



www.lsc.ohio.gov

OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research
and Drafting

Legislative Budget
Office

S.B. 1

136th General Assembly

Final Analysis

[Click here for S.B. 1's Fiscal Note](#)

Primary Sponsor: Sen. Cirino

Effective date: June 27, 2025

Mariah M. Parr, Attorney

Paul Luzzi, Attorney

SUMMARY

DEI and intellectual diversity

Policy

- Requires state institutions of higher education to adopt and enforce a policy requiring the institution to:
 - Prohibit:
 - ❖ Any orientation or training course regarding diversity, equity, and inclusion (DEI), unless the institution submits a written request for an exception;
 - ❖ The continuation of existing or establishment of new DEI offices or departments;
 - ❖ Using DEI in job descriptions;
 - ❖ Contracting with consultants or third parties whose role is to promote admissions, hiring, or promotion on the basis of race, ethnicity, religion, sex, sexual orientation, gender identity, or gender expression;
 - ❖ The establishment of any new institutional scholarships that use DEI and, if DEI requirements cannot be eliminated from an existing institutional scholarship, prohibits accepting additional funds to operate those scholarships.
 - Affirm and declare a primary function to the pursuit of knowledge;
 - Affirm and declare that the institution will ensure full intellectual diversity;
 - Demonstrate intellectual diversity for course approval, approval of general education courses, student course evaluations, common reading programs, annual reviews, strategic goals for each department, and student learning outcomes;
 - Seek out invited speakers who have diverse ideological and political views;

- Post a complete list of all speaker fees, honoraria, and other emoluments in excess of \$500 that are sponsored by the state institution prominently on its website.
- Requires each state institution's policy to affirm and declare that it will not:
 - Endorse or oppose any controversial beliefs or policies, except on matters that directly impact the institution's funding or mission of discovery, improvement, or dissemination of knowledge;
 - Influence or require students, faculty, or administrators to endorse or express a given ideology, political stance, or view of a social policy;
 - Require a student to endorse or express a given ideology, political stance, or view to obtain an undergraduate or post-graduate degree;
 - Use political and ideological litmus tests in any hiring, promotion, and admissions decisions, including diversity statements and other requirements that applicants describe commitment to any ideology, principle, concept, or formulation that requires commitment to a controversial belief or policy;
 - Influence or require students, faculty, or administrators to endorse or express a given ideology or political stance in any hiring, promotion, or admissions process or decision;
 - Use a diversity statement or any other assessment of an applicant's political or ideological views in any hiring, promotions, or admissions process or decision;
 - Influence or require students, faculty, or administrators to endorse or express a given ideology or political stance in any process or decision regulating conditions of work or study.
- Prohibits a state institution from replacing an orientation, training, office, or position designated for DEI with one under a different designation that serves the same or similar purposes, or that uses the same or similar means.
- Requires a state institution to endeavor, to the extent possible, to comply with the act's DEI prohibitions while retaining eligibility for a research grant and to seek an exception from the Chancellor if compliance while retaining grant eligibility is not possible.

Student and faculty policy complaints

- Requires each state institution to respond to complaints from any student, student group, or faculty member about an alleged violation of the requirements and prohibitions in the policy on DEI, intellectual diversity, and other concepts using the same process as for free speech policy complaints under continuing law.

Withholding or reducing funds for noncompliance

- Permits the General Assembly to withhold or reduce any state operating subsidy payments, state capital improvement funds, or other state appropriation to a state institution if it determines the institution has failed to comply with the act's requirements related to the policy on DEI, intellectual diversity, and other concepts.

Intellectual diversity protections and disciplinary sanctions

- Requires each state institution to:
 - Respond to complaints regarding any administrator, faculty member, staff, or student who interferes with the intellectual diversity rights of another using the same process as for free speech policy complaints under continuing law;
 - Inform all students and employees of their intellectual diversity protections and any applicable policies adopted by the state institution to put the protections into practice;
 - Comply with reporting guidelines established by the Chancellor regarding violations of the intellectual diversity rights by any individual under the institution's jurisdiction and any consequent disciplinary sanctions issued.

Statements of commitment

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

Affirmations and policies on equal opportunity

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

Prohibition on support and training for certain concepts

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

Segregation prohibition

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

Complaint process

- Requires state institutions to establish a process for a student, student group, or faculty member to submit a complaint about a violation by an institution employee of the prohibitions and requirements immediately above using the same process as for free speech policy complaints under continuing law.

Faculty evaluations

Student and peer evaluations

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

Faculty annual performance evaluations

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

Post-tenure review policies

- Requires state institutions with tenured faculty to adopt and, every five years, submit to the Chancellor a post-tenure review policy containing an appeals process for faculty to appeal the final evaluation.
- Requires state institutions with tenured faculty to adopt and, every five years, submit to the Chancellor policies on tenure and retrenchment.

