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Bill Analysis

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Primary Sponsors: Reps. Pizzulli and Jarrells

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SUMMARY

Policy on racial, religious, and ethnic bias, harassment, and intimidation

- Requires institutions of higher education to adopt and enforce a policy on racial, religious, and ethnic bias, harassment, and intimidation within 90 days of the bill's effective date that includes related training, complaint procedures, and the creation of an anti-hate task force and partnerships to increase security on and off campus.

Committee on bias, harassment, and intimidation

- Requires the Chancellor of Higher Education to establish a committee on combating antisemitism and other forms of racial, religious, and ethnic bias, harassment, and intimidation at institutions of higher education.

Uniform reporting system

- Requires the Chancellor to establish a uniform reporting system on hate incidents at institutions of higher education that requires them to annually report all allegations and document incidents of racial, religious, and ethnic bias, harassment, and intimidation.

Time, place, and manner restrictions

- Requires each institution of higher education to publicize any time, place, or manner restrictions it places on its students' expressive activities and how the institution or college uses viewpoint- and content-neutral criteria to establish those restrictions.

State agency policies on antisemitism prevention

- Requires state agencies to adopt a policy on the prevention of antisemitism.

Campus programs

- Requires the Chancellor to establish and administer the Campus Student Safety Grant Program to award grants to institutions of higher education to enhance security measures and ensure student safety at on- and off-campus locations.
 - Appropriates \$1 million in FY 2025 to support the program.
- Requires the Chancellor to establish and administer the Campus Community Grant Program to award grants to institutions of higher education to support intergroup and interfaith outreach and cultural competency between institution-affiliated student organizations.
 - Appropriates \$1 million in FY 2025 to support the program.
- Establishes the Campus Security Support Program under which the Chancellor must distribute funds to institution-sanctioned student organizations affiliated with communities at risk for increased threats of violent crime, terror attacks, hate crimes, or harassment to enhance security measures and ensure student safety on and off campus.
 - Appropriates \$2 million in FY 2025 to the program.

Act title

- Entitles the bill the Campus Accountability and Modernization to Protect University Students “CAMPUS” Act.

DETAILED ANALYSIS

Policy on bias, harassment, and intimidation

The bill requires each institution of higher education to adopt and enforce a policy on racial, religious, and ethnic bias, harassment, and intimidation at the institution within 90 days of the bill’s effective date. Under the bill, an “institution of higher education” is a state institution of higher education (any state university, university branch, community college, state community college, or technical college) or a private college (a private, nonprofit college or university or a degree-granting private, for-profit career college or school).¹

Under the bill, an institution’s policy must include training for all institution administration, faculty, and staff, including the institution’s offices of diversity, equity, and inclusion and student affairs and any campus safety organizations, that provides information on how to respond to hate incidents or harassment that occur during a class or event held at the institution, at the time such an incident occurs.²

¹ R.C. 3320.05(A) and (B); see also R.C. 3345.011 and 3365.01, not in the bill.

² R.C. 3320.05(B)(1).

Each institution's policy also must include a written procedure under which the institution accepts and investigates student complaints and allegations of racial, religious, or ethnic bias, harassment, or intimidation threatened or taken against any student, staff, or faculty member. The procedure must include an option for anonymous reporting of complaints and threats and potential disciplinary actions that may be taken after an investigation is conducted. At the conclusion of an investigation, the procedure must require communications to identified individuals who submit complaints and individuals who are the subject of a complaint, regardless of whether disciplinary action is taken. These communications may include educational information on the institution's policy against racial, religious, and ethnic bias, harassment, and intimidation.³

The bill requires an institution's policy to also include the creation of a campus task force on combating antisemitism, Islamophobia, and hatred, harassment, bullying, or violence toward others on the basis of their perceived or actual religious identity at the institution.⁴

Finally, an institution's policy must include the creation of partnerships between university police, local law enforcement, the state highway patrol, and student communities to provide security functions for student groups that face threats of terror attack or hate crimes, both on and off campus.⁵

The bill states that none of the requirements related to the policy on bias, harassment, and intimidation at an institution may be construed to diminish or infringe upon any right protected by the First Amendment to the United States Constitution, Article I of the Ohio Constitution, or noncommercial expressive activity under Ohio law.⁶

Committee on bias, harassment, and intimidation

The bill requires the Chancellor of Higher Education to establish a committee on combating antisemitism and other forms of racial, religious, and ethnic bias, harassment, and intimidation at institutions of higher education.

