

**As Reported by the House Education Committee**

**129th General Assembly**

**Regular Session**

**2011-2012**

**H. B. No. 139**

**Representative McKenney**

**Cosponsors: Representatives Clyde, Schuring, Sykes, Gerberry, Huffman,  
Luckie, Celeste, Antonio, Newbold, Baker, Roegner, Maag, Stebelton, Fedor**

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**A B I L L**

To amend sections 145.01, 145.011, 151.04, 154.01, 1  
185.03, 185.05, 3304.30, 3305.01, 3333.045, 2  
3333.11, 3333.111, 3333.611, 3334.01, 3345.04, 3  
3345.12, 3345.121, 3345.17, 3345.201, 3345.28, 4  
3345.281, 3345.31, 3345.32, 3345.34, 3345.50, 5  
3345.51, 3345.71, 3350.10, 3350.11, 3350.12, 6  
3350.13, and 3350.14 of the Revised Code and 7  
Sections 371.10, 371.20.80, and 371.40.90 of Am. 8  
Sub. H.B. 1 of the 128th General Assembly and 9  
Section 105.45.20 of Sub. H.B. 462 of the 128th 10  
General Assembly to rename the Northeastern Ohio 11  
Universities Colleges of Medicine and Pharmacy as 12  
the Northeast Ohio Medical University and to 13  
declare an emergency. 14

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

**Section 1.** That sections 145.01, 145.011, 151.04, 154.01, 15  
185.03, 185.05, 3304.30, 3305.01, 3333.045, 3333.11, 3333.111, 16  
3333.611, 3334.01, 3345.04, 3345.12, 3345.121, 3345.17, 3345.201, 17  
3345.28, 3345.281, 3345.31, 3345.32, 3345.34, 3345.50, 3345.51, 18  
3345.71, 3350.10, 3350.11, 3350.12, 3350.13, and 3350.14 of the 19

Revised Code be amended to read as follows: 20

**Sec. 145.01.** As used in this chapter: 21

(A) "Public employee" means: 22

(1) Any person holding an office, not elective, under the 23  
state or any county, township, municipal corporation, park 24  
district, conservancy district, sanitary district, health 25  
district, metropolitan housing authority, state retirement board, 26  
Ohio historical society, public library, county law library, union 27  
cemetery, joint hospital, institutional commissary, state 28  
university, or board, bureau, commission, council, committee, 29  
authority, or administrative body as the same are, or have been, 30  
created by action of the general assembly or by the legislative 31  
authority of any of the units of local government named in 32  
division (A)(1) of this section, or employed and paid in whole or 33  
in part by the state or any of the authorities named in division 34  
(A)(1) of this section in any capacity not covered by section 35  
742.01, 3307.01, 3309.01, or 5505.01 of the Revised Code. 36

(2) A person who is a member of the public employees 37  
retirement system and who continues to perform the same or similar 38  
duties under the direction of a contractor who has contracted to 39  
take over what before the date of the contract was a publicly 40  
operated function. The governmental unit with which the contract 41  
has been made shall be deemed the employer for the purposes of 42  
administering this chapter. 43

(3) Any person who is an employee of a public employer, 44  
notwithstanding that the person's compensation for that employment 45  
is derived from funds of a person or entity other than the 46  
employer. Credit for such service shall be included as total 47  
service credit, provided that the employee makes the payments 48  
required by this chapter, and the employer makes the payments 49

required by sections 145.48 and 145.51 of the Revised Code. 50

(4) A person who elects in accordance with section 145.015 of 51  
the Revised Code to remain a contributing member of the public 52  
employees retirement system. 53

In all cases of doubt, the public employees retirement board 54  
shall determine whether any person is a public employee, and its 55  
decision is final. 56

(B) "Member" means any public employee, other than a public 57  
employee excluded or exempted from membership in the retirement 58  
system by section 145.03, 145.031, 145.032, 145.033, 145.034, 59  
145.035, or 145.38 of the Revised Code. "Member" includes a PERS 60  
retirant who becomes a member under division (C) of section 145.38 61  
of the Revised Code. "Member" also includes a disability benefit 62  
recipient. 63

(C) "Head of the department" means the elective or appointive 64  
head of the several executive, judicial, and administrative 65  
departments, institutions, boards, and commissions of the state 66  
and local government as the same are created and defined by the 67  
laws of this state or, in case of a charter government, by that 68  
charter. 69

(D) "Employer" or "public employer" means the state or any 70  
county, township, municipal corporation, park district, 71  
conservancy district, sanitary district, health district, 72  
metropolitan housing authority, state retirement board, Ohio 73  
historical society, public library, county law library, union 74  
cemetery, joint hospital, institutional commissary, state medical 75  
college university, state university, or board, bureau, 76  
commission, council, committee, authority, or administrative body 77  
as the same are, or have been, created by action of the general 78  
assembly or by the legislative authority of any of the units of 79  
local government named in this division not covered by section 80

742.01, 3307.01, 3309.01, or 5505.01 of the Revised Code. In 81  
addition, "employer" means the employer of any public employee. 82

(E) "Prior service" means all service as a public employee 83  
rendered before January 1, 1935, and all service as an employee of 84  
any employer who comes within the state teachers retirement system 85  
or of the school employees retirement system or of any other 86  
retirement system established under the laws of this state 87  
rendered prior to January 1, 1935, provided that if the employee 88  
claiming the service was employed in any capacity covered by that 89  
other system after that other system was established, credit for 90  
the service may be allowed by the public employees retirement 91  
system only when the employee has made payment, to be computed on 92  
the salary earned from the date of appointment to the date 93  
membership was established in the public employees retirement 94  
system, at the rate in effect at the time of payment, and the 95  
employer has made payment of the corresponding full liability as 96  
provided by section 145.44 of the Revised Code. "Prior service" 97  
also means all service credited for active duty with the armed 98  
forces of the United States as provided in section 145.30 of the 99  
Revised Code. 100

If an employee who has been granted prior service credit by 101  
the public employees retirement system for service rendered prior 102  
to January 1, 1935, as an employee of a board of education 103  
establishes, before retirement, one year or more of contributing 104  
service in the state teachers retirement system or school 105  
employees retirement system, then the prior service ceases to be 106  
the liability of this system. 107

If the board determines that a position of any member in any 108  
calendar year prior to January 1, 1935, was a part-time position, 109  
the board shall determine what fractional part of a year's credit 110  
shall be allowed by the following formula: 111

(1) When the member has been either elected or appointed to 112

an office the term of which was two or more years and for which an 113  
annual salary is established, the fractional part of the year's 114  
credit shall be computed as follows: 115

First, when the member's annual salary is one thousand 116  
dollars or less, the service credit for each such calendar year 117  
shall be forty per cent of a year. 118

Second, for each full one hundred dollars of annual salary 119  
above one thousand dollars, the member's service credit for each 120  
such calendar year shall be increased by two and one-half per 121  
cent. 122

(2) When the member is paid on a per diem basis, the service 123  
credit for any single year of the service shall be determined by 124  
using the number of days of service for which the compensation was 125  
received in any such year as a numerator and using two hundred 126  
fifty days as a denominator. 127

(3) When the member is paid on an hourly basis, the service 128  
credit for any single year of the service shall be determined by 129  
using the number of hours of service for which the compensation 130  
was received in any such year as a numerator and using two 131  
thousand hours as a denominator. 132

(F) "Contributor" means any person who has an account in the 133  
employees' savings fund created by section 145.23 of the Revised 134  
Code. When used in the sections listed in division (B) of section 135  
145.82 of the Revised Code, "contributor" includes any person 136  
participating in a PERS defined contribution plan. 137

(G) "Beneficiary" or "beneficiaries" means the estate or a 138  
person or persons who, as the result of the death of a member, 139  
contributor, or retirant, qualify for or are receiving some right 140  
or benefit under this chapter. 141

(H)(1) "Total service credit," except as provided in section 142  
145.37 of the Revised Code, means all service credited to a member 143

of the retirement system since last becoming a member, including 144  
restored service credit as provided by section 145.31 of the 145  
Revised Code; credit purchased under sections 145.293 and 145.299 146  
of the Revised Code; all the member's prior service credit; all 147  
the member's military service credit computed as provided in this 148  
chapter; all service credit established pursuant to section 149  
145.297 of the Revised Code; and any other service credited under 150  
this chapter. In addition, "total service credit" includes any 151  
period, not in excess of three years, during which a member was 152  
out of service and receiving benefits under Chapters 4121. and 153  
4123. of the Revised Code. For the exclusive purpose of satisfying 154  
the service credit requirement and of determining eligibility for 155  
benefits under sections 145.32, 145.33, 145.331, 145.35, 145.36, 156  
and 145.361 of the Revised Code, "five or more years of total 157  
service credit" means sixty or more calendar months of 158  
contributing service in this system. 159

(2) "One and one-half years of contributing service credit," 160  
as used in division (B) of section 145.45 of the Revised Code, 161  
also means eighteen or more calendar months of employment by a 162  
municipal corporation that formerly operated its own retirement 163  
plan for its employees or a part of its employees, provided that 164  
all employees of that municipal retirement plan who have eighteen 165  
or more months of such employment, upon establishing membership in 166  
the public employees retirement system, shall make a payment of 167  
the contributions they would have paid had they been members of 168  
this system for the eighteen months of employment preceding the 169  
date membership was established. When that payment has been made 170  
by all such employee members, a corresponding payment shall be 171  
paid into the employers' accumulation fund by that municipal 172  
corporation as the employer of the employees. 173

