As Reported by the House Higher Education Committee

135th General Assembly
Regular Session **Sub. S. B. No. 83**
2023-2024

Senator Cirino

Cosponsors: Senators Rulli, McColley, Roegner, Brenner, O'Brien, Johnson, Hoagland, Lang, Schaffer, Wilkin

Representative Williams

A BILL

To amend sections 3335.02, 3337.01, 3339.01, 3341.02, 3343.02, 3344.01, 3345.45, 3350.10, 3352.01, 3356.01, 3359.01, 3361.01, 3362.01, and 3364.01; to enact new section 3333.045 and sections 1715.551, 3345.029, 3345.0216, 3345.0217, 3345.0218, 3345.0219, 3345.382, 3345.451, 3345.452, 3345.453, 3345.454, 3345.455, 3345.456, 3345.591, 3345.80, and 3345.87; and to repeal section 3333.045 of the Revised Code to enact the Ohio Higher Education Enhancement Act regarding the operation of state institutions of higher education, and to revise the Uniform Prudent Management of Institutional Funds Act.

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

Section 1. That sections 3335.02, 3337.01, 3339.01, 3341.02, 3343.02, 3344.01, 3345.45, 3350.10, 3352.01, 3356.01, 3359.01, 3361.01, 3362.01, and 3364.01 be amended and new

section 3333.045 and sections 1715.551, 3345.029, 3345.0216, 3345.0217, 3345.0218, 3345.0219, 3345.382, 3345.451, 3345.452, 3345.453, 3345.454, 3345.455, 3345.456, 3345.591, 3345.80, and 3345.87 of the Revised Code be enacted to read as follows:

Sec. 1715.551. (A) As used in this section:

(1)(a) "Benefactor representative" means either of the following:

(i) The administrator or executor of the estate of a person who signed a qualified endowment agreement as donor;

(ii) A person designated in a qualified endowment agreement, whether or not born or existing at the time of such designation, to act in place of a party to the agreement for the purpose of resolving disputes about the agreement, including without limitation, its validity, interpretation, performance, enforcement, and any action that it contemplates.

(b) "Benefactor representative" does not mean the state institution of higher education receiving or administering property under a qualified endowment agreement or any person designated by such state institution of higher education for any purpose.

(c) A benefactor representative named in a qualified endowment agreement shall be the only benefactor representative for purposes of this section, regardless of the existence of an administrator or executor of the estate of a person who signed a qualified endowment agreement as donor.

(2) "Qualified endowment agreement" means a gift instrument, signed by a person and a state institution of higher education prior to the effective date of this section, under which the person commits to transfer property, the aggregate

value of which is at least three million dollars, to that or another state institution of higher education and the state institution of higher education commits that it or another state institution of higher education will hold or administer the property as an endowment fund, subject to any restrictions on management, investment, spending, or purpose contained in the gift instrument.

(3) "Aggregate value" includes the full value of all property transferred by the donor pursuant to the gift instrument, regardless of whether the state institution of higher education holds and administers such property as one endowment fund or divides the property into multiple endowment funds.

(4) "State institution of higher education" has the same meaning as in section 3345.011 of the Revised Code but also includes foundations, the corporate purpose of which is solely to benefit an identified state institution of higher education, as defined in that section, and that receive, hold, or administer charitable transfers of property for that state institution of higher education.

(B) If a state institution of higher education violates a restriction contained in a qualified endowment agreement on the management, investment, spending, or purpose of the endowment fund, the person who signed the qualified endowment agreement as donor, or the benefactor representative of such person, may notify the charitable law section of the office of the attorney general in writing of the violation.

(C)(1) If, within one hundred eighty days after receiving the notice, the attorney general has not obtained full compliance with the restriction, and restitution to the

endowment fund of property approximately equal to any value lost due to the violated restriction, the person who notified the attorney general, or the benefactor representative of such person, may file a complaint for either or both of the following:

(a) Breach of the qualified endowment agreement;

(b) To obtain a declaration of rights and duties expressed in the qualified endowment agreement and as to all of the actions it contemplates, including, without limitation, the interpretation, performance, and enforcement of the qualified endowment agreement and determination of its validity.

(2) Each of the following applies to the complaint:

(a) It may be filed regardless of whether the qualified endowment agreement expressly reserves a right to sue or enforce.

(b) It shall not seek a judgment awarding to the plaintiff damages, court costs, attorney's fees, or any other award of money or other property.

(c) It shall seek only one or both of the following:

(i) Declaratory relief;

(ii) Equitable relief consistent with the charitable purposes expressed in the qualified endowment agreement and consistent with the charitable purposes of the state institution of higher education.

(D) The attorney general may enforce the interests of the beneficiaries of a qualified endowment agreement by filing a complaint for breach or to obtain a declaration of rights and duties expressed in the qualified endowment agreement and as to

all of the actions it contemplates, including, without limitation, the interpretation, performance, and enforcement of the qualified endowment agreement and determination of its validity.

(E) A state institution of higher education may obtain a judicial declaration of rights and duties expressed in a qualified endowment agreement and as to all of the actions it contemplates, including, without limitation, the interpretation, performance, and enforcement of the qualified endowment agreement and determination of its validity. The state institution of higher education shall seek such declaration in any suit brought under this section or by filing a complaint.

(F) Every complaint authorized by this section shall be filed in a court of general jurisdiction in the county where the state institution of higher education named as a party has its principal office or principal place of carrying out its charitable purpose, or in a court of the United States whose district includes such county. Every such complaint shall:

(1) Name the attorney general as a party;

(2) Name as parties the state institution of higher education that signed the qualified endowment agreement or its successor, and each state institution of higher education that currently administers property subject to the qualified endowment agreement;

(3) If the attorney general or state institution of higher education files the complaint within twenty-five years after the date of the first transfer of property to the state institution of higher education pursuant to the qualified endowment agreement, name as a party the person who signed the qualified

endowment agreement as donor, or the benefactor representative of each such person, if the person or benefactor representative can be located and identified after diligent inquiry.

(G) The failure to name or join as a party a person who signed the qualified endowment agreement as donor, or the benefactor representative of such person, is not jurisdictional. The court, however, shall not act on the merits of the complaint or on any motion for an order to address its merits without first ensuring that the plaintiff has acted diligently to notify such person or the benefactor representative of such person of the complaint and, if the person or benefactor representative is located and identified, affords such person or benefactor representative an opportunity to be heard or to intervene.

(H) The interest of a person who signed a qualified endowment agreement as donor, and the interest represented by the benefactor representative of such person, shall not be presumed to be identical to the interest of either the attorney general or the state institution of higher education.

(I)(1) Subject to division (I)(2) of this section, a person who signed a qualified endowment agreement as donor, or the benefactor representative of such person, shall file a complaint authorized by this section within six years after discovery of the accrual of the cause of action, but in no event shall such a person or the benefactor representative of such person file a complaint authorized by this section more than twenty-five years after the date of the first transfer of property under the qualified endowment agreement.

(2) If, during the sixth year after discovery of the accrual of the cause of action, a person who signed a qualified endowment agreement as donor, or the benefactor representative

of such person, notifies the charitable law section of the office of the attorney general in writing of a violation by a state institution of higher education of a restriction contained in the qualified endowment agreement as authorized by this section, the period within which such person or benefactor representative must file a complaint authorized by this section shall be extended automatically by two hundred ten days.

(J) This section applies only to breaches of qualified endowment agreements, if those breaches are alleged to have occurred on or after the effective date of this section.

Sec. 3333.045. As used in this section, "state institution of higher education" has the same meaning as in section 3345.011 of the Revised Code.

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

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

The educational programs shall include presentations and content related to all of the following:

(A) Each board member's duty to the state of Ohio;

(B) The committee structure and function of a board of trustees;

(C) The duties of the executive committee of a board of trustees;

(D) Professional accounting and reporting standards;

(E) Methods for meeting the statutory, regulatory, and fiduciary obligations of a board of trustees;

(F) The requirements of the public records law;

(G) Institutional ethics and conflicts of interest;

(H) Creating and implementing institution-wide rules and regulations;

(I) Business operations, administration, budgeting, financing, financial reporting, and financial reserves, including a segment on endowment management;

(J) Fixing student general and instructional fees, and other necessary charges, including a review of student debt trends;

(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;

(L) Workforce planning, strategy, and investment;

(M) Institutional advancement, including philanthropic giving, fundraising initiatives, alumni programming, communications and media, government and public relations, and community affairs;

(N) 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;

(O) Current national and state issues in higher education;

(P) Future national and state issues in higher education.

