to decline the vaccine for medical contraindications or reasons of conscience, including religious convictions, and establishes a process by which a student may decline.

Community college housing and dining facilities

- Permits a community college district to acquire, lease, or construct housing and dining facilities if it is located within one-quarter mile of a facility that rented at least 75 rooms to students at the district on January 1, 2023.

Community college programs in Fairfield County

- Establishes a procedure to permit a community, state community, or technical college that is not co-located with an institution of higher education to develop and offer an academic program, certificate, associate's degree, or bachelor's degree in Fairfield County.

Salmon P. Chase Center for Civics, Culture, and Society

- Establishes the Salmon P. Chase Center for Civics, Culture, and Society as an independent unit within the Ohio State University.

Institute of American Constitutional Thought and Leadership

- Establishes the Institute of American Constitutional Thought and Leadership as an academic unit within the University of Toledo.

Teacher preparatory programs

- Requires that metrics for educator preparation programs ensure specific coursework and preparation in effective literacy instruction and strategies aligned with instructional materials selected by the Department of Education and Workforce.
- Requires the Chancellor to do all of the following:
 - Consult with, instead of working jointly with, the Superintendent of Public Instruction in establishing metrics for educator preparation programs.
 - Develop an auditing process that clearly documents the degree to which each institution of higher education offers educator training programs in alignment with the above literacy requirements.
 - By December 31, 2023, complete an initial survey of educator preparation program, establish metrics for the audits, and update standards to reflect these new requirements.
 - Grant a one-year grace period to all institutions of higher education to meet the new standards and requirements, to begin on January 1, 2024. Requires the Chancellor to then begin conducting audits on January 1, 2025.
 - In conjunction with ODE, complete and publicly release summaries of these audits by March 31 of each year; identify a list of approved vendors who can provide professional development experiences consistent with the science of reading; and develop a public dashboard that reports first time passage rates of students on the Foundations of Reading Licensure test.

College Credit Plus Program

- Permits the Chancellor, in consultation with the state Superintendent, to take action as necessary to ensure that public colleges and universities and school districts are fully engaging and participating in the College Credit Plus Program (CCP).
- Requires the Chancellor and Superintendent to work with public secondary schools and partnering public colleges and universities to encourage the establishment of model pathways that prepare participants to successfully enter the workforce in certain fields.

International Baccalaureate course credit

- Requires the Ohio Articulation and Transfer Advisory Council to, by April 15, 2025, recommend standards to the Chancellor for awarding college course credit based on scores attained on International Baccalaureate (IB) exams.
- Requires each state institution to comply with standards adopted by the Chancellor in awarding course credit to students who attain a passing score on an IB exam.
- Requires each state institution to make its standards and policies on course credit for IB courses available to the public in an electronic format.

Advanced Placement course credit

- Requires each state institution of higher education to make its standards and policies on course credit for Advanced Placement courses available to the public in an electronic format.

FAFSA support team system

- Requires the Chancellor of Higher Education to establish and administer a statewide system of regional FAFSA support teams to support public schools with FAFSA completion and college access programming.
- Requires FAFSA support teams to offer FAFSA and college access programming, training, and support to public schools in the team's region.

Wright State University land lease

- Permits developers desiring to lease land from Wright State University to first submit their plans for development to the board of trustees (rather than the Department of Administrative Services (DAS)), if the land to be leased is held in trust by the board of trustees.
- Permits the board of trustees to direct the developer to submit the plans instead to DAS, if the board of trustees desires that DAS lease the land to the developer under continuing law.
- Permits the board of trustees to lease land it holds in trust if certain conditions are met.

Board of Regents

- Abolishes the Ohio Board of Regents.

Obsolete reports and programs

- Abolishes the Ohio Instructional Grant Program.
- Abolishes the OhioCorps Pilot Program.
- Eliminates a requirement for the Chancellor to develop and implement a statewide plan permitting high school students to receive college credit for approved career-technical education courses.

- Eliminates an obsolete requirement that the Ohio Articulation and Transfer Network Oversight Board issue a report to the General Assembly by March 2, 2022, regarding college credit transfer rules for state institutions of higher education.

As used in this chapter of the analysis:

A **state institution of higher education** means any of the 14 state universities and each community college, state community college, technical college, and university branch campus. The 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, Northeast Ohio Medical University, Ohio University, Ohio State University, Shawnee State University, University of Toledo, Wright State University, and Youngstown State University.

Ohio technical centers are career-technical centers and schools that provide adult education and are recognized as such by the Chancellor of Higher Education.

Restriction on instructional fee increases

(R.C. 3345.48; Section 381.260)

In-state undergraduate instructional and general fees

State universities

Under law unchanged by the bill, each state university is required to establish an undergraduate tuition guarantee program. Under that program, each entering cohort of undergraduate students pays an immediate increased rate for instructional and general fees, but that rate is guaranteed not to increase again for that particular cohort for the next four years.

For FY 2024 and FY 2025 (the 2023-2024 and 2024-2025 academic years), the bill requires each state university and each university branch campus to restrain increases in its in-state undergraduate instructional, general, and any other mandatory fees. Specifically, it prohibits them from increasing the guaranteed amount of instructional and general fees for students entering in the 2023-2024 or 2024-2025 academic year by more than 3% over what was charged in the previous academic year.

Otherwise, under continuing law, the increase is the sum of the average rate of inflation for the past 36 months and the percentage amount the General Assembly restrains increases on in-state undergraduate instructional and general fees for the fiscal year.

Community, state community, and technical colleges

For the same years as state universities, each community college, state community college, and technical college may not increase its instructional and general fees more than \$5 per credit hour over what it charged in the previous academic year. It also requires them to restrain increases in any other mandatory fees.

Special fees

Increases for all other special fees, including newly created ones, are subject to the approval of the Chancellor.

Exclusion

The bill's limits on fee increases explicitly *exclude*:

- Student health insurance;
- Fees for auxiliary goods or services provided to students at the cost incurred to the institution;
- Fees assessed to students as a pass-through for licensure and certification exams;
- Fees in elective courses associated with travel experiences;
- Elective service charges;
- Fines; and
- Voluntary sales transactions.

As in previous biennia when the General Assembly capped tuition increases, the bill's provisions do not apply to increases required to comply with institutional covenants related to the institution's obligations or to meet unfunded legal mandates or legally binding prior obligations or commitments. Further, the Chancellor, with Controlling Board approval, may approve an increase to respond to exceptional circumstances identified by the Chancellor.

Financial aid programs

Ohio College Opportunity Grant Program

(R.C. 3333.122; Section 381.490)

Awards and eligibility

The bill increases the income eligibility threshold for an Ohio College Opportunity Grant Program (OCOG) award from an expected family contribution (EFC) of \$2,190 or less to \$3,750 or less. It also prescribed award amounts for OCOG recipients for FY 2024 and FY 2025, as indicated in the table below.

OCOG recipient award amounts		
Institutional sector	FY 2024	FY 2025
State institution of higher education	\$3,200	\$4,000
Private nonprofit college or university	\$4,700	\$5,000
Private for-profit career college	\$1,850	\$2,000

Additionally, the bill requires the Chancellor, if the appropriated funds are insufficient to support all eligible students, to either proportionally reduce award amounts or prioritize awards to students with higher financial need.

No cost burden shifting

The bill prohibits any institution of higher education that enrolls OCOG recipients from making any change to the institution's scholarship or financial aid programs with the goal or net effect of shifting the cost burden of those programs to the OCOG program.

Needs-based financial aid requirement

The bill also requires each institution to provide at least the same level of needs-based financial aid to its students as in the immediately prior academic year in terms of either aggregate aid or on a per student basis. However, the bill permits the Chancellor of Higher Education to grant an institution a temporary waiver from that requirement if exceptional circumstances make it necessary.

Background

OCOG is the state's sole need-based financial aid program for Ohio residents pursuing an undergraduate education at an institution of higher education in Ohio. For more information on OCOG, see the LSC Members Brief, [Ohio College Opportunity Grant: Q&A \(PDF\)](#), which is available at LSC's website: lsc.ohio.gov/publications.

Second Chance Grant Program

(R.C. 3333.127)

The bill makes changes to the Second Chance Grant Program. First, the bill increases the award amount from \$2,000 to \$3,000. Second, it designates eight months as the minimum period of disenrollment to qualify for a grant for students enrolled in institutions that do not operate on a semester calendar. Under continuing law, students enrolled in other institutions must be disenrolled for at least two semesters.

Background

The Second Chance Grant Program was established in 2022 by S.B. 135 of the 134th General Assembly. Under the program, the Chancellor must award a one-time grant of up to \$2,000 to students who previously had disenrolled from higher education. To be approved, a student must enroll in a qualifying Ohio institution and have a remaining cost of attendance, as defined under federal law, after all other financial aid has been applied to the applicant's account.

A student is eligible for the program if the student:

1. Is an Ohio resident;
2. Has not attained a bachelor's degree;
3. Disenrolled from a qualifying institution, while being in good standing including with respect to academics and the student's disciplinary record, and did not transfer to a "qualifying institution" or an institution of higher education in another state in the two semesters immediately following disenrollment;

4. Enrolls in a “qualifying institution” within five years of disenrollment;
5. Is not enrolled in the College Credit Plus Program; and
6. Meets any other eligibility criteria determined necessary by the Chancellor.

Ohio Work Ready Grant Program

(R.C. 3333.24; Section 381.160)

Operation

The bill requires the Chancellor to establish the Ohio Work Ready Grant Program. Under the program, the Chancellor must award grants of up to \$3,000 to eligible students who are enrolled in qualified programs at a community, state community, or technical college, a state university branch campus, or an Ohio technical center.

