

As Introduced

135th General Assembly

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H. B. No. 151

Representatives Demetriou, Williams

**Cosponsors: Representatives Barhorst, Ferguson, Gross, Hall, John, King,
Stewart, Willis, Young, T.**

A BILL

To amend sections 3345.45, 4117.14, and 4117.15 and 1
to enact sections 1713.57, 3333.0419, 3345.029, 2
3345.0216, 3345.0217, 3345.0219, 3345.382, 3
3345.451, 3345.452, 3345.453, 3345.591, 3345.80, 4
and 3345.87 of the Revised Code to enact the 5
Ohio Higher Education Enhancement Act regarding 6
the operation of state institutions of higher 7
education. 8

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 3345.45, 4117.14, and 4117.15 be 9
amended and sections 1713.57, 3333.0419, 3345.029, 3345.0216, 10
3345.0217, 3345.0219, 3345.382, 3345.451, 3345.452, 3345.453, 11
3345.591, 3345.80, and 3345.87 of the Revised Code be enacted to 12
read as follows: 13

Sec. 1713.57. (A) As used in this section: 14

(1) "Private institution of higher education" means a 15
nonprofit institution holding a certificate of authorization 16
pursuant to Chapter 1713. of the Revised Code. 17

(2) "State institution of higher education" has the same meaning as in section 3345.011 of the Revised Code. 18
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(B) The chancellor of higher education shall not distribute any state funds appropriated for institutional purposes to a private institution of higher education unless the institution submits a statement affirming all of the following: 20
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(1) The institution is committed to intellectual diversity. 24
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(2) The institution is committed to free speech protection for students, staff, and faculty. 26
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(3) The institution does not require diversity, equity, and inclusion courses or training for students, staff, or faculty. 28
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(4) The institution complies with the syllabus requirements prescribed under section 3345.029 of the Revised Code as if it were a state institution of higher education. 31
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(5) The institution complies with the prohibition of political and ideological litmus tests in hiring or promotion policies in accordance with section 3345.0217 of the Revised Code as if it were a state institution of higher education. 34
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(C) The chancellor shall create an affirmation document for private institutions of higher education to submit with requests for state funding. 38
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(D) If the chancellor receives credible information indicating that a private institution of higher education made false affirmations, the chancellor shall provide written notice to the institution. Upon receipt of the chancellor's notice, the institution shall return any state funds received. 41
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(E) The affirmations required in this section are solely 46
for the purpose of requests for state funds appropriated for 47
institutional purposes. 48

(F) Nothing in this section shall be construed to prohibit 49
the chancellor from distributing state financial aid for 50
students enrolled in private institutions of higher education, 51
including the Ohio college opportunity grant program established 52
under section 3333.122 of the Revised Code. 53

Sec. 3333.0419. As used in this section, "state 54
institution of higher education" has the same meaning as in 55
section 3345.011 of the Revised Code. 56

The chancellor of higher education, in consultation with 57
state institutions of higher education and members of their 58
boards of trustees, shall develop and annually deliver 59
educational programs for members of a board of trustees of each 60
state institution. The chancellor may deliver the programs 61
virtually and may offer the programs periodically throughout 62
each year. New members of a board of trustees shall participate 63
in the programs at least once in their first two years in 64
office. Current members of a board of trustees shall participate 65
in continuing trustee training at levels to be determined by the 66
chancellor. 67

The educational programs shall be designed to address the 68
role, duties, and responsibilities of a member of a board of 69
trustees and may include in-service programs on current issues 70
in higher education. In developing the educational programs, the 71
chancellor may consider similar programs offered in other states 72
or through a recognized trustee group. 73

The educational programs shall include presentations and 74

<u>content related to all of the following:</u>	75
<u>(A) Each board member's duty to the state of Ohio;</u>	76
<u>(B) The committee structure and function of a board of trustees;</u>	77 78
<u>(C) The duties of the executive committee of a board of trustees;</u>	79 80
<u>(D) Professional accounting and reporting standards;</u>	81
<u>(E) Methods for meeting the statutory, regulatory, and fiduciary obligations of a board of trustees;</u>	82 83
<u>(F) The requirements of the public records law;</u>	84
<u>(G) Institutional ethics and conflicts of interest;</u>	85
<u>(H) Creating and implementing institution-wide rules and regulations;</u>	86 87
<u>(I) Business operations, administration, budgeting, financing, financial reporting, and financial reserves, including a segment on endowment management;</u>	88 89 90
<u>(J) Fixing student general and instructional fees, and other necessary charges, including a review of student debt trends;</u>	91 92 93
<u>(K) Overseeing planning, construction, maintenance, expansion, and renovation projects that impact the state institution's consolidated infrastructure, physical facilities, and natural environment, including its lands, improvements, and capital equipment;</u>	94 95 96 97 98
<u>(L) Workforce planning, strategy, and investment;</u>	99
<u>(M) Institutional advancement, including philanthropic</u>	100

<u>giving, fundraising initiatives, alumni programming,</u>	101
<u>communications and media, government and public relations, and</u>	102
<u>community affairs;</u>	103
<u>(N) Student welfare issues, including academic studies,</u>	104
<u>curriculum, residence life, student governance and activities,</u>	105
<u>and the general physical and psychological well-being of</u>	106
<u>undergraduate and graduate students;</u>	107
<u>(O) Current national and state issues in higher education;</u>	108
<u>(P) Future national and state issues in higher education.</u>	109
Sec. 3345.029. (A) As used in this section:	110
<u>(1) "State institution of higher education" has the same</u>	111
<u>meaning as in section 3345.011 of the Revised Code.</u>	112
<u>(2) "Syllabus" means a document produced for students by a</u>	113
<u>course instructor that includes all of the following:</u>	114
<u>(a) The name of the course instructor;</u>	115
<u>(b) A brief description of each major course requirement,</u>	116
<u>including each major assignment and examination;</u>	117
<u>(c) A list of any required or recommended readings for the</u>	118
<u>course;</u>	119
<u>(d) A general description of the subject matter of each</u>	120
<u>lecture or discussion in the course;</u>	121
<u>(e) Biographical information on the course instructor.</u>	122
<u>(B) Each state institution of higher education shall make</u>	123
<u>available on its publicly accessible web site a syllabus for</u>	124
<u>each undergraduate course it offers for college credit. Each</u>	125
<u>syllabus shall be all of the following:</u>	126