Sec. 3335.02. (A) The government of the Ohio state university shall be vested in a board of fourteen trustees in 2005, and seventeen trustees beginning in 2006, who shall be appointed by the governor, with the advice and consent of the senate. Two of the seventeen trustees shall be students at the Ohio state university, and their selection and terms shall be in accordance with division (B) of this section. ~~Except~~

(1) For trustees appointed prior to July 1, 2024, except as provided in division (D) of this section and except for the terms of student members, terms of office shall be for nine years, commencing on the fourteenth day of May and ending on the thirteenth day of May.

(2) For trustees appointed on or after July 1, 2024, except for the terms of student members, terms of office shall be for six years, commencing on the fourteenth day of May and ending on the thirteenth day of May.

Each trustee shall hold office from the date of appointment until the end of the term for which the trustee was appointed. Any trustee appointed to fill a vacancy occurring

prior to the expiration of the term for which the trustee's predecessor was appointed shall hold office for the remainder of such term. Any trustee shall continue in office subsequent to the expiration date of the trustee's term until the trustee's successor takes office, or until a period of sixty days has elapsed, whichever occurs first. ~~No person who has served a full nine-year term or more than six years of such a term shall be eligible for reappointment until a period of four years has elapsed since the last day of the term for which the person previously served.~~ The trustees shall not receive compensation for their services, but shall be paid their reasonable necessary expenses while engaged in the discharge of their official duties.

(B) The student members of the board of trustees of the Ohio state university shall be students at the Ohio state university. Unless student members have been granted voting power under division (C) of this section, they shall have no voting power on the board, shall not be considered as members of the board in determining whether a quorum is present, and shall not be entitled to attend executive sessions of the board. The student members of the board shall be appointed by the governor, with the advice and consent of the senate, from a group of five candidates selected pursuant to a procedure adopted by the university's student governments and approved by the university's board of trustees. The initial term of office of one of the student members shall commence on May 14, 1988, and shall expire on May 13, 1989, and the initial term of office of the other student member shall commence on May 14, 1988, and expire on May 13, 1990. Thereafter, terms of office of student members shall be for two years, each term ending on the same day of the same month of the year as the term it succeeds. In the

event a student member cannot fulfill a two-year term, a replacement shall be selected to fill the unexpired term in the same manner used to make the original selection.

(C) Not later than ninety days after ~~the effective date of this amendment~~ September 29, 2015, the board of trustees shall adopt a resolution that does one of the following:

(1) Grants the student members of the board voting power on the board. If so granted, in addition to having voting power, the student members shall be considered as members of the board in determining whether a quorum is present and shall be entitled to attend executive sessions of the board.

(2) Declares that student members do not have voting power on the board.

Thereafter, the board may change the voting status of student trustees by adopting a subsequent resolution. Each resolution adopted under this division shall take effect on the fourteenth day of May following the adoption of the resolution. All members with voting power at the time of the adoption of a resolution may vote on the resolution.

If student members are granted voting power under this division, no student shall be disqualified from membership on the board of trustees because the student receives a scholarship, grant, loan, or any other financial assistance payable out of the state treasury or a university fund, or because the student is employed by the university in a position pursuant to a work-study program or other student employment, including as a graduate teaching assistant, graduate administrative assistant, or graduate research assistant, the compensation for which is payable out of the state treasury or a

university fund.

Acceptance of such financial assistance or employment by a student trustee shall not be considered a violation of Chapter 102. or section 2921.42 or 2921.43 of the Revised Code.

(D)(1) The initial terms of office for the three additional trustees appointed in 2005 shall commence on a date in 2005 that is selected by the governor with one term of office expiring on May 13, 2009, one term of office expiring on May 13, 2010, and one term of office expiring on May 13, 2011, as designated by the governor upon appointment. Thereafter terms of office for trustees appointed prior to July 1, 2024, shall be for nine years, as provided in division ~~(A)~~ (A)(1) of this section. Terms of office for trustees appointed on or after July 1, 2024, shall be for six years, as provided in division (A)(2) of this section.

(2) The initial terms of office for the three additional trustees appointed in 2006 shall commence on May 14, 2006, with one term of office expiring on May 13, 2012, one term of office expiring on May 13, 2013, and one term of office expiring on May 13, 2014, as designated by the governor upon appointment. Thereafter terms of office for trustees appointed prior to July 1, 2024, shall be for nine years, as provided in division ~~(A)~~ (A)(1) of this section. Terms of office for trustees appointed on or after July 1, 2024, shall be for six years, as provided in division (A)(2) of this section.

Sec. 3337.01. (A) The body politic and corporate by the name and style of "The President and Trustees of the Ohio University" now in the university instituted and established in Athens by the name and style of "The Ohio University" shall consist of a board of trustees composed of eleven members, who

shall be appointed by the governor, with the advice and consent of the senate. At least five of the trustees who are not students shall be graduates of Ohio university. Two of the trustees shall be students at Ohio university, and their selection and terms shall be in accordance with division (B) of this section. A majority of the board constitutes a quorum. ~~Except~~ For trustees appointed prior to July 1, 2024, except for the terms of student members, terms of office shall be for nine years, commencing on the fourteenth day of May and ending on the thirteenth day of May, except that upon expiration of the term ending on May 14, 1978, the new term which succeeds it shall commence on May 15, 1978, and end on May 13, 1987. For trustees appointed on or after July 1, 2024, except for the terms of student members, terms of office shall be for six years, commencing on the fourteenth day of May and ending on the thirteenth day of May. Each member shall hold office from the date of appointment until the end of the term for which the member was appointed. Any member appointed to fill a vacancy occurring prior to the expiration of the term for which the member's predecessor was appointed shall hold office for the remainder of such term. Any member shall continue in office subsequent to the expiration date of the member's term until the member's successor takes office, or until a period of sixty days has elapsed, whichever occurs first. ~~No person who has served a full nine-year term or more than six years of such a term shall be eligible for reappointment until a period of four years has elapsed since the last day of the term for which the person previously served.~~ Such trustees shall receive no compensation for their services, but shall be paid their actual and necessary expenses while engaged in the discharge of their official duties.

(B) The student members of the board of trustees of the Ohio university have no voting power on the board. Student members shall not be considered as members of the board in determining whether a quorum is present. Student members shall not be entitled to attend executive sessions of the board. The student members of the board shall be appointed by the governor, with the advice and consent of the senate, from a group of five candidates selected pursuant to a procedure adopted by the university's student governments and approved by the university's board of trustees. The initial term of office of one of the student members shall commence on May 14, 1988, and shall expire on May 13, 1989, and the initial term of office of the other student member shall commence on May 14, 1988, and expire on May 13, 1990. Thereafter, terms of office of student members shall be for two years, each term ending on the same day of the same month of the year as the term it succeeds. In the event that a student member cannot fulfill the student member's two-year term, a replacement shall be selected to fill the unexpired term in the same manner used to make the original selection.

Sec. 3339.01. (A) The government of Miami university shall be vested in eleven trustees, who shall be appointed by the governor with the advice and consent of the senate. Two of the trustees shall be students at Miami university, and their selection and terms shall be in accordance with division (B) of this section. A majority of the board constitutes a quorum. ~~Except~~ For trustees appointed prior to July 1, 2024, except for the terms of student members, terms of office shall be for nine years, commencing on the first day of March and ending on the last day of February, except that upon expiration of the trustee term ending on March 1, 1974, the trustee term which succeeds it

shall commence on March 2, 1974, and end on February 28, 1983; upon expiration of the trustee term ending on March 1, 1977, the trustee term which succeeds it shall commence on March 2, 1977, and end on February 28, 1986; upon expiration of the trustee term ending on March 1, 1978, the trustee term which succeeds it shall commence on March 2, 1978, and end on February 28, 1987; and upon expiration of the trustee term ending on March 1, 1979, the trustee term which succeeds it shall commence on March 2, 1979, and end on February 29, 1988. For trustees appointed on or after July 1, 2024, except for the terms of student members, terms of office shall be for six years, commencing on the first day of March and ending on the last day of February. Each trustee shall hold office from the date of appointment until the end of the term for which the trustee was appointed. Any trustee appointed to fill a vacancy occurring prior to the end of the term for which the trustee's predecessor was appointed shall hold office for the remainder of such term. Any trustee shall continue in office subsequent to the expiration date of the trustee's term until a successor takes office, or until a period of sixty days has elapsed, whichever occurs first. ~~No person who has served a full nine-year term or more than six years of such a term shall be eligible for reappointment until a period of four years has elapsed since the last day of the term for which the person previously served.~~ The trustees shall receive no compensation for their services but shall be paid their reasonable necessary expenses while engaged in the discharge of their official duties.