(3) Where a member also is a member of the state teachers 174  
retirement system or the school employees retirement system, or 175

both, except in cases of retirement on a combined basis pursuant 176  
to section 145.37 of the Revised Code or as provided in section 177  
145.383 of the Revised Code, service credit for any period shall 178  
be credited on the basis of the ratio that contributions to the 179  
public employees retirement system bear to total contributions in 180  
all state retirement systems. 181

(4) Not more than one year of credit may be given for any 182  
period of twelve months. 183

(5) "Ohio service credit" means credit for service that was 184  
rendered to the state or any of its political subdivisions or any 185  
employer. 186

(I) "Regular interest" means interest at any rates for the 187  
respective funds and accounts as the public employees retirement 188  
board may determine from time to time. 189

(J) "Accumulated contributions" means the sum of all amounts 190  
credited to a contributor's individual account in the employees' 191  
savings fund together with any interest credited to the 192  
contributor's account under section 145.471 or 145.472 of the 193  
Revised Code. 194

(K)(1) "Final average salary" means the quotient obtained by 195  
dividing by three the sum of the three full calendar years of 196  
contributing service in which the member's earnable salary was 197  
highest, except that if the member has a partial year of 198  
contributing service in the year the member's employment 199  
terminates and the member's earnable salary for the partial year 200  
is higher than for any comparable period in the three years, the 201  
member's earnable salary for the partial year shall be substituted 202  
for the member's earnable salary for the comparable period during 203  
the three years in which the member's earnable salary was lowest. 204

(2) If a member has less than three years of contributing 205  
service, the member's final average salary shall be the member's 206

total earnable salary divided by the total number of years, 207  
including any fraction of a year, of the member's contributing 208  
service. 209

(3) For the purpose of calculating benefits payable to a 210  
member qualifying for service credit under division (Z) of this 211  
section, "final average salary" means the total earnable salary on 212  
which contributions were made divided by the total number of years 213  
during which contributions were made, including any fraction of a 214  
year. If contributions were made for less than twelve months, 215  
"final average salary" means the member's total earnable salary. 216

(L) "Annuity" means payments for life derived from 217  
contributions made by a contributor and paid from the annuity and 218  
pension reserve fund as provided in this chapter. All annuities 219  
shall be paid in twelve equal monthly installments. 220

(M) "Annuity reserve" means the present value, computed upon 221  
the basis of the mortality and other tables adopted by the board, 222  
of all payments to be made on account of any annuity, or benefit 223  
in lieu of any annuity, granted to a retirant as provided in this 224  
chapter. 225

(N)(1) "Disability retirement" means retirement as provided 226  
in section 145.36 of the Revised Code. 227

(2) "Disability allowance" means an allowance paid on account 228  
of disability under section 145.361 of the Revised Code. 229

(3) "Disability benefit" means a benefit paid as disability 230  
retirement under section 145.36 of the Revised Code, as a 231  
disability allowance under section 145.361 of the Revised Code, or 232  
as a disability benefit under section 145.37 of the Revised Code. 233

(4) "Disability benefit recipient" means a member who is 234  
receiving a disability benefit. 235

(O) "Age and service retirement" means retirement as provided 236



in sections 145.32, 145.33, 145.331, 145.34, 145.37, and 145.46 of 237  
the Revised Code. 238

(P) "Pensions" means annual payments for life derived from 239  
contributions made by the employer that at the time of retirement 240  
are credited into the annuity and pension reserve fund from the 241  
employers' accumulation fund and paid from the annuity and pension 242  
reserve fund as provided in this chapter. All pensions shall be 243  
paid in twelve equal monthly installments. 244

(Q) "Retirement allowance" means the pension plus that 245  
portion of the benefit derived from contributions made by the 246  
member. 247

(R)(1) Except as otherwise provided in division (R) of this 248  
section, "earnable salary" means all salary, wages, and other 249  
earnings paid to a contributor by reason of employment in a 250  
position covered by the retirement system. The salary, wages, and 251  
other earnings shall be determined prior to determination of the 252  
amount required to be contributed to the employees' savings fund 253  
under section 145.47 of the Revised Code and without regard to 254  
whether any of the salary, wages, or other earnings are treated as 255  
deferred income for federal income tax purposes. "Earnable salary" 256  
includes the following: 257

(a) Payments made by the employer in lieu of salary, wages, 258  
or other earnings for sick leave, personal leave, or vacation used 259  
by the contributor; 260

(b) Payments made by the employer for the conversion of sick 261  
leave, personal leave, and vacation leave accrued, but not used if 262  
the payment is made during the year in which the leave is accrued, 263  
except that payments made pursuant to section 124.383 or 124.386 264  
of the Revised Code are not earnable salary; 265

(c) Allowances paid by the employer for full maintenance, 266  
consisting of housing, laundry, and meals, as certified to the 267

retirement board by the employer or the head of the department	268
that employs the contributor;	269
(d) Fees and commissions paid under section 507.09 of the Revised Code;	270 271
(e) Payments that are made under a disability leave program sponsored by the employer and for which the employer is required by section 145.296 of the Revised Code to make periodic employer and employee contributions;	272 273 274 275
(f) Amounts included pursuant to divisions (K)(3) and (Y) of this section.	276 277
(2) "Earnable salary" does not include any of the following:	278
(a) Fees and commissions, other than those paid under section 507.09 of the Revised Code, paid as sole compensation for personal services and fees and commissions for special services over and above services for which the contributor receives a salary;	279 280 281 282
(b) Amounts paid by the employer to provide life insurance, sickness, accident, endowment, health, medical, hospital, dental, or surgical coverage, or other insurance for the contributor or the contributor's family, or amounts paid by the employer to the contributor in lieu of providing the insurance;	283 284 285 286 287
(c) Incidental benefits, including lodging, food, laundry, parking, or services furnished by the employer, or use of the employer's property or equipment, or amounts paid by the employer to the contributor in lieu of providing the incidental benefits;	288 289 290 291
(d) Reimbursement for job-related expenses authorized by the employer, including moving and travel expenses and expenses related to professional development;	292 293 294
(e) Payments for accrued but unused sick leave, personal leave, or vacation that are made at any time other than in the year in which the sick leave, personal leave, or vacation was	295 296 297

accrued;	298
(f) Payments made to or on behalf of a contributor that are	299
in excess of the annual compensation that may be taken into	300
account by the retirement system under division (a)(17) of section	301
401 of the "Internal Revenue Code of 1986," 100 Stat. 2085, 26	302
U.S.C.A. 401(a)(17), as amended;	303
(g) Payments made under division (B), (C), or (E) of section	304
5923.05 of the Revised Code, Section 4 of Substitute Senate Bill	305
No. 3 of the 119th general assembly, Section 3 of Amended	306
Substitute Senate Bill No. 164 of the 124th general assembly, or	307
Amended Substitute House Bill No. 405 of the 124th general	308
assembly;	309
(h) Anything of value received by the contributor that is	310
based on or attributable to retirement or an agreement to retire,	311
except that payments made on or before January 1, 1989, that are	312
based on or attributable to an agreement to retire shall be	313
included in earnable salary if both of the following apply:	314
(i) The payments are made in accordance with contract	315
provisions that were in effect prior to January 1, 1986;	316
(ii) The employer pays the retirement system an amount	317
specified by the retirement board equal to the additional	318
liability resulting from the payments.	319
(3) The retirement board shall determine by rule whether any	320
compensation not enumerated in division (R) of this section is	321
earnable salary, and its decision shall be final.	322
(S) "Pension reserve" means the present value, computed upon	323
the basis of the mortality and other tables adopted by the board,	324
of all payments to be made on account of any retirement allowance	325
or benefit in lieu of any retirement allowance, granted to a	326
member or beneficiary under this chapter.	327

(T)(1) "Contributing service" means all service credited to a member of the system since January 1, 1935, for which contributions are made as required by sections 145.47, 145.48, and 145.483 of the Revised Code. In any year subsequent to 1934, credit for any service shall be allowed by the following formula:

(a) For each month for which the member's earnable salary is two hundred fifty dollars or more, allow one month's credit.

(b) For each month for which the member's earnable salary is less than two hundred fifty dollars, allow a fraction of a month's credit. The numerator of this fraction shall be the earnable salary during the month, and the denominator shall be two hundred fifty dollars, except that if the member's annual earnable salary is less than six hundred dollars, the member's credit shall not be reduced below twenty per cent of a year for a calendar year of employment during which the member worked each month. Division (T)(1)(b) of this section shall not reduce any credit earned before January 1, 1985.

(2) Notwithstanding division (T)(1) of this section, an elected official who prior to January 1, 1980, was granted a full year of credit for each year of service as an elected official shall be considered to have earned a full year of credit for each year of service regardless of whether the service was full-time or part-time. The public employees retirement board has no authority to reduce the credit.

(U) "State retirement board" means the public employees retirement board, the school employees retirement board, or the state teachers retirement board.

(V) "Retirant" means any former member who retires and is receiving a monthly allowance as provided in sections 145.32, 145.33, 145.331, 145.34, and 145.46 of the Revised Code.