<u>(1) Accessible from the main page of the state</u>	127
<u>institution's web site by use of not more than three links;</u>	128
<u>(2) Searchable by keywords and phrases;</u>	129
<u>(3) Accessible to the public without requiring user</u>	130
<u>registration of any kind.</u>	131
<u>(C) Each state institution shall make a syllabus available</u>	132
<u>in accordance with division (B) of this section not later than</u>	133
<u>the seventh day before the first day of classes for the semester</u>	134
<u>or academic term in which the course is offered. Each syllabus</u>	135
<u>shall remain posted on the state institution's web site for not</u>	136
<u>less than two years after it is first posted, except that, if</u>	137
<u>changes needs to be made to the information in the syllabus</u>	138
<u>after it is first posted, the state institution shall post an</u>	139
<u>updated copy on its web site as soon as practicable.</u>	140
<u>(D) The board of trustees of each state institution shall</u>	141
<u>designate an administrator to implement the institution's</u>	142
<u>responsibilities under this section. The administrator may</u>	143
<u>assign duties for that purpose to one or more administrative</u>	144
<u>employees.</u>	145
<u>(E) Not later than the first day of January of each year,</u>	146
<u>all of the following apply:</u>	147
<u>(1) Each state institution shall submit a written report</u>	148
<u>regarding its compliance with the requirements under this</u>	149
<u>section to the chancellor of higher education.</u>	150
<u>(2) The chancellor shall prepare a report that includes</u>	151
<u>each report received from a state institution under this</u>	152
<u>division.</u>	153
<u>(3) The chancellor shall submit the chancellor's report to</u>	154

the governor, speaker of the house of representatives, president 155
of the senate, and chairpersons of the senate and house of 156
representatives standing committees that consider higher 157
education legislation. 158

Sec. 3345.0216. Each state institution of higher 159
education, as defined in section 3345.011 of the Revised Code, 160
shall incorporate all of the following statements into the 161
institution's mission statement: 162

(A) The institution affirms that it will educate students 163
by means of free, open, and rigorous intellectual inquiry to 164
seek the truth. 165

(B) The institution affirms that its duty is to equip 166
students with the intellectual skills they need to reach their 167
own, informed conclusions on matters of social and political 168
importance. 169

(C) The institution affirms that its duty is to ensure 170
that no aspect of life at the institution, within or outside the 171
classroom, requires, favors, disfavors, or prohibits speech or 172
action to support any political, social, or religious belief. 173

(D) The institution affirms it is committed to create a 174
community dedicated to an ethic of civil and free inquiry, which 175
respects the autonomy of each member, supports individual 176
capacities for growth, and tolerates the differences in opinion 177
that naturally occur in a public higher education community. 178

(E) The institution affirms that its duty is to treat all 179
faculty, staff, and students as individuals, to hold them to 180
equal standards, and to provide them equality of opportunity. 181

Sec. 3345.0217. (A) As used in this section: 182

(1) "Controversial belief or policy" means any belief or policy that is the subject of political controversy, including issues such as climate change, electoral politics, foreign policy, diversity, equity, and inclusion programs, immigration policy, marriage, or abortion. 183
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(2) "Intellectual diversity" means multiple, divergent, and opposing perspectives on an extensive range of public policy issues widely discussed and debated in society at large, especially those perspectives that reflect the range of American opinion, but which are poorly represented on campus. 188
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(3) "Specified concept" means a concept such as allyship, diversity, social justice, sustainability, systematic racism, gender identity, equity, or inclusion. 193
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(4) "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 upon identity group membership. 196
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(5) "State institution of higher education" has the same meaning as in section 3345.011 of the Revised Code. 201
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(B) Not later than ninety days after the effective date of this section, the board of trustees of each state institution of higher education shall adopt a policy that requires the institution to do all of the following: 203
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(1) Prohibit any mandatory programs or training courses regarding diversity, equity, or inclusion; 207
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(2) Affirm and guarantee that its primary function is to practice, or support the practice, discovery, improvement, transmission, and dissemination of knowledge by means of 209
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<u>research, teaching, discussion, and debate;</u>	212
<u>(3) Affirm and guarantee that, to fulfill the function</u>	213
<u>described in division (B) (2) of this section, the institution</u>	214
<u>shall ensure the fullest degree of intellectual diversity;</u>	215
<u>(4) Affirm and guarantee that faculty and staff shall</u>	216
<u>allow and encourage students to reach their own conclusions</u>	217
<u>about all controversial matters and shall not seek to inculcate</u>	218
<u>any social, political, or religious point of view;</u>	219
<u>(5) Establish and implement intellectual diversity rubrics</u>	220
<u>for course approval, approval of courses to satisfy general</u>	221
<u>education requirements, student course evaluations, common</u>	222
<u>reading programs, annual reviews, strategic goals for each</u>	223
<u>department, and student learning outcomes.</u>	224
<u>Divisions (B) (2) to (5) of this section do not apply to</u>	225
<u>the exercise of professional judgment about how to accomplish</u>	226
<u>intellectual diversity within an academic discipline, unless</u>	227
<u>that exercise is misused to constrict intellectual diversity.</u>	228
<u>(6) Affirm and guarantee that it will not endorse, oppose,</u>	229
<u>comment, or take action, as an institution, on the public policy</u>	230
<u>controversies of the day, or any other ideology, principle,</u>	231
<u>concept, or formulation that requires commitment to any</u>	232
<u>controversial belief or policy, specified concept, or specified</u>	233
<u>ideology, although it may endorse the congress of the United</u>	234
<u>States when it establishes a state of armed hostility against a</u>	235
<u>foreign power.</u>	236
<u>This division does not include the recognition of national</u>	237
<u>and state holidays, support for the Constitution and laws of the</u>	238
<u>United States or the state of Ohio, or the display of the</u>	239
<u>American or Ohio flag.</u>	240

(7) Affirm and guarantee 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; 241-246

(8) Prohibit the institution from engaging in or abetting activities such as boycotts, disinvestments, or sanctions. 247-248

Divisions (B) (6) to (8) of this section do not apply to the exercise of professional judgement about whether to endorse the consensus or foundational beliefs of an academic discipline, unless that exercise is misused to take an action prohibited in division (B) (6) of this section. 249-253

(9) 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; 254-259

(10) Affirm and guarantee 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, political stance, or view of a social policy; 260-264

(11) Affirm and guarantee that the institution will not use a diversity statement or any other assessment of an applicant's commitment to specified concepts in any hiring, promotions, or admissions process or decision; 265-268