(B) The student members of the board of trustees of Miami university have no voting power on the board. Student members shall not be considered as members of the board in determining whether a quorum is present. Student members shall not be

entitled to attend executive sessions of the board. The student members of the board shall be appointed by the governor, with the advice and consent of the senate, from a group of five candidates selected pursuant to a procedure adopted by the university's student governments and approved by the university's board of trustees. The initial term of office of one of the student members shall commence on March 1, 1988, and shall expire on February 28, 1989, and the initial term of office of the other student member shall commence on March 1, 1988, and expire on February 28, 1990. Thereafter, terms of office of student members shall be for two years, each term ending on the last day of February. In the event that a student member cannot fulfill the student member's two-year term, a replacement shall be selected to fill the unexpired term in the same manner used to make the original selection.

Sec. 3341.02. (A) The government of Bowling Green state university is vested in a board of eleven trustees, who shall be appointed by the governor, with the advice and consent of the senate. Two of the trustees shall be students at Bowling Green state university, and their selection and terms shall be in accordance with division (B) of this section. A majority of the board constitutes a quorum. ~~Except~~ For trustees appointed prior to July 1, 2024, except for the terms of student members, terms of office shall be for nine years, commencing on the seventeenth day of May and ending on the sixteenth day of May. ~~No person who has served a full nine-year term or more than six years of such a term shall be eligible for reappointment until a period of four years has elapsed since the last day of the term for which the person previously served.~~ For trustees appointed on or after July 1, 2024, except for the terms of student members, terms of office shall be for six years, commencing on the seventeenth day

of May and ending on the sixteenth day of May.

(B) The student members of the board of trustees of Bowling Green state university have no voting power on the board. Student members shall not be considered as members of the board in determining whether a quorum is present. Student members shall not be entitled to attend executive sessions of the board. The student members of the board shall be appointed by the governor, with the advice and consent of the senate, from a group of five candidates selected pursuant to a procedure adopted by the university's student governments and approved by the university's board of trustees. The initial term of office of one of the student members shall commence on March 17, 1988, and shall expire on March 16, 1989, and the initial term of office of the other student member shall commence on March 17, 1988, and expire on March 16, 1990. After September 22, 2000, terms of office shall commence on the seventeenth day of May and shall end on the sixteenth day of May. Terms of office of student members shall be for two years, each term ending on the same day of the same month of the year as the term it succeeds. In the event that a student member cannot fulfill the student member's two-year term, a replacement shall be selected in the manner used for the original selection to fill the unexpired term.

(C) The government of Kent state university is vested in a board of eleven trustees, who shall be appointed by the governor, with the advice and consent of the senate. Two of the trustees shall be students at Kent state university, and their selection and terms shall be in accordance with division (D) of this section. A majority of the board constitutes a quorum. ~~Except~~ For trustees appointed prior to July 1, 2024, except for the terms of student members, terms of office shall be for nine

years, commencing on the seventeenth day of May and ending on the sixteenth day of May. ~~No person who has served a full nine-year term or more than six years of such a term shall be eligible for reappointment until a period of four years has elapsed since the last day of the term for which the person previously served.~~ For trustees appointed on or after July 1, 2024, except for the terms of student members, terms of office shall be for six years, commencing on the seventeenth day of May and ending on the sixteenth day of May.

(D) The student members of the board of trustees of Kent state university have no voting power on the board. Student members shall not be considered as members of the board in determining whether a quorum is present. Student members shall not be entitled to attend executive sessions of the board. The student members of the board shall be appointed by the governor, with the advice and consent of the senate, from a group of five candidates selected pursuant to a procedure adopted by the university's student governments and approved by the university's board of trustees. The initial term of office of one of the student members shall commence on May 17, 1988, and shall expire on May 16, 1989, and the initial term of office of the other student member shall commence on May 17, 1988, and expire on May 16, 1990. Thereafter, terms of office of student members shall be for two years, each term ending on the same day of the same month of the year as the term it succeeds. In the event that a student member cannot fulfill the student member's two-year term, a replacement shall be selected to fill the unexpired term in the same manner used to make the original selection.

(E) The trustees shall receive no compensation for their services but shall be paid their reasonable necessary expenses

while engaged in the discharge of their official duties.

(F) Each trustee shall hold office from the date of appointment until the end of the term for which the trustee was appointed. Any trustee appointed to fill a vacancy occurring prior to the expiration of the term for which the trustee's predecessor was appointed shall hold office for the remainder of such term. Any trustee shall continue in office subsequent to the expiration date of the trustee's term until a successor takes office, or until a period of sixty days has elapsed, whichever occurs first.

Sec. 3343.02. (A) The government of Central state university shall be vested in a board of trustees to be known as "the board of trustees of the Central state university." Such board shall consist of eleven members who shall be appointed by the governor, with the advice and consent of the senate. Two of the trustees shall be students at Central state university, and their selection and terms shall be in accordance with division (B) of this section. A majority of the board constitutes a quorum. ~~Except~~ For trustees appointed prior to July 1, 2024, except for the student members, terms of office shall be for nine years, commencing on the first day of July and ending on the thirtieth day of June. For trustees appointed on or after July 1, 2024, except for the student members, terms of office shall be for six years, commencing on the first day of July and ending on the thirtieth day of June. Each member shall hold office from the date of appointment until the end of the term for which the member was appointed. Any member appointed to fill a vacancy occurring prior to the expiration of the term for which the member's predecessor was appointed shall hold office for the remainder of such term. Any member shall continue in office subsequent to the expiration date of the member's term

until the member's successor takes office, or until a period of sixty days has elapsed, whichever occurs first. ~~No person who has served a full nine-year term or more than six years of such a term shall be eligible for reappointment until a period of four years has elapsed since the last day of the term for which the person previously served.~~

(B) The student members of the board of trustees of Central state university have no voting power on the board. Student members shall not be considered as members of the board in determining whether a quorum is present. Student members shall not be entitled to attend executive sessions of the board. The student members of the board shall be appointed by the governor, with the advice and consent of the senate, from a group of five candidates selected pursuant to a procedure adopted by the university's student governments and approved by the university's board of trustees. The initial term of office of one of the student members shall commence on July 1, 1988, and shall expire on June 30, 1989, and the initial term of office of the other student member shall commence on July 1, 1988, and expire on June 30, 1990. Thereafter, terms of office of student members shall be for two years, each term ending on the same day of the same month of the year as the term it succeeds. In the event that a student member cannot fulfill a two-year term, a replacement shall be selected to fill the unexpired term in the same manner used to make the original selection.

Sec. 3344.01. (A) There is hereby created the Cleveland state university. The government of the Cleveland state university is vested in a board of eleven trustees, who shall be appointed by the governor, with the advice and consent of the senate. Two of the trustees shall be students at the Cleveland

state university, and their selection and terms shall be in accordance with division (B) of this section. ~~Except~~ For trustees appointed prior to July 1, 2024, except for the student members, terms of office shall be for nine years, commencing on the second day of May and ending on the first day of May. For trustees appointed on or after July 1, 2024, except for the student members, terms of office shall be for six years, commencing on the second day of May and ending on the first day of May. Each trustee shall hold office from the date of appointment until the end of the term for which the trustee was appointed. Any trustee appointed to fill a vacancy occurring prior to the expiration of the term for which the trustee's predecessor was appointed shall hold office for the remainder of such term. Any trustee shall continue in office subsequent to the expiration date of the trustee's term until the trustee's successor takes office, or until a period of sixty days has elapsed, whichever occurs first. ~~No person who has served a full nine-year term or more than six years of such a term shall be eligible for reappointment until a period of four years has elapsed since the last day of the term for which the person previously served.~~ The trustees shall receive no compensation for their services but shall be paid their reasonable necessary expenses while engaged in the discharge of their official duties. A majority of the board constitutes a quorum.