Students may apply to participate in the program in a form and manner prescribed by the Chancellor. The Chancellor must adopt rules about how to compute grant award amounts for full- or part-time students. The Chancellor also must determine the form and manner of payments. A student cannot receive a grant for more than six semesters or the equivalent of three academic years.

The program must be funded in a manner designed by the General Assembly, though the Chancellor may receive funds from other sources to support the program. If the amounts available for the program are inadequate to provide grants to all students in an academic year, the Chancellor may establish different grant amounts based on the number of applicants and the amount of the program’s funds.

Student eligibility

The bill qualifies a student to participate in the program if the student:

1. Is an Ohio resident;
2. Has completed the Free Application for Federal Student Aid (FAFSA); and
3. Is enrolled in a qualified program.

For the purposes of the program, a qualified program is a credit or noncredit program that leads to an industry-recognized credential, certificate, or degree and which prepares a student for a job that is either:

1. Identified as an “in-demand” or “critical” job, as determined by the Office of Workforce Transformation; or
2. Submitted by a community, state community, or technical college, state university branch campus, or Ohio technical center and will meet regional workforce needs, as approved by the Chancellor.

Report

The bill requires the Chancellor, in consultation with qualified program providers, to collect and report program metrics, including:

1. Demographics of recipients, including:
 - a. Age, disaggregated as follows:
 - i. 24 years old or younger;
 - ii. 25 to 34 years old;
 - iii. 35 to 49 years old;
 - iv. 50 years or older;
 - b. Gender;
 - c. Race and ethnicity;
 - d. Enrollment status as full- or part-time;
 - e. Pell grant status.
2. Success rate of recipients, including program retention and completion;
3. Total number of industry-recognized credentials awarded, disaggregated by subject or program area.

War Orphans and Severely Disabled Veterans' scholarship

(R.C. 5910.01, 5910.02, 5910.031, 5910.032, 5910.04, 5910.05, 5910.06, 5910.07, and 5910.08)

The bill renames the War Orphans and Severely Disabled Veterans' Scholarship as the Deceased or Severely Disabled Veterans' Children's Scholarship.

The bill updates eligibility standards for the Deceased or Severely Disabled Veterans' Children's Scholarship by removing references to the children of veterans who died or were discharged due to a disability between any of the following dates:

1. April 6, 1917, to November 11, 1918;
2. December 7, 1941, to December 31, 1946;
3. June 25, 1950, to January 31, 1955; and
4. January 1, 1960, to May 7, 1975.

The bill also requires the Ohio Deceased or Severely Disabled Veterans' Children's Scholarship Board to notify each scholarship applicant whose parent was killed in action of the federal Machine Gunnery Sergeant John David Fry Scholarship. The bill prohibits the board from awarding a scholarship to an applicant who is eligible for a Fry scholarship unless the board verifies that the applicant was denied a Fry scholarship. According to the federal Department of Veterans Affairs, the Fry scholarship is a scholarship for children and spouses of veterans who died in the line of duty on or after September 11, 2001, while serving in the armed forces, or was a member of the Selected Reserve who died from a service-connected disability. For more information on the Fry scholarship, please see the [Veterans Affairs information on the Fry Scholarship](#) accessible at: www.va.gov.

Under continuing law, a child is eligible for the War Orphans and Severely Disabled Veterans' Children's Scholarship if the child's parent is deceased or disabled veteran and the child: (1) is between the ages of 16 and 25, (2) at the time of applying for the scholarship, is a child of a "veteran," as defined for purposes of the scholarship, who entered the armed forces as either (a) a legal resident of Ohio who resided in the state for the last preceding year or (b) not as a legal resident of Ohio and having resided in Ohio for the year preceding the year the scholarship application is made, in addition to any other four of the last ten years, and (3) is in financial need, as determined by the Ohio War Orphans and Severely Disabled Veterans' Children's Scholarship Board.⁸⁴

Veterans' tuition waiver

(R.C. 3333.26 and 3333.261)

The bill updates eligibility standards for a tuition waiver for certain veterans by removing references to veterans who served between April 6, 1917, and November 11, 1918.

The bill also requires the Chancellor to notify applicants for a tuition waiver whose parent, spouse, or former spouse was a member of the armed services of the United States killed in the line of duty of the federal Machine Gunnery Sergeant John David Fry Scholarship. The bill prohibits the Chancellor from awarding a tuition waiver to an applicant who is eligible for a Fry scholarship unless the Chancellor verifies that the applicant was denied a Fry scholarship.

Ohio Computer Science Promise Program

(R.C. 3322.20 and 3322.24; conforming changes in R.C. 3314.03 and 3326.11)

The bill establishes the Ohio Computer Science Promise Program. Beginning with the 2024-2025 school year, under the program, an Ohio student in any of grades 7-12 may enroll in one computer science course per school year that is not offered by the student's school. Students cannot be charged for tuition, textbooks, or other fees related to participating in the program.

Any eligible student enrolled in a public secondary school or participating nonpublic secondary school may participate. To participate, a student must be accepted into an eligible course offered by an approved provider. The Department of Education and Workforce, in consultation with the Chancellor, must approve eligible courses and providers. The Department also must publish a list of providers and courses annually.

The Chancellor, in consultation with the state Superintendent, must adopt rules governing the program.

High school credit

Public and participating nonpublic schools must award high school credit toward graduation and subject area requirements for successful completion of program courses. If a completed course offered by an approved provider is comparable to one offered by the school, the school must award comparable credit. If no comparable course is available, the school must

⁸⁴ R.C. 5910.03, not in the bill.

grant an appropriate number of elective credits. Evidence of completion of each course and the number of credits awarded must be indicated on the student's record with a designation that they were earned through the program and the name of the approved provider.

The bill creates an appeals process for disputes regarding the credits granted for approved courses. The Department makes the final decision regarding any appeal.

“Teach CS” Grant Program

(R.C. 3333.129)

The bill establishes the “Teach CS” Grant Program, administered by the Chancellor of Higher Education. The program is designed to fund coursework, materials, and exams to support the increasing number of existing teachers who qualify to teach computer science through all of the following:

1. A supplemental licensing with a mentorship-based pathway for existing teachers;
2. A university endorsement program involving a coursework-based pathway for existing teachers;
3. An alternative resident educator licensure pathway for industry experts and other nonteachers; and
4. A continuing education program offering professional development to existing teachers, including those that teach pre-k-12 who are generalists and those seeking advanced content knowledge.

The bill requires the Chancellor, in consultation with the Department of Education and Workforce, to develop an application process and criteria for awards. The bill permits the Chancellor to prioritize education consortia that include economically disadvantaged schools in which there are computer science courses offered or where there is an unmet need for teachers able to teach computer science.

The Ohio Higher Education Enhancement Act

The bill makes several changes to higher education. It creates, among other things, new requirements for state institutions of higher education regarding diversity, equity, and inclusion policies and training, intellectual diversity, and faculty evaluations. It also prohibits higher education employees from striking and instead requires employees to submit unresolved collective bargaining disputes to a final offer settlement procedure. The changes throughout this section are to be called “The Ohio Higher Education Enhancement Act.”

Throughout the bill, “state institution of higher education” or “state institution” includes any state university or college, community college, state community college, university branch, or technical college. Further, when the bill requires that something be posted on a website, that posting must be: (1) accessible from the main page of the state institution's website by using no more than three links, (2) searchable by keywords and phrases, and (3) accessible to the public without requiring any user registration.

Diversity, equity, and inclusion (DEI), intellectual diversity, and other concepts

Policy

(R.C. 3345.0217 and 3345.0218)

The bill requires the board of trustees of each state institution of higher education to adopt and enforce a policy requiring the institution to do all of the following:

1. Prohibit any mandatory programs or training courses regarding diversity, equity, or inclusion, unless the institution receives an exemption;

2. Affirm and declare that its primary function is to practice, or support the practice of, discovery, improvement, transmission, and dissemination of knowledge by means of research, teaching, discussion, and debate;

3. Affirm and declare that the institution will ensure the fullest degree of intellectual diversity. Under the bill, “intellectual diversity” means multiple, divergent, and opposing perspectives on an extensive range of public policy issues.

4. Affirm and declare that faculty and staff will allow and encourage students to reach their own conclusions about all controversial beliefs or policies and will not seek to inculcate any social, political, or religious point of view;

5. Demonstrate intellectual diversity for course approval, approval of courses to satisfy general education requirements, student course evaluations, common reading programs, annual reviews, strategic goals for each department, and student learning outcomes;

6. Declare that it will not endorse or oppose, as an institution, any controversial belief or policy, specified concept, or specified ideology, although it may endorse the United States Congress when it establishes a state of armed hostility against a foreign power. This does not include the recognition of national and state holidays, support for the Constitution and laws of the United States or Ohio, or the display of the American or Ohio flag.

Under the bill:

a. A “controversial belief or policy” means any belief or policy that is the subject of political controversy, including issues such as climate policies, electoral politics, foreign policy, diversity, equity, and inclusion programs, immigration policy, marriage, or abortion;

b. A “specified concept” means a concept such as allyship, diversity, social justice, sustainability, systematic racism, equity, or inclusion;

c. A “specified ideology” means any ideology that classifies individuals within identity groups, divides identity groups into oppressed and oppressors, and prescribes advantages, disadvantages, or segregation based on identity group.⁸⁵

⁸⁵ R.C. 3345.0217(A).