(12) Affirm and guarantee that no process or decision 269

regulating conditions of work or study, such as committee 270
assignments, course scheduling, or workload adjustment policies, 271
shall encourage, discourage, require, or forbid students, 272
faculty, or administrators to endorse, assent to, or publicly 273
express a given ideology, political stance, or view of a social 274
policy; 275

(13) Affirm and guarantee that the institution will seek 276
out intellectual diversity in invited speakers; 277

(14) Post prominently on its web site a complete list of 278
all speaker fees, honoraria, and other emoluments in excess of 279
five hundred dollars. That information shall be all of the 280
following: 281

(a) Accessible from the main page of the institution's web 282
site by use of not more than three links; 283

(b) Searchable by keywords and phrases; 284

(c) Accessible to the public without requiring user 285
registration of any kind. 286

Sec. 3345.0219. (A) As used in this section: 287

(1) "Intellectual diversity" has the same meaning as in 288
section 3345.0217 of the Revised Code. 289

(2) "State institution of higher education" has the same 290
meaning as in section 3345.011 of the Revised code. 291

(B) Each state institution of higher education shall 292
implement a range of disciplinary sanctions for anyone under its 293
jurisdiction who interferes with the intellectual diversity 294
rights, prescribed under sections 3345.0217 and 3345.0218 of the 295
Revised Code, of another. 296

(C) Each state institution shall inform all of its 297
students and employees of the protections afforded to them under 298
sections 3345.0217 and 3345.0218 of the Revised Code and any 299
policies it has adopted to put them into practice, including by 300
providing the information to new employees and to each student 301
during any new student orientation the institution offers. 302

(D) Each state institution shall issue an annual report on 303
any violations of the intellectual diversity rights prescribed 304
under sections 3345.0217 and 3345.0218 of the Revised Code by 305
any individual under the institution's jurisdiction and any 306
consequent disciplinary sanctions issued for that violation. 307

(E) Each state institution shall post the information 308
described in division (C) of this section and a report issued 309
under division (D) of this section on the institution's publicly 310
accessible web site. Both the information and report shall be 311
all of the following: 312

(1) Accessible from the main page of the institution's web 313
site by use of not more than three links; 314

(2) Searchable by keywords and phrases; 315

(3) Accessible to the public without requiring user 316
registration of any kind. 317

Sec. 3345.382. (A) Beginning with students who graduate in 318
the spring semester, or equivalent quarter, of the 2026-2027 319
academic year, no state institution of higher education, as 320
defined in section 3345.011 of the Revised Code, shall grant an 321
associate's or bachelor's degree to any student, unless the 322
student completes a course with no fewer than three credit hours 323
in the subject area of American government or American history. 324
The course shall, at a minimum, require each student to read all 325

<u>the following:</u>	326
<u>(1) The entire Constitution of the United States;</u>	327
<u>(2) The entire Declaration of Independence;</u>	328
<u>(3) A minimum of five essays in their entirety from the</u> <u>Federalist Papers. The essays shall be selected by the</u> <u>department chair.</u>	329 330 331
<u>(4) The entire Emancipation Proclamation;</u>	332
<u>(5) The entire Gettysburg Address;</u>	333
<u>(6) The entire Letter from Birmingham Jail written by Dr.</u> <u>Martin Luther King Jr.;</u>	334 335
<u>The student shall be required to pass a cumulative final</u> <u>examination at the conclusion of the course that assesses</u> <u>student proficiency about the documents described in divisions</u> <u>(A) (1) to (6) of this section.</u>	336 337 338 339
<u>(B) The president of a state institution, or the</u> <u>president's designee, may exempt a student from the requirement</u> <u>prescribed under division (A) of this section if the president</u> <u>or designee determines that the student has completed at least</u> <u>three credit hours, or the equivalent, in a course in the</u> <u>subject area of American history or American government.</u>	340 341 342 343 344 345
Sec. 3345.45. (A) On or before January 1, 1994, the chancellor of higher education jointly with all state universities, as defined in section 3345.011 of the Revised Code, shall develop standards for instructional workloads for full-time and part-time faculty in keeping with the universities' missions and with special emphasis on the undergraduate learning experience. The standards shall contain clear guidelines for institutions to determine a range of	346 347 348 349 350 351 352 353

acceptable undergraduate teaching by faculty. 354

(B) On or before June 30, 1994, the board of trustees of 355
each state university shall take formal action to adopt a 356
faculty workload policy consistent with the standards developed 357
under this section. Notwithstanding section 4117.08 of the 358
Revised Code, the policies adopted under this section are not 359
appropriate subjects for collective bargaining. Notwithstanding 360
division (A) of section 4117.10 of the Revised Code, any policy 361
adopted under this section by a board of trustees prevails over 362
any conflicting provisions of any collective bargaining 363
agreement between an employees organization and that board of 364
trustees. 365

(C) (1) The board of trustees of each state university 366
shall review the university's policy on faculty tenure and 367
update that policy to promote excellence in instruction, 368
research, service, or commercialization, or any combination 369
thereof. 370

(2) Beginning on July 1, 2018, as a condition for a state 371
university to receive any state funds for research that are 372
allocated to the department of higher education under the 373
appropriation line items referred to as either "research 374
incentive third frontier fund" or "research incentive third 375
frontier-tax," the chancellor shall require the university to 376
include multiple pathways for faculty tenure, one of which may 377
be a commercialization pathway, in its policy. 378

(D) (1) Not later than July 1, 2024, and every three years 379
thereafter, each state institution of higher education, as 380
defined in section 3345.011 of the Revised Code, shall update 381
its faculty workload policy and submit the policy to the 382
chancellor. The updated policy shall be approved by the state 383

institution's board of trustees each time it is submitted to the 384
chancellor. 385

(2) Each state institution of higher education's faculty 386
workload policy shall include all of the following: 387

(a) An objective and numerically defined teaching workload 388
expectation based on credit hours as defined in 34 C.F.R. 600.2; 389

(b) A definition of all faculty workload elements in terms 390
of credit hours as defined in 34 CFR 600.2 with a full-time 391
twelve-month workload minimum equal to thirty credit hours. 392
Faculty with less than a twelve-month per year work appointment 393
will have their workload prorated based on the thirty credit 394
hour formula. 395

(c) A definition of justifiable credit hour equivalents 396
for activities other than teaching, including research, clinical 397
care, administration, service, and other activities as 398
determined by the state institution of higher education; 399

(d) Administrative action that a state institution of 400
higher education may take, including censure, remedial training, 401
or for-cause termination, regardless of tenure status, if a 402
faculty member fails to comply with the policy's requirements. 403
Termination under these circumstances requires the 404
recommendation of the dean, provost, or equivalent official, 405
concurrence of the state institution of higher education's 406
president, and approval of the state institution of higher 407
education's board of trustees. 408