(B) The student members of the board of trustees of the Cleveland state university have no voting power on the board. Student members shall not be considered as members of the board in determining whether a quorum is present. Student members shall not be entitled to attend executive sessions of the board. The student members of the board shall be appointed by the governor, with the advice and consent of the senate, from a

group of five candidates selected pursuant to a procedure adopted by the university's student governments and approved by the university's board of trustees. The initial term of office of one of the student members shall commence on May 2, 1988, and shall expire on May 1, 1989, and the initial term of office of the other student member shall commence on May 2, 1988, and expire on May 1, 1990. Thereafter, terms of office of student members shall be for two years, each term ending on the same day of the same month of the year as the term it succeeds. In the event that a student member cannot fulfill a two-year term, a replacement shall be selected to fill the unexpired term in the same manner used to make the original selection.

Sec. 3345.029. (A) As used in this section:

(1) "Community college" has the same meaning as in section 3333.168 of the Revised Code.

(2) "Course syllabus" means a document produced for students by a course instructor that includes all of the following:

(a) The name of the course instructor;

(b) A calendar for the course outlining what materials and topics will be covered and when during the course they will be covered;

(c) A list of any required or recommended readings for the course;

(d) The course instructor's professional qualifications.

(3) "General syllabus" means a document produced for students by a community college regarding a course that includes both of the following:

(a) A calendar for the course outlining what materials and topics will be covered and when during the course they will be covered;

(b) A list of any required or recommended readings for the course.

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

(B) Each state institution of higher education shall make a syllabus for each undergraduate course it offers for college credit publicly available by doing one of the following:

(1) Ensuring that each course instructor posts a course syllabus on a publicly accessible web site. Each such web site shall include the following information:

(a) The course instructor's professional qualifications;

(b) The course instructor's contact information;

(c) The course instructor's course schedule;

(d) The course syllabus for each course the instructor is currently teaching, which shall be accessible by link or download through the web site.

(2) Posting a course syllabus for each course on the institution's publicly accessible web site. Each course syllabus shall be all of the following:

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

(b) Searchable by keywords and phrases;

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

(3) If the institution is a community college, posting a general syllabus for a course on the college's publicly available web site. Each general syllabus shall be all of the following:

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

(b) Searchable by keywords and phrases;

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

(C)(1) Each state institution shall make a syllabus available in accordance with division (B) of this section not later than the first day of classes for the semester or academic term in which the course is offered.

(2) For any syllabus posted under division (B)(1) of this section that is no longer used, the course instructor shall, upon request, make that syllabus available for not less than two years after that syllabus was posted under that division.

(3) Any syllabus posted under division (B)(2) or (3) of this section shall remain posted on the state institution's web site for not less than two years after it was first posted.

(4) To the extent practicable, each state institution shall ensure that the most recently updated syllabus for each undergraduate course it offers for college credit is posted in accordance with division (B) of this section.

(D) Divisions (B) and (C) of this section do not apply to a college course that is offered through the college credit plus program established under Chapter 3365. of the Revised Code, delivered in a secondary school, and taught by a high school

teacher.

(E) Each state institution shall designate an administrator to implement the institution's responsibilities under this section. The administrator may assign duties for that purpose to one or more administrative employees.

(F) Each state institution shall prepare a written report regarding its compliance with the requirements under this section for the chancellor of higher education in accordance with guidelines established under section 3345.0219 of the Revised Code.

The chancellor shall prepare a report that includes each report received from a state institution under this division.

Sec. 3345.0216. Each state institution of higher education, as defined in section 3345.011 of the Revised Code, shall incorporate all of the following statements into a statement of commitment:

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

(B) The institution declares that its duty is to equip students with the opportunity to develop the intellectual skills they need to reach their own, informed conclusions.

(C) The institution declares its commitment to not requiring, favoring, disfavoring, or prohibiting speech or lawful assembly.

(D) The institution declares it is committed to create 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.

(E) The institution declares that 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.

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

(1) "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.

(2) "Intellectual diversity" means multiple, divergent, and varied perspectives on an extensive range of public policy issues.

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

(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 and enforce a policy that requires the institution to do all of the following:

(1) Prohibit any mandatory orientation or training course regarding diversity, equity, and inclusion, unless the institution determines the orientation or training course is exempt from that prohibition because the orientation or course is required to do any of the following:

(a) Comply with state and federal laws or regulations;

(b) Comply with professional licensure requirements;

(c) Obtain or retain accreditation;

(d) Secure or retain grants or cooperative agreements;

(e) Apply policies of the state institution of higher education with respect to employee or student discipline.

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

(3) Affirm and declare that, to fulfill the function described in division (B)(2) of this section, the institution shall ensure the fullest degree of intellectual diversity;

(4) Affirm and declare that faculty and staff shall allow and encourage students to reach their own conclusions about all controversial beliefs or policies and shall not seek to indoctrinate 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.

Divisions (B)(2) to (5) of this section 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.

(6) Declare that it will not endorse or oppose, as an institution, any controversial belief or policy, except on matters that directly impact the institution's funding or mission of discovery, improvement, and dissemination of

knowledge. The institution may also endorse the congress of the United States when it establishes a state of armed hostility against a foreign power.

This division does not include the recognition of national and state holidays, support for the Constitution and laws of the United States or the state of Ohio, or the display of the American or Ohio flag.

(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;

Divisions (B)(6) and (7) of this section 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 in division (B)(6) of this section.

(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 any 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 web site a complete list of all speaker fees, honoraria, and other emoluments in excess of five hundred dollars for events that are sponsored by the state institution. That information shall be all of the following:

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

(b) Searchable by keywords and phrases;

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

(C) Each state institution of higher education shall prepare a report that summarizes all mandatory diversity, equity, and inclusion programming and training at the state institution and submit the report to the chancellor of higher education in accordance with guidelines established under section 3345.0219 of the Revised Code.

(D) Each state institution of higher education shall respond to complaints from any student, student group, or faculty member about an alleged violation of the prohibitions and requirements included in the policy adopted under this section using the process established under division (C) of section 3345.0215 of the Revised Code.

(E) Nothing in this section prohibits 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.

Sec. 3345.0218. (A) As used in this section:

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

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

(B) Each state institution of higher education shall respond to complaints regarding any administrator, faculty member, staff, or student who interferes with the intellectual diversity rights, prescribed under section 3345.0217 of the Revised Code, of another using the process under division (C) of section 3345.0215 of the Revised Code.

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

(D) Each state institution shall comply with any reporting guidelines established by the chancellor under section 3345.0219

of the Revised Code regarding any violations of the intellectual diversity rights prescribed under section 3345.0217 of the Revised Code by any individual under the institution's jurisdiction and any consequent disciplinary sanctions issued for that violation.

Sec. 3345.0219. Each state institution of higher education, as defined in section 3345.011 of the Revised Code, shall comply with guidelines established by the chancellor of higher education when the institution adopts policies or issues reports under sections 3345.029, 3345.0217, 3345.0218, 3345.452, 3345.453, 3345.454, 3345.591, 3345.80, and 3345.87 of the Revised Code. The guidelines shall address the form and manner by which the state institution shall submit a policy or report to the chancellor when the institution is required to do so by one of those sections. The chancellor shall post each such policy or report that the chancellor receives on the chancellor's publicly accessible web site.

Sec. 3345.382. (A) As used in this section, "state institution of higher education" has the same meaning as in section 3345.011 of the Revised Code.

(B) Each state institution of higher education shall develop a course with not fewer than three credit hours in the subject area of American government or American history. The course shall comply with the criteria, policies, and procedures established under section 3333.16 of the Revised Code. The course may be offered under the college credit plus program established under Chapter 3365. of the Revised Code. The course shall, at a minimum, require each student to read all the following:

(1) The entire Constitution of the United States;

(2) The entire Declaration of Independence;

(3) A minimum of five essays in their entirety from the Federalist Papers. The essays shall be selected by the department chair.

(4) The entire Emancipation Proclamation;

(5) The entire Gettysburg Address;

(6) The entire Letter from Birmingham Jail written by Dr. Martin Luther King Jr.

Any student who takes the course shall be required to pass a cumulative final examination at the conclusion of the course that assesses student proficiency about the documents described in divisions (B)(1) to (6) of this section.