(W) "Employer contribution" means the amount paid by an

employer as determined under section 145.48 of the Revised Code. 359

(X) "Public service terminates" means the last day for which 360  
a public employee is compensated for services performed for an 361  
employer or the date of the employee's death, whichever occurs 362  
first. 363

(Y) When a member has been elected or appointed to an office, 364  
the term of which is two or more years, for which an annual salary 365  
is established, and in the event that the salary of the office is 366  
increased and the member is denied the additional salary by reason 367  
of any constitutional provision prohibiting an increase in salary 368  
during a term of office, the member may elect to have the amount 369  
of the member's contributions calculated upon the basis of the 370  
increased salary for the office. At the member's request, the 371  
board shall compute the total additional amount the member would 372  
have contributed, or the amount by which each of the member's 373  
contributions would have increased, had the member received the 374  
increased salary for the office the member holds. If the member 375  
elects to have the amount by which the member's contribution would 376  
have increased withheld from the member's salary, the member shall 377  
notify the employer, and the employer shall make the withholding 378  
and transmit it to the retirement system. A member who has not 379  
elected to have that amount withheld may elect at any time to make 380  
a payment to the retirement system equal to the additional amount 381  
the member's contribution would have increased, plus interest on 382  
that contribution, compounded annually at a rate established by 383  
the board and computed from the date on which the last 384  
contribution would have been withheld from the member's salary to 385  
the date of payment. A member may make a payment for part of the 386  
period for which the increased contribution was not withheld, in 387  
which case the interest shall be computed from the date the last 388  
contribution would have been withheld for the period for which the 389  
payment is made. Upon the payment of the increased contributions 390

as provided in this division, the increased annual salary as 391  
provided by law for the office for the period for which the member 392  
paid increased contributions thereon shall be used in determining 393  
the member's earnable salary for the purpose of computing the 394  
member's final average salary. 395

(Z) "Five years of service credit," for the exclusive purpose 396  
of satisfying the service credit requirements and of determining 397  
eligibility for benefits under section 145.33 of the Revised Code, 398  
means employment covered under this chapter or under a former 399  
retirement plan operated, recognized, or endorsed by the employer 400  
prior to coverage under this chapter or under a combination of the 401  
coverage. 402

(AA) "Deputy sheriff" means any person who is commissioned 403  
and employed as a full-time peace officer by the sheriff of any 404  
county, and has been so employed since on or before December 31, 405  
1965; any person who is or has been commissioned and employed as a 406  
peace officer by the sheriff of any county since January 1, 1966, 407  
and who has received a certificate attesting to the person's 408  
satisfactory completion of the peace officer training school as 409  
required by section 109.77 of the Revised Code; or any person 410  
deputized by the sheriff of any county and employed pursuant to 411  
section 2301.12 of the Revised Code as a criminal bailiff or court 412  
constable who has received a certificate attesting to the person's 413  
satisfactory completion of the peace officer training school as 414  
required by section 109.77 of the Revised Code. 415

(BB) "Township constable or police officer in a township 416  
police department or district" means any person who is 417  
commissioned and employed as a full-time peace officer pursuant to 418  
Chapter 505. or 509. of the Revised Code, who has received a 419  
certificate attesting to the person's satisfactory completion of 420  
the peace officer training school as required by section 109.77 of 421  
the Revised Code. 422

(CC) "Drug agent" means any person who is either of the 423  
following: 424

(1) Employed full time as a narcotics agent by a county 425  
narcotics agency created pursuant to section 307.15 of the Revised 426  
Code and has received a certificate attesting to the satisfactory 427  
completion of the peace officer training school as required by 428  
section 109.77 of the Revised Code; 429

(2) Employed full time as an undercover drug agent as defined 430  
in section 109.79 of the Revised Code and is in compliance with 431  
section 109.77 of the Revised Code. 432

(DD) "Department of public safety enforcement agent" means a 433  
full-time employee of the department of public safety who is 434  
designated under section 5502.14 of the Revised Code as an 435  
enforcement agent and who is in compliance with section 109.77 of 436  
the Revised Code. 437

(EE) "Natural resources law enforcement staff officer" means 438  
a full-time employee of the department of natural resources who is 439  
designated a natural resources law enforcement staff officer under 440  
section 1501.013 of the Revised Code and is in compliance with 441  
section 109.77 of the Revised Code. 442

(FF) "Park officer" means a full-time employee of the 443  
department of natural resources who is designated a park officer 444  
under section 1541.10 of the Revised Code and is in compliance 445  
with section 109.77 of the Revised Code. 446

(GG) "Forest officer" means a full-time employee of the 447  
department of natural resources who is designated a forest officer 448  
under section 1503.29 of the Revised Code and is in compliance 449  
with section 109.77 of the Revised Code. 450

(HH) "Preserve officer" means a full-time employee of the 451  
department of natural resources who is designated a preserve 452  
officer under section 1517.10 of the Revised Code and is in 453

compliance with section 109.77 of the Revised Code. 454

(II) "Wildlife officer" means a full-time employee of the 455  
department of natural resources who is designated a wildlife 456  
officer under section 1531.13 of the Revised Code and is in 457  
compliance with section 109.77 of the Revised Code. 458

(JJ) "State watercraft officer" means a full-time employee of 459  
the department of natural resources who is designated a state 460  
watercraft officer under section 1547.521 of the Revised Code and 461  
is in compliance with section 109.77 of the Revised Code. 462

(KK) "Park district police officer" means a full-time 463  
employee of a park district who is designated pursuant to section 464  
511.232 or 1545.13 of the Revised Code and is in compliance with 465  
section 109.77 of the Revised Code. 466

(LL) "Conservancy district officer" means a full-time 467  
employee of a conservancy district who is designated pursuant to 468  
section 6101.75 of the Revised Code and is in compliance with 469  
section 109.77 of the Revised Code. 470

(MM) "Municipal police officer" means a member of the 471  
organized police department of a municipal corporation who is 472  
employed full time, is in compliance with section 109.77 of the 473  
Revised Code, and is not a member of the Ohio police and fire 474  
pension fund. 475

(NN) "Veterans' home police officer" means any person who is 476  
employed at a veterans' home as a police officer pursuant to 477  
section 5907.02 of the Revised Code and is in compliance with 478  
section 109.77 of the Revised Code. 479

(OO) "Special police officer for a mental health institution" 480  
means any person who is designated as such pursuant to section 481  
5119.14 of the Revised Code and is in compliance with section 482  
109.77 of the Revised Code. 483



(PP) "Special police officer for an institution for the mentally retarded and developmentally disabled" means any person who is designated as such pursuant to section 5123.13 of the Revised Code and is in compliance with section 109.77 of the Revised Code.

(QQ) "State university law enforcement officer" means any person who is employed full time as a state university law enforcement officer pursuant to section 3345.04 of the Revised Code and who is in compliance with section 109.77 of the Revised Code.

(RR) "House sergeant at arms" means any person appointed by the speaker of the house of representatives under division (B)(1) of section 101.311 of the Revised Code who has arrest authority under division (E)(1) of that section.

(SS) "Assistant house sergeant at arms" means any person appointed by the house sergeant at arms under division (C)(1) of section 101.311 of the Revised Code.

(TT) "Regional transit authority police officer" means a person who is employed full time as a regional transit authority police officer under division (Y) of section 306.35 of the Revised Code and is in compliance with section 109.77 of the Revised Code.

(UU) "State highway patrol police officer" means a special police officer employed full time and designated by the superintendent of the state highway patrol pursuant to section 5503.09 of the Revised Code or a person serving full time as a special police officer pursuant to that section on a permanent basis on October 21, 1997, who is in compliance with section 109.77 of the Revised Code.

(VV) "Municipal public safety director" means a person who serves full time as the public safety director of a municipal corporation with the duty of directing the activities of the

municipal corporation's police department and fire department. 515

(WW) Notwithstanding section 2901.01 of the Revised Code, 516  
"PERS law enforcement officer" means a sheriff or any of the 517  
following whose primary duties are to preserve the peace, protect 518  
life and property, and enforce the laws of this state: a deputy 519  
sheriff, township constable or police officer in a township police 520  
department or district, drug agent, department of public safety 521  
enforcement agent, natural resources law enforcement staff 522  
officer, park officer, forest officer, preserve officer, wildlife 523  
officer, state watercraft officer, park district police officer, 524  
conservancy district officer, veterans' home police officer, 525  
special police officer for a mental health institution, special 526  
police officer for an institution for the mentally retarded and 527  
developmentally disabled, state university law enforcement 528  
officer, municipal police officer, house sergeant at arms, 529  
assistant house sergeant at arms, regional transit authority 530  
police officer, or state highway patrol police officer. PERS law 531  
enforcement officer also includes a person serving as a municipal 532  
public safety director at any time during the period from 533  
September 29, 2005, to ~~the effective date of this amendment~~ March 534  
24, 2009, if the duties of that service were to preserve the 535  
peace, protect life and property, and enforce the laws of this 536  
state. 537

(XX) "Hamilton county municipal court bailiff" means a person 538  
appointed by the clerk of courts of the Hamilton county municipal 539  
court under division (A)(3) of section 1901.32 of the Revised Code 540  
who is employed full time as a bailiff or deputy bailiff, who has 541  
received a certificate attesting to the person's satisfactory 542  
completion of the peace officer basic training described in 543  
division (D)(1) of section 109.77 of the Revised Code. 544