Sec. 3345.451. (A) As used in this section, "state 409
institution of higher education" has the same meaning as in 410
section 3345.011 of the Revised Code. 411

(B) The chancellor of higher education shall develop a 412

minimum set of standard questions for use by state institutions 413
of higher education in student evaluations of faculty members. 414
The questions shall include the following: 415

"Does the faculty member create a classroom atmosphere 416
free of political, racial, gender, and religious bias?" 417

(C) Each state institution of higher education shall 418
establish a written system of faculty evaluations completed by 419
students with a focus on teaching effectiveness and student 420
learning. Each state institution shall include in its student 421
evaluations of faculty the minimum set of standard questions 422
developed by the department in division (B) of this section. 423

(D) Not later than August 1, 2024, the average annual 424
numerical score from the student evaluations for each faculty 425
member shall be published on a public portal on each state 426
institution of higher education's web site. The scores shall be 427
updated by the first day of August of each year thereafter. 428

(E) Each state institution of higher education shall 429
establish a written system of peer evaluations for faculty 430
members with emphasis placed on the faculty member's 431
professional development regarding the faculty member's teaching 432
responsibilities. 433

Sec. 3345.452. (A) As used in this section, "state 434
institution of higher education" has the same meaning as in 435
section 3345.011 of the Revised Code. 436

(B) Not later than July 1, 2024, the board of trustees of 437
each state institution of higher education shall adopt a faculty 438
annual performance evaluation policy and submit the policy to 439
the chancellor of higher education. Each state institution's 440
board of trustees shall review and update its policy every three 441

years. 442

(C) Each state institution of higher education shall 443
conduct an annual evaluation for each faculty member who it 444
directly compensates. 445

(D) Each faculty annual performance evaluation shall meet 446
all of the following: 447

(1) The evaluation is comprehensive and includes 448
standardized, objective, and measurable performance metrics. 449

(2) The evaluation includes an assessment of performance 450
for each of the following areas that the faculty member has 451
spent at least five per cent of their annual work time on over 452
the preceding year: 453

(a) Teaching; 454

(b) Research; 455

(c) Service; 456

(d) Clinical care; 457

(e) Administration; 458

(f) Other categories, as determined by the state 459
institution of higher education. 460

(3) The evaluation includes a summary assessment of the 461
performance areas listed in division (D)(2) of this section 462
including the parameters "exceeds performance expectations," 463
"meets performance expectations," or "does not meet performance 464
expectations." 465

(4) Student evaluations conducted pursuant to section 466
3345.451 of the Revised Code account for at least fifty per cent 467
of the teaching area component of the evaluation. 468

(5) The evaluation establishes a projected work effort 469
distribution for the faculty member for the next year which 470
shall be used during the next year's evaluation. The 471
distribution shall be compliant with the state institution's 472
established workload policies adopted under section 3345.45 of 473
the Revised Code and shall receive approval from the dean of 474
faculty or the equivalent. 475

(E) Evaluations shall be conducted by the department 476
chairperson or equivalent administrator, reviewed and approved 477
or disapproved by the dean, and submitted to the provost for 478
review. If there is disagreement between the chairperson and 479
dean, the provost shall have final decision authority. 480

Sec. 3345.453. (A) As used in this section, "state 481
institution of higher education" has the same meaning as in 482
section 3345.011 of the Revised Code. 483

(B) Not later than July 1, 2024, the board of trustees of 484
each state institution of higher education shall adopt a post- 485
tenure review policy and submit the policy to the chancellor of 486
higher education. Each state institution's board of trustees 487
shall update the post-tenure review policy every three years. 488

(C) A state institution of higher education shall conduct 489
a post-tenure review if a tenured faculty member receives a 490
"does not meet performance expectations" evaluation within the 491
same evaluative category for a minimum of two of the past three 492
consecutive years on the faculty member's annual performance 493
evaluation conducted pursuant to section 3345.452 of the Revised 494
Code. 495

(D) A state institution of higher education shall subject 496
any faculty member who maintains tenure after a post-tenure 497

review and receives an additional "does not meet performance 498
expectations" assessment on any area of the faculty member's 499
annual performance evaluation in the subsequent two years to an 500
additional post-tenure review. 501

(E) The department chairperson, dean of faculty, or 502
provost of a state institution of higher education may require 503
an immediate and for cause post-tenure review at any time for a 504
faculty member who has a documented and sustained record of 505
significant underperformance outside of the faculty member's 506
annual performance evaluation. For this purpose, for cause shall 507
not be based on a faculty member's allowable expression of 508
academic freedom as defined by the state institution of higher 509
education or Ohio law. 510

(F) The state institution of higher education's post- 511
tenure review due process period, from beginning to end, shall 512
not exceed six months, except that a one-time two-month 513
extension may be granted by the state institution's president. 514

(G) The state institution of higher education's provost 515
shall submit a recommended outcome of the post-tenure review 516
process to the academic affairs committee of the state 517
institution's board of trustees. The academic affairs committee 518
shall have final decision authority on the outcome of the post- 519
tenure review process. 520

Sec. 3345.591. (A) As used in this section: 521

(1) "Confucius institute" means a public education 522
partnership that is both of the following: 523

(a) Established by an institution of higher education in 524
China and an institution of higher education in a different 525
country; 526

(b) Funded and arranged by an entity affiliated with the 527
People's Republic of China. 528

(2) "People's Republic of China" means the government of 529
China, the Chinese Communist Party, the People's Liberation 530
Army, or any other extension of, or entity affiliated with, the 531
government of China. 532

(3) "State institution of higher education" has the same 533
meaning as in section 3345.011 of the Revised Code. 534

(B) No state institution of higher education shall accept 535
gifts, donations, or contributions from the People's Republic of 536
China or any organization or individual who may be acting on 537
behalf of the People's Republic of China, including a student or 538
a student's family member. 539

(C) Each state institution shall report to the chancellor 540
of higher education all of the following: 541

(1) All gifts, donations, or contributions it has received 542
from any Confucius institute, scholars association, or other 543
organization that is, directly or indirectly, affiliated with, 544
funded by, or supported by the People's Republic of China, or 545
any gifts, donations, or contributions the state institution 546
receives from any of those parties on or after the effective 547
date of this section; 548

(2) All existing contracts, partnerships, affiliations, or 549
financial transactions with the parties described in division 550
(C) (1) of this section into which the state institution has 551
entered; 552