7. Affirm and declare that the institution will not encourage, discourage, require, or forbid students, faculty, or administrators to endorse, assent to, or publicly express a given ideology, political stance, or view of a social policy, nor will the institution require students to do any of those things to obtain an undergraduate or post-graduate degree;

8. Prohibit political and ideological litmus tests in all hiring, promotion, and admissions decisions, including diversity statements and any other requirement that applicants describe their commitment to a specified concept, specified ideology, or any other ideology, principle, concept, or formulation that requires commitment to any controversial belief or policy;

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

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

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

12. Affirm and declare that the institution will seek out invited speakers who have diverse ideological or political views;

13. Post prominently on its website a complete list of all speaker fees, honoraria, and other emoluments in excess of \$500 for events that are sponsored by the state institution.⁸⁶

Under the bill, the second through fifth requirements in this list do not apply to the exercise of professional judgment about how to accomplish intellectual diversity within an academic discipline, unless that exercise is misused to constrict intellectual diversity.⁸⁷

The sixth and seventh requirements do not apply to the exercise of professional judgment about whether to endorse the consensus or foundational beliefs of an academic discipline, unless that exercise is misused to take an action prohibited by the sixth requirement.⁸⁸

Each institution must adopt this policy within 90 days of the bill's effective date.

The bill states that none of the above requirements prohibit faculty or students from classroom instruction, discussion, or debate, so long as faculty members remain committed to expressing intellectual diversity and allowing intellectual diversity to be expressed.⁸⁹

⁸⁶ R.C. 3345.0217(B)(1) to (13).

⁸⁷ R.C. 3345.0217(B)(5).

⁸⁸ R.C. 3345.0217(B)(7).

⁸⁹ R.C. 3345.0217(F).

Exemptions

(R.C. 3345.0217)

Under the bill, a state institution may receive an exemption for the requirement to prohibit any mandatory programs or training courses regarding diversity, equity, and inclusion, if the institution determines the course is exempt from the prohibition and is required to do any of the following:

- Comply with state or federal laws or regulations;
- Comply with professional licensure requirements;
- Obtain or retain accreditation;
- Secure or retain grants or cooperative agreements; or
- Apply policies of the institution with respect to employee or student discipline.

A state institution may receive an exemption if, prior to the initial offering of a diversity, equity, and inclusion program or training course, the state institution provides a written report to the Chancellor explaining why the program or course qualifies for an exemption. The report must include the following:

1. The specific law, license requirement, accreditation, grant, or cooperative agreement at issue;

2. The specific language in the law, licensure requirement, accreditation, grant, or cooperative agreement that requires the training;

3. A detailed description of the diversity, equity, and inclusion program or training to be taught, including any materials that will be used;

4. The specific population of individuals who will be mandated to take the training;

5. The number of times the training is expected to be offered on a six-month basis;

6. An estimate of the cost of the program or training; and

7. If the exemption is reported for an accreditation, proof that alternative accreditation has been researched and evaluated. An alternate accreditation is an accreditation that would obtain the same or similar results for the institution while not requiring a diversity, equity, and inclusion program or training.

If a state institution makes a change to previously reported diversity, equity, and inclusion program or training, the institution must submit a new exemption report for approval for that program or training.

The bill requires the Chancellor to prepare a report at least once every six months that summarizes all exemptions reported for diversity, equity, and inclusion programs during that six-month period. The Chancellor must submit each report to the chairpersons of the standing committees of the Ohio Senate and House of Representatives that consider higher education legislation.

Intellectual diversity protections and sanctions

(R.C. 3345.0218)

The bill requires each state institution of higher education to implement a range of disciplinary sanctions for any administrator, faculty member, staff, or student who interferes with the intellectual diversity rights of another individual.

The bill also requires each state institution to inform its students and employees of the protections given to them under the bill and any policies adopted to put the protections into practice, including by providing the information to new employees and to students during any new student orientation. This information must be posted on the institution's website.

Each state institution is also required to issue an annual report on any violations to the intellectual diversity rights prescribed under the bill by any individual under the state institution's jurisdiction and any consequent disciplinary sanctions issued for that violation. The institution must post this report on its website.

Statements of commitment

(R.C. 3345.0216)

The bill requires each state institution to incorporate certain principles into a statement of commitment. In the statement, the institution must declare all of the following:

1. It will educate students by means of free, open, and rigorous intellectual inquiry to seek the truth;
2. Its duty is to equip students with an opportunity to develop the intellectual skills they need to reach their own, informed conclusions;
3. Its duty is to ensure that, within or outside the classroom, the institution will not require, favor, disfavor, or prohibit speech or lawful assembly;
4. It is committed to creating a community dedicated to an ethic of civil and free inquiry, which respects the autonomy of each member, supports individual capacities for growth, and tolerates the differences in opinion that naturally occur in a public higher education community;
5. Its duty is to treat all faculty, staff, and students as individuals, to hold them to equal standards, and to provide them equality of opportunity.

Equal opportunity policies

(R.C. 3345.87)

The bill requires each state institution to do both of the following with respect to every position, policy, program, and activity:

1. Treat all faculty, staff, and students as individuals, hold every individual to equal standards, and provide every individual with equality of opportunity with regard to those individuals' race, ethnicity, religion, or sex; and
2. Provide no advantage or disadvantage to faculty, staff, or students on the basis of race, ethnicity, religion, or sex in admissions, hiring, promotion, tenuring, or workplace conditions.

The bill defines “position, policy, program, and activity” to include all of the following:

1. All forms of employment, including staff positions, internships, and work studies;
2. All policies, including mission statements, hiring policies, promotion policies, and tenure policies;
3. All programs and positions, including deanships, provostships, offices, programs presented by residence halls, and committees; and
4. All activities, including those conducted by the administrative units of orientation, first-year experience, student life, and residential life.

Prohibition on support and training for certain concepts

(R.C. 3345.87)

The bill prohibits state institutions from providing or requiring training for any administrator, teacher, staff member, or employee that advocates or promotes any of the following concepts:

1. One race or sex is inherently superior to another race or sex;
2. An individual, by virtue of the individual’s race or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously;
3. An individual should be discriminated against or receive adverse treatment solely or partly due to the individual’s race;
4. Members of one race cannot or should not attempt to treat others without respect to race;
5. An individual’s moral standing or worth is necessarily determined by the individual’s race or sex;
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;
7. An individual should feel discomfort, guilt, anguish, or any other form of psychological distress on account of the individual’s race or sex;
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;
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.

The bill requires each state institution to implement a range of disciplinary sanctions for any administrator, teachers, staff member, or employee who authorizes or engages in a training prohibited above.

The bill’s requirements should not be read to preclude a state institution of higher education from providing or facilitating continuing education that complies with the bill’s provisions to public safety officers. Each state institution is required to issue an annual report

including all violations of the above training prohibition with all consequent disciplinary sanctions and statistics on the academic qualifications of accepted and matriculating students, disaggregated by race and sex. The statistics must include information correlating students' academic qualifications and retention rates, disaggregated by race and sex. State institutions are required to post the reports in a prominent place on the state institution's website.

Segregation prohibition

(R.C. 3345.87)

The bill requires state institutions to prohibit all policies explicitly designed to segregate faculty, staff, or students based on those individuals' race, ethnicity, religion, or sex in credit-earning classroom settings, formal orientation ceremonies, and formal graduation ceremonies.

Complaint procedures

(R.C. 3345.0217 and 3345.87)

The bill requires the board of trustees of each state institution of higher education to establish a process for handling complaints from students, student groups, or faculty members about the institution's employees and their compliance with the bill's provisions. The process must comply with standards adopted by the Chancellor, but at a minimum that process must require the following:

- The state institution must investigate alleged violations;
- The state institution must conduct fair and impartial hearings about alleged violations; and
- If a hearing results in a determination that a violation has occurred, the board of trustees must determine a resolution to address the violation and prevent further violations by the institution.

Higher education employee strikes

(R.C. 4117.14 and 4117.15)

The bill prohibits state institution of higher education employees from striking. Instead, those employees must submit to a final offer settlement procedure to settle unresolved collective bargaining disputes with their employers in accordance with continuing law. In the event of a strike by these employees, the institution of higher education that employs them may seek an injunction against the strike in the court of common pleas of the county where the strike occurs.

The Public Employees' Collective Bargaining Law⁹⁰ (PECBL) governs collective bargaining between public employees and public employers who are subject to that law. Under the PECBL, all matters related to wages, hours, or terms and other conditions of public employment are

⁹⁰ R.C. Chapter 4117.

subject to collective bargaining between a public employer and the “employee organization” (essentially, a union) that represents the employer’s public employees.⁹¹ The PECBL establishes timelines and requirements for negotiating collective bargaining agreements. It also specifies procedures the parties must follow if they reach an impasse during negotiations, including submitting unresolved issues to a fact-finding panel. If the parties are unable to reach agreement within seven days after the publication of findings and recommendations from a fact-finding panel or if any existing collective bargaining agreement has expired, the public employees who are permitted to strike may do so in accordance with statutory procedures. Public employees who are not permitted to strike must follow a final offer settlement procedure to settle unresolved collective bargaining disputes with their employers.⁹² In general, the PECBL currently prohibits peace officers, firefighters, corrections officers, public service dispatchers, employees of the State School for the Deaf and the State School for the Blind, and a limited number of public-sector healthcare workers from striking.⁹³

Under continuing law, if public employees governed by the PECBL engage in a strike that is not authorized under the PECBL, the employees may be subject to discipline in accordance with the procedures specified in the PECBL.⁹⁴

Faculty evaluations

Student and peer evaluations

(R.C. 3345.451)

The bill requires each state institution of higher education to establish a written system of faculty evaluations completed by students and focusing on teaching effectiveness and student learning. For this purpose, the Chancellor of Higher Education must develop a minimum set of standard questions that state institutions must include in student evaluations of faculty members. The set of questions must include the question, “Does the faculty member create a classroom atmosphere free of political, racial, gender, and religious bias?”