The committee must develop guidance on preventing antisemitism and other forms of racial, religious, and ethnic bias, harassment, and intimidation, including a framework for discussions to educate students on conduct prohibited by institution policies, state, and federal law, and recommended safety measures for student organizations. The guidance must be posted on the Department of Higher Education's website.⁷

³ R.C. 3320.05(B)(2).

⁴ R.C. 3320.05(B)(3).

⁵ R.C. 3320.05(B)(4).

⁶ R.C. 3320.05(C).

⁷ R.C. 3320.06(A).

Uniform reporting system

Under the bill, the Chancellor must establish a uniform reporting system on hate incidents at institutions of higher education. Under the system, institutions must submit an annual report of all allegations of racial, religious, and ethnic bias, harassment, and intimidation received by the institution and other documented incidents at the institution in that year. The reports must include the status of each investigation, the outcomes of completed investigations, and whether the allegations initiating an investigation were substantiated. Reports sent through the uniform reporting system must be distributed to the Chancellor, the Attorney General, and the United States attorneys for the Northern and Southern Districts of Ohio.⁸

Information on time, place, and manner restrictions

The bill requires each institution of higher education to publicize any time, place, or manner restrictions it places on the expressive activities of its students. The institution must include information on how it uses viewpoint- and content-neutral criteria to establish such restrictions.⁹

Under law unchanged by the bill, “expressive activities” include any lawful verbal, written, audiovisual, or electronic means by which individuals may communicate ideas, including all forms of peaceful assembly, protests, speeches, distribution of literature, carrying and displaying signs, and circulating petitions. State institutions of higher education are generally prohibited from barring noncommercial expressive activity on campus so long as an individual’s conduct is lawful and does not materially and substantially disrupt the functioning of the institution. One of the exceptions to this prohibition is for reasonable time, place, and manner restrictions specifically developed in service of a significant institutional interest. Such restrictions are permitted only when they employ clear, published, viewpoint- and content-neutral criteria and provide for ample alternative means for expressive activities.¹⁰

State agency policies on antisemitism

The bill requires each state agency to adopt a policy for the prevention of antisemitism. Under the bill, a “state agency” is any organized body, office, board, authority, commission, or agency established by the Ohio Constitution or Ohio law for the exercise of any governmental or quasi-governmental function, regardless of its funding source. A “state agency” includes state institutions of higher education, JobsOhio, and any state retirement systems or retirement programs.¹¹

⁸ R.C. 3320.06(B).

⁹ R.C. 3320.07.

¹⁰ R.C. 3345.0211, 3345.0212, and 3345.0213, not in the bill.

¹¹ R.C. 4112.20.

Campus Student Safety Grant Program

The bill requires the Chancellor to establish and administer the Campus Student Safety Grant Program. Under the program, the Chancellor must award grants to institutions of higher education to enhance security measures and ensure student safety at on- and off-campus locations. The Chancellor must develop guidelines and procedures for the program, including an application process, criteria for awards, and a method to determine the distribution of awards. The Chancellor must give priority to institutions that demonstrate increased threats of violent crime, terror attacks, hate crimes, or harassment toward students and student organizations at the institution.¹² The bill appropriates \$1 million in FY 2025 to support the program.¹³

Campus Community Grant Program

The bill requires the Chancellor to establish and administer the Campus Community Grant Program. Under the program, the Chancellor must provide funding to institutions of higher education to support intergroup and interfaith outreach and cultural competency between institution-affiliated student organizations. The Chancellor must develop guidelines and procedures for the program, including an application process, criteria for awards, and a method to determine the distribution of awards.¹⁴ The bill appropriates \$1 million in FY 2025 to support the program.¹⁵

Campus Security Support Program

The bill appropriates \$2 million in FY 2025 to the Campus Security Support Program. Under the program, the Chancellor must distribute the appropriated funds to institution-sanctioned student organizations affiliated with communities that are at risk for increased threats of violent crime, terror attacks, hate crimes, or harassment. The funds are to be used to enhance security measures and ensure student safety at on- and off-campus locations at institutions of higher education throughout the state.¹⁶

HISTORY

Action	Date
Introduced	05-20-24

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¹² R.C. 3333.80.

¹³ Section 3.

¹⁴ R.C. 3333.801.

¹⁵ Section 3.

¹⁶ Section 3.