(3) All gifts, donations, or contributions made to the 553
state institution by the parties described in division (C) (1) of 554
this section in the five years immediately preceding the 555

effective date of this section. 556

(D) Upon the request, the chancellor shall make any 557
information reported under division (C) of this section 558
available to any member of the general assembly. 559

(E) No state institution of higher education shall enter 560
into any academic relationship with an academic institution 561
located in China or an academic institution that is located in 562
another country and is associated with the People's Republic of 563
China. 564

(F) No state institution of higher education shall renew 565
any existing agreement between the institution and the People's 566
Republic of China upon its expiration. 567

Sec. 3345.80. (A) As used in this section, "state 568
institution of higher education" has the same meaning as in 569
section 3345.011 of the Revised Code. 570

(B) For each biennial main operating appropriations bill 571
and capital appropriations bill, each state institution of 572
higher education shall prepare and submit to the chancellor of 573
higher education, by a date determined by the chancellor, a 574
rolling five-year summary of its institutional costs to be 575
considered by the general assembly when evaluating operating and 576
capital project funding. The chancellor shall submit a report 577
including each state institution's five-year institutional cost 578
summaries to the general assembly under section 101.68 of the 579
Revised Code. 580

(C) Each state institution of higher education's five-year 581
institutional cost summary shall consist of the following 582
categories: 583

(1) All costs related to student instruction, including 584

<u>instructor salaries, benefits, and related operating costs;</u>	585
<u>(2) All general staff costs related to maintenance,</u>	586
<u>grounds, utilities, food service, and other areas as determined</u>	587
<u>by the institution;</u>	588
<u>(3) All other costs for staff, including academic</u>	589
<u>administrators, counseling, financial aid assistance, healthcare</u>	590
<u>services, and housing management.</u>	591
<u>(D) Each of the categories presented in the five-year</u>	592
<u>institutional cost summary shall include all of the following:</u>	593
<u>(1) A detailed breakdown of annual costs and employee</u>	594
<u>headcounts;</u>	595
<u>(2) A complete accounting of all spending on diversity,</u>	596
<u>equity, and inclusion, or related subjects;</u>	597
<u>(3) An annual count of all faculty, administration, and</u>	598
<u>employees.</u>	599
<u>(E) The chancellor shall consult with state institutions</u>	600
<u>of higher education to develop a standardized reporting format</u>	601
<u>for the institutional cost summaries and a uniform approach to</u>	602
<u>completing the categories required in division (C) of this</u>	603
<u>section.</u>	604
<u>(F) During the general assembly's consideration of the</u>	605
<u>main operating appropriations and capital appropriations bills,</u>	606
<u>the president of each state institution of higher education or</u>	607
<u>the chancellor of higher education shall have the opportunity to</u>	608
<u>present in the appropriate hearings conducted by committees that</u>	609
<u>consider higher education legislation to provide commentary on</u>	610
<u>trends, potential justifications, or other explanations</u>	611
<u>regarding the institution's five-year summary of institutional</u>	612

costs. 613

(G) Prior to the enactment of the main operating 614
appropriations and capital appropriations bills, the chancellor 615
shall create and present to the general assembly an aggregation 616
report summarizing the total institutional costs for state 617
universities and community colleges separately. 618

Sec. 3345.87. (A) As used in this section: 619

(1) "Position, material benefit, policy, program, and 620
activity" includes all of the following: 621

(a) All forms of employment, including staff positions, 622
internships, and work studies; 623

(b) All material benefits, including fellowships, grants, 624
loans, prizes, scholarships, and tuition remissions; 625

(c) All policies, including mission statements, hiring 626
policies, promotion policies, and tenure policies; 627

(d) All programs and positions, including deanships, 628
provostships, offices, programs, programs presented by residence 629
halls, and committees; 630

(e) All activities, including those conducted by the 631
administrative units of orientation, first-year experience, 632
student life, and residential life. 633

(2) "State institution of higher education" has the same 634
meaning as in section 3345.011 of the Revised Code. 635

(B) Each state institution of higher education shall 636
affirm and guarantee that it will do both of the following: 637

(1) Treat all faculty, staff, and students as individuals, 638
hold every individual to equal standards, and provide every 639

individual with equality of opportunity, and the institution 640
shall not treat, advantage, disadvantage, or segregate any 641
faculty, staff, or students by membership in groups defined by 642
characteristics such as race, ethnicity, religion, sex, sexual 643
orientation, gender identity, or gender expression; 644

(2) Provide no advantage or disadvantage on the basis of 645
membership in groups defined by characteristics such as race, 646
ethnicity, religion, sex, sexual orientation, gender identity, 647
or gender expression in admissions, hiring, promotion, tenuring, 648
workplace conditions, or any other program, policy, or activity. 649

(C) No state institution shall fund, facilitate, or 650
provide any support to any position, material benefit, policy, 651
program, and activity that advantages or disadvantages faculty, 652
staff, or students by any group identity, except that the 653
institution may advantage citizens of the United States or this 654
state. 655

(D) No state institution shall train any administrator, 656
teacher, staff member, or employee to adopt or believe in any of 657
the following concepts: 658

(1) One race or sex is inherently superior to another race 659
or sex. 660

(2) An individual, by virtue of his or her race or sex, is 661
inherently racist, sexist, or oppressive, whether consciously or 662
unconsciously. 663

(3) An individual should be discriminated against or 664
receive adverse treatment solely or partly because of the 665
individual's race. 666

(4) Members of one race cannot nor should not attempt to 667
treat others without respect to race. 668

(5) An individual's moral standing or worth is necessarily 669
determined by the individual's race or sex. 670

(6) An individual, by virtue of the individual's race or 671
sex, bears responsibility for actions committed in the past by 672
other members of the same race or sex. 673

(7) An individual should feel discomfort, guilt, anguish, 674
or any other form of psychological distress on account of his or 675
her race or sex. 676

(8) Meritocracy or traits such as hard work ethic are 677
racist or sexist, or were created by members of a particular 678
race to oppress members of another race. 679

(9) Fault, blame, or bias should be assigned to a race or 680
sex, or to members of a race or sex because of their race or 681
sex. 682

(E) No state institution shall hire any administrator, 683
teacher, staff member, or employee to provide instruction on any 684
of the concepts listed in divisions (D) (1) to (9) of this 685
section. 686

(F) Each state institution shall implement a range of 687
disciplinary sanctions for anyone under its jurisdiction who 688
authorizes or engages in a training prohibited in division (D) 689
of this section. 690