(YY) "PERS public safety officer" means a Hamilton county 545  
municipal court bailiff, or any of the following whose primary 546

duties are other than to preserve the peace, protect life and 547  
property, and enforce the laws of this state: a deputy sheriff, 548  
township constable or police officer in a township police 549  
department or district, drug agent, department of public safety 550  
enforcement agent, natural resources law enforcement staff 551  
officer, park officer, forest officer, preserve officer, wildlife 552  
officer, state watercraft officer, park district police officer, 553  
conservancy district officer, veterans' home police officer, 554  
special police officer for a mental health institution, special 555  
police officer for an institution for the mentally retarded and 556  
developmentally disabled, state university law enforcement 557  
officer, municipal police officer, house sergeant at arms, 558  
assistant house sergeant at arms, regional transit authority 559  
police officer, or state highway patrol police officer. PERS 560  
public safety officer also includes a person serving as a 561  
municipal public safety director at any time during the period 562  
from September 29, 2005, to ~~the effective date of this amendment~~ 563  
March 24, 2009, if the duties of that service were other than to 564  
preserve the peace, protect life and property, and enforce the 565  
laws of this state. 566

(ZZ) "Fiduciary" means a person who does any of the 567  
following: 568

(1) Exercises any discretionary authority or control with 569  
respect to the management of the system or with respect to the 570  
management or disposition of its assets; 571

(2) Renders investment advice for a fee, direct or indirect, 572  
with respect to money or property of the system; 573

(3) Has any discretionary authority or responsibility in the 574  
administration of the system. 575

(AAA) "Actuary" means an individual who satisfies all of the 576  
following requirements: 577

(1) Is a member of the American academy of actuaries;	578
(2) Is an associate or fellow of the society of actuaries;	579
(3) Has a minimum of five years' experience in providing actuarial services to public retirement plans.	580 581
(BBB) "PERS defined benefit plan" means the plan described in sections 145.201 to 145.79 of the Revised Code.	582 583
(CCC) "PERS defined contribution plans" means the plan or plans established under section 145.81 of the Revised Code.	584 585
<b>Sec. 145.011.</b> In addition to the membership of the public employees retirement system as prescribed in division (A) of section 145.01 of the Revised Code and notwithstanding Chapter 3309. of the Revised Code, there shall be included in such membership all of the following:	586 587 588 589 590
(A) The nonteaching employees of the Cleveland state university and the <del>northeastern</del> <u>northeast</u> Ohio <del>universities</del> <del>college of medicine</del> <u>medical university</u> ;	591 592 593
(B) Any person who elects to transfer from the school employees retirement system to the public employees retirement system under section 3309.312 of the Revised Code;	594 595 596
(C) Any person who is employed full-time on or after September 16, 1998, pursuant to section 3345.04 of the Revised Code by the university of Akron as a state university law enforcement officer.	597 598 599 600
Such employees are included in the definition of member as used in Chapter 145. of the Revised Code. The universities and colleges shall be subject to the obligations imposed by Chapter 145. of the Revised Code.	601 602 603 604
<b>Sec. 151.04.</b> This section applies to obligations as defined in this section.	605 606

(A) As used in this section:	607
(1) "Costs of capital facilities" include related direct administrative expenses and allocable portions of direct costs of the using institution.	608 609 610
(2) "Obligations" means obligations as defined in section 151.01 of the Revised Code issued to pay costs of capital facilities for state-supported or state-assisted institutions of higher education.	611 612 613 614
(3) "State-supported or state-assisted institutions of higher education" means a state university or college, or community college district, technical college district, university branch district, or state community college, or other institution for education, including technical education, beyond the high school, receiving state support or assistance for its expenses of operation. "State university or college" means each of the state universities identified in section 3345.011 of the Revised Code and the <del>northeastern</del> <u>northeast</u> Ohio <del>universities</del> <del>college of medicine</del> <u>medical university</u> .	615 616 617 618 619 620 621 622 623 624
(4) "Using institution" means the state-supported or state-assisted institution of higher education, or two or more institutions acting jointly, that are the ultimate users of capital facilities for state-supported and state-assisted institutions of higher education financed with net proceeds of obligations.	625 626 627 628 629 630
(B) The issuing authority shall issue obligations to pay costs of capital facilities for state-supported and state-assisted institutions of higher education pursuant to Section 2n of Article VIII, Ohio Constitution, section 151.01 of the Revised Code, and this section.	631 632 633 634 635
(C) Net proceeds of obligations shall be deposited into the higher education improvement fund created by division (F) of	636 637

section 154.21 of the Revised Code. 638

(D) There is hereby created in the state treasury the "higher 639  
education capital facilities bond service fund." All moneys 640  
received by the state and required by the bond proceedings, 641  
consistent with sections 151.01 and 151.04 of the Revised Code, to 642  
be deposited, transferred, or credited to the bond service fund, 643  
and all other moneys transferred or allocated to or received for 644  
the purposes of that fund, shall be deposited and credited to the 645  
bond service fund, subject to any applicable provisions of the 646  
bond proceedings but without necessity for any act of 647  
appropriation. During the period beginning with the date of the 648  
first issuance of obligations and continuing during the time that 649  
any obligations are outstanding in accordance with their terms, so 650  
long as moneys in the bond service fund are insufficient to pay 651  
debt service when due on those obligations payable from that fund 652  
(except the principal amounts of bond anticipation notes payable 653  
from the proceeds of renewal notes or bonds anticipated) and due 654  
in the particular fiscal year, a sufficient amount of revenues of 655  
the state is committed and, without necessity for further act of 656  
appropriation, shall be paid to the bond service fund for the 657  
purpose of paying that debt service when due. 658

**Sec. 154.01.** As used in this chapter: 659

(A) "Commission" means the Ohio public facilities commission 660  
created in section 151.02 of the Revised Code. 661

(B) "Obligations" means bonds, notes, or other evidences of 662  
obligation, including interest coupons pertaining thereto, issued 663  
pursuant to Chapter 154. of the Revised Code. 664

(C) "Bond proceedings" means the order or orders, resolution 665  
or resolutions, trust agreement, indenture, lease, and other 666  
agreements, amendments and supplements to the foregoing, or any 667  
combination thereof, authorizing or providing for the terms and 668

conditions applicable to, or providing for the security of, 669  
obligations issued pursuant to Chapter 154. of the Revised Code, 670  
and the provisions contained in such obligations. 671

(D) "State agencies" means the state of Ohio and officers, 672  
boards, commissions, departments, divisions, or other units or 673  
agencies of the state. 674

(E) "Governmental agency" means state agencies, state 675  
supported and assisted institutions of higher education, municipal 676  
corporations, counties, townships, school districts, and any other 677  
political subdivision or special district in this state 678  
established pursuant to law, and, except where otherwise 679  
indicated, also means the United States or any department, 680  
division, or agency thereof, and any agency, commission, or 681  
authority established pursuant to an interstate compact or 682  
agreement. 683

(F) "Institutions of higher education" and "state supported 684  
or state assisted institutions of higher education" means the 685  
state universities identified in section 3345.011 of the Revised 686  
Code, the ~~northeastern~~ northeast Ohio ~~universities college of~~ 687  
~~medicine~~ medical university, state universities or colleges at any 688  
time created, community college districts, university branch 689  
districts, and technical college districts at any time established 690  
or operating under Chapter 3354., 3355., or 3357. of the Revised 691  
Code, and other institutions for education, including technical 692  
education, beyond the high school, receiving state support or 693  
assistance for their expenses of operation. 694

(G) "Governing body" means: 695

(1) In the case of institutions of higher education, the 696  
board of trustees, board of directors, commission, or other body 697  
vested by law with the general management, conduct, and control of 698  
one or more institutions of higher education; 699

(2) In the case of a county, the board of county commissioners or other legislative body; in the case of a municipal corporation, the council or other legislative body; in the case of a township, the board of township trustees; in the case of a school district, the board of education;

(3) In the case of any other governmental agency, the officer, board, commission, authority or other body having the general management thereof or having jurisdiction or authority in the particular circumstances.

(H) "Person" means any person, firm, partnership, association, or corporation.

(I) "Bond service charges" means principal, including mandatory sinking fund requirements for retirement of obligations, and interest, and redemption premium, if any, required to be paid by the state on obligations. If not prohibited by the applicable bond proceedings, bond service charges may include costs relating to credit enhancement facilities that are related to and represent, or are intended to provide a source of payment of or limitation on, other bond service charges.