In addition to student evaluation of faculty members, the bill requires each state institution to establish a written system of peer evaluations for faculty members. The evaluations must place an emphasis on the faculty member’s professional development regarding the faculty member’s teaching responsibilities.

Faculty annual performance evaluations

(R.C. 3345.452)

The bill requires the board of trustees of each state institution to adopt and submit to the Chancellor a faculty annual performance evaluation policy. The policy must contain an appeals

⁹¹ R.C. 4117.08, not in the bill.

⁹² R.C. 4117.14(A) to (C).

⁹³ R.C. 4117.14(D)(1).

⁹⁴ R.C. 4117.23, not in the bill.

process for faculty to appeal the final evaluation. The board of trustees must review and update the policy every five years.

Each state institution must conduct an annual evaluation for each full-time faculty member it directly compensates. Each evaluation conducted by a state university under its policy must meet all of the following:

1. The evaluation is comprehensive and includes standardized, objective, and measurable performance metrics;
2. The evaluation includes an assessment for each of the following areas that the faculty member has spent at least 5% of their annual work time on over the preceding year:
 - a. Teaching;
 - b. Research;
 - c. Service;
 - d. Clinical care;
 - f. Administration;
 - g. Other categories, as determined by the state institution.
3. The evaluation includes a summary assessment of the above performance areas that includes the parameters “exceeds performance expectations,” “meets performance expectations,” or “does not meet performance expectations;”
4. Student evaluations conducted under the bill account for at least 25% of the teaching area component of the evaluation; and
5. The evaluation establishes a projected work effort distribution for the faculty member which will be used for the next year’s evaluation. This distribution must be compliant with the state institution’s established workload policies and must be approved by the dean of faculty or the equivalent.

Evaluations must be conducted by the department chairperson or equivalent administrator, reviewed and approved or disapproved by the dean, and submitted to the provost for review. If the chairperson and dean disagree, the provost must have final decision authority.

Collective bargaining

(R.C. 3345.455)

With respect to collective bargaining agreements entered into under the PECBL on or after the provision’s effective date, employees of a state institution may not collectively bargain with the institution regarding faculty evaluations developed under the bill. Additionally, the evaluation systems and policies established under the bill prevail over any conflicting provision of a collective bargaining agreement entered into on or after that date.

The bill’s prohibition against collective bargaining on faculty evaluations is identical to a continuing law prohibition against collectively bargaining faculty workload policies described below.

Post-tenure review policy

(R.C. 3345.453 and 3345.455)

The bill requires each state institution that has tenured faculty members to adopt a post-tenure review policy and submit the policy to the Chancellor. Each state institution's board of trustees must update the policy every five years.

Under the bill, a state institution must conduct a post-tenure review if a tenured faculty member receives a "does not meet performance expectations" evaluation within the same evaluative category for at least two of the past three consecutive years on the faculty member's annual performance review.

If a faculty member maintains tenure after a post-tenure review and then 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, then the state institution must subject the faculty member to an additional post-tenure review.

If a faculty member has a documented and sustained record of significant underperformance outside of the faculty member's annual performance evaluation, the department chairperson, dean of faculty, or provost of the state institution may require an immediate and for cause post-tenure review. For this purpose, for cause cannot be based on a faculty member's allowable expression of academic freedom as defined by the state institution or Ohio law.

A state institution's post-tenure review due process period cannot exceed six months, except that the state institution president may grant a one-time two-month extension.

At the conclusion of a post-tenure review, the state institution's provost must 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 institution may take administrative action under the post-tenure review process, including censure, remedial training, or for-cause termination, regardless of tenure status, and any other action permitted by the institution's post-tenure review policy. Each institution's review policy must contain an appeals process for tenured faculty whose review results in a recommendation for administration action.

Additionally, the bill requires state institutions of higher education that have tenured faculty members to develop policies on tenure and retrenchment and submit those policies to the Chancellor. Each state institution must update those policies every five years. The bill defines "retrenchment" as a process by which a state institution of higher education reduces programs or services, resulting in a temporary suspension or permanent separation of faculty members, to account for a reduction in student population or overall funding, a change to institutional missions or programs, or other fiscal pressures or emergencies facing the institution.

As with faculty evaluation policies described above, a post-tenure review, tenure, or retrenchment policy adopted in accordance with the bill is not subject to collective bargaining between the institution and its employees.

Uniform Prudent Management of Institutional Funds Act

(R.C. 1715.551)

Limited cause of action

The bill establishes the scope and procedures for a civil action when a state institution of higher education or a foundation that receives, holds, or administers charitable contributions for a state institution of higher education, violates a restriction in a qualified endowment agreement. Under the bill, a “qualified endowment agreement” is a gift instrument signed by a donor and a state institution of higher education prior to the bill’s 90-day effective date, where the donor commits to transfer property to that state institution of higher education or another state institution of higher education, and the institution commits that it (or the other state institution of higher education) will hold or administer the property as an endowment fund. The property transferred under the agreement must be worth at least \$3 million in aggregate. This includes the full value of the property transferred by the donor under the gift instrument, regardless of whether the state institution of higher education holds the property as one endowment fund or multiple funds. Continuing law defines an endowment fund as an institutional fund that, under the terms of a gift instrument, is not wholly expendable by the institution at the current time. Endowment funds are subject to restrictions on management, investment, spending, or purpose that may be contained in an associated endowment agreement.

After such a violation, the donor, or the donor’s benefactor representative, may notify the charitable law section of the Attorney General’s office. The bill defines “benefactor representative” as either:

- The administrator or executor of the donor’s estate; or
- A person designated in the qualified endowment agreement to act in place of a party to the agreement in resolving disputes.

The bill specifies that “benefactor representative” does *not* mean the state institution of higher education receiving or administering property under an endowment agreement. If a benefactor representative is named in the endowment agreement, they are the only benefactor representative, regardless of whether the person who transferred the property also has an estate administrator or executor.

The Attorney General may enforce a qualified endowment agreement by filing a complaint in the proper court for breach of the agreement or to obtain a declaration of rights and duties expressed therein. If the Attorney General does not obtain full compliance within 180 days of receiving notification of the breach, the donor or their benefactor representative may file a complaint of their own for breach of the agreement or to obtain a declaration of rights and duties. The bill specifies that such a complaint may be filed regardless of any contrary terms of the agreement. However, the complaint must not seek an award of any damages, costs, fees, money, or other property. Instead, it must seek only declaratory relief or equitable relief consistent with the charitable purposes of both the qualified endowment agreement and the state institution of higher education.

A state institution of higher education may also file a complaint to obtain a declaration of rights and duties under the qualified endowment agreement. The institution may seek such a declaration as part of a suit brought against it, or by filing its own complaint in the proper court.

Procedures and deadlines

A complaint filed under the bill must name as parties the Attorney General, the state institution of higher education that signed the agreement, any state institution of higher education that currently administers property subject to the agreement, and each donor or their benefactor representative. If a donor is not named as a party, the court may not act of the merits of the complaint or on any motion to address its merits without first ensuring that the plaintiff acted diligently to notify the donor or their benefactor representative, and that they have an opportunity to be heard or to intervene.

Any cause of action brought under the bill must be filed within six years of discovering a violation of a qualified endowment agreement. However, no cause of action may be brought more than 25 years after the effective date of the agreement. If the donor or their benefactor representative notifies the Attorney General during the sixth year after discovering the violation, the deadline is extended by 210 days.

Applicability

The bill's endowment agreement provisions apply only to breaches of qualified endowment agreements, and only when those breaches are alleged to have occurred on or after the bill's 90-day effective date. Any breach that occurred prior to the section's effective date is not subject to a cause of action under the bill.

Furthermore, the changes apply only to qualified endowment agreements involving a state institution of higher education. Violations of agreements governing other types of endowment funds are not subject to the cause of action. Under continuing law, a "state institution of higher education" means a community college, state community college, university branch, technical college, or a public institution of higher education. The term includes all of the following: University of Akron, Bowling Green State University, Central State University, University of Cincinnati, Cleveland State University, Kent State University, Miami University, Northeast Ohio Medical University, Ohio University, Ohio State University, Shawnee State University, University of Toledo, Wright State University, and Youngstown State University. For the purposes of the bill, "state institution of higher education" also includes foundations, the corporate purpose of which is solely to benefit an identified state institution of higher education and that receive, hold, or administer charitable transfers of property for that institution.

Other changes

Five-year institutional cost summaries

(R.C. 3345.80)

The bill requires each state institution of higher education, for each biennial main operating appropriations bill and capital appropriations bill, to prepare and submit to the Chancellor, by a date determined by the Chancellor, a rolling five-year summary of its institutional costs to be considered by the General Assembly when evaluating operating and

capital project funding. The Chancellor is required to submit a report to the General Assembly including each state institution's five-year institutional cost summary.

Each state institution's institutional cost summary must consist of the following categories:

1. All costs related to student instruction, including instructor salaries, benefits, and related operating costs;
2. All general staff costs related to maintenance, grounds, utilities, food service, and other areas, as determined by the state institution; and
3. All other costs for staff, including academic administrators, counseling, financial aid assistance, healthcare services, and housing management.

For each of the above categories, a state institution's five-year institutional cost summary must include all of the following:

1. A detailed breakdown of annual costs and employee headcounts;
2. A complete accounting of all spending on diversity, equity, and inclusion, or related subjects; and
3. An annual count of all faculty, administration, and employees.

The bill requires the Chancellor to consult with state institutions of higher education to develop a standardized reporting format for the five-year institutional cost summaries and a uniform approach to completing the required categories.