(G) Each state institution shall issue an annual report 691
regarding each of the following: 692

(1) All violations of division (F) of this section 693
committed by anyone under the institution's jurisdiction and of 694
all consequent disciplinary sanctions; 695

(2) Statistics on the academic qualifications of accepted 696

and matriculating students, disaggregated by race and sex. The 697
statistics shall include information correlating students' 698
academic qualifications and retention rates, disaggregated by 699
race and sex. 700

(H) Each state institution shall post the reports 701
prescribed under division (G) of this section in a prominent 702
place on the institution's web site. The reports shall be: 703

(1) Accessible from the main page of the institution's web 704
site by use of not more than three links; 705

(2) Searchable by keywords and phrases; 706

(3) Accessible to the public without requiring user 707
registration of any kind. 708

(I) Each state institution shall prohibit all policies 709
designed explicitly to segregate faculty, staff, or students by 710
group identities such as race, sex, gender identity, or gender 711
expression, including in orientations, majors, financial awards, 712
residential housing, administrative employment, faculty 713
employment, student training, extracurricular activities, and 714
graduations. 715

Sec. 4117.14. (A) The procedures contained in this section 716
govern the settlement of disputes between an exclusive 717
representative and a public employer concerning the termination 718
or modification of an existing collective bargaining agreement 719
or negotiation of a successor agreement, or the negotiation of 720
an initial collective bargaining agreement. 721

(B) (1) In those cases where there exists a collective 722
bargaining agreement, any public employer or exclusive 723
representative desiring to terminate, modify, or negotiate a 724
successor collective bargaining agreement shall: 725

(a) Serve written notice upon the other party of the 726
proposed termination, modification, or successor agreement. The 727
party must serve the notice not less than sixty days prior to 728
the expiration date of the existing agreement or, in the event 729
the existing collective bargaining agreement does not contain an 730
expiration date, not less than sixty days prior to the time it 731
is proposed to make the termination or modifications or to make 732
effective a successor agreement. 733

(b) Offer to bargain collectively with the other party for 734
the purpose of modifying or terminating any existing agreement 735
or negotiating a successor agreement; 736

(c) Notify the state employment relations board of the 737
offer by serving upon the board a copy of the written notice to 738
the other party and a copy of the existing collective bargaining 739
agreement. 740

(2) In the case of initial negotiations between a public 741
employer and an exclusive representative, where a collective 742
bargaining agreement has not been in effect between the parties, 743
any party may serve notice upon the board and the other party 744
setting forth the names and addresses of the parties and 745
offering to meet, for a period of ninety days, with the other 746
party for the purpose of negotiating a collective bargaining 747
agreement. 748

If the settlement procedures specified in divisions (B), 749
(C), and (D) of this section govern the parties, where those 750
procedures refer to the expiration of a collective bargaining 751
agreement, it means the expiration of the sixty-day period to 752
negotiate a collective bargaining agreement referred to in this 753
subdivision, or in the case of initial negotiations, it means 754
the ninety-day period referred to in this subdivision. 755

(3) The parties shall continue in full force and effect 756
all the terms and conditions of any existing collective 757
bargaining agreement, without resort to strike or lock-out, for 758
a period of sixty days after the party gives notice or until the 759
expiration date of the collective bargaining agreement, 760
whichever occurs later, or for a period of ninety days where 761
applicable. 762

(4) Upon receipt of the notice, the parties shall enter 763
into collective bargaining. 764

(C) In the event the parties are unable to reach an 765
agreement, they may submit, at any time prior to forty-five days 766
before the expiration date of the collective bargaining 767
agreement, the issues in dispute to any mutually agreed upon 768
dispute settlement procedure which supersedes the procedures 769
contained in this section. 770

(1) The procedures may include: 771

(a) Conventional arbitration of all unsettled issues; 772

(b) Arbitration confined to a choice between the last 773
offer of each party to the agreement as a single package; 774

(c) Arbitration confined to a choice of the last offer of 775
each party to the agreement on each issue submitted; 776

(d) The procedures described in division (C)(1)(a), (b), 777
or (c) of this section and including among the choices for the 778
arbitrator, the recommendations of the fact finder, if there are 779
recommendations, either as a single package or on each issue 780
submitted; 781

(e) Settlement by a citizens' conciliation council 782
composed of three residents within the jurisdiction of the 783

public employer. The public employer shall select one member and 784
the exclusive representative shall select one member. The two 785
members selected shall select the third member who shall chair 786
the council. If the two members cannot agree upon a third member 787
within five days after their appointments, the board shall 788
appoint the third member. Once appointed, the council shall make 789
a final settlement of the issues submitted to it pursuant to 790
division (G) of this section. 791

(f) Any other dispute settlement procedure mutually agreed 792
to by the parties. 793

(2) If, fifty days before the expiration date of the 794
collective bargaining agreement, the parties are unable to reach 795
an agreement, any party may request the state employment 796
relations board to intervene. The request shall set forth the 797
names and addresses of the parties, the issues involved, and, if 798
applicable, the expiration date of any agreement. 799

The board shall intervene and investigate the dispute to 800
determine whether the parties have engaged in collective 801
bargaining. 802

If an impasse exists or forty-five days before the 803
expiration date of the collective bargaining agreement if one 804
exists, the board shall appoint a mediator to assist the parties 805
in the collective bargaining process. 806

(3) Any time after the appointment of a mediator, either 807
party may request the appointment of a fact-finding panel. 808
Within fifteen days after receipt of a request for a fact- 809
finding panel, the board shall appoint a fact-finding panel of 810
not more than three members who have been selected by the 811
parties in accordance with rules established by the board, from 812

a list of qualified persons maintained by the board. 813

(a) The fact-finding panel shall, in accordance with rules 814
and procedures established by the board that include the 815
regulation of costs and expenses of fact-finding, gather facts 816
and make recommendations for the resolution of the matter. The 817
board shall by its rules require each party to specify in 818
writing the unresolved issues and its position on each issue to 819
the fact-finding panel. The fact-finding panel shall make final 820
recommendations as to all the unresolved issues. 821

(b) The board may continue mediation, order the parties to 822
engage in collective bargaining until the expiration date of the 823
agreement, or both. 824

(4) The following guidelines apply to fact-finding: 825

(a) The fact-finding panel may establish times and place 826
of hearings which shall be, where feasible, in the jurisdiction 827
of the state. 828

(b) The fact-finding panel shall conduct the hearing 829
pursuant to rules established by the board. 830