(J) "Capital facilities" means buildings, structures, and other improvements, and equipment, real estate, and interests in real estate therefor, within the state, and any one, part of, or combination of the foregoing, to serve the general purposes for which the issuing authority is authorized to issue obligations pursuant to Chapter 154. of the Revised Code, including, but not limited to, drives, roadways, parking facilities, walks, lighting, machinery, furnishings, utilities, landscaping, wharves, docks, piers, reservoirs, dams, tunnels, bridges, retaining walls, riprap, culverts, ditches, channels, watercourses, retention basins, standpipes and water storage facilities, waste treatment and disposal facilities, heating, air conditioning and communications facilities, inns, lodges, cabins, camping sites,



golf courses, boat and bathing facilities, athletic and 732  
recreational facilities, and site improvements. 733

(K) "Costs of capital facilities" means the costs of 734  
acquiring, constructing, reconstructing, rehabilitating, 735  
remodeling, renovating, enlarging, improving, equipping, or 736  
furnishing capital facilities, and the financing thereof, 737  
including the cost of clearance and preparation of the site and of 738  
any land to be used in connection with capital facilities, the 739  
cost of any indemnity and surety bonds and premiums on insurance, 740  
all related direct administrative expenses and allocable portions 741  
of direct costs of the commission or issuing authority and 742  
department of administrative services, or other designees of the 743  
commission under section 154.17 of the Revised Code, cost of 744  
engineering and architectural services, designs, plans, 745  
specifications, surveys, and estimates of cost, legal fees, fees 746  
and expenses of trustees, depositories, and paying agents for the 747  
obligations, cost of issuance of the obligations and financing 748  
charges and fees and expenses of financial advisers and 749  
consultants in connection therewith, interest on obligations from 750  
the date thereof to the time when interest is to be covered from 751  
sources other than proceeds of obligations, amounts necessary to 752  
establish reserves as required by the bond proceedings, costs of 753  
audits, the reimbursement of all moneys advanced or applied by or 754  
borrowed from any governmental agency, whether to or by the 755  
commission or others, from whatever source provided, for the 756  
payment of any item or items of cost of the capital facilities, 757  
any share of the cost undertaken by the commission pursuant to 758  
arrangements made with governmental agencies under division (H) of 759  
section 154.06 of the Revised Code, and all other expenses 760  
necessary or incident to planning or determining feasibility or 761  
practicability with respect to capital facilities, and such other 762  
expenses as may be necessary or incident to the acquisition, 763  
construction, reconstruction, rehabilitation, remodeling, 764

renovation, enlargement, improvement, equipment, and furnishing of 765  
capital facilities, the financing thereof and the placing of the 766  
same in use and operation, including any one, part of, or 767  
combination of such classes of costs and expenses. 768

(L) "Public service facilities" means inns, lodges, hotels, 769  
cabins, camping sites, scenic trails, picnic sites, restaurants, 770  
commissaries, golf courses, boating and bathing facilities and 771  
other similar facilities in state parks. 772

(M) "State parks" means: 773

(1) State reservoirs described and identified in section 774  
1541.06 of the Revised Code; 775

(2) All lands or interests therein of the state identified as 776  
administered by the division of parks and recreation in the 777  
"inventory of state owned lands administered by the department of 778  
natural resources as of June 1, 1963," as recorded in the journal 779  
of the director, which inventory was prepared by the real estate 780  
section of the department and is supported by maps now on file in 781  
said real estate section; 782

(3) All lands or interests in lands of the state designated 783  
after June 1, 1963, as state parks in the journal of the director 784  
with the approval of the recreation and resources council. 785

State parks do not include any lands or interest in lands of 786  
the state administered jointly by two or more divisions of the 787  
department of natural resources. The designation of lands as state 788  
parks under divisions (M)(1) to (3) of this section is conclusive 789  
and such lands shall be under the control of and administered by 790  
the division of parks and recreation. No order or proceeding 791  
designating lands as state parks or park purchase areas is subject 792  
to any appeal or review by any officer, board, commission, or 793  
court. 794

(N) "Bond service fund" means the applicable fund created for 795

and pledged to the payment of bond service charges under section 796  
154.20, 154.21, 154.22, or 154.23 of the Revised Code, including 797  
all moneys and investments, and earnings from investments, 798  
credited and to be credited thereto. 799

(O) "Improvement fund" means the applicable fund created for 800  
the payment of costs of capital facilities under section 154.20, 801  
154.21, 154.22, or 3383.09 of the Revised Code, including all 802  
moneys and investments, and earnings from investments, credited 803  
and to be credited thereto. 804

(P) "Special funds" or "funds" means, except where the 805  
context does not permit, the bond service funds, the improvements 806  
funds, and any other funds for similar or different purposes 807  
created under bond proceedings, including all moneys and 808  
investments, and earnings from investments, credited and to be 809  
credited thereto. 810

(Q) "Year" unless the context indicates a different meaning 811  
or intent, means a calendar year beginning on the first day of 812  
January and ending on the thirty-first day of December. 813

(R) "Fiscal year" means the period of twelve months beginning 814  
on the first day of July and ending on the thirtieth day of June. 815

(S) "Issuing authority" means the treasurer of state or the 816  
officer or employee who by law performs the functions of that 817  
office. 818

(T) "Credit enhancement facilities" has the same meaning as 819  
in section 133.01 of the Revised Code. 820

(U) "Ohio cultural facility" and "Ohio sports facility" have 821  
the same meanings as in section 3383.01 of the Revised Code. 822

**Sec. 185.03.** (A) The patient centered medical home education 823  
advisory group is hereby created for the purpose of implementing 824  
and administering the patient centered medical home pilot project. 825

The advisory group shall develop a set of expected outcomes for 826  
the pilot project. 827

(B) The advisory group shall consist of the following voting 828  
members: 829

(1) One individual with expertise in the training and 830  
education of primary care physicians who is appointed by the dean 831  
of the university of Toledo college of medicine; 832

(2) One individual with expertise in the training and 833  
education of primary care physicians who is appointed by the dean 834  
of the Boonshoft school of medicine at Wright state university; 835

(3) One individual with expertise in the training and 836  
education of primary care physicians who is appointed by the 837  
president and dean of the ~~northeastern~~ northeast Ohio ~~universities~~ 838  
~~colleges of medicine and pharmacy~~ medical university; 839

(4) One individual with expertise in the training and 840  
education of primary care physicians who is appointed by the dean 841  
of the Ohio university college of osteopathic medicine; 842

(5) Two individuals appointed by the governing board of the 843  
Ohio academy of family physicians; 844

(6) One individual appointed by the governing board of the 845  
Ohio chapter of the American college of physicians; 846

(7) One individual appointed by the governing board of the 847  
American academy of pediatrics; 848

(8) One individual appointed by the governing board of the 849  
Ohio osteopathic association; 850

(9) One individual with expertise in the training and 851  
education of advanced practice nurses who is appointed by the 852  
governing board of the Ohio council of deans and directors of 853  
baccalaureate and higher degree programs in nursing; 854

(10) One individual appointed by the governing board of the 855

Ohio nurses association;	856
(11) One individual appointed by the governing board of the Ohio association of advanced practice nurses;	857 858
(12) A member of the health care coverage and quality council, other than the advisory group member specified in division (C)(2) of this section, appointed by the superintendent of insurance.	859 860 861 862
(C) The advisory group shall consist of the following nonvoting, ex officio members:	863 864
(1) The executive director of the state medical board, or the director's designee;	865 866
(2) The executive director of the board of nursing or the director's designee;	867 868
(3) The chancellor of the Ohio board of regents, or the chancellor's designee;	869 870
(4) The individual within the department of job and family services who serves as the director of medicaid, or the director's designee;	871 872 873
(5) The director of health or the director's designee.	874
(D) Advisory group members who are appointed shall serve at the pleasure of their appointing authorities. Terms of office of appointed members shall be three years, except that a member's term ends if the pilot project ceases operation during the member's term.	875 876 877 878 879
Vacancies shall be filled in the manner provided for original appointments.	880 881
Members shall serve without compensation, except to the extent that serving on the advisory group is considered part of their regular employment duties.	882 883 884

(E) The advisory group shall select from among its members a chairperson and vice-chairperson. The advisory group may select any other officers it considers necessary to conduct its business.

A majority of the members of the advisory group constitutes a quorum for the transaction of official business. A majority of a quorum is necessary for the advisory group to take any action, except that when one or more members of a quorum are required to abstain from voting as provided in division (C)(1)(d) or (C)(2)(c) of section 185.05 of the Revised Code, the number of members necessary for a majority of a quorum shall be reduced accordingly.

The advisory group shall meet as necessary to fulfill its duties. The times and places for the meetings shall be selected by the chairperson.

(F) Sections 101.82 to 101.87 of the Revised Code do not apply to the advisory group.

**Sec. 185.05.** (A) The patient centered medical home education advisory group shall accept applications for inclusion in the patient centered medical home education pilot project from primary care practices with educational affiliations, as determined by the advisory group, with one or more of the following:

(1) The Boonshoft school of medicine at Wright state university;

(2) The university of Toledo college of medicine;

(3) The ~~northeastern~~ northeast Ohio ~~universities colleges of medicine and pharmacy~~ medical university;

(4) The Ohio university college of osteopathic medicine;

(5) The college of nursing at the university of Toledo;

(6) The Wright state university college of nursing and health;

(7) The college of nursing at Kent state university;	914
(8) The university of Akron college of nursing;	915
(9) The school of nursing at Ohio university.	916
(B)(1) Subject to division (C)(1) of this section, the	917
advisory group shall select for inclusion in the pilot project not	918
more than the following number of physician practices:	919
(a) Ten practices affiliated with the Boonshoft school of	920
medicine at Wright state university;	921
(b) Ten practices affiliated with the university of Toledo	922
college of medicine;	923
(c) Ten practices affiliated with the <del>northeastern</del> <u>northeast</u>	924
Ohio <del>universities colleges of medicine and pharmacy</del> <u>medical</u>	925
<u>university</u> ;	926
(d) Ten practices affiliated with the centers for osteopathic	927
research and education of the Ohio university college of	928
osteopathic medicine.	929
(2) Subject to division (C)(2) of this section, the advisory	930
group shall select for inclusion in the pilot project not less	931
than the following number of advanced practice nurse primary care	932
practices:	933
(a) One practice affiliated with the college of nursing at	934
the university of Toledo;	935
(b) One practice affiliated with the Wright state university	936
college of nursing and health;	937
(c) One practice affiliated with the college of nursing at	938
Kent state university or the university of Akron college of	939
nursing;	940
(d) One practice affiliated with the school of nursing at	941
Ohio university.	942

(C)(1) All of the following apply with respect to the 943  
selection of physician practices under division (B) of this 944  
section: 945