The bill also requires that during the General Assembly's consideration of the main operating appropriations and capital appropriations bills, the president of each state institution of higher education or the Chancellor has the opportunity to present in front of the General Assembly in the appropriate hearings conducted by committees that consider higher education legislation. The president or Chancellor may use the opportunity to provide commentary on trends, potential justifications, or other explanations regarding the state institution's five-year institutional cost summary.

The Chancellor is required to create and present to the General Assembly, prior to the enactment of the main operating appropriations and capital appropriations bills, an aggregation report summarizing the total institutional costs for state universities and community colleges separately.

Faculty workload policies

(R.C. 3345.45)

The bill requires each state institution of higher education, instead of only state universities as under current law, to do all of the following:

1. Jointly develop standards with the Chancellor of Higher Education for instructional workloads for full-time and part-time faculty that keep with the institutions' missions, place a special emphasis on the undergraduate learning experience, and contain clear guidelines for acceptable undergraduate teaching;

2. Take formal action to adopt a faculty workload policy consistent with the standards developed by the Chancellor;
3. Review the state institution's policy on faculty tenure and update that policy; and
4. Require multiple pathways for tenure to receive certain state funds.

The bill also requires each state institution of higher education to, every five years, update its existing faculty workload policy and submit the revised policy to the Chancellor. The state institution's board of trustees must approve the policy each time the state institution submits an updated policy to the Chancellor.

Each policy must include all of the following:

1. An objective and numerically defined teaching workload expectation based on credit hours as defined under federal law;
2. A definition of all faculty workload elements in terms of credit hours as defined under federal law, with a full-time workload minimum standard established by the state institution's board of trustees and made publicly accessible on the state institution's website;
3. 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;
4. Administrative action that a state institution may take if a faculty member fails to comply with the policy's requirements, including censure, remedial training, for-cause termination, or other disciplinary action, regardless of tenure status. Termination under these circumstances must require the recommendation of the dean, provost, or equivalent official, concurrence of the state institution's president, and approval of the state institution's board of trustees.

Under existing law, state universities have been required to have a formally adopted faculty workload policy since June 30, 1994. These existing policies were required to be based on standards developed by the Chancellor with state university input.

Under continuing law, faculty workload policies are not subject to collective bargaining between a state university and its employees. And a university's policy prevails over a conflicting term in a collective bargaining agreement. The bill applies the collective bargaining prohibition to a state institution of higher education's policy. Thus, an institution's policy will prevail over a conflicting term in any collective bargaining agreement entered into on or after the section's effective date.

American government or history requirement

(R.C. 3345.382)

Beginning with students who graduate in the spring of the 2028-2029 academic year, the bill prohibits each state institution from granting a bachelor's degree to any student who has not completed a course with at least three credit hours in the subject area of American government or American history.

The bill requires the Chancellor to develop the course in compliance with the criteria, policies, and procedures established under R.C. 3333.16. The course may be offered under the College Credit Plus program. The course must include both of the following:

1. A requirement that students read all of the following:
 - a. The entire United States Constitution;
 - b. The entire Declaration of Independence;
 - c. At least five essays in their entirety from the Federalist Papers, with essays being selected by the department chair;
 - d. The entire Emancipation Proclamation;
 - e. The entire Gettysburg Address;
 - f. The entire Letter from Birmingham Jail written by Dr. Martin Luther King Jr;
2. A requirement that students pass a cumulative final examination at the end of the course that assesses student proficiency on the required readings.

The president of a state university or the president's designee may exempt a student from the course requirement if the president or designee determines that the student has either:

1. Completed at least three credit hours, or the equivalent, in a course in the subject area of American history or American government; or
2. Passed an examination, developed by the Chancellor, that assesses the student's competence in the required readings and concepts in the course.

Syllabus requirements

(R.C. 3345.029)

The bill requires each state institution of higher education to make a syllabus for each undergraduate course it offers for college credit available to the public. Community colleges (including state community and technical colleges) are permitted to post a general syllabus for offered courses instead of posting a course syllabus for each course.

Course syllabus – state institutions of higher education

With the exceptions outlined below, the bill requires each state institution of higher education to publish a course syllabus for each course offered for college credit by the institution. A "course syllabus" is a document produced for students by a course instructor that includes all of the following:

1. The name of the course instructor;
2. A calendar for the course outlining what materials and topics will be covered and when they will be covered;
3. A list of any required or recommended readings for the course; and
4. The course instructor's professional qualifications.

Each course syllabus must be made publicly available by doing one of the following:

1. Ensuring that each course instructor posts a course syllabus on a publicly accessible website that includes information on the course instructor's professional qualifications, contact information, course schedule, and a link or download for the course syllabus for each course the instructor is currently teaching; or

2. Posting each course syllabus for each course on the institution's publicly accessible website.

General syllabus – community colleges

Instead of publishing a course syllabus for each course offered for college credit, a community college may instead opt to publish a general syllabus for a course. A "general syllabus" must include, for each course, a calendar for the course outlining what materials and topics will be covered and when during the course they will be covered and a list of any required or recommended readings for the course. A general syllabus does not need to include specific information about the course instructor.

Requirements for posting all syllabus materials

The bill imposes certain requirements on the publishing and retention of course and general syllabus materials, as follows:

1. State institutions must make a course or general syllabus for each undergraduate course offered for college credit publicly available no later than on the first day of classes for the semester or academic term in which the course is offered.

2. Each syllabus posted to the institution's website must remain on the state institution's website for at least two years after being posted for the first time.

3. If a course syllabus posted by a course instructor is no longer used, upon request, the course instructor must make that syllabus available for at least two years after posting the syllabus.

To the extent practicable, each state institution must ensure that the most recently updated syllabus for each undergraduate course offered for college credit is posted according to the requirements listed above.

College Credit Plus course exemption

State institutions are not required to adhere to the syllabus posting requirements for courses offered through the College Credit Plus program that are delivered in a secondary school and taught by a high school teacher.

Administration of syllabus duties

The board of trustees of each state institution is required to designate an administrator to implement these requirements. The administrator is permitted to delegate the responsibilities to one or more administrative employees.

The bill also requires all of the following to occur by the first day of January each year:

1. Each state institution submits a written report regarding its compliance with the syllabus posting requirements;
2. The Chancellor prepares a report including all of the syllabus compliance reports received from state institutions; and
3. The Chancellor submits the Chancellor's report to the Governor, Speaker of the House of Representatives, President of the Senate, and chairpersons of the Senate and House of Representatives standing committees that consider higher education legislation.

Interactions with the People's Republic of China

(R.C. 3345.591)

The bill prohibits state institutions of higher education from accepting gifts, donations, or contributions from the People's Republic of China or any organizations that the institution reasonably suspects are acting on behalf of the People's Republic of China. The bill explicitly states that this does not prohibit state institutions from accepting payments from Chinese citizens related to instructional fees, general fees, special fees, cost of instruction, or educational expenses or donations from the institution's alumni. The bill defines the "People's Republic of China" as the government of China, the Chinese Communist Party, the People's Liberation Army, or any other extension of, or entity affiliated with, the government of China.

The bill also requires each state institution to submit to the Chancellor a copy of the foreign gifts report it submits to the United States Department of Education pursuant to federal law regarding the disclosure of foreign gifts.⁹⁵

The bill also requires the Chancellor to make any of the information reported by state institutions available to any member of the General Assembly who requests it.

Under the bill, state institutions are required to notify the Chancellor of Higher Education of any new or renewed academic partnership with an academic or research institution located in China. A state institution must maintain sufficient structural safeguards to protect the state institution's intellectual property, the security of the state of Ohio, and the national security interests of the United States when entering into such a partnership. A state institution's safeguards must meet the following requirements:

1. Compliance with all federal requirements, including the requirements of federal research sponsors and federal export control agencies, including regulations regarding international traffic in arms and export administration regulations, and economic and trade sanctions administered by the Federal Office of Foreign Assets Control;
2. Annual formal institution-level programs for faculty on conflicts of interest and conflicts of commitment; and
3. A formalized foreign visitor process and uniform visiting scholar agreement.

⁹⁵ 20 U.S.C. 1011(f).

The bill requires the Auditor of State to audit the safeguards implemented by state institutions of higher education during the course of a normal audit.⁹⁶

Board of trustees training

(R.C. 3345.045)

The bill requires the Chancellor to develop and annually provide educational programs for the board of trustees of each state institution. The Chancellor must consult with state institutions and members of their boards of trustees as part of this process. The programs may be held online and be offered periodically. New members of a board of trustees must participate in the programs at least one time within their first two years in office. Current trustees are required to participate in continuing trustee training as determined by the Chancellor.⁹⁷

The educational programs developed by the Chancellor must be designed to address the role, duties, and responsibilities of a trustee and may include in-service programs on current issues in higher education. The Chancellor may consider similar programs offered in other states or through a recognized trustee group. The educational programs must include presentations and content related to all of the following:

1. Each board member's duty to the state of Ohio;
2. The committee structure and function of a board of trustees;
3. The duties of the executive committee of a board of trustees;
4. Professional accounting and reporting standards;
5. Methods for meeting the statutory, regulatory, and fiduciary obligations of a board of trustees;
6. Public records law requirements;
7. Institutional ethics and conflicts of interest;
8. Creating and implementing institution-wide rules and regulations;
9. Business operations, administration, budgeting, financing, financial reporting, and financial reserves, including a segment on endowment management;
10. Fixing student general and instructional fees, and other necessary changes, including a review of student debt trends;
11. 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;
12. Workforce planning, strategy, and investment;

⁹⁶ See also R.C. 117.46, not in the bill.

⁹⁷ R.C. 3333.045.