(c) Upon request of the fact-finding panel, the board 831
shall issue subpoenas for hearings conducted by the panel. 832

(d) The fact-finding panel may administer oaths. 833

(e) The board shall prescribe guidelines for the fact- 834
finding panel to follow in making findings. In making its 835
recommendations, the fact-finding panel shall take into 836
consideration the factors listed in divisions (G) (7) (a) to (f) 837
of this section. 838

(f) The fact-finding panel may attempt mediation at any 839
time during the fact-finding process. From the time of 840

appointment until the fact-finding panel makes a final 841
recommendation, it shall not discuss the recommendations for 842
settlement of the dispute with parties other than the direct 843
parties to the dispute. 844

(5) The fact-finding panel, acting by a majority of its 845
members, shall transmit its findings of fact and recommendations 846
on the unresolved issues to the public employer and employee 847
organization involved and to the board no later than fourteen 848
days after the appointment of the fact-finding panel, unless the 849
parties mutually agree to an extension. The parties shall share 850
the cost of the fact-finding panel in a manner agreed to by the 851
parties. 852

(6) (a) Not later than seven days after the findings and 853
recommendations are sent, the legislative body, by a three- 854
fifths vote of its total membership, and in the case of the 855
public employee organization, the membership, by a three-fifths 856
vote of the total membership, may reject the recommendations; if 857
neither rejects the recommendations, the recommendations shall 858
be deemed agreed upon as the final resolution of the issues 859
submitted and a collective bargaining agreement shall be 860
executed between the parties, including the fact-finding panel's 861
recommendations, except as otherwise modified by the parties by 862
mutual agreement. If either the legislative body or the public 863
employee organization rejects the recommendations, the board 864
shall publicize the findings of fact and recommendations of the 865
fact-finding panel. The board shall adopt rules governing the 866
procedures and methods for public employees to vote on the 867
recommendations of the fact-finding panel. 868

(b) As used in division (C) (6) (a) of this section, 869
"legislative body" means the controlling board when the state or 870

any of its agencies, authorities, commissions, boards, or other 871
branch of public employment is party to the fact-finding 872
process. 873

(D) If the parties are unable to reach agreement within 874
seven days after the publication of findings and recommendations 875
from the fact-finding panel or the collective bargaining 876
agreement, if one exists, has expired, then the: 877

(1) ~~Public employees, who are members of a police or fire 878
department, members of the state highway patrol, deputy 879
sheriffs, dispatchers employed by a police, fire, or sheriff's 880
department or the state highway patrol or civilian dispatchers 881
employed by a public employer other than a police, fire, or 882
sheriff's department to dispatch police, fire, sheriff's 883
department, or emergency medical or rescue personnel and units, 884
an exclusive nurse's unit, employees of the state school for the 885
deaf or the state school for the blind, employees of any public 886
employee retirement system, corrections officers, guards at 887
penal or mental institutions, special police officers appointed 888
in accordance with sections 5119.08 and 5123.13 of the Revised 889
Code, psychiatric attendants employed at mental health forensic 890
facilities, youth leaders employed at juvenile correctional 891
facilities, or members of a law enforcement security force that 892
is established and maintained exclusively by a board of county 893
commissioners and whose members are employed by that 894
board, prohibited from striking under this division shall submit 895
the matter to a final offer settlement procedure pursuant to a 896
board order issued forthwith to the parties to settle by a 897
conciliator selected by the parties. The parties shall request 898
from the board a list of five qualified conciliators and the 899
parties shall select a single conciliator from the list by 900
alternate striking of names. If the parties cannot agree upon a 901~~

conciliator within five days after the board order, the board 902
shall on the sixth day after its order appoint a conciliator 903
from a list of qualified persons maintained by the board or 904
shall request a list of qualified conciliators from the American 905
arbitration association and appoint therefrom. 906

The following public employees shall not strike: 907

(a) Members of a police or fire department; 908

(b) Members of the state highway patrol; 909

(c) Deputy sheriffs; 910

(d) Dispatchers employed by a police, fire, or sheriff's 911
department or the state highway patrol or civilian dispatchers 912
employed by a public employer other than a police, fire, or 913
sheriff's department to dispatch police, fire, sheriff's 914
department, or emergency medical or rescue personnel and units; 915

(e) Members of an exclusive nurse's unit; 916

(f) Employees of the state school for the deaf or the 917
state school for the blind; 918

(g) Employees of any public employee retirement system; 919

(h) Corrections officers; 920

(i) Guards at penal or mental institutions; 921

(j) Special police officers appointed in accordance with 922
sections 5119.08 and 5123.13 of the Revised Code; 923

(k) Psychiatric attendants employed at mental health 924
forensic facilities; 925

(l) Youth leaders employed at juvenile correctional 926
facilities; 927

(m) Members of a law enforcement security force that is 928
established and maintained exclusively by a board of county 929
commissioners and whose members are employed by that board; 930

(n) Employees of any state institution of higher 931
education. 932

(2) Public employees other than those listed in division 933
(D) (1) of this section have the right to strike under Chapter 934
4117. of the Revised Code provided that the employee 935
organization representing the employees has given a ten-day 936
prior written notice of an intent to strike to the public 937
employer and to the board, and further provided that the strike 938
is for full, consecutive work days and the beginning date of the 939
strike is at least ten work days after the ending date of the 940
most recent prior strike involving the same bargaining unit; 941
however, the board, at its discretion, may attempt mediation at 942
any time. 943

(E) Nothing in this section shall be construed to prohibit 944
the parties, at any time, from voluntarily agreeing to submit 945
any or all of the issues in dispute to any other alternative 946
dispute settlement procedure. An agreement or statutory 947
requirement to arbitrate or to settle a dispute pursuant to a 948
final offer settlement procedure and the award issued in 949
accordance with the agreement or statutory requirement is 950
enforceable in the same manner as specified in division (B) of 951
section 4117.09 of the Revised Code. 952

(F) Nothing in this section shall be construed to prohibit 953
a party from seeking enforcement of a collective bargaining 954
agreement or a conciliator's award as specified in division (B) 955
of section 4117.09 of the Revised Code. 956