(a) The advisory group shall strive to select physician 946  
practices in such a manner that the pilot project includes a 947  
diverse range of primary care specialties, including practices 948  
specializing in pediatrics, geriatrics, general internal medicine, 949  
or family medicine. 950

(b) When evaluating an application, the advisory group shall 951  
consider the percentage of patients in the physician practice who 952  
are part of a medically underserved population, including medicaid 953  
recipients and individuals without health insurance. 954

(c) The advisory group shall select not fewer than six 955  
practices that serve rural areas of this state, as those areas are 956  
determined by the advisory group. 957

(d) A member of the advisory group shall abstain from 958  
participating in any vote taken regarding the selection of a 959  
physician practice if the member would receive any financial 960  
benefit from having the practice included in the pilot project. 961

(2) All of the following apply with respect to the selection 962  
of advanced practice nurse primary care practices under division 963  
(B) of this section: 964

(a) When evaluating an application, the advisory group shall 965  
consider the percentage of patients in the advanced practice nurse 966  
primary care practice who are part of a medically underserved 967  
population, including medicaid recipients and individuals without 968  
health insurance. 969

(b) If the advisory group determines that it has not received 970  
an application from a sufficiently qualified advanced practice 971  
nurse primary care practice affiliated with a particular 972  
institution specified in division (B)(2) of this section, the 973



advisory group shall make the selections required under that 974  
division in such a manner that the greatest possible number of 975  
those institutions are represented in the pilot project. To be 976  
selected in this manner, a practice remains subject to the 977  
eligibility requirements specified in division (B) of section 978  
185.06 of the Revised Code. As specified in division (B)(2) of 979  
this section, the number of practices selected for inclusion in 980  
the pilot project shall be at least four. 981

(c) A member of the advisory group shall abstain from 982  
participating in any vote taken regarding the selection of an 983  
advanced practice nurse primary care practice if the member would 984  
receive any financial benefit from having the practice included in 985  
the pilot project. 986

**Sec. 3304.30.** Every person in charge of governmental property 987  
to be substantially renovated or who is responsible for the 988  
acquisition, lease, or rental of such property shall consult with 989  
the director of the bureau of services for the visually impaired 990  
prior to such renovation, acquisition, lease, or rental to 991  
determine if sufficient numbers of persons will be using such 992  
property to support a suitable vending facility. If the director 993  
determines that such property would be a satisfactory site for a 994  
suitable vending facility, provision shall be made for electrical 995  
outlets, plumbing fixtures, and other requirements for the 996  
installation and operation of a suitable vending facility. In the 997  
case of a state university, ~~college of medicine~~ medical 998  
university, technical college, state community college, community 999  
college, university branch district, or state-affiliated college 1000  
or university, the decision to establish a suitable vending 1001  
facility shall be made jointly by the director of services for the 1002  
visually impaired and proper administrative authorities of the 1003  
state or state-affiliated college or university. 1004

The bureau shall provide each suitable vending facility with 1005  
equipment and an adequate initial stock of suitable articles to be 1006  
vended. An inventory shall be made of each suitable vending 1007  
facility at least once every six months. Each blind licensee may 1008  
make ~~his~~ the blind licensee's own inventory on forms prescribed by 1009  
the bureau, provided that the bureau shall retain the right to 1010  
make its own inventory at any mutually agreeable time. Each blind 1011  
licensee may employ and discharge personnel required to operate 1012  
~~his~~ the blind licensee's vending facility, but employment 1013  
preference shall be given to blind persons capable of discharging 1014  
the required duties, and at all times at least one-half of the 1015  
employees shall be blind. 1016

**Sec. 3305.01.** As used in this chapter: 1017

(A) "Public institution of higher education" means a state 1018  
university as defined in section 3345.011 of the Revised Code, the 1019  
~~northeastern northeast Ohio universities college of medicine~~ 1020  
medical university, or a university branch, technical college, 1021  
state community college, community college, or municipal 1022  
university established or operating under Chapter 3345., 3349., 1023  
3354., 3355., 3357., or 3358. of the Revised Code. 1024

(B) "State retirement system" means the public employees 1025  
retirement system created under Chapter 145. of the Revised Code, 1026  
the state teachers retirement system created under Chapter 3307. 1027  
of the Revised Code, or the school employees retirement system 1028  
created under Chapter 3309. of the Revised Code. 1029

(C) "Eligible employee" means any person employed as a 1030  
full-time employee of a public institution of higher education. 1031

In all cases of doubt, the board of trustees of the public 1032  
institution of higher education shall determine whether any person 1033  
is an eligible employee for purposes of this chapter, and the 1034  
board's decision shall be final. 1035

(D) "Electing employee" means any eligible employee who 1036  
elects, pursuant to section 3305.05 or 3305.051 of the Revised 1037  
Code, to participate in an alternative retirement plan provided 1038  
pursuant to this chapter or an eligible employee who is required 1039  
to participate in an alternative retirement plan pursuant to 1040  
division (C)(4) of section 3305.05 or division (F) of section 1041  
3305.051 of the Revised Code. 1042

(E) "Compensation," for purposes of an electing employee, has 1043  
the same meaning as the applicable one of the following: 1044

(1) If the electing employee would be subject to Chapter 145. 1045  
of the Revised Code had the employee not made an election pursuant 1046  
to section 3305.05 or 3305.051 of the Revised Code, "earnable 1047  
salary" as defined in division (R) of section 145.01 of the 1048  
Revised Code; 1049

(2) If the electing employee would be subject to Chapter 1050  
3307. of the Revised Code had the employee not made an election 1051  
pursuant to section 3305.05 or 3305.051 of the Revised Code, 1052  
"compensation" as defined in division (L) of section 3307.01 of 1053  
the Revised Code; 1054

(3) If the electing employee would be subject to Chapter 1055  
3309. of the Revised Code had the employee not made an election 1056  
pursuant to section 3305.05 or 3305.051 of the Revised Code, 1057  
"compensation" as defined in division (V) of section 3309.01 of 1058  
the Revised Code. 1059

(F) "Provider" means an entity designated under section 1060  
3305.03 of the Revised Code as a provider of investment options 1061  
for an alternative retirement plan. 1062

**Sec. 3333.045.** As used in this section, "state university or 1063  
college" means any state university listed in section 3345.011 of 1064  
the Revised Code, the ~~northeastern~~ northeast Ohio ~~universities~~ 1065

~~college of medicine~~ medical university, any community college 1066  
under Chapter 3354. of the Revised Code, any university branch 1067  
district under Chapter 3355. of the Revised Code, any technical 1068  
college under Chapter 3357. of the Revised Code, and any state 1069  
community college under Chapter 3358. of the Revised Code. 1070

The chancellor of the Ohio board of regents shall work with 1071  
the attorney general, the auditor of state, and the Ohio ethics 1072  
commission to develop a model for training members of the boards 1073  
of trustees of all state universities and colleges and members of 1074  
the board of regents regarding the authority and responsibilities 1075  
of a board of trustees or the board of regents. This model shall 1076  
include a review of fiduciary responsibilities, ethics, and fiscal 1077  
management. Use of this model by members of boards of trustees and 1078  
the board of regents shall be voluntary. 1079

**Sec. 3333.11.** Each school or college of medicine or medical 1080  
university supported in whole or in part by the state shall create 1081  
a curriculum for and maintain a department of family practice, the 1082  
purpose of which shall be to acquaint undergraduates with and to 1083  
train postgraduate physicians for the practice of family medicine. 1084  
The minimum requirements for the department shall include courses 1085  
of study in family care, including clinical experience, a program 1086  
of preceptorships, and a program of family practice residencies in 1087  
university or other hospital settings. 1088

Each program of family practice shall: 1089

(A) Be designated to advance the field of family practice; 1090

(B) Educate all medical students in family practice and 1091  
encourage students to enter it as a career; 1092

(C) Provide students an opportunity to study family practice 1093  
in various situations through preceptorships, seminars, model 1094  
family practice units within the medical school, classroom work, 1095

hospital programs, or other means; 1096

(D) Develop residency and other training programs for family 1097  
practice in public and private hospitals, including those in 1098  
nonmetropolitan areas of the state; 1099

(E) The department shall be a full department co-equal with 1100  
all other major clinical departments and headed by a qualified 1101  
experienced family practitioner serving as chairperson of the 1102  
department of family practice and director of the family practice 1103  
residency program. 1104

Funds appropriated by the general assembly in support of 1105  
family practice programs shall not be disbursed until the 1106  
chancellor of the Ohio board of regents has certified that the 1107  
intent and requirements of this section are being met. 1108

**Sec. 3333.111.** Each school or college of medicine or medical 1109  
university supported in whole or in part by the state shall create 1110  
an office of geriatric medicine within a department to be 1111  
designated by the dean of the school or college of medicine or 1112  
medical university, or, in lieu thereof, may establish a separate 1113  
department of geriatric medicine. The dean of the school or 1114  
college of medicine or medical university shall designate a member 1115  
of the medical school ~~or medical~~, college, or university faculty 1116  
to establish the office or department, which shall be responsible 1117  
for incorporating subject matter relating to geriatric medicine 1118  
into existing courses, arranging courses which relate to geriatric 1119  
medicine in sequence, and establishing courses in geriatric 1120  
medicine wherever appropriate, subject to approval of the dean ~~of~~ 1121  
~~the school or college of medicine~~. In addition, the office or 1122  
department of geriatric medicine shall provide clinical and 1123  
research experience where it is considered to be necessary and 1124  
appropriate. 1125