Collective bargaining

- Expands a prohibition against collectively bargaining faculty workload policies, and a requirement that the policies prevail over conflicting collective bargaining agreements, to include all state institutions of higher education rather than only state universities.
- Prohibits state institution of higher education employees from collectively bargaining with the institution regarding faculty evaluation policies and systems, post-tenure review policies, and policies on tenure, and specifies the policies and systems prevail over conflicting collective bargaining agreements.
- Allows a state institution with a collective bargaining agreement in effect on June 27, 2025 (the act's effective date), containing a provision on retrenchment to continue bargaining retrenchment policies, but only with respect to faculty with 30 to 35 years of service in a public retirement system at the time of a retrenchment determination.
- Prohibits full-time faculty members of a state institution from striking and instead requires them to submit unresolved collective bargaining disputes to a final offer settlement procedure.

Five-year institutional cost summaries

- Requires state institutions to submit, in accordance with guidelines established by the Chancellor, a rolling five-year summary of institutional costs to be considered by the General Assembly when evaluating operating and capital project funding for each biennial main operating appropriations bill and capital appropriations bill.
- Requires the Chancellor to submit a report to the General Assembly including all state institutions' five-year institutional cost summaries.
- Requires the president of each state university and the Chancellor, upon the request of the chairperson of the Senate or House committee that considers higher education legislation, to present in the appropriate hearings conducted by the committee regarding the universities' five-year summaries.
- Requires the Chancellor, prior to the enactment of each main operating appropriations and capital appropriations bill, to create and present a report to the General Assembly including the total institutional costs for state universities and community colleges separately.

Faculty workload policy

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

of trustees, justifiable credit hour equivalents, and any administrative action that the state institution may take if a faculty member fails to comply with the policy's requirements.

Elimination of undergraduate degree programs

- Requires a state institution to eliminate any undergraduate degree program it offers if the institution confers an average of fewer than five degrees in the program annually over any three-year period, excluding years prior to the year in which the program confers its first undergraduate degree.
- Permits the Chancellor to grant a waiver to a state institution to continue an affected degree program pursuant to conditions set by the Chancellor.

American civic literacy course requirement

- Requires each state institution to develop a three-credit hour course in the subject of American civic literacy.
- Requires the course to include a study of the American economic system and capitalism and mandatory reading assignments.
- Requires each board of trustees to adopt a resolution approving a plan to offer the course described above, which must be submitted to, reviewed, and approved by the Chancellor.
- Permits the Chancellor to require an institution to revise the plan and the course before approval.
- Requires state institutions to require all students seeking a bachelor's degree to take the course, beginning with students who graduate in the spring of the 2029-2030 academic year.
- Permits state institutions to offer the course under the College Credit Plus (CCP) Program.
- Permits state institutions to require the course as part of their general education courses of study.
- Permits the president of a state institution to exempt a student from the required course if the student completes one of the following:
 - A Chancellor-approved CCP course that satisfies the act's course content requirements;
 - A Chancellor-approved AP course and exam that satisfy the act's course content requirements, and the student receives a score of three or higher on the exam; or
 - At least three credit hours, or the equivalent, in an American history or government course.

Syllabus requirements

- Requires each state institution to create a syllabus, using specific requirements established in the act, for each course offered for undergraduate credit and to provide

for the syllabus posting on its publicly accessible website in accordance with the act's website posting requirements.

- Requires each state institution and the Chancellor to prepare reports regarding state institution compliance with syllabus posting requirements.

Interactions with the People's Republic of China

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

Board of trustees training

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

Board of trustees terms of office

- Reduces the term of office from nine to six years for all nonstudent trustees at state universities who are appointed by the Governor on or after July 1, 2025.
- Eliminates a prohibition on state university trustees who served at least six years of a term being reappointed as a trustee before four years have elapsed since the trustee's previous term.

Ohio State University student trustees

- Eliminates the law that permitted student members of the Ohio State University Board of Trustees to have voting power and related privileges.

Northeast Ohio Medical University principal goals

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

Policy and report guidelines

- Requires the Chancellor to establish guidelines addressing the form and manner by which state institutions must submit various policies or reports to the Chancellor under the act.
- Requires the Chancellor to post each policy or report that is received on the Chancellor's publicly accessible website.

Website posting

- Generally provides that when the act requires something to be posted on a website, that posting must be (1) accessible from the main page of the state institution's website via no more than three links, (2) searchable by keywords and phrases, and (3) accessible to the public without requiring user registration.

Three-year bachelor's degree study

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

Act title

- Entitles the act "The Advance Ohio Higher Education Act."