13. Institutional advancement, including philanthropic giving, fundraising initiatives, alumni programming, communications and media, government and public relations, and community affairs;

14. 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;

15. Current national and state issues in higher education; and

16. Future national and state issues in higher education.

The bill also eliminates an existing law requirement that the Chancellor develop voluntary, model training for state institution board of trustee members.

State institution of higher education trustees terms of office

(R.C. 3335.02, 3337.01, 3339.01, 3341.02, 3343.02, 3344.01, 3350.10, 3352.01, 3356.01, 3359.01, 3361.01, 3362.01, and 3364.01)

The bill reduces from nine to six years the length of the terms of office for each nonstudent state university board of trustees member appointed on and after January 1, 2024. The bill also eliminates the prohibition against reappointing a person who has served at least six years of a term as a state university board of trustee member unless four years have elapsed since the last day of the person's previous term.

Northeast Ohio Medical University principal goals

(R.C. 3350.10)

The bill removes the language that establishes the principal goals of the Northeast Ohio Medical University to work in collaboration with area state universities.

Three-year bachelor's degree study

(Section 733.70)

The bill requires the Department of Higher Education to complete a feasibility study regarding the implementation of bachelor's degree programs in the state that require three years to complete. The study must investigate a variety of fields of study and determine the feasibility of reducing specific course requirements, quantity of electives, and total credit hours required for graduation. The study cannot include the use of College Credit Plus or any other current programs used to accelerate degree programs. The study must also present and evaluate potential issues related to accreditation. The bill requires the Department to submit a report to the General Assembly regarding the study's findings within one year of the bill's effective date.

Under continuing law, the Chancellor, as a condition of reauthorization for certification of each baccalaureate program the state institution offers, must require all state institutions that offer baccalaureate degrees to submit a statement describing how each major may be completed

within three academic years.⁹⁸ Under this requirement, state institutions are permitted to include advanced placement credits, international baccalaureate program credits, and College Credit Plus credits.⁹⁹

Student trustees at the Ohio State University

(R.C. 3335.02 and 3335.09)

The bill explicitly prohibits the student members of the OSU board of trustees from having voting power, being considered members for purposes of quorum requirements, and from attending the board's executive sessions. The bill removes a 2015 requirement that the OSU board of trustees adopt a resolution to either grant the two student members of the board voting power or declare that student members did not have voting power. The bill also removes a related provision authorizing the OSU board to change the voting status of student trustees by adopting a subsequent resolution.

The bill also removes a prohibition that applied only if student members of OSU's board were granted voting power. The provision barred the board from disqualifying students from board membership because the student received a scholarship, grant, loan, or other financial assistance payable out of the state treasury or a university fund, or because the student was employed by the university and compensated out of the state treasury or a university fund.

The bill also prohibits any trustee or trustee's relative through blood or marriage from being eligible to a professorship or position in the university, the compensation for which is payable out of the state treasury or a university fund. Under current law, student trustees with voting power were exempted from this prohibition.

Two-year institution boards of trustees

(R.C. 3354.05, 3357.05, and 3358.03)

The bill permits a member of a technical college, community college, or state community college board of trustees whose term has expired to continue in office until the trustee's successor takes office.

The bill also states that for technical college, community college, and state community college boards of trustees, a majority of the sitting board members at the time of a meeting constitutes a quorum.

Technical college trustee appointments

(R.C. 3357.05 and 3357.021)

Beginning with trustees not appointed by the Governor appointed on or after January 1, 2024, the bill transfers the appointing power for technical college boards of trustees from school

⁹⁸ R.C. 3333.43(A).

⁹⁹ R.C. 3333.43(B).

district boards of education to a trustee selection committee selected by the technical college board of trustee's executive committee.

The bill requires the executive committee of the technical college's board of trustees to appoint a trustee selection committee. The committee must consist of either three or five members who are local business, civic, or nonprofit leaders who are not current sitting members of the technical college's board of trustees.

Under the bill, the technical college's board of trustees must nominate individuals for consideration by the trustee selection committee. The bill permits a trustee selection committee to select new trustees from individuals nominated by the current board of trustees or from other applicants.

The bill requires trustees appointed by a trustee selection committee to reside within the technical college district and to be appointed with the advice and consent of the Senate. Trustees appointed by a trustee selection committee must, to the greatest extent possible, be individuals who hold leadership positions within significant industries in the technical college district. The bill sets the terms of office for trustees appointed by a trustee selection committee for three years.

The bill requires the initial appointment of a trustee not appointed by the Governor during the expansion of a technical college district to be made by the technical college board of trustees' trustee selection committee.

Under continuing law, if a technical college district embraces the territory of one or more school districts, with more than half of the territory of each school district being located in the same county, then the technical college is required to have seven trustees. If a technical college district embraces territory outside of those parameters, then the technical college is required to have nine trustees. When a technical college district that has seven trustees expands to include an additional school district's territory, it may be required to add two additional trustees.

State institution policies

Notice regarding access to transcript and institutional debts

(R.C. 3345.60)

The bill addresses information each state institution of higher education, private nonprofit college or university, and for-profit career college must post on its website about college transcripts and institutional debts. It requires those institutions to explain on their websites that a student has a right to access a transcript for the purposes of seeking employment, regardless of whether the student owes an institutional debt. Institutions also must post a list of resources for students who owe an institutional debt, including payment plans, settlement opportunities, and other dropout prevention programs.

Continuing law prohibits a state institution from withholding a student's official transcripts from a potential employer because the student owes the institution money, if the student authorizes transmission of the transcripts and the employer affirms the transcripts are a

prerequisite of employment.¹⁰⁰ Neither private nonprofit colleges and universities or private for-profit career colleges are subject to that prohibition.

College transcripts

(R.C. 3345.027)

The bill requires the board of trustees of each state institution of higher education to adopt a resolution by December 1, 2023, determining whether to end the practice of transcript withholding. The board must submit a copy of the resolution to the Chancellor. When adopting the resolution, each board must consider and evaluate all of the following factors:

1. The extent to which ending the practice will promote the state’s postsecondary education attainment and workforce goals;
2. The rate of collection on overdue balances resulting from the historical practice of transcript withholding;
3. The extent to which ending the practice will help students who disenroll from the state institution complete an education at the same or a different state institution.

If the board resolves to maintain transcript withholding, the board must include a summary of its evaluation of the required factors.

Finally, the Chancellor must provide a copy of each resolution to the Governor, the Speaker of the House, and the Senate President by January 1, 2024.

Current law prohibits state institutions from withholding a student’s official transcripts from a potential employer because the student owes money to the institution, provided the student has authorized the transcripts to be sent to the employer and the employer affirms to the institution that the transcripts are a prerequisite of employment, but has no other prohibitions against state institutions withholding transcripts.

Mandatory on-campus student housing

(R.C. 3345.47)

The bill expands the prohibition against requiring students to live in on-campus student housing. Specifically, it prohibits state universities from requiring students to live in on-campus student housing, unless they are first-year students who live more than 25 miles away from campus. Under existing law, state universities are prohibited from requiring any student who lives within 25 miles of campus to live in on-campus student housing.

College student authority to decline vaccines

(R.C. 3792.05)

The bill authorizes a student – if required by a private college or state institution of higher education to receive a vaccine in order to attend class or reside in on-campus housing – to decline

¹⁰⁰ R.C. 3345.027.

the vaccine for medical contraindications or reasons of conscience, including religious convictions.

To decline a vaccine for reasons of conscience, including religious convictions, a student must present to the college or institution the student's written statement to that effect. The bill specifies that reasons of conscience, including religious convictions, are to be determined solely by the student.

To decline a vaccine for medical contraindications, a student must present to the college or institution a physician's certification in writing that vaccination is medically contraindicated for the student.

The bill further states that a student who presents either a statement or certification to the college or institution is not required to receive the vaccine.

Community college housing and dining facilities

(R.C. 3354.121)

The bill permits a community college district to acquire, lease, or construct housing and dining facilities if the district is located within one-quarter mile of a facility that, on January 1, 2023, rented at least 75 rooms to students at the district.

Under continuing law, a community college district that is located within one mile of a four-year private, nonprofit institution of higher education may acquire, lease, or construct housing and dining facilities.

Community college programs in Fairfield County

(R.C. 3357.131)

The bill establishes a procedure under which a community, state community, or technical college that is not co-located with an institution of higher education may develop and offer an academic program, certificate, associate's degree, or certain bachelor's degree in Fairfield County. Academic programs, certificates, and associate's degrees offered under this procedure must be issued pursuant to the Chancellor of Higher Education's standards and procedures for academic program approval. Continuing law permits community and technical colleges to offer applied bachelor's degrees and bachelor's degrees in nursing and prelicensure nursing.

To offer the programs described above, the college must:

1. Create a document that demonstrates a workforce need in the county and includes a request for the program, certificate, or degree from a business that is located or locating in Fairfield County;

2. Submit the document to a workforce advisory board established by the Fairfield County board of county commissioners. The advisory board must review the document and confirm whether the document demonstrates a legitimate workforce need in Fairfield County; and

3. Submit the document to any state university that operates a branch campus in Fairfield County upon confirmation from the advisory board that the document demonstrates a legitimate workforce need.

The only state university with a branch campus in Fairfield County is Ohio University. Thus, if Ohio University elects to develop and offer the program, certificate, or degree identified in the document at its branch campus in Fairfield County, then the community, state community, or technical college cannot develop and offer the program, certificate, or degree in there. If Ohio University does not elect to develop and offer the program, certificate, or degree in Fairfield County, then the college may do so.