Each state institution of higher education board of trustees shall adopt a resolution approving a plan to offer the course developed under this section. Each state institution shall submit that plan to the chancellor of higher education. The chancellor shall review and approve each plan. Prior to approving a plan, the chancellor may require a state institution to revise the plan and the course.

(C) Beginning with students who graduate from a state institution of higher education in the spring semester, or equivalent quarter, of the 2028-2029 academic year, no state institution of higher education shall grant a bachelor's degree to any student unless the student completes a course described in division (B) of this section or is a student described in division (D) of this section.

(D) The president of a state institution, or the president's designee, may exempt a student from the requirement

to complete a course described in division (B) of this section 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;

(2) Passed an examination, developed by the chancellor, that assesses the student's competence in the documents and concepts described in division (B) of this section.

(E) This section does not apply to associate's degrees programs.

Sec. 3345.45. (A) ~~On or before January 1, 1994, the~~ The chancellor of higher education jointly with all state ~~universities~~ institutions of higher education, 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'~~ institutions' missions and with special emphasis on the undergraduate learning experience. The standards shall contain clear guidelines for institutions to determine a range of acceptable undergraduate teaching by faculty.

(B) ~~On or before June 30, 1994, the~~ The board of trustees of each state ~~university~~ institution of higher education shall take formal action to adopt a faculty workload policy consistent with the standards developed under this section. ~~Notwithstanding section 4117.08 of the Revised Code, the policies adopted under this section are not appropriate subjects for collective bargaining. Notwithstanding division (A) of section 4117.10 of the Revised Code, any policy adopted under this section by a~~

~~board of trustees prevails over any conflicting provisions of any collective bargaining agreement between an employees organization and that board of trustees.~~

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

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

(D)(1) At least once every five years, each state institution of higher education shall update its faculty workload policy and submit the policy to the chancellor. The updated policies shall be approved by the state institution's board of trustees each time it is submitted to the chancellor.

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

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

(b) A definition of all faculty workload elements in terms of credit hours as defined in 34 CFR 600.2 with a full-time workload minimum standard established by the board of trustees

and made publicly accessible on the state institution's web site.

(c) 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 of higher education;

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

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

(B) The chancellor of higher education shall develop a minimum set of standard questions for use by state institutions of higher education in student evaluations of faculty members. The questions shall include the following:

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

(C) Each state institution of higher education shall establish a written system of faculty evaluations completed by students with a focus on teaching effectiveness and student learning. Each state institution shall include in its student evaluations of faculty the minimum set of standard questions

developed by the department in division (B) of this section.

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

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

(B) The board of trustees of each state institution of higher education shall adopt a faculty annual performance evaluation policy and submit the policy to the chancellor of higher education. Each policy must contain an appeals process for faculty to appeal the final evaluation. Each state institution's board of trustees shall review and update its policy every five years.

(C) Each state institution of higher education shall conduct an annual evaluation for each full-time faculty member who it directly compensates.

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

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

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

(a) Teaching;

(b) Research;

(c) Service;

(d) Clinical care;

(e) Administration;

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

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

(4) Student evaluations conducted pursuant to section 3345.451 of the Revised Code account for at least twenty-five per cent of the teaching area component of the evaluation.

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

(E) Evaluations shall 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 there is disagreement between the chairperson and dean, the provost shall have final decision authority.

Sec. 3345.453. This section applies only to state institutions of higher education that have tenured faculty

members.

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

(B) The board of trustees of each state institution of higher education shall adopt a post-tenure review policy and submit the policy to the chancellor of higher education. Each policy must contain an appeals process for tenured faculty whose post-tenure review process results in a recommendation for administrative action pursuant to division (G) of this section. Each state institution's board of trustees shall update the post-tenure review policy every five years.

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

(D) A state institution of higher education shall subject any faculty member who maintains tenure after a post-tenure review and 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 to an additional post-tenure review.

(E) The department chairperson, dean of faculty, or provost of a state institution of higher education may require an immediate and for cause post-tenure review at any time for a faculty member who has a documented and sustained record of

significant underperformance outside of the faculty member's annual performance evaluation. For this purpose, for cause shall not be based on a faculty member's allowable expression of academic freedom as defined by the state institution of higher education or Ohio law.

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

(G) The state institution of higher education's provost shall 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 administrative action that a state institution of higher education may take includes censure, remedial training, or for-cause termination, regardless of tenure status, and any other action permitted by the institution's post-tenure review policy.

Sec. 3345.454. This section applies only to state institutions of higher education that have tenured faculty members.

(A) As used in this section:

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

(2) "Retrenchment" means a process by which a state institution of higher education reduces programs or services, thus resulting in a temporary suspension or permanent separation of one or more institution faculty, 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.

(B) In addition to the policies described in sections 3345.45 to 3345.454 of the Revised Code, each state institution of higher education board of trustees shall develop policies on tenure and retrenchment. Each state institution shall submit those policies to the chancellor of higher education. Each state institution's board of trustees shall update those policies every five years.

Sec. 3345.455. With respect to a collective bargaining agreement entered into on or after the effective date of this section, both of the following apply to the standards, policies, and systems adopted under sections 3345.45 to 3345.454 of the Revised Code:

(A) Notwithstanding section 4117.08 of the Revised Code, the standards, policies, and systems are not appropriate subjects for collective bargaining.

(B) Notwithstanding division (A) of section 4117.10 of the Revised Code, the standards, policies, and systems prevail over any conflicting provision of a collective bargaining agreement.

Sec. 3345.456. (A) As used in this section:

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

(2) "Retrenchment" has the same meaning as in section 3345.454 of the Revised Code.

(B) Notwithstanding anything to the contrary in section 3345.454 or 3345.455 of the Revised Code, a state institution of higher education that is a party to a collective bargaining

agreement in effect on the effective date of this section containing a provision regarding retrenchment shall only continue to bargain over retrenchment policies for a new or renewed collective bargaining agreement with respect to institution faculty that have at least thirty years, but not more than thirty-five years, of service in one of the state retirement systems at the time of any retrenchment determination.

(C) Nothing in this section prohibits a faculty member from accepting any separation incentive that may otherwise be offered by a state institution of higher education, regardless of whether the incentive is contained in a collective bargaining agreement.

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

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

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

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

(2) "People's Republic of China" means 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.

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

(B) No state institution of higher education shall accept

gifts, donations, or contributions from the People's Republic of China or any organization the institution reasonably suspects is acting on behalf of the People's Republic of China.

Nothing in this section prohibits a state institution of higher education 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.

Nothing in this section prohibits a state institution of higher education from receiving philanthropic or unrestricted grants so long as it maintains the structural safeguard requirements provided for in division (E) of this section.

(C) Each state institution shall submit to the chancellor of higher education a copy of the report it submits to the United States department of education pursuant to 20 U.S.C. 1011(f).

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

(E) A state institution shall notify the chancellor of any new or renewed academic partnership with an academic or research institution located in China. A state institution shall only enter into a new or renewed academic partnership with an academic or research institution located in China if the state institution maintains 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. The safeguards shall include, at a minimum, all of the following:

(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;

(3) A formalized foreign visitor process and uniform visiting scholar agreement.

(F) The auditor of state shall audit the safeguards implemented by state institutions of higher education under division (E) of this section in the course of a normal audit conducted under section 117.46 of the Revised Code.

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

(B) For each biennial main operating appropriations bill and capital appropriations bill, each state institution of higher education shall prepare, in accordance with guidelines established under section 3345.0219 of the Revised Code, 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 shall submit a report including each state institution's five-year institutional cost summaries to the general assembly under section 101.68 of the Revised Code.

(C) Each state institution of higher education's five-year institutional cost summary shall 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 institution;

(3) All other costs for staff, including academic administrators, counseling, financial aid assistance, healthcare services, and housing management.

(D) Each of the categories presented in the five-year institutional cost summary shall 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;

(3) An annual count of all faculty, administration, and employees.

(E) The chancellor shall consult with state institutions of higher education to develop a standardized reporting format for the institutional cost summaries and a uniform approach to completing the categories required in division (C) of this section.

(F) 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 of higher education shall have the opportunity to present in the appropriate hearings conducted by committees that consider higher education legislation to provide commentary on

trends, potential justifications, or other explanations regarding the institution's five-year summary of institutional costs.