TABLE OF CONTENTS

DEI and intellectual diversity policy	9
DEI prohibitions	9
Intellectual diversity	11
Positions on controversial beliefs or policies	11
Hiring, promotion, and admissions practices.....	12
Institution-sponsored speakers.....	12
Policy exclusions.....	12
Student and faculty policy complaints	13
Funding penalties for noncompliance	13
Intellectual diversity protections and sanctions.....	13
Statements of commitment.....	13
Affirmations and policies on equal opportunity	14
Prohibition on support and training for certain concepts.....	14
Segregation prohibition	15
Complaint process	16
Faculty evaluations	16
Student and peer evaluations	16
Faculty annual performance evaluations.....	16
Post-tenure review policies	17

Retrenchment policy.....	18
Collective bargaining.....	18
Faculty evaluations, tenure, post-tenure review, and retrenchment	18
Higher education faculty strikes.....	19
Five-year institutional cost summaries.....	19
Faculty workload policies.....	20
Elimination of undergraduate degree programs.....	21
American civic literacy requirement.....	21
Syllabus requirements	22
Interactions with the People’s Republic of China.....	24
Board of trustees training	25
Trustees terms of office	26
Ohio State University student trustees	26
Northeast Ohio Medical University principal goals	26
Policy and report guidelines	26
Three-year bachelor’s degree study	27
Act title.....	27

DETAILED ANALYSIS

The act revises law regarding state institutions of higher education. It creates, among other things, new requirements for them regarding diversity, equity, and inclusion (DEI) policies and training, intellectual diversity, and faculty evaluations.

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

DEI and intellectual diversity policy

The act requires the board of trustees of each state institution of higher education to adopt, and each state institution to enforce, a policy regarding DEI, intellectual diversity, and other concepts. Each state institution must adopt this policy by September 25, 2025.¹

DEI prohibitions

Under the policy, a state institution must prohibit:

¹ R.C. 3345.0217(B).

1. Any orientation or training course regarding DEI, unless the institution submits a written request for an exception to the Chancellor of Higher Education because the institution determines the orientation or course meets criteria established in law for an exemption. The request must explain the circumstances and effort the institution made to comply with the prohibition. Under the law, an orientation or course is exempt from the prohibition if all aspects of it are required to:
 - a. Comply with state and federal laws or regulations;
 - b. Comply with state or federal professional licensure requirements; or
 - c. Obtain or retain accreditation.
2. The continuation of existing DEI offices or departments;
3. Establishing new DEI offices or departments;
4. Using DEI in job descriptions;
5. Contracting with consultants or third parties whose role is or would be to promote admissions, hiring, or promotion on the basis of race, ethnicity, religion, sex, sexual orientation, gender identity, or gender expression; and
6. The establishment of any new institutional scholarships that use DEI in any manner. For existing institutional scholarships, a state institution must, to the extent possible, eliminate DEI requirements. If a state institution is unable to do so because of donor requirements, it may continue to offer the scholarship. However, a state institution cannot accept any additional funds for the operation of institutional scholarships that have DEI requirements.

The act prohibits a state institution from replacing any orientation, training, office, or position designated for the purpose of DEI that is prohibited under the act with one under a different designation that serves the same or similar purposes, or that uses the same or similar means.

If the requirements to obtain a research grant conflict with the policy's DEI prohibitions, the act requires the state institution to endeavor, to the extent possible, to comply with the DEI prohibitions while retaining eligibility for the grant, including by consulting with legal counsel. A state institution that is unable to comply with the DEI prohibitions with respect to a research grant must submit a written request for an exception to the Chancellor of Higher Education that includes an explanation of the circumstances and the effort the state institution made to comply with the prohibitions while retaining eligibility for the grant.

The act's DEI prohibitions and related requirements regarding research grants do not apply to agreements or contracts regarding any research grants entered into prior to June 27, 2025. However, they do apply to any renewal of such agreements or contracts on or after that date.

Intellectual diversity

The policy also addresses “intellectual diversity,” which the act defines as multiple, divergent, and opposing perspectives on an extensive range of public policy issues. It requires each state institution to:

1. Affirm and declare that its primary function is to practice, or support the practice of, discovery, improvement, transmission, and dissemination of knowledge and citizenship education by means of research, teaching, discussion, and debate;
2. Affirm and declare that the institution, to fulfill its primary function, will ensure the fullest degree of intellectual diversity;
3. Affirm and declare that faculty and staff will allow and encourage students to reach their own conclusions about all controversial beliefs or policies and will not seek to indoctrinate any social, political, or religious point of view; and
4. 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.

These requirements 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.

Positions on controversial beliefs or policies

Under the policy, each state institution must:

1. 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. Though it may endorse the United States Congress when it establishes a state of armed hostility against a foreign power. This does not include the recognition of national and state holidays, support for the Constitution and laws of the United States or Ohio, or the display of the American or Ohio flag.
1. 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.