Salmon P. Chase Center for Civics, Culture, and Society

(R.C. 3335.39)

The bill establishes the Salmon P. Chase Center for Civics, Culture, and Society as an independent unit within the Ohio State University, initially physically located in the College of Public Affairs. The Center is required to conduct teaching and research in the historical ideas, traditions, and texts that have shaped the American constitutional order and society.

The bill grants the Center the authority to establish its own bylaws but requires that the Center do all of the following and that the following must take priority over any other bylaws adopted by the Center:

1. Educate students by means of free, open, and rigorous intellectual inquiry to seek the truth;
2. Affirm its duty to equip students with the skills, habits, and dispositions of mind they need to reach their own informed conclusions on matters of social and political importance;
3. Affirm the value of intellectual diversity in higher education and aspire to enhance the intellectual diversity of the university;
4. Affirm a commitment to create a community dedicated to an ethic of civil and free inquiry, which respects the intellectual freedom of each member, supports individual capacities for growth, and welcomes the differences of opinion that must naturally exist in a public university community.

The bill permits the Board of Trustees of the university to change the name of the Center in accordance with the philanthropic naming policies and practices of the university.

Instructional requirements

The bill requires the Center to offer instruction in all of the following:

1. The books and major debates which form the intellectual foundation of free societies, especially that of the United States;
2. The principles, ideals, and institutions of the American constitutional order;
3. The foundations of responsible leadership and informed citizenship.

The bill further requires the Center to focus on offering university-wide programming related to the values of free speech and civil discourse as well as expanding the intellectual diversity of the university's academic community.

The bill grants the Center the authority to offer courses and develop certificate, minor, and major programs as well as graduate programs and offer degrees.

Academic council

Not later than 60 days after the bill's effective date the Board of Trustees of the university must appoint, with the advice and consent of the Senate, a seven-member Chase Center academic council.

The bill requires the academic council be comprised of scholars with relevant expertise and experience. Not more than one member of the council may be an employee of the university, and best efforts must be made to have not fewer than three members be from Ohio.

The bill further prescribes the term length for initial members of the academic council. Three members of the council are required to serve initial terms of two years and four members are required to serve initial terms of four years. The bill states that members must determine which members will serve which terms at its first meeting and select replacements for vacant seats as needed. However, the bill does not specify the duration of terms after the initial ones.

Director search and responsibilities

The bill requires the academic council described above to conduct a nationwide search for candidates for the director of the Center. The bill specifically requires that the nationwide search adhere to all relevant state and federal laws. The academic council must submit a list of candidates to the President of the university, from which the President must select and appoint a director. This appointment is subject to the approval of the Board of Trustees. Upon appointment, the director of the Center will have the protection of tenure or tenure eligibility. The bill further requires that the director consult with the Dean of the College of Public Affairs; however, the director must report directly to the Provost or the President of the University.

The bill requires the director to have the sole and exclusive ability to manage the recruitment and hiring process and have the authority to extend offers for employment for all faculty and staff, and to terminate employment of all staff. Additionally, the director must oversee, develop, and approve the Center's curriculum.

The bill requires the director to submit annually a report to the university's board of trustees and the General Assembly. The report must provide a full account of the Center's achievements, opportunities, challenges, and obstacles in the development of this academic unit.

Faculty

As stated above, the bill establishes the Center as an independent unit of the university and, thus, grants the Center the authority to make appointments of faculty, including tenure-track faculty. The bill further permits, but does not require, faculty appointed to the Center to hold joint appointments within any other division of the university. The bill requires that the Center allot not fewer than 15 tenure-track faculty positions to teach under the Center.

Institute of American Constitutional Thought and Leadership

(R.C. 3364.07)

The bill establishes the Institute of American Constitutional Thought and Leadership as an academic unit (initially physically located at the college of law) within the University of Toledo. The purpose of the institute is for the pursuit of creating and disseminating knowledge about American constitutional thought and to form future leaders of the legal profession through research, scholarship, teaching, collaboration, and mentorship.

The bill requires the Institute to pursue all of the following goals:

1. To enrich the curriculum in American constitutional studies, including the core texts and great debates of western civilization;

2. To educate university students in the principles, ideals, and institutions of the American and Ohio constitutional order;

3. To educate university students in the foundations of responsible leadership and informed citizenship and to cultivate the next generation of leaders in the legal profession;

4. To offer university-wide programming related to the values of open inquiry and civil discourse;

5. To expand the intellectual diversity of the university's academic community and to create a rich forum for the development of ideas across the political and ideological spectrum;

6. To support faculty and graduate student scholarship that advances understanding of American constitutional thought and institutions;

7. To promote scholarly collaboration within the university and beyond; and

8. To host lectures, debates, and symposia, and sponsor visiting scholars, jurists, and teachers.

The bill grants the Center the authority to offer courses and develop certificate, minor, and major programs as well as graduate programs and offer degrees.

The bill permits the Board of Trustees of the university to change the name of the Institute in accordance with the philanthropic naming policies and practices of the university.

Policy requirements

The bill requires the Institute to adhere to the following policies:

1. The Institute must educate students by means of free, open, and rigorous intellectual inquiry to seek the truth;

2. The Institute must equip students with the skills, habits, and dispositions of mind they need to reach their own informed conclusions on matters of legal, social, and political importance;

3. The Institute must value intellectual diversity in higher education, including in faculty recruitment, hiring, and appointment, and aspire to enhance the intellectual diversity of academic life at the university; and

4. The Institute must create a community dedicated to an ethic of civil and free inquiry, which respects the intellectual freedom of each member, supports individual capacities for growth, and welcomes the differences of opinion that naturally occur in a public university community.

Academic council

Not later than 60 days after the bill's effective date, the Talent, Compensation, and Governance Committee of the Board of Trustees of the university, if such a committee exists, must appoint, with the advice and consent of the Senate, a seven-member Institute academic council. If no such committee exist, the bill requires the Board of Trustees to appoint the members of the council.

The bill requires the academic council be comprised of scholars with relevant expertise and experience. Not more than one member of the council may be an employee of the university, and best efforts must be made to have not fewer than three members be from Ohio.

The bill further prescribes the term length for initial members of the academic council. Three members of the council are required to serve initial terms of two years and four members are required to serve initial terms of four years. The bill states that members must determine which members will serve which terms at its first meeting and select replacements for vacant seats as needed. However, the bill does not specify the duration of terms after the initial ones.

To fill a vacancy for the director of the Institute, the bill requires the academic council to, following a national search, transmit to the President of the university a list of finalists from which the President must select a Director, subject to the approval of the Talent, Compensation, and Governance Committee of the Board of Trustees of the university.

Director appointment and responsibilities

The bill requires the Institute to be led by a director who must report directly to the President and Provost of the university and consult with the Dean of the College of Law. The President of the university must appoint an initial director not later than 30 days after the bill's effective date. The director's term is for five years and may be renewed. The bill further requires the director to be an expert of the western tradition, the American founding, and American constitutional thought, and have shown a commitment to the purposes, goals, and policies of the Institute.

Upon appointment, the director of the Institute will have the protection of tenure or tenure eligibility. Any existing tenure with the university held by a director must be maintained with the university.

The bill requires the director to have the sole and exclusive ability to manage the recruitment and hiring process and the authority to extend offers for employment for all faculty and staff, and to terminate employment of all staff. The director is also required to oversee, develop, and approve the Institute's curriculum. The bill specifically requires that for any

employment contracts offered by the director to tenure-track faculty, those individuals are guaranteed reappointment elsewhere in the university, at the same rank and compensation, in the event the Institute is discontinued.

The bill requires the director to submit annually a report to the university's board of trustees and the General Assembly. The report must provide a full account of the Institute's achievements, opportunities, challenges, and obstacles in the development of this academic unit.

Faculty

As stated above, the bill establishes the Institute as an independent academic unit of the university and, thus, grants the Institute the authority to house tenure-track faculty who hold appointments within the Institute. The bill further permits, but does not require, faculty appointed to the Institute to hold joint or courtesy appointments within any other division of the university.

Teacher preparatory programs

(R.C. 3333.048)

The bill requires the Chancellor, in "consultation" with the Superintendent of Public Instruction, rather than in "conjunction" with the state Superintendent, to establish metrics to ensure that educator training programs include evidence-based strategies for effective literacy instruction aligned to the science of reading, including phonics, phonemic awareness, fluency, comprehension, and vocabulary development, and is part of a structured literacy program.

The bill further requires the Chancellor to develop an auditing process that clearly documents the degree to which each institution of higher education that offers an educator training program is aligned with the bill's literacy requirements. The Chancellor, by December 31, 2023, must complete an initial survey of educator preparation program, establish metrics for the audits, and update standards to reflect these new requirements. The bill further requires the Chancellor to grant a one-year grace period to all institutions of higher education to meet the new standards and requirements, to begin on January 1, 2024. The Chancellor must begin conducting audits on January 1, 2025.

Upon completion of an audit, the bill requires the Chancellor to revoke approval for programs that are found not to be in alignment and do not address the findings of the audit within a year. All programs must be reviewed every four years thereafter to ensure continued alignment. The Chancellor also annually must create a summary of literacy instruction strategies and practices in place for all educator preparation programs based on the program audits, including institution level summaries, until all programs reach the required alignment.

In conjunction with the Department of Education and Workforce, the bill further requires the Chancellor to do all of the following:

1. Complete and publicly release summaries of audits by March 31 of each year;
2. Identify a list of approved vendors who can provide professional development experiences that are consistent with the science of reading to educators who are responsible for teaching reading, including faculty in educator preparation programs; and

3. Develop a public dashboard that reports the first-time passage rates of students, by institution, on the Foundations of Reading Licensure test.