**Sec. 3333.611.** (A) All of the following individuals shall 1126  
jointly develop a proposal for the creation of a primary care 1127  
medical student component of the choose Ohio first scholarship 1128  
program operated under section 3333.61 of the Revised Code under 1129  
which scholarships are annually made available and awarded to 1130  
medical students who meet the requirements specified in division 1131  
(D) of this section: 1132

(1) The dean of the Ohio state university school of medicine; 1133

(2) The dean of the Case western reserve university school of 1134  
medicine; 1135

(3) The dean of the university of Toledo college of medicine; 1136

(4) The president and dean of the ~~northeastern~~ northeast Ohio 1137  
~~universities colleges of medicine and pharmacy~~ medical university; 1138

(5) The dean of the university of Cincinnati college of 1139  
medicine; 1140

(6) The dean of the Boonshoft school of medicine at Wright 1141  
state university; 1142

(7) The dean of the Ohio university college of osteopathic 1143  
medicine. 1144

(B) The individuals specified in division (A) of this section 1145  
shall consider including the following provisions in the proposal: 1146

(1) Establishing a scholarship of sufficient size to permit 1147  
annually not more than fifty medical students to receive 1148  
scholarships; 1149

(2) Specifying that a scholarship, once granted, may be 1150  
provided to a medical student for not more than four years. 1151

(C) The individuals specified in division (A) of this section 1152  
shall submit the proposal for the component to the chancellor of 1153  
the Ohio board of regents not later than ~~six months after the~~ 1154

~~effective date of this section~~ March 6, 2011. The chancellor shall 1155  
review the proposal and determine whether to implement the 1156  
component as part of the program. 1157

(D) To be eligible for a scholarship made available under the 1158  
component, a medical student shall meet all of the following 1159  
requirements: 1160

(1) Participate in identified patient centered medical home 1161  
model training opportunities during medical school; 1162

(2) Commit to a post-residency primary care practice in this 1163  
state for not less than three years; 1164

(3) Accept medicaid recipients as patients, without 1165  
restriction and, as compared to other patients, in a proportion 1166  
that is specified in the scholarship. 1167

**Sec. 3334.01.** As used in this chapter: 1168

(A) "Aggregate original principal amount" means the aggregate 1169  
of the initial offering prices to the public of college savings 1170  
bonds, exclusive of accrued interest, if any. "Aggregate original 1171  
principal amount" does not mean the aggregate accreted amount 1172  
payable at maturity or redemption of such bonds. 1173

(B) "Beneficiary" means: 1174

(1) An individual designated by the purchaser under a tuition 1175  
payment contract or through a scholarship program as the 1176  
individual on whose behalf tuition units purchased under the 1177  
contract or awarded through the scholarship program will be 1178  
applied toward the payment of undergraduate, graduate, or 1179  
professional tuition; or 1180

(2) An individual designated by the contributor under a 1181  
variable college savings program contract as the individual whose 1182  
tuition and other higher education expenses will be paid from a 1183  
variable college savings program account. 1184

(C) "Capital appreciation bond" means a bond for which the following is true:

(1) The principal amount is less than the amount payable at maturity or early redemption; and

(2) No interest is payable on a current basis.

(D) "Tuition unit" means a credit of the Ohio tuition trust authority purchased under section 3334.09 of the Revised Code. "Tuition unit" includes a tuition credit purchased prior to July 1, 1994.

(E) "College savings bonds" means revenue and other obligations issued on behalf of the state or any agency or issuing authority thereof as a zero-coupon or capital appreciation bond, and designated as college savings bonds as provided in this chapter. "College savings bond issue" means any issue of bonds of which any part has been designated as college savings bonds.

(F) "Institution of higher education" means a state institution of higher education, a private college, university, or other postsecondary institution located in this state that possesses a certificate of authorization issued ~~by the Ohio board of regents~~ pursuant to Chapter 1713. of the Revised Code or a certificate of registration issued by the state board of career colleges and schools under Chapter 3332. of the Revised Code, or an accredited college, university, or other postsecondary institution located outside this state that is accredited by an accrediting organization or professional association recognized by the authority. To be considered an institution of higher education, an institution shall meet the definition of an eligible educational institution under section 529 of the Internal Revenue Code.

(G) "Issuing authority" means any authority, commission, body, agency, or individual empowered by the Ohio Constitution or



the Revised Code to issue bonds or any other debt obligation of 1216  
the state or any agency or department thereof. "Issuer" means the 1217  
issuing authority or, if so designated under division (B) of 1218  
section 3334.04 of the Revised Code, the treasurer of state. 1219

(H) "Tuition" means the charges imposed to attend an 1220  
institution of higher education as an undergraduate, graduate, or 1221  
professional student and all fees required as a condition of 1222  
enrollment, as determined by the Ohio tuition trust authority. 1223  
"Tuition" does not include laboratory fees, room and board, or 1224  
other similar fees and charges. 1225

(I) "Weighted average tuition" means the tuition cost 1226  
resulting from the following calculation: 1227

(1) Add the products of the annual undergraduate tuition 1228  
charged to Ohio residents at each four-year state university 1229  
multiplied by that institution's total number of undergraduate 1230  
fiscal year equated students; and 1231

(2) Divide the gross total of the products from division 1232  
(I)(1) of this section by the total number of undergraduate fiscal 1233  
year equated students attending four-year state universities. 1234

When making this calculation, the "annual undergraduate 1235  
tuition charged to Ohio residents" shall not incorporate any 1236  
tuition reductions that vary in amount among individual recipients 1237  
and that are awarded to Ohio residents based upon their particular 1238  
circumstances, beyond any minimum amount awarded uniformly to all 1239  
Ohio residents. In addition, any tuition reductions awarded 1240  
uniformly to all Ohio residents shall be incorporated into this 1241  
calculation. 1242

(J) "Zero-coupon bond" means a bond which has a stated 1243  
interest rate of zero per cent and on which no interest is payable 1244  
until the maturity or early redemption of the bond, and is offered 1245  
at a substantial discount from its original stated principal 1246

amount.	1247
(K) "State institution of higher education" includes the	1248
state universities listed in section 3345.011 of the Revised Code,	1249
community colleges created pursuant to Chapter 3354. of the	1250
Revised Code, university branches created pursuant to Chapter	1251
3355. of the Revised Code, technical colleges created pursuant to	1252
Chapter 3357. of the Revised Code, state community colleges	1253
created pursuant to Chapter 3358. of the Revised Code, and the	1254
<del>northeastern northeast Ohio universities college of medicine</del>	1255
<u>medical university.</u>	1256
(L) "Four-year state university" means those state	1257
universities listed in section 3345.011 of the Revised Code.	1258
(M) "Principal amount" refers to the initial offering price	1259
to the public of an obligation, exclusive of the accrued interest,	1260
if any. "Principal amount" does not refer to the aggregate	1261
accrued amount payable at maturity or redemption of an	1262
obligation.	1263
(N) "Scholarship program" means a program registered with the	1264
Ohio tuition trust authority pursuant to section 3334.17 of the	1265
Revised Code.	1266
(O) "Internal Revenue Code" means the "Internal Revenue Code	1267
of 1986," 100 Stat. 2085, 26 U.S.C.A. 1 et seq., as amended.	1268
(P) "Other higher education expenses" means room and board	1269
and books, supplies, equipment, and nontuition-related fees	1270
associated with the cost of attendance of a beneficiary at an	1271
institution of higher education, but only to the extent that such	1272
expenses meet the definition of "qualified higher education	1273
expenses" under section 529 of the Internal Revenue Code. "Other	1274
higher education expenses" does not include tuition as defined in	1275
division (H) of this section.	1276
(Q) "Purchaser" means the person signing the tuition payment	1277

contract, who controls the account and acquires tuition units for 1278  
an account under the terms and conditions of the contract. 1279

(R) "Contributor" means a person who signs a variable college 1280  
savings program contract with the Ohio tuition trust authority and 1281  
contributes to and owns the account created under the contract. 1282

(S) "Contribution" means any payment directly allocated to an 1283  
account for the benefit of the designated beneficiary of the 1284  
account. 1285

**Sec. 3345.04.** (A) As used in this section, "felony" has the 1286  
same meaning as in section 109.511 of the Revised Code. 1287

(B) Subject to division (C) of this section, the board of 1288  
trustees of a state university, the board of trustees of the 1289  
~~northeastern~~ northeast Ohio ~~universities college of medicine~~ 1290  
medical university, the board of trustees of a state community 1291  
college, and the board of trustees of a technical college or 1292  
community college district operating a technical or a community 1293  
college may designate one or more employees of the institution, as 1294  
a state university law enforcement officer, in accordance with 1295  
section 109.77 of the Revised Code, and, as state university law 1296  
enforcement officers, those employees shall take an oath of 1297  
office, wear the badge of office, serve as peace officers for the 1298  
college or university, and give bond to the state for the proper 1299  
and faithful discharge of their duties in the amount that the 1300  
board of trustees requires. 1301

(C)(1) The board of trustees of an institution listed in 1302  
division (B) of this section shall not designate an employee of 1303  
the institution as a state university law enforcement officer 1304  
pursuant to that division on a permanent basis, on a temporary 1305  
basis, for a probationary term, or on other than a permanent basis 1306  
if the employee previously has been convicted of or has pleaded 1307  
guilty to a felony. 1308

(2)(a) The board of trustees shall terminate the employment 1309  
as a state university law enforcement officer of an employee 1310  
designated as a state university law enforcement officer under 1311  
division (B) of this section if that employee does either of the 1312  
following: 1313