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

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

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

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

(b) All policies, including mission statements, hiring policies, promotion policies, and tenure policies;

(c) All programs and positions, including deanships, provostships, offices, programs, programs presented by residence halls, and committees;

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

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

(B) With respect to every position, policy, program, and activity, each state institution of higher education shall do both of the following:

(1) Treat all faculty, staff, and students as individuals,

hold every individual to equal standards, and provide those individuals with equality of opportunity with regard to those individuals' race, ethnicity, religion, or sex;

(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.

(C) No state institution of higher education shall provide or require 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 his or her 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 because of the individual's race.

(4) Members of one race cannot nor 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 his or

her 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.

Division (C) of this section shall not be construed to preclude a state institution of higher education from providing or facilitating continuing education that complies with this division's requirements to public safety officers.

(D) Each state institution of higher education shall implement a range of disciplinary sanctions for any administrator, teacher, staff member, or employee who authorizes or engages in a training prohibited in division (C) of this section.

(E) Each state institution of higher education shall issue a report in accordance with guidelines established under section 3345.0219 of the Revised Code regarding each of the following:

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

(2) Statistics on the academic qualifications of accepted and matriculating students, disaggregated by race and sex. The statistics shall include information correlating students' academic qualifications and retention rates, disaggregated by race and sex.

(F) Each state institution of higher education shall

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.

(G) The board of trustees of each state institution of higher education shall establish a process by which a student, student group, or faculty member may submit a complaint about an alleged violation of the prohibitions and requirements under this section by an employee of the state institution of higher education. The process shall comply with standards adopted by the chancellor of higher education. The process shall require the state institution to investigate the alleged violation and conduct a fair and impartial hearing regarding the alleged violation. If the hearing results in a determination that a violation has occurred, the board of trustees shall determine a resolution to address the violation and prevent further violation of the state institution's policy.

Sec. 3350.10. (A) There is hereby created the northeast Ohio medical university. ~~The principal goal of the medical university shall be to collaborate with the university of Akron, Cleveland state university, Kent state university, and Youngstown state university to graduate physicians oriented to the practice of medicine at the community level, especially family physicians. To accomplish this goal, the medical university may incorporate in the clinical experience provided its students the several community hospitals in the cities and areas served by the medical university; utilize practicing physicians as teachers; and to the fullest extent possible utilize the basic science capabilities of the university of Akron, Cleveland state university, Kent state university, and Youngstown state university~~The government of northeast Ohio

medical university is vested in a board of eleven trustees, who shall be appointed by the governor with the advice and consent of the senate pursuant to division (A)(2) of this section.

(1) Until December 22, 2008, the government of the northeast Ohio medical university is vested in a nine-member board of trustees consisting of the presidents of the university of Akron, Kent state university, and Youngstown state university; one member each of the boards of trustees of the university of Akron, Kent state university, and Youngstown state university, to be appointed by their respective boards of trustees for a term of six years ending on the first day of May or until the trustee's term on the respective university board of trustees expires, whichever occurs first; and one person each to be appointed by the boards of trustees of the university of Akron, Kent state university, and Youngstown state university, for a term of nine years ending on the first day of May; except that the term of those first appointed by the several boards of trustees shall expire on the first day of May next following their appointment. Vacancies shall be filled for the unexpired term in the manner provided for original appointment. The trustees shall receive no compensation for their services but shall be paid their reasonable necessary expenses while engaged in the discharge of their official duties. A majority of the board constitutes a quorum.

(2) Beginning December 22, 2008, the government of the northeast Ohio medical university is vested in a board of eleven trustees, who shall be appointed by the governor, with the advice and consent of the senate. Two of the trustees shall be current students of the medical university, and their selection and terms shall be in accordance with division (B) of this section. ~~Except~~ For trustees appointed prior to July 1, 2024,

except as provided in division (A)(3) of this section and except for the student members, terms of office shall be for nine years. For trustees appointed on or after July 1, 2024, except for the student members, terms of office shall be for six years. Each trustee shall hold office from the date of appointment until the end of the term for which the trustee was appointed. Any trustee appointed to fill a vacancy occurring prior to the expiration of the term for which the trustee's predecessor was appointed shall hold office for the remainder of such term. Any trustee shall continue in office subsequent to the expiration date of the trustee's term until the trustee's successor takes office, or until a period of sixty days has elapsed, whichever occurs first. ~~No person who has served a full nine-year term or more than six years of such a term shall be eligible for reappointment until a period of four years has elapsed since the last day of the term for which the person previously served.~~ The trustees shall receive no compensation for their services but shall be paid their reasonable necessary expenses while engaged in the discharge of their official duties. A majority of the board constitutes a quorum.

(3) Not later than December 22, 2008, the governor, with the advice and consent of the senate, shall appoint the two student trustees and successors for the trustees serving under division (A)(1) of this section. Except for the student trustees, who shall serve terms pursuant to division (B) of this section, the initial terms of office for trustees appointed under division (A)(2) of this section shall be as follows: one term ending September 23, 2009; one term ending September 23, 2010; one term ending September 23, 2011; one term ending September 23, 2012; one term ending September 23, 2013; one term ending September 23, 2014; one term ending September 23, 2015;

one term ending September 23, 2016; one term ending September 23, 2017. Thereafter, for trustees appointed prior to July 1, 2024, terms of office shall be for nine years, as provided in division (A)(2) of this section. For trustees appointed on or after July 1, 2024, terms of office shall be for six years, as provided in division (A)(2) of this section.

(B) The student members of the board of trustees of the northeast Ohio medical university have no voting power on the board. Student members shall not be considered as members of the board in determining whether a quorum is present. Student members shall not be entitled to attend executive sessions of the board. The student members of the board shall be appointed by the governor, with the advice and consent of the senate, from a group of five candidates selected pursuant to a procedure adopted by the university's student governments and approved by the university's board of trustees. The initial term of office of one of the student members shall commence December 22, 2008, and shall expire on June 30, 2009, and the initial term of office of the other student member shall commence December 22, 2008, and shall expire on June 30, 2010. Thereafter, terms of office of student members shall be for two years, each term ending on the same day of the same month of the year as the term it succeeds. In the event that a student member cannot fulfill a two-year term, a replacement shall be selected to fill the unexpired term in the same manner used to make the original selection.

Sec. 3352.01. (A) There is hereby created a state university to be known as "Wright state university." The government of Wright state university is vested in a board of eleven trustees, who shall be appointed by the governor, with the advice and consent of the senate. Two of the trustees shall

be students at Wright state university, and their selection and terms shall be in accordance with division (B) of this section. ~~Except~~ For trustees appointed prior to July 1, 2024, except for the terms of student members, terms of office shall be for nine years, commencing on the first day of July and ending on the thirtieth day of June. For trustees appointed on or after July 1, 2024, except for the terms of student members, terms of office shall be for six years, commencing on the first day of July and ending on the thirtieth day of June. Each trustee shall hold office from the date of appointment until the end of the term for which the trustee was appointed. Any trustee appointed to fill a vacancy occurring prior to the expiration of the term for which the trustee's predecessor was appointed shall hold office for the remainder of such term. Any trustee shall continue in office subsequent to the expiration date of the trustee's term until the trustee's successor takes office, or until a period of sixty days has elapsed, whichever occurs first. ~~No person who has served a full nine-year term or more than six years of such a term shall be eligible for reappointment until a period of four years has elapsed since the last day of the term for which the person previously served.~~ The trustees shall receive no compensation for their services but shall be paid their reasonable necessary expenses while engaged in the discharge of their official duties. A majority of the board constitutes a quorum.

(B) The student members of the board of trustees of Wright state university have no voting power on the board. Student members shall not be considered as members of the board in determining whether a quorum is present. Student members shall not be entitled to attend executive sessions of the board. The student members of the board shall be appointed by the governor,

with the advice and consent of the senate, from a group of five candidates selected pursuant to a procedure adopted by the university's student governments and approved by the university's board of trustees. The initial term of office of one of the student members shall commence on July 1, 1988, and shall expire on June 30, 1989, and the initial term of office of the other student member shall commence on July 1, 1988, and shall expire on June 30, 1990. Thereafter, terms of office of student members shall be for two years, each term ending on the same day of the same month of the year as the term it succeeds. In the event that a student member cannot fulfill a two-year term, a replacement shall be selected to fill the unexpired term in the same manner used to make the original selection.

