

**As Introduced**

**126th General Assembly  
Regular Session  
2005-2006**

**S. B. No. 24**

**Senators Mumper, Jordan, Cates, Wachtmann**

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**A BILL**

To enact sections 3345.80 and 3345.81 of the Revised Code to establish the academic bill of rights for higher education. 1  
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**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That sections 3345.80 and 3345.81 of the Revised Code be enacted to read as follows: 4  
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**Sec. 3345.80.** The board of trustees of each state institution of higher education, as defined in section 3345.011 of the Revised Code, and the board of trustees or other governing authority of each private institution of higher education that holds a certificate of authorization issued under section 1713.02 of the Revised Code shall adopt a policy recognizing that the students, faculty, and instructors of the institution have the following rights: 6  
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(A) The institution shall provide its students with a learning environment in which the students have access to a broad range of serious scholarly opinion pertaining to the subjects they study. In the humanities, the social sciences, and the arts, the fostering of a plurality of serious scholarly methodologies and perspectives shall be a significant institutional purpose. In addition, curricula and reading lists in the humanities and social studies shall respect all human knowledge in these areas and 14  
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provide students with dissenting sources and viewpoints. 22

(B) Students shall be graded solely on the basis of their 23  
reasoned answers and appropriate knowledge of the subjects and 24  
disciplines they study and shall not be discriminated against on 25  
the basis of their political, ideological, or religious beliefs. 26  
Faculty and instructors shall not use their courses or their 27  
positions for the purpose of political, ideological, religious, or 28  
antireligious indoctrination. 29

(C) Faculty and instructors shall not infringe the academic 30  
freedom and quality of education of their students by persistently 31  
introducing controversial matter into the classroom or coursework 32  
that has no relation to their subject of study and that serves no 33  
legitimate pedagogical purpose. 34

(D) University administrators, student government 35  
organizations, and institutional policies, rules, or procedures 36  
shall not infringe the freedom of speech, freedom of expression, 37  
freedom of assembly, and freedom of conscience of students and 38  
student organizations. 39

(E) The institution shall distribute student fee funds on a 40  
viewpoint-neutral basis and shall maintain a posture of neutrality 41  
with respect to substantive political and religious disagreements, 42  
differences, and opinions. The selection of speakers, allocation 43  
of funds for speakers' programs, and other student activities 44  
shall observe the principles of academic freedom and promote the 45  
presentation of a diversity of opinions on intellectual matters. 46  
Except as provided by law, the institution shall not permit the 47  
obstruction of invited campus speakers, the destruction of campus 48  
literature, or other efforts to obstruct a civil exchange of 49  
ideas. 50

(F) Faculty and instructors shall be free to pursue and 51  
discuss their own findings and perspectives in presenting their 52

views, but they shall make their students aware of serious 53  
scholarly viewpoints other than their own through classroom 54  
discussion or dissemination of written materials, and they shall 55  
encourage intellectual honesty, civil debate, and the critical 56  
analysis of ideas in the pursuit of knowledge and truth. 57

(G) Faculty and instructors shall be hired, fired, promoted, 58  
and granted tenure on the basis of their competence and 59  
appropriate knowledge in their field of expertise and shall not be 60  
hired, fired, promoted, granted tenure, or denied promotion or 61  
tenure on the basis of their political, ideological, or religious 62  
beliefs. 63

(H) Faculty and instructors shall not be excluded from 64  
tenure, search, and hiring committees on the basis of their 65  
political, ideological, or religious beliefs. 66

(I) The institution and its professional societies shall 67  
maintain a posture of organizational neutrality with respect to 68  
the substantive disagreements that divide researchers on questions 69  
within, or outside, their fields of inquiry recognizing that: 70

(1) Knowledge advances when individual scholars are left free 71  
to reach their own conclusions about which methods, facts, and 72  
theories have been validated by research; 73

(2) Academic institutions and professional societies formed 74  
to advance knowledge within an area of research, maintain the 75  
integrity of the research process, and organize the professional 76  
lives of related researchers serve as indispensable venues within 77  
which scholars circulate research findings and debate their 78  
interpretations. 79

**Sec. 3345.81.** The board of trustees of each state institution 80  
of higher education, as defined in section 3345.011 of the Revised 81  
Code, and the board of trustees or other governing authority of 82

each private institution of higher education that holds a 83  
certificate of authorization issued under section 1713.02 of the 84  
Revised Code, shall adopt a grievance procedure by which a 85  
student, faculty member, or instructor may seek redress for an 86  
alleged violation of any of the rights specified by the 87  
institution's policy adopted under section 3345.80 of the Revised 88  
Code. Each board of trustees or other governing authority shall 89  
provide students, faculty, and instructors with notice of the 90  
rights and grievance procedure by publication in the institution's 91  
course catalog, student handbook, and web site. 92