(G) The following guidelines apply to final offer settlement proceedings under division (D) (1) of this section: 957
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(1) The parties shall submit to final offer settlement those issues that are subject to collective bargaining as provided by section 4117.08 of the Revised Code and upon which the parties have not reached agreement and other matters mutually agreed to by the public employer and the exclusive representative; except that the conciliator may attempt mediation at any time. 959
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(2) The conciliator shall hold a hearing within thirty days of the board's order to submit to a final offer settlement procedure, or as soon thereafter as is practicable. 966
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(3) The conciliator shall conduct the hearing pursuant to rules developed by the board. The conciliator shall establish the hearing time and place, but it shall be, where feasible, within the jurisdiction of the state. Not later than five calendar days before the hearing, each of the parties shall submit to the conciliator, to the opposing party, and to the board, a written report summarizing the unresolved issues, the party's final offer as to the issues, and the rationale for that position. 969
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(4) Upon the request by the conciliator, the board shall issue subpoenas for the hearing. 978
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(5) The conciliator may administer oaths. 980

(6) The conciliator shall hear testimony from the parties and provide for a written record to be made of all statements at the hearing. The board shall submit for inclusion in the record and for consideration by the conciliator the written report and recommendation of the fact-finders. 981
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(7) After hearing, the conciliator shall resolve the	986
dispute between the parties by selecting, on an issue-by-issue	987
basis, from between each of the party's final settlement offers,	988
taking into consideration the following:	989
(a) Past collectively bargained agreements, if any,	990
between the parties;	991
(b) Comparison of the issues submitted to final offer	992
settlement relative to the employees in the bargaining unit	993
involved with those issues related to other public and private	994
employees doing comparable work, giving consideration to factors	995
peculiar to the area and classification involved;	996
(c) The interests and welfare of the public, the ability	997
of the public employer to finance and administer the issues	998
proposed, and the effect of the adjustments on the normal	999
standard of public service;	1000
(d) The lawful authority of the public employer;	1001
(e) The stipulations of the parties;	1002
(f) Such other factors, not confined to those listed in	1003
this section, which are normally or traditionally taken into	1004
consideration in the determination of the issues submitted to	1005
final offer settlement through voluntary collective bargaining,	1006
mediation, fact-finding, or other impasse resolution procedures	1007
in the public service or in private employment.	1008
(8) Final offer settlement awards made under Chapter 4117.	1009
of the Revised Code are subject to Chapter 2711. of the Revised	1010
Code.	1011
(9) If more than one conciliator is used, the	1012
determination must be by majority vote.	1013

(10) The conciliator shall make written findings of fact 1014
and promulgate a written opinion and order upon the issues 1015
presented to the conciliator, and upon the record made before 1016
the conciliator and shall mail or otherwise deliver a true copy 1017
thereof to the parties and the board. 1018

(11) Increases in rates of compensation and other matters 1019
with cost implications awarded by the conciliator may be 1020
effective only at the start of the fiscal year next commencing 1021
after the date of the final offer settlement award; provided 1022
that if a new fiscal year has commenced since the issuance of 1023
the board order to submit to a final offer settlement procedure, 1024
the awarded increases may be retroactive to the commencement of 1025
the new fiscal year. The parties may, at any time, amend or 1026
modify a conciliator's award or order by mutual agreement. 1027

(12) The parties shall bear equally the cost of the final 1028
offer settlement procedure. 1029

(13) Conciliators appointed pursuant to this section shall 1030
be residents of the state. 1031

(H) All final offer settlement awards and orders of the 1032
conciliator made pursuant to Chapter 4117. of the Revised Code 1033
are subject to review by the court of common pleas having 1034
jurisdiction over the public employer as provided in Chapter 1035
2711. of the Revised Code. If the public employer is located in 1036
more than one court of common pleas district, the court of 1037
common pleas in which the principal office of the chief 1038
executive is located has jurisdiction. 1039

(I) The issuance of a final offer settlement award 1040
constitutes a binding mandate to the public employer and the 1041
exclusive representative to take whatever actions are necessary 1042

to implement the award. 1043

Sec. 4117.15. (A) Whenever a strike by ~~members of a police~~ 1044
~~or fire department, members of the state highway patrol, deputy~~ 1045
~~sheriffs, dispatchers employed by a police, fire, or sheriff's~~ 1046
~~department or the state highway patrol or civilian dispatchers~~ 1047
~~employed by a public employer other than a police, fire, or~~ 1048
~~sheriff's department to dispatch police, fire, sheriff's~~ 1049
~~department, or emergency medical or rescue personnel and units,~~ 1050
~~an exclusive nurse's unit, employees of the state school for the~~ 1051
~~deaf or the state school for the blind, employees of any public~~ 1052
~~employee retirement system, correction officers, guards at penal~~ 1053
~~or mental institutions, or special police officers appointed in~~ 1054
~~accordance with sections 5119.08 and 5123.13 of the Revised~~ 1055
~~Code, psychiatric attendants employed at mental health forensic~~ 1056
~~facilities, youth leaders employed at juvenile correctional~~ 1057
~~facilities, or members of a law enforcement security force that~~ 1058
~~is established and maintained exclusively by a board of county~~ 1059
~~commissioners and whose members are employed by that board~~ 1060
employees who are prohibited from striking under division (D) (1) 1061
of section 4117.14 of the Revised Code, a strike by other public 1062
employees during the pendency of the settlement procedures set 1063
forth in section 4117.14 of the Revised Code, or a strike during 1064
the term or extended term of a collective bargaining agreement 1065
occurs, the public employer may seek an injunction against the 1066
strike in the court of common pleas of the county in which the 1067
strike is located. 1068

(B) An unfair labor practice by a public employer is not a 1069
defense to the injunction proceeding noted in division (A) of 1070
this section. Allegations of unfair labor practices during the 1071
settlement procedures set forth in section 4117.14 of the 1072
Revised Code shall receive priority by the state employment 1073

relations board. 1074

(C) No public employee is entitled to pay or compensation 1075
from the public employer for the period engaged in any strike. 1076

Section 2. That existing sections 3345.45, 4117.14, and 1077
4117.15 of the Revised Code are hereby repealed. 1078

Section 3. The Department of Higher Education shall 1079
conduct a feasibility study about implementing bachelors degree 1080
programs that require three years to complete in this state. The 1081
study shall investigate a variety of fields of study and 1082
determine the feasibility of reducing specific course 1083
requirements, quantity of electives, and total credit hours 1084
required for graduation. However, the study shall not include 1085
the use of College Credit Plus or any other current programs 1086
used to accelerate degree programs. Finally, the study shall 1087
present and evaluate potential issues related to accreditation. 1088

Not later than one year after the effective date of this 1089
section, the Department shall submit to the General Assembly, in 1090
accordance with section 101.68 of the Revised Code, a report 1091
about the study's findings. 1092

Section 4. This act shall be known as The Ohio Higher 1093
Education Enhancement Act. 1094