These requirements do not apply to the exercise of professional judgment about whether to endorse the consensus or foundational beliefs of an academic discipline, unless that exercise is misused to violate the prohibition on an institution endorsing or opposing any controversial belief or policy.

Under the act, a “controversial belief or policy” means any belief or policy that is the subject of political controversy, including issues such as climate policies, electoral politics, foreign policy, diversity, equity, and inclusion programs, immigration policy, marriage, or abortion.²

Hiring, promotion, and admissions practices

The act requires each state institution’s policy to:

1. 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;
2. 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;
3. 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; and
4. 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;

Institution-sponsored speakers

Under the policy, each state institution must also:

1. Affirm and declare that the institution will seek out invited speakers who have diverse ideological or political views; and
2. Post prominently on its website a complete list of all speaker fees, honoraria, and other emoluments in excess of \$500 for events that are sponsored by the state institution.³

Policy exclusions

The act states that none of the above requirements for the policy prohibit either:

1. Faculty or students from classroom instruction, discussion, or debate, so long as faculty members allow students to express intellectual diversity; or
2. A state institution from complying with any state or federal law to provide disability services or to permit student organizations, including fraternities and sororities.⁴

² R.C. 3345.0217(A)(1).

³ R.C. 3345.0217(B)(1) to (13).

⁴ R.C. 3345.0217(D).

Student and faculty policy complaints

The act requires each state institution to respond to complaints from any student, student group, or faculty member about an alleged violation of the prohibitions and requirements given in the policy using the same complaint process as for complaints regarding a state institution's free speech policy under law unchanged by the act.⁵

Funding penalties for noncompliance

The act expressly permits the General Assembly to withhold or reduce any state operating subsidy payments, state capital improvement funds, or other state appropriations to a state institution if the General Assembly determines that the institution has failed to comply with the act's requirements related to DEI, intellectual diversity, and other concepts.⁶

Intellectual diversity protections and sanctions

The act requires each state institution to respond to complaints regarding any administrator, faculty member, staff, or student who interferes with the intellectual diversity rights of another individual using the same complaint process used for complaints regarding a state institution's free speech policy under law unchanged by the act.

Each state institution must inform its students and employees of the protections given to them under the act and any policies adopted to put the protections into practice, including by providing the information to new employees and to students during any new student orientation.

Each state institution also must comply with the reporting guidelines established by the Chancellor regarding any violations of the act's intellectual diversity rights by any individual under the institution's jurisdiction and any consequent disciplinary sanctions issued for that violation.⁷

Statements of commitment

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

1. It will educate students by means of free, open, and rigorous intellectual inquiry to seek the truth;
2. Its duty is to equip students with an opportunity to develop the intellectual skills they need to reach their own, informed conclusions;
3. It is committed to not requiring, favoring, disfavoring, or prohibiting speech or lawful assembly;
4. It is committed to creating a community dedicated to an ethic of civil and free inquiry, which respects the autonomy of each member, supports individual capacities for growth,

⁵ R.C. 3345.0217(C); R.C. 3345.0215, not in the act.

⁶ R.C. 3345.0217(E).

⁷ R.C. 3345.0218; R.C. 3345.0215, not in the act.

and tolerates the differences in opinion that naturally occur in a public higher education community;

5. Its duty is to treat all faculty, staff, and students as individuals, to hold them to equal standards, and to provide them equality of opportunity, with regard to those individuals' race, ethnicity, religion, sex, sexual orientation, gender identity, or gender expression.

Each state institution must prominently post its statement of commitment on its publicly accessible website and alongside the institution's mission statement in any place in which the mission statement appears, including when it is published or posted. Each state institution must also include the statement of commitment in any solicitations and offers of admission to students and any offers of employment to faculty.⁸

Affirmations and policies on equal opportunity

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

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

The act defines "position, policy, program, and activity" to include:

1. All forms of employment, including staff positions, internships, and work studies;
2. All policies, including mission statements, hiring policies, promotion policies, and tenure policies;
3. All programs and positions, including deanships, provostships, offices, programs presented by residence halls, and committees;
4. All activities, including those conducted by the administrative units of orientation, first-year experience, student life, and residential life.⁹

Prohibition on support and training for certain concepts

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

1. One race or sex is inherently superior to another race or sex;

⁸ R.C. 3345.0216.

⁹ R.C. 3345.88(A) and (B).