Under continuing law, the Chancellor jointly with the state Superintendent must establish metrics and preparation programs for educators and other school personnel and the higher education institutions that offer the programs. The Chancellor must, based on the metrics and preparation programs, approve institutions with preparation programs that maintain satisfactory training procedures and records of performance.

College Credit Plus Program

(Section 381.720)

The bill permits the Chancellor, in consultation with the Superintendent of Public Instruction, to take action as necessary, to ensure that public colleges and universities and school districts are fully engaging and participating in the College Credit Plus Program (CCP). These actions may include publicly displaying program participation data by district and institution.

For the “model pathways” required under continuing law, the bill requires the Chancellor and state Superintendent to work with public secondary schools and partnering public colleges and universities, as necessary, to encourage the establishment of model pathways that prepare participants to successfully enter the workforce in certain fields – which may include any of the following:

1. Engineering technology and other fields essential to the superconductor industry;
2. Nursing, with particular emphasis on models that facilitate a participant’s potential progression through different levels of nursing;
3. Teaching and other related education professions;
4. Social and behavioral or mental health professions;
5. Law enforcement or corrections; and
6. Other fields as determined appropriate by the Chancellor and state Superintendent, in consultation with the Governor’s Office of Workforce and Transformation.

Under current law, each public secondary school, in consultation with at least one public partnering college, is required to develop two model pathways for courses offered under CCP. One model pathway must be a 15-credit hour pathway and one must be a 30-credit hour pathway. Pathways may be organized by desired major or career path and may include various core courses required for a degree or professional certification by the college. Current law does not prescribe specific professional fields for model pathways.¹⁰¹

¹⁰¹ R.C. 3365.13, not in the bill.

International Baccalaureate course credit

(R.C. 3333.163 and 3345.38)

The bill requires the Ohio Articulation and Transfer Advisory Council (OATAC) to, by April 15, 2025, recommend standards to the Chancellor for awarding course credit toward degree requirements at state institutions of higher education based on scores attained on International Baccalaureate (IB) exams. The recommended standards must include a score on each IB exam that the Council considers a passing score for which course credit may be awarded.

After the Chancellor adopts the standards, the bill requires each state institution of higher education to comply with the standards in awarding course credit to any student enrolled in the institution who has attained a passing score on an IB exam. State institutions are also required to make standards and policies adopted and implemented under this requirement available to the public in an electronic format.

Under continuing law, each state institution of higher education is required to adopt and implement a policy for granting undergraduate course credit to a student who has successfully completed an IB diploma program.

Advanced Placement course credit

(R.C. 3333.163)

The bill requires each state institution of higher education to make its standards and policies on course credit for Advanced Placement (AP) exams available to the public in an electronic format. OATAC recommended standards, which state institutions adopted, for awarding course credit for AP exams in 2008.

FAFSA support team system

(R.C. 3333.303)

The bill requires the Chancellor of Higher Education to designate a statewide system of Free Application for Federal Student Aid (FAFSA) support teams to support public schools with FAFSA completion and college access programming. The Chancellor must divide the state into regions based on available resources and assign at least one FAFSA support team to each region. A FAFSA support team may include existing efforts by educational service centers, colleges and universities, and community-based organizations.

To administer the FAFSA support team system, the bill requires the Chancellor to:

1. Develop, in coordination with state and local stakeholders, a comprehensive, multiyear, and statewide strategy for increasing FAFSA completion in Ohio that coordinates the new and ongoing efforts to increase completion at the state and local level;
2. Oversee the selection and coordination of FAFSA support teams;
3. Provide continuous information updates to FAFSA support teams;
4. Identify strategies that have been successful nationally to increase FAFSA completion and college access and share them with stakeholders;

5. Develop and expand partnerships with existing organizations that work to expand college access and success for the purpose of assisting high school students; and

6. Partner with states that have implemented FAFSA requirements to learn best practices.

The bill requires each FAFSA support team to:

1. Offer FAFSA programming and training for all public schools in the team's region, including supplementing existing programming;

2. Provide annual updates on FAFSA changes to all public schools in the team's region;

3. Coordinate and financially support FAFSA and college application completion events for public schools in the team's region;

4. Contribute to the marketing of local FAFSA and college access events;

5. Analyze FAFSA data and report the results of that data to the Chancellor;

6. Partner with local institutions of higher education to expand current strategies and services to public schools in the team's region;

7. Commit to participate in professional development regarding any updated FAFSA requirements; and

8. Develop new strategies to increase FAFSA completion rates based on the team's knowledge and experiences.

Wright State University land lease

(Section 733.80)

This provision only applies to a state institution of higher education located in a county with a population between 165,000 and 175,000 as of the 2020 federal decennial census. In practice, this only applies to Wright State University.

The bill permits a developer desiring to lease land held in trust by the board of trustees of Wright State University to submit their development plans directly to the board of trustees, rather than to DAS as required for other developers under continuing law.¹⁰² Under the usual process, DAS leases the land with board of trustee approval. Under the bill, the board of trustees may lease the land directly to developers.

The board of trustees may lease the land to the developer if the board finds that five conditions are met. Three are continuing law conditions that normally are determined by DAS: the board must find that the best interests of the university will be promoted by entering into a lease with the developer, the development plans are satisfactory, and the developer has established the developer's financial responsibility and satisfactory plans for financing the development. Additionally, the board must find that the lease has commercially reasonable

¹⁰² R.C. 123.17, not in the bill.

terms favorable to the university, and the land to be leased is not required for the use of the university for the term of the lease.

If a developer submits a plan directly to the board of trustees, but the board desires that the land be leased by DAS under the current law Revised Code process, the board must notify the developer in writing and direct the developer to submit the plans to DAS under that process.

Board of Regents

(R.C. 3333.01, 3333.012, 3333.032, 3333.04, 3333.045, and 3333.70; repealed R.C. 3333.01, 3333.011, and 3333.02)

The bill abolishes the Ohio Board of Regents. Under current law, the Board is an advisory body for the Chancellor of Higher Education, consisting of nine members who are appointed by the Governor with the advice and consent of the Senate.

In 2007, the General Assembly transferred most of the Board's powers and duties to the Chancellor.¹⁰³ That act specified that when the Board is referred to in any statute, rule, contract, grant, or other document, it must be construed to mean the Chancellor, except in specific circumstances. Subsequent legislation renamed the administrative office of the Board of Regents as the Department of Higher Education.¹⁰⁴ As a result, the only responsibility that the Board retained was to submit an annual report on the condition of higher education in Ohio, including the performance of the Chancellor, to the General Assembly and the Governor. The bill transfers that responsibility to the Chancellor, but removes the requirement that the report include the performance of the Chancellor.

Obsolete reports and programs

Ohio Instructional Grant Program

(Repealed R.C. 3333.12; conforming changes in R.C. 3315.37, 3332.092, 3333.04, 3333.044, 3333.28, 3333.375, 3333.38, 3345.32, and 5107.58)

The bill abolishes the Ohio Instructional Grant Program (OIG).

OIG paid grants to full-time Ohio resident students pursuing an undergraduate degree at a public, private nonprofit, or private for-profit institution of higher education in Ohio. In 2005, H.B. 66 of the 126th General Assembly phased out OIG and established the Ohio College Opportunity Grant Program (OCOG) to replace it. OIG was last funded in FY 2009.

OhioCorps

(Repealed R.C. 3333.80, 3333.801, and 3333.802)

The bill abolishes the OhioCorps Pilot Program.

Enacted in 2018, OhioCorps was designed to guide at-risk high school and middle school students toward higher education through mentorship programs, operated by state institutions

¹⁰³ H.B. 2 of the 127th General Assembly.

¹⁰⁴ H.B. 64 of the 131st General Assembly.

of higher education in the 2019-2020 and 2020-2021 school years, and future \$1,000 college scholarships upon meeting specified criteria.

In 2021, H.B. 110 of the 134th General Assembly prohibited the addition of new students to OhioCorp after the 2020-2021 academic year and terminated its operation at the end of the 2021-2022 academic year. Each student otherwise eligible to receive a scholarship under OhioCorps instead received a \$1,000 payment.¹⁰⁵

Statewide plan on college credit for career-tech courses

(Repealed R.C. 3333.167)

The bill eliminates a requirement for the Chancellor to develop and, if appropriate, implement a statewide plan permitting high school students to receive college credit for approved career-technical education courses. The Chancellor was required to submit the completed plan to the Governor, the President and Minority Leader of the Senate, and the Speaker and Minority Leader of the House by July 31, 2020.¹⁰⁶

The Chancellor submitted the completed plan in a report on July 31, 2020. As is explained in the report, the Career-Technical Credit Transcript workgroup determined that the plan would not be implemented because the “Higher Learning Commission regulations make the transcription of CTPD coursework in a manner comparable to CCP not viable.”¹⁰⁷

College credit transfer study

(R.C. 3333.16)

The bill eliminates the requirement that the Ohio Articulation and Transfer Network Oversight Board issue a report to the General Assembly by March 2, 2022, regarding college credit transfer rules for state institutions of higher education, as the deadline for the report has passed.

The Board was established by the Chancellor to study current rules regarding the transfer of college credit between state institutions of higher education. It was required to submit to the General Assembly by March 2, 2022, a report including the findings of the study, as well as any recommendations regarding changes to the rules.

¹⁰⁵ Section 381.460 of H.B. 110 of the 134th General Assembly.

¹⁰⁶ Section 17 of H.B. 197 of the 133rd General Assembly.

¹⁰⁷ See the Ohio Department of Higher Education [Career-Technical Credit Transcript Workgroup Report \(PDF\)](#), also accessible on the Legislative Service Commission’s website: lsc.ohio.gov.