Sec. 3356.01. (A) There is hereby created Youngstown state university. The government of Youngstown state university is vested in a board of eleven trustees, who shall be appointed by the governor, with the advice and consent of the senate. Two of the trustees shall be students at Youngstown state university, and their selection and terms shall be in accordance with division (B) of this section. ~~Except~~ For trustees appointed prior to July 1, 2024, except for the terms of student members, terms of office shall be for nine years, commencing on the second day of May and ending on the first day of May. For trustees appointed on or after July 1, 2024, except for the terms of student members, terms of office shall be for six years, commencing on the second day of May and ending on the first day of May. Each trustee shall hold office from the date of appointment until the end of the term for which the trustee was appointed. Any trustee appointed to fill a vacancy occurring prior to the expiration of the term for which the trustee's predecessor was appointed shall hold office for the remainder of

such term. Any trustee shall continue in office subsequent to the expiration date of the trustee's term until the trustee's successor takes office, or until a period of sixty days has elapsed, whichever occurs first. ~~No person who has served a full nine-year term or more than six years of such a term shall be eligible to reappointment until a period of four years has elapsed since the last day of the term for which the person previously served.~~ The trustees shall receive no compensation for their services but shall be paid their reasonable necessary expenses while engaged in the discharge of their duties. A majority of the board constitutes a quorum.

(B) The student members of the board of trustees of Youngstown state university have no voting power on the board. Student members shall not be considered as members of the board in determining whether a quorum is present. Student members shall not be entitled to attend executive sessions of the board. The student members of the board shall be appointed by the governor, with the advice and consent of the senate, from a group of five candidates selected pursuant to a procedure adopted by the university's student governments and approved by the university's board of trustees. The initial term of office of one of the student members shall commence on May 2, 1988, and shall expire on May 1, 1989, and the initial term of office of the other student member shall commence on May 2, 1988, and expire on May 1, 1990. Thereafter, terms of office of student members shall be for two years, each term ending on the same day of the same month of the year as the term it succeeds. In the event that a student member cannot fulfill a two-year term, a replacement shall be selected to fill the unexpired term in the same manner used to make the original selection.

Sec. 3359.01. (A) There is hereby created a state

university to be known as "The University of Akron." The government of the university of Akron is vested in a board of eleven trustees who shall be appointed by the governor, with the advice and consent of the senate. Two of the trustees shall be students at the university of Akron, and their selection and terms shall be in accordance with division (B) of this section. ~~Except~~ For trustees appointed prior to July 1, 2024, except for the terms of student members, terms of office shall be for nine years, commencing on the second day of July and ending on the first day of July. For trustees appointed on or after July 1, 2024, except for the terms of student members, terms of office shall be for six years. Each trustee shall hold office from the date of appointment until the end of the term for which the trustee was appointed. Any trustee appointed to fill a vacancy occurring prior to the expiration of the term for which the trustee's predecessor was appointed shall hold office for the remainder of such term. Any trustee shall continue in office subsequent to the expiration date of the trustee's term until the trustee's successor takes office, or until a period of sixty days has elapsed, whichever occurs first. ~~No person who has served a full nine-year term or more than six years of such a term shall be eligible for reappointment until a period of four years has elapsed since the last day of the term for which the person previously served.~~ The trustees shall receive no compensation for their services but shall be paid their reasonable necessary expenses while engaged in the discharge of their official duties. A majority of the board constitutes a quorum.

(B) The student members of the board of trustees of the university of Akron have no voting power on the board. Student members shall not be considered as members of the board in

determining whether a quorum is present. Student members shall not be entitled to attend executive sessions of the board. The student members of the board shall be appointed by the governor, with the advice and consent of the senate, from a group of five candidates selected pursuant to a procedure adopted by the university's student governments and approved by the university's board of trustees. The initial term of office of one of the student members shall commence on July 2, 1988, and shall expire on July 1, 1989, and the initial term of office of the other student member shall commence on July 2, 1988, and expire on July 1, 1990. Thereafter, terms of office of student members shall be for two years, each term ending on the same day of the same month of the year as the term it succeeds. In the event that a student member cannot fulfill a two-year term, a replacement shall be selected to fill the unexpired term in the same manner used to make the original selection.

Sec. 3361.01. (A) There is hereby created a state university to be known as the "university of Cincinnati." The government of the university of Cincinnati is vested in a board of eleven trustees who shall be appointed by the governor with the advice and consent of the senate. Two of the trustees shall be students at the university of Cincinnati, and their selection and terms shall be in accordance with division (B) of this section. The terms of the first nine members of the board of trustees shall commence upon the effective date of the transfer of assets of the state-affiliated university of Cincinnati to the university of Cincinnati hereby created. One of such trustees shall be appointed for a term ending on the first day of January occurring at least twelve months after such date of transfer, and each of the other trustees shall be appointed for respective terms ending on each succeeding first day of January,

so that one term will expire on each first day of January after expiration of the shortest term. ~~Except~~ For trustees appointed prior to July 1, 2024, except for the two student trustees, each successor trustee shall be appointed for a term ending on the first day of January, nine years from the expiration date of the term the trustee succeeds, except that any person appointed to fill a vacancy shall be appointed to serve only for the unexpired term. For trustees appointed on or after July 1, 2024, except for the two student trustees, each trustee shall be appointed for a term ending on the first day of January, six years from the expiration date of the term the trustee succeeds, except that any person appointed to fill a vacancy shall be appointed to serve only for the unexpired term.

Any trustee shall continue in office subsequent to the expiration date of the trustee's term until the trustee's successor takes office, or until a period of sixty days has elapsed, whichever occurs first.

~~No person who has served a full nine-year term or longer or more than six years of such a term shall be eligible to reappointment until a period of four years has elapsed since the last day of the term for which the person previously served.~~

The trustees shall receive no compensation for their services but shall be paid their reasonable necessary expenses while engaged in the discharge of their official duties. A majority of the board constitutes a quorum.

(B) The student members of the board of trustees of the university of Cincinnati have no voting power on the board. Student members shall not be considered as members of the board in determining whether a quorum is present. Student members shall not be entitled to attend executive sessions of the board.

The student members of the board shall be appointed by the governor, with the advice and consent of the senate, from a group of five candidates selected pursuant to a procedure adopted by the university's student governments and approved by the university's board of trustees. The initial term of office of one of the student members shall commence on May 14, 1988, and shall expire on May 13, 1989, and the initial term of office of the other student member shall commence on May 14, 1988, and expire on May 13, 1990. Thereafter, terms of office of student members shall be for two years, each term ending on the same day of the same month of the year as the term it succeeds. In the event that a student cannot fulfill a two-year term, a replacement shall be selected to fill the unexpired term in the same manner used to make the original selection.

Sec. 3362.01. (A) There is hereby created a state university to be known as "Shawnee state university." The government of Shawnee state university is vested in a board of eleven trustees who shall be appointed by the governor with the advice and consent of the senate. Two of the trustees shall be students at Shawnee state university, and their selection and terms shall be in accordance with division (B) of this section. The remaining trustees shall be appointed as follows: one for a term of one year, one for a term of two years, one for a term of three years, one for a term of four years, one for a term of five years, one for a term of six years, one for a term of seven years, one for a term of eight years, and one for a term of nine years. Thereafter, for trustees appointed prior to July 1, 2024, terms shall be for nine years. For trustees appointed on or after July 1, 2024, terms shall be for six years. All terms of office shall commence on the first day of July and end on the thirtieth day of June.

Each trustee shall hold office from the date of appointment until the end of the term for which the trustee was appointed. Any trustee appointed to fill a vacancy occurring prior to the expiration of the term for which the trustee's predecessor was appointed shall hold office for the remainder of such term. Any trustee shall continue in office subsequent to the expiration date of the trustee's term until the trustee's successor takes office, or until a period of sixty days has elapsed, whichever occurs first. ~~No person who has served a full nine-year term or more than six years of such a term shall be eligible for reappointment until a period of four years has elapsed since the last day of the term for which the person previously served.~~

The trustees shall receive no compensation for their services but shall be paid their reasonable and necessary expenses while engaged in the discharge of their official duties.

A majority of the board constitutes a quorum.