(i) Pleads guilty to a felony; 1314

(ii) Pleads guilty to a misdemeanor pursuant to a negotiated 1315  
plea agreement as provided in division (D) of section 2929.43 of 1316  
the Revised Code in which the employee agrees to surrender the 1317  
certificate awarded to the employee under section 109.77 of the 1318  
Revised Code. 1319

(b) The board of trustees shall suspend from employment as a 1320  
state university law enforcement officer an employee designated as 1321  
a state university law enforcement officer under division (B) of 1322  
this section if that employee is convicted, after trial, of a 1323  
felony. If the state university law enforcement officer files an 1324  
appeal from that conviction and the conviction is upheld by the 1325  
highest court to which the appeal is taken or if the state 1326  
university law enforcement officer does not file a timely appeal, 1327  
the board of trustees shall terminate the employment of that state 1328  
university law enforcement officer. If the state university law 1329  
enforcement officer files an appeal that results in that officer's 1330  
acquittal of the felony or conviction of a misdemeanor, or in the 1331  
dismissal of the felony charge against that officer, the board of 1332  
trustees shall reinstate that state university law enforcement 1333  
officer. A state university law enforcement officer who is 1334  
reinstated under division (C)(2)(b) of this section shall not 1335  
receive any back pay unless that officer's conviction of the 1336  
felony was reversed on appeal, or the felony charge was dismissed, 1337  
because the court found insufficient evidence to convict the 1338  
officer of the felony. 1339

(3) Division (C) of this section does not apply regarding an 1340

offense that was committed prior to January 1, 1997. 1341

(4) The suspension from employment, or the termination of the 1342  
employment, of a state university law enforcement officer under 1343  
division (C)(2) of this section shall be in accordance with 1344  
Chapter 119. of the Revised Code. 1345

**Sec. 3345.12.** (A) As used in this section and sections 1346  
3345.07 and 3345.11 of the Revised Code, in other sections of the 1347  
Revised Code that make reference to this section unless the 1348  
context does not permit, and in related bond proceedings unless 1349  
otherwise expressly provided: 1350

(1) "State university or college" means each of the state 1351  
universities identified in section 3345.011 of the Revised Code 1352  
and the ~~northeastern~~ northeast Ohio ~~universities~~ ~~college of~~ 1353  
~~medicine~~ medical university, and includes its board of trustees. 1354

(2) "Institution of higher education" or "institution" means 1355  
a state university or college, or a community college district, 1356  
technical college district, university branch district, or state 1357  
community college, and includes the applicable board of trustees 1358  
or, in the case of a university branch district, any other 1359  
managing authority. 1360

(3) "Housing and dining facilities" means buildings, 1361  
structures, and other improvements, and equipment, real estate, 1362  
and interests in real estate therefor, to be used for or in 1363  
connection with dormitories or other living quarters and 1364  
accommodations, or related dining halls or other food service and 1365  
preparation facilities, for students, members of the faculty, 1366  
officers, or employees of the institution of higher education, and 1367  
their spouses and families. 1368

(4) "Auxiliary facilities" means buildings, structures, and 1369  
other improvements, and equipment, real estate, and interests in 1370

real estate therefor, to be used for or in connection with student 1371  
activity or student service facilities, housing and dining 1372  
facilities, dining halls, and other food service and preparation 1373  
facilities, vehicular parking facilities, bookstores, athletic and 1374  
recreational facilities, faculty centers, auditoriums, assembly 1375  
and exhibition halls, hospitals, infirmaries and other medical and 1376  
health facilities, research, and continuing education facilities. 1377

(5) "Education facilities" means buildings, structures, and 1378  
other improvements, and equipment, real estate, and interests in 1379  
real estate therefor, to be used for or in connection with, 1380  
classrooms or other instructional facilities, libraries, 1381  
administrative and office facilities, and other facilities, other 1382  
than auxiliary facilities, to be used directly or indirectly for 1383  
or in connection with the conduct of the institution of higher 1384  
education. 1385

(6) "Facilities" means housing and dining facilities, 1386  
auxiliary facilities, or education facilities, and includes any 1387  
one, part of, or any combination of such facilities, and further 1388  
includes site improvements, utilities, machinery, furnishings, and 1389  
any separate or connected buildings, structures, improvements, 1390  
sites, open space and green space areas, utilities or equipment to 1391  
be used in, or in connection with the operation or maintenance of, 1392  
or supplementing or otherwise related to the services or 1393  
facilities to be provided by, such facilities. 1394

(7) "Obligations" means bonds or notes or other evidences of 1395  
obligation, including interest coupons pertaining thereto, 1396  
authorized to be issued under this section or section 3345.07, 1397  
3345.11, 3354.121, 3355.091, 3357.112, or 3358.10 of the Revised 1398  
Code. 1399

(8) "Bond service charges" means principal, including any 1400  
mandatory sinking fund or redemption requirements for the 1401  
retirement of obligations or assurances, interest, or interest 1402

equivalent and other accreted amounts, and any call premium 1403  
required to be paid on obligations or assurances. 1404

(9) "Bond proceedings" means the resolutions, trust 1405  
agreement, indenture, and other agreements and credit enhancement 1406  
facilities, and amendments and supplements to the foregoing, or 1407  
any one or more or combination thereof, authorizing, awarding, or 1408  
providing for the terms and conditions applicable to, or providing 1409  
for the security or liquidity of, obligations or assurances, and 1410  
the provisions contained in those obligations or assurances. 1411

(10) "Costs of facilities" means the costs of acquiring, 1412  
constructing, reconstructing, rehabilitating, remodeling, 1413  
renovating, enlarging, improving, equipping, or furnishing 1414  
facilities, and the financing thereof, including the cost of 1415  
clearance and preparation of the site and of any land to be used 1416  
in connection with facilities, the cost of any indemnity and 1417  
surety bonds and premiums on insurance, all related direct 1418  
administrative expenses and allocable portions of direct costs of 1419  
the institution of higher education or state agency, cost of 1420  
engineering, architectural services, design, plans, specifications 1421  
and surveys, estimates of cost, legal fees, fees and expenses of 1422  
trustees, depositories, bond registrars, and paying agents for the 1423  
obligations, cost of issuance of the obligations and financing 1424  
costs and fees and expenses of financial advisers and consultants 1425  
in connection therewith, interest on the obligations from the date 1426  
thereof to the time when interest is to be covered by available 1427  
receipts or other sources other than proceeds of the obligations, 1428  
amounts necessary to establish reserves as required by the bond 1429  
proceedings, costs of audits, the reimbursements of all moneys 1430  
advanced or applied by or borrowed from the institution or others, 1431  
from whatever source provided, including any temporary advances 1432  
from state appropriations, for the payment of any item or items of 1433  
cost of facilities, and all other expenses necessary or incident 1434

to planning or determining feasibility or practicability with 1435  
respect to facilities, and such other expenses as may be necessary 1436  
or incident to the acquisition, construction, reconstruction, 1437  
rehabilitation, remodeling, renovation, enlargement, improvement, 1438  
equipment, and furnishing of facilities, the financing thereof and 1439  
the placing of them in use and operation, including any one, part 1440  
of, or combination of such classes of costs and expenses. 1441

(11) "Available receipts" means all moneys received by the 1442  
institution of higher education, including income, revenues, and 1443  
receipts from the operation, ownership, or control of facilities 1444  
or entrepreneurial projects, grants, gifts, donations, and pledges 1445  
and receipts therefrom, receipts from fees and charges, and the 1446  
proceeds of the sale of obligations or assurances, including 1447  
proceeds of obligations or assurances issued to refund obligations 1448  
or assurances previously issued, but excluding any special fee, 1449  
and receipts therefrom, charged pursuant to division (D) of 1450  
section 154.21 of the Revised Code. 1451

(12) "Credit enhancement facilities" has the meaning given in 1452  
division (H) of section 133.01 of the Revised Code. 1453

(13) "Financing costs" has the meaning given in division (K) 1454  
of section 133.01 of the Revised Code. 1455

(14) "Interest" or "interest equivalent" has the meaning 1456  
given in division (R) of section 133.01 of the Revised Code. 1457

(15) "Assurances" means bonds, notes, or other evidence of 1458  
indebtedness, including interest coupons pertaining thereto, 1459  
authorized to be issued under section 3345.36 of the Revised Code. 1460

(16) "Entrepreneurial project" has the same meaning as in 1461  
section 3345.36 of the Revised Code. 1462

(17) "Costs of entrepreneurial projects" means any costs 1463  
related to the establishment or development of entrepreneurial 1464  
projects pursuant to a resolution adopted under section 3345.36 of 1465



the Revised Code. 1466

(B) Obligations issued under section 3345.07 or 3345.11 of 1467  
the Revised Code by a state university or college shall be 1468  
authorized by resolution of its board of trustees. Obligations 1469  
issued by any other institution of higher education shall be 1470  
authorized by resolution of its board of trustees, or managing 1471  
directors in the case of certain university branch districts, as 1472  
applicable. Sections 9.96 and 9.98 to 9.983 of the Revised Code 1473  
apply to obligations and assurances. Obligations and assurances 1474  
may be issued to pay costs of facilities or entrepreneurial 1475  
projects even if the institution anticipates the possibility of a 1476  
future state appropriation to pay all or a portion of such costs. 1477

(C) Obligations and assurances shall be secured by a pledge 1478  
of and lien on all or such part