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# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
and Drafting

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Office

H.B. 394  
135<sup>th</sup> General Assembly

## Bill Analysis

**Version:** As Introduced

**Primary Sponsor:** Rep. Holmes

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### SUMMARY

- Requires the board of trustees of each state institution of higher education to adopt various policies that prohibit the institution from requiring individuals to commit to specific beliefs, affiliations, ideals, or principles.
- Requires each state institution to make publicly available all policies, guidance, and training materials on all matters regarding the topics listed above.

### DETAILED ANALYSIS

#### Policy on standards and performance of professional duties

Within 90 days of its effective date, the bill requires the board of trustees of each state institution of higher education to adopt a policy that states the institution must not:

1. Solicit or require an employee or applicant for employment to affirmatively ascribe to, or opine about, specific beliefs, affiliations, ideals, or principles concerning political movements, or ideology;
2. Solicit or require a student to affirmatively ascribe to specific beliefs, affiliations, ideals, or principles concerning political movements or ideology;
3. Use statements of commitment to specific beliefs, affiliations, ideals, or principals concerning political movements, or ideology as part of the evaluation criteria for employees, applicants for employment, or employees seeking career progression or benefits;

4. Use statements of commitment to specific beliefs, affiliations, ideals, or principles concerning political movements or ideology as part of the academic evaluation of students.<sup>1</sup>

However, the bill specifically does not prohibit, limit, or restrict any of the following:

1. A state institution's authority to require a student or employee to comply with federal or state law (including anti-discrimination laws), or to take action against a student or employee for violation of federal or state law;
2. A faculty member's academic freedom;
3. A faculty member's ability to research or write publications about specific beliefs, affiliations, ideals, or principles concerning political movements, ideology, or social action;
4. A state institution's authority to consider an applicant for employment's scholarship, teaching, or subject matter expertise in the applicant's given academic field;
5. A state institution's authority to offer an established character education program;
6. A state institution's authority to establish a mission statement or statement of values.<sup>2</sup>

### **Publicly accessible information on related matters**

The bill also requires each state institution to make publicly available all policies, guidance, and training materials used for students, faculty, and other staff on all matters regarding specific beliefs, affiliations, ideals, or principles concerning political movements, or ideology. However, the bill specifies it cannot be construed to require state institutions to make protected legal communications or guidance publicly available.<sup>3</sup>

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## **HISTORY**

Action	Date
Introduced	02-06-24

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ANHB0394IN-135/ts

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<sup>1</sup> R.C. 3345.0216(A).

<sup>2</sup> R.C. 3345.0216(B).

<sup>3</sup> R.C. 3345.0216(C).