(B) The student members of the board of trustees of Shawnee state university have no voting power on the board. Student members shall not be considered as members of the board in determining whether a quorum is present. Student members shall not be entitled to attend executive sessions of the board. The student members of the board shall be appointed by the governor, with the advice and consent of the senate, from a group of five candidates selected pursuant to a procedure adopted by the university's student governments and approved by the university's board of trustees. The initial term of office of one of the student members shall commence on July 1, 1988, and shall expire on June 30, 1989, and the initial term of

office of the other student member shall commence on July 1, 1988, and expire on June 30, 1990. Thereafter, terms of office of student members shall be for two years, each term ending on the same day of the same month of the year as the term it succeeds. In the event a student member cannot fulfill a two-year term, a replacement shall be selected to fill the unexpired term in the same manner used to make the original selection.

Sec. 3364.01. (A) The university of Toledo, as authorized under former Chapter 3360. of the Revised Code, and the medical university of Ohio at Toledo, as authorized under former sections 3350.01 to 3350.05 of the Revised Code, shall be combined as one state university to be known as the "university of Toledo."

(B)(1) The government of the combined university of Toledo is vested in a board of trustees which, except as prescribed in division (B)(2) of this section, shall be appointed by the governor with the advice and consent of the senate. The initial board of trustees of the combined university shall be as prescribed in division (B)(2) of this section. After the abolishment of offices as prescribed in division (B)(2)(a) of this section, the board of trustees of the combined university shall consist of nine voting members, who<u>, if appointed prior to July 1, 2024,</u> shall serve for terms of nine years<u>, or, if appointed on or after July 1, 2024, shall serve for terms of six years</u>, and two nonvoting members, who shall be students of the combined university and who shall serve for terms of two years. Terms of office of trustees shall begin on the second day of July and end on the first day of July.

(2) The initial board of trustees of the combined university shall consist of seventeen voting members who are the

eight members who made up the board of trustees of the medical university of Ohio at Toledo prior to May 1, 2006, under former section 3350.01 of the Revised Code, and whose terms would expire under that section after May 1, 2006; the eight voting members who made up the board of trustees of the university of Toledo, under former section 3360.01 of the Revised Code, and whose terms would expire under that section after July 1, 2006; and one additional member appointed by the governor with the advice and consent of the senate. The terms of office, abolishment of office, and succession of the voting members of the initial board shall be as prescribed in division (B)(2)(a) of this section. The initial board also shall consist of two nonvoting members who are students of the combined university, as prescribed in division (B)(2)(b) of this section.

(a) The term of office of the voting member of the initial board of trustees of the combined university who was not formerly a member of either the board of trustees of the medical university of Ohio at Toledo or the board of trustees of the university of Toledo shall be for nine years, beginning on July 2, 2006, and ending on July 1, 2015.

The terms of office of the sixteen other voting members of the initial board of trustees shall expire on July 1 of the year they otherwise would expire under former section 3350.01 or 3360.01 of the Revised Code.

The office of one voting member whose term expires on July 1, 2007, shall be abolished on that date. The governor, with the advice and consent of the senate, shall appoint a successor to the office of the other voting member whose term expires on that date to a nine-year term beginning on July 2, 2007.

The office of one voting member whose term expires on July

1, 2008, shall be abolished on that date. The governor, with the advice and consent of the senate, shall appoint a successor to the office of the other voting member whose term expires on that date to a nine-year term beginning on July 2, 2008.

The office of one voting member whose term expires on July 1, 2009, shall be abolished on that date. The governor, with the advice and consent of the senate, shall appoint a successor to the office of the other voting member whose term expires on that date to a nine-year term beginning on July 2, 2009.

The office of one voting member whose term expires on July 1, 2010, shall be abolished on that date. The governor, with the advice and consent of the senate, shall appoint a successor to the office of the other voting member whose term expires on that date to a nine-year term beginning on July 2, 2010.

The office of one voting member whose term expires on July 1, 2011, shall be abolished on that date. The governor, with the advice and consent of the senate, shall appoint a successor to the office of the other voting member whose term expires on that date to a nine-year term beginning on July 2, 2011.

The office of one voting member whose term expires on July 1, 2012, shall be abolished on that date. The governor, with the advice and consent of the senate, shall appoint a successor to the office of the other voting member whose term expires on that date to a nine-year term beginning on July 2, 2012.

The office of one voting member whose term expires on July 1, 2013, shall be abolished on that date. The governor, with the advice and consent of the senate, shall appoint a successor to the office of the other voting member whose term expires on that date to a nine-year term beginning on July 2, 2013.

The office of one voting member whose term expires on July 1, 2014, shall be abolished on that date. The governor, with the advice and consent of the senate, shall appoint a successor to the office of the other voting member whose term expires on that date to a nine-year term beginning on July 2, 2014.

The governor, with the advice and consent of the senate, shall appoint a successor to the office of the voting member whose term expires on July 1, 2015, to a nine-year term beginning on July 2, 2015.

Thereafter the terms of office of all subsequent voting members of the board of trustees who are appointed prior to July 1, 2024, shall be for nine years beginning on the second day of July and ending on the first day of July. The terms of office for voting members of the board of trustees who are appointed on or after July 1, 2024, shall be for six years beginning on the second day of July and ending on the first day of July.

(b) One of the student members of the initial board of trustees shall be the student member of the former university of Toledo board of trustees, appointed under former section 3360.01 of the Revised Code, whose term would expire under that section on July 1, 2007. The term of that student member shall expire on July 1, 2007. The other student member shall be a new appointee, representing the portion of the combined university that made up the former medical university of Ohio at Toledo, appointed to a two-year term beginning on July 2, 2006, and ending on July 1, 2008. That student trustee shall be appointed by the governor, with the advice and consent of the senate, from a group of three candidates selected pursuant to a procedure adopted by the university's student governments and approved by the university's board of trustees. Thereafter appointment and terms

of office of student members of the board of trustees shall be as prescribed by division (B)(3) of this section.

(3) The student members of the board of trustees of the combined university shall be appointed by the governor, with the advice and consent of the senate, from a group of six candidates selected pursuant to a procedure adopted by the university's student governments and approved by the university's board of trustees. Terms of office of student members shall be for two years, each term ending on the same day of the same month of the year as the term it succeeds. In the event that a student member cannot fulfill a two-year term, a replacement shall be selected to fill the unexpired term in the same manner used to make the original selection.

(4) Each trustee shall hold office from the date of appointment until the end of the term for which the trustee was appointed. Any trustee appointed to fill a vacancy occurring prior to the expiration of the term for which the trustee's predecessor was appointed shall hold office for the remainder of such term. Any trustee shall continue in office subsequent to the expiration date of the trustee's term until the trustee's successor takes office, or until a period of sixty days has elapsed, whichever occurs first.

~~(5) No person who has served as a voting member of the board of trustees for a full nine-year term or more than six years of such a term and no person who is a voting member of the initial board of trustees as prescribed in division (B)(2)(a) of this section is eligible for reappointment to the board until a period of four years has elapsed since the last day of the term for which the person previously served.~~

~~No person who served as a voting member of the board of~~

~~trustees of the former university of Toledo, as authorized under former Chapter 3360. of the Revised Code, for a full nine-year term or more than six years of such a term, and no person who served on the board of trustees of the former medical university of Ohio at Toledo, as authorized under former sections 3350.01 to 3350.05 of the Revised Code, for a full nine-year term or more than six years of such a term is eligible for appointment to the board of trustees of the combined university until a period of four years has elapsed since the last day of the term for which the person previously served.~~

(C) The trustees shall receive no compensation for their services but shall be paid their reasonable necessary expenses while engaged in the discharge of their official duties. A majority of the board constitutes a quorum. The student members of the board have no voting power on the board. Student members shall not be considered as members of the board in determining whether a quorum is present. Student members shall not be entitled to attend executive sessions of the board.

Section 2. That existing sections 3335.02, 3337.01, 3339.01, 3341.02, 3343.02, 3344.01, 3345.45, 3350.10, 3352.01, 3356.01, 3359.01, 3361.01, 3362.01, and 3364.01 of the Revised Code are hereby repealed.

Section 3. That section 3333.045 of the Revised Code is hereby repealed.

Section 4. The Department of Higher Education shall conduct a feasibility study about implementing bachelors degree programs that require three years to complete in this state. The study shall 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. However, the study shall not include the use of College Credit Plus or any other current programs used to accelerate degree programs. Finally, the study shall present and evaluate potential issues related to accreditation.

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

Section 5. This act shall be known as The Ohio Higher Education Enhancement Act.