2. An individual, by virtue of the individual's race or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously;
3. An individual should be discriminated against or receive adverse treatment solely or partly due to the individual's race;
4. Members of one race cannot or should not attempt to treat others without respect to race;
5. An individual's moral standing or worth is necessarily determined by the individual's race or sex;
6. An individual, by virtue of the individual's race or sex, bears responsibility for actions committed in the past by other members of the same race or sex;
7. An individual should feel discomfort, guilt, anguish, or any other form of psychological distress on account of the individual's race or sex;
8. Meritocracy or traits such as hard work ethic are racist or sexist, or were created by members of a particular race to oppress members of another race;
9. Fault, blame, or bias should be assigned to a race or sex, or to members of a race or sex because of their race or sex.

The training prohibition is not to be construed to preclude a state institution from providing or facilitating continuing education to public safety officers that is compliant with the prohibition.

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

Each state institution must issue a report regarding: (1) all violations of the disciplinary sanctions implemented for violation of the training prohibition and (2) statistics on the academic qualifications of accepted and matriculating students, disaggregated by race and sex. The statistics must include information correlating students' academic qualifications and retention rates, disaggregated by race and sex. The report must be issued in accordance with guidelines established by the Chancellor.¹⁰

Segregation prohibition

The act requires state institutions to prohibit all policies explicitly designed to segregate faculty, staff, or students based on those individuals' race, ethnicity, religion, sex, sexual orientation, gender identity, or gender expression in credit-earning classroom settings, formal orientation ceremonies, and formal graduation ceremonies.¹¹

¹⁰ R.C. 3345.88(C) to (E).

¹¹ R.C. 3345.88(F).

Complaint process

Under the act, each state institution must respond to complaints from a student, student group, or faculty member to submit an alleged violation by an institution employee of the requirements and prohibitions discussed in **“Affirmations and policies on equal opportunity,” “Prohibition on support and training for certain concepts,”** and **“Segregation prohibition”** above using the same complaint process used for complaints regarding a state institution’s free speech policy under law unchanged by the act.¹²

Faculty evaluations

Student and peer evaluations

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

In addition to student evaluation of faculty members, the act requires each state institution to establish a written system of peer evaluations for faculty members. The evaluations must place an emphasis on the faculty member’s professional development regarding the faculty member’s teaching responsibilities.¹³

Faculty annual performance evaluations

The act requires the board of trustees of each state institution to adopt and submit to the Chancellor a faculty annual performance evaluation policy. The policy must contain an appeals process for faculty to appeal a final evaluation. The board of trustees must review and update the policy every five years.

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

1. The evaluation is comprehensive and includes standardized, objective, and measurable performance metrics;
2. The evaluation includes an assessment for each of the following areas that the faculty member has spent at least 5% of their annual work time on over the preceding year:
 - a. Teaching;
 - b. Research;
 - c. Service;

¹² R.C. 3345.88(G); R.C. 3345.0215, not in the act.

¹³ R.C. 3345.451.

- d. Clinical care;
 - e. Administration;
 - f. Other categories, as determined by the state institution.
3. The evaluation includes a summary assessment of the above performance areas that includes the parameters “exceeds performance expectations,” “meets performance expectations,” or “does not meet performance expectations”;
 4. Student evaluations account for at least 25% of the teaching area component of the evaluation; and
 5. The evaluation establishes a projected work effort distribution for the faculty member which will be used for the next year’s evaluation. This distribution must be compliant with the state institution’s established workload policies and must be approved by the dean of faculty or the equivalent.

Evaluations must be conducted by the department chairperson or equivalent administrator, reviewed and approved or disapproved by the dean, and submitted to the provost for review. If the chairperson and dean disagree, the provost has final decision authority.¹⁴

Post-tenure review policies

The act requires each state institution with tenured faculty members to adopt a post-tenure review policy and submit the policy to the Chancellor. The policy must contain an appeals process for faculty to appeal a final evaluation. Each state institution’s board of trustees must update the policy every five years.

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

If a faculty member maintains tenure after a post-tenure review and then receives an additional “does not meet performance expectations” assessment on any area of the faculty member’s annual performance evaluation in the subsequent two years, then the state institution must subject the faculty member to an additional post-tenure review.

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

¹⁴ R.C. 3345.452.

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

At the conclusion of a post-tenure review, the state institution's provost must submit a recommended outcome of the post-tenure review process to the institution's entity that is responsible for the final decision of post-tenure review pursuant to the institution's policy. The institution may take administrative action under the post-tenure review process, including censure, remedial training, or for-cause termination, regardless of tenure status, and any other action permitted by the institution's post-tenure review policy.¹⁵

Retrenchment policy

Additionally, the act requires state institutions of higher education that have tenured faculty members to develop policies on tenure and retrenchment and submit those policies to the Chancellor. Each state institution must update those policies every five years.

"Retrenchment" is defined in the act as a process by which a state institution 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.¹⁶

Collective bargaining

Faculty evaluations, tenure, post-tenure review, and retrenchment

With respect to collective bargaining agreements entered into under Ohio's Public Employees Collective Bargaining Law¹⁷ (PECBL) on or after June 27, 2025 (the act's effective date), employees of a state institution of higher education may not collectively bargain with the institution regarding faculty evaluation systems and policies, tenure and retrenchment policies, and post-tenure review policies developed under the act. Additionally, the systems and policies prevail over any conflicting provision of a collective bargaining agreement entered into on or after that date. The act's prohibition against collective bargaining on faculty evaluations is identical to a prohibition against collectively bargaining faculty workload policies described below.¹⁸

A state institution that has a collective bargaining agreement in effect on June 27, 2025, containing a provision on retrenchment may collectively bargain over retrenchment policies in new or renewed agreements. However, retrenchment provisions in a new or renewed agreement

¹⁵ R.C. 3345.453.

¹⁶ R.C. 3345.454.

¹⁷ R.C. Chapter 4117.

¹⁸ R.C. 3345.455.

only apply to institution faculty who have between 30 and 35 years of service in a public retirement system at the time of a retrenchment determination.¹⁹

Higher education faculty strikes

The act prohibits full-time faculty members at a state institution of higher education from striking. Instead, the act requires full-time faculty to submit unresolved collective bargaining disputes to a final offer settlement procedure applicable to other public employees prohibited from striking. If full-time faculty engage in a prohibited strike, an employing institution may seek an injunction against the strike in the court of common pleas of the county where the strike occurs.²⁰

Additionally, if public employees governed by the PECBL engage in a strike that is not authorized under the PECBL, the employees may be subject to discipline in accordance with the procedures specified in the PECBL.²¹

Five-year institutional cost summaries

The act requires each state institution of higher education, for each biennial main operating appropriations act and capital appropriations act, to prepare and submit to the Chancellor a rolling five-year summary of its institutional costs, to be considered by the General Assembly when evaluating operating and capital project funding. The Chancellor must submit a report to the General Assembly including each state institution's five-year institutional cost summary.

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

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

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

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

¹⁹ R.C. 3345.456.

²⁰ R.C. 4117.14 and 4117.15.

²¹ R.C. 4117.23, not in the act.

The Chancellor must consult with state institutions to develop a standardized reporting format for the cost summaries and a uniform approach to completing the required categories.

During the General Assembly's consideration of the main operating appropriations and capital appropriations bills, if requested by the chairperson of the Senate or House committee that considers higher education legislation, the president of each state university and the Chancellor must present in the appropriate committee hearings commentary on trends, potential justifications, or other explanations regarding the state university's five-year institutional costs.

The Chancellor must present to the General Assembly, prior to the enactment of the main operating appropriations and capital appropriations bills, an aggregation report summarizing the total institutional costs for state universities and community colleges separately.²²

Faculty workload policies

The act requires each state institution, instead of only state universities as under former law, to do all of the following:

1. Jointly develop standards with the Chancellor for instructional workloads for full-time and part-time faculty that keep with the institutions' missions, place a special emphasis on the undergraduate learning experience, and contain clear guidelines for acceptable undergraduate teaching;
2. Take formal action to adopt a faculty workload policy consistent with the standards developed by the Chancellor;
3. Review the state institution's policy on faculty tenure and update that policy;
4. Include multiple pathways for tenure to receive certain state funds.²³

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

Each policy must include:

1. An objective and numerically defined teaching workload expectation based on credit hours as defined under federal law;
2. A definition of all faculty workload elements in terms of credit hours as defined under federal law, with a full-time workload minimum standard established by the state institution's board of trustees and made publicly accessible on the institution's website;
3. A definition of justifiable credit hour equivalents for activities other than teaching, including research, clinical care, administration, service, and other activities as determined by the state institution;

²² R.C. 3345.80.

²³ R.C. 3345.45(A) to (C).

4. Administrative action that a state institution may take if a faculty member fails to comply with the policy's requirements, including censure, remedial training, for-cause termination, or other disciplinary action, regardless of tenure status. Termination under these circumstances must require the recommendation of the dean, provost, or equivalent official, concurrence of the state institution's president, and approval of the institution's board of trustees.²⁴

State universities have been required to have a formally adopted faculty workload policy since June 30, 1994. These existing policies were required to be based on standards developed by the Chancellor with state university input.²⁵

Faculty workload policies adopted by state universities are not subject to collective bargaining between a state university and its employees. And a university's policy prevails over a conflicting term in a collective bargaining agreement. The act applies the collective bargaining prohibition to a state institution of higher education's policy. Thus, an institution's policy prevails over a conflicting term in any collective bargaining agreement entered into on or after June 27, 2025.²⁶

Elimination of undergraduate degree programs

The act requires a state institution to eliminate any undergraduate degree program it offers if the institution confers an average of fewer than five degrees in that program annually over any three-year period. Academic years prior to the first academic year in which an undergraduate degree is conferred under a program do not count.

Upon appeal by a state institution, the Chancellor may grant a waiver to a state institution to continue a program to which this requirement applies. If the Chancellor grants a waiver, the Chancellor must establish terms under which the program may conditionally continue, including whether the program is eligible to be supported by state share of instruction (SSI) funds.²⁷

American civic literacy requirement

Beginning with students who graduate in the spring of the 2029-2030 academic year, the act prohibits each state institution from granting a bachelor's degree to any student who has not completed a course developed by the institution that offers at least three credit hours in the subject area of American civic literacy.

The act requires that the course comply with the Chancellor's course credit transfer criteria, policies, and procedures established under existing law. The course may be offered under the College Credit Plus (CCP) Program. A state institution may require the course as part of the institution's general education courses of study. The course must include:

²⁴ R.C. 3345.45(D).

²⁵ R.C. 3345.45(A) and (B).

²⁶ R.C. 3345.455.

²⁷ R.C. 3345.454(C).

1. A study of the American economic system and capitalism;
2. A requirement that students read:
 - a. The entire United States Constitution;
 - b. The entire Declaration of Independence;
 - c. At least five essays in their entirety from the Federalist Papers, with essays being selected by the department chair;
 - d. The entire Emancipation Proclamation;
 - e. The entire Gettysburg Address;
 - f. The entire Letter from Birmingham Jail written by Dr. Martin Luther King, Jr;
 - g. The writings of Adam Smith, including a study of the principles written in “The Wealth of Nations.”
3. A requirement that students pass a cumulative final exam at the end of the course that assesses student proficiency on the required readings.

Each board of trustees must adopt a resolution approving a plan to offer the course. The institution must submit that plan to the Chancellor, who must review and approve each plan. The Chancellor may require an institution to revise the plan and the course prior to approving the plan.

The act permits the president of a state institution, or the president’s designee, to exempt a student from the required course if the president or designee determines that the student has completed:

1. A Chancellor-approved CCP course that satisfies the act’s content requirements for the American civic literacy course;
2. A Chancellor-approved Advanced Placement course and exam that satisfy the American civic literacy course content requirements, and the student received a score of 3 or higher on the exam; or
3. At least three credit hours, or the equivalent, in a course in the subject area of American history or government.

These requirements do not apply to associate’s degree programs.²⁸

Syllabus requirements

The act requires each state institution, beginning in the 2026-2027 academic year, to make a syllabus for each undergraduate course it offers for college credit available to the public.

Under the act, a “course syllabus” is a document produced for students by a course instructor that includes all of the following:

²⁸ R.C. 3345.382; R.C. 3333.16, not in the act.

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

A "general syllabus" is defined in the act as a document produced for students by a community college regarding a course that includes both of the following:

1. A calendar for the course outlining what materials and topics will be covered and when they will be covered during the course;
2. A list of any required or recommended readings for the course.

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

1. Ensuring that each course instructor posts a course syllabus on a publicly accessible website that includes information on the course instructor's professional qualifications, contact information, course schedule, and a link or download for the course syllabus for each course the instructor is currently teaching;
2. Posting each course's course syllabus on the institution's publicly accessible website;
3. If the institution is a community college, posting a general syllabus for a course on the institution's publicly accessible website.

Each course or general syllabus posted to the institution's website must remain on the website for at least two years. If a course syllabus posted by a course instructor is no longer used, upon request, the course instructor must make that course syllabus available for at least two years after posting it. To the extent practicable, each state institution must ensure that the most recently updated syllabus for each undergraduate course offered for college credit is posted according to these requirements.

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

Each state institution must designate an administrator to implement these requirements. The administrator may delegate the responsibilities to one or more administrative employees.

The act also requires each state institution to prepare a written report for the Chancellor regarding the institution's compliance with the syllabus requirements. The report must be in accordance with guidelines established by the Chancellor. The Chancellor must prepare a report that includes each of the reports received from a state institution.

The act clarifies that none of the syllabus requirements require a publicly available syllabus to include the location or time of day at which a course is being held.²⁹

Interactions with the People’s Republic of China

The act prohibits state institutions from accepting gifts, donations, or contributions from the People’s Republic of China or any organizations that the institution reasonably suspects are acting on behalf of the People’s Republic of China. It explicitly states that this does not prohibit state institutions from accepting payments from Chinese citizens related to instructional fees, general fees, special fees, cost of instruction, or educational expenses or donations from the institution’s alumni. The act also states that a state institution is not prohibited from receiving philanthropic or unrestricted grants if it maintains structural safeguards. The act defines the “People’s Republic of China” as the government of China, the Chinese Communist Party, the People’s Liberation Army, or any other extension of, or entity affiliated with, the government of China.

The act also requires each state institution to submit to the Chancellor a copy of the foreign gifts report it submits to the U.S. Department of Education pursuant to federal law.

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

Under the act, state institutions are prohibited from entering into a new or renewed academic partnership with an academic or research institution located in China unless 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 institution must also notify the Chancellor of any new or renewed academic partnership with an academic or research institution located in China. The safeguards must include, at a minimum, the following requirements:

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

The act requires the Auditor of State to audit the safeguards implemented by state institutions during the course of a normal audit.³⁰

²⁹ R.C. 3345.029.

³⁰ R.C. 3345.591; 20 United States Code 1011(f), not in the act.

Board of trustees training

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

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

1. Each board member's duty to the state of Ohio;
2. The committee structure and function of a board of trustees;
3. The duties of the executive committee of a board of trustees;
4. Professional accounting and reporting standards;
5. Methods for meeting the statutory, regulatory, and fiduciary obligations of a board of trustees;
6. Public records law requirements;
7. Institutional ethics and conflicts of interest;
8. Creating and implementing institution-wide rules and regulations;
9. Business operations, administration, budgeting, financing, financial reporting, and financial reserves, including a segment on endowment management;
10. Fixing student general and instructional fees, and other necessary changes, including a review of student debt trends;
11. Overseeing planning, construction, maintenance, expansion, and renovation projects that impact the state institution's consolidated infrastructure, physical facilities, and natural environment, including its lands, improvements, and capital equipment;
12. Workforce planning, strategy, and investment;
13. Institutional advancement, including philanthropic giving, fundraising initiatives, alumni programming, communications and media, government and public relations, and community affairs;
14. Student welfare issues, including academic studies, curriculum, residence life, student governance and activities, and the general physical and psychological well-being of undergraduate and graduate students;
15. Current national and state issues in higher education;

16. Future national and state issues in higher education;

17. State and federal anti-discrimination laws and a state institution's obligations created under the act.

The act also eliminates law requiring the Chancellor develop voluntary, model training for state institution board of trustee members.³¹

Trustees terms of office

The act reduces from nine to six years the length of the terms of office for each nonstudent state university board of trustees member appointed on and after July 1, 2025. The act also eliminates the prohibition against reappointing a person who has served at least six years of a term as a state university board of trustee member unless four years have elapsed since the person's previous term ended.³²

Ohio State University student trustees

The act eliminates the law that required the Ohio State University Board of Trustees to adopt a resolution to determine whether student members of the board should be granted voting power. According to the [Ohio State University Trustee website](https://trustees.osu.edu), available at trustees.osu.edu, prior to June 27, 2025, the student trustees had voting powers.

Under the act, student members of the OSU Board of Trustees are prohibited from having voting power, being considered members of the board in determining whether a quorum is present, and being entitled to attend executive sessions.³³

Northeast Ohio Medical University principal goals

The act removes law that establishes the principal goals of the Northeast Ohio Medical University to work in collaboration with area state universities.³⁴

Policy and report guidelines

The act requires the Chancellor to establish guidelines to address the form and manner by which each state institution must submit the various policies or reports required by the act. The Chancellor must post each policy or report on the Chancellor's publicly accessible website.³⁵

³¹ R.C. 3333.045, repealed and replaced.

³² R.C. 3335.02, 3337.01, 3339.01, 3341.02, 3343.02, 3344.01, 3350.10, 3352.01, 3356.01, 3359.01, 3361.01, 3362.01, and 3364.01.

³³ R.C. 3335.02 and 3335.09.

³⁴ R.C. 3350.10(A).

³⁵ R.C. 3345.0219; citing R.C. 3345.029, 3345.0217, 3345.0218, 3345.452 to 3345.454, 3345.591, 3345.80, and 3345.88.

Three-year bachelor's degree study

The act requires the Department of Higher Education to study the feasibility of implementing bachelor's degree programs that require three years to complete. The study must investigate a variety of fields of study and determine the feasibility of reducing specific course requirements, quantity of electives, and total credit hours required for graduation. The study cannot include the use of CCP or any other current programs used to accelerate degree programs. The study must also present and evaluate potential issues related to accreditation. The Department must submit a report to the General Assembly regarding the study's findings by June 27, 2026.³⁶

Act title

The act is entitled as "The Advance Ohio Higher Education Act."³⁷

HISTORY

Action	Date
Introduced	01-22-25
Reported, S. Higher Education	02-12-25
Passed Senate (21-11)	02-12-25
Reported, H. Workforce and Higher Education	03-19-25
Passed House (59-34)	03-19-25
Senate concurred in House amendments (20-11)	03-26-25

25-ANSB0001EN-136/ks

³⁶ Section 4.

³⁷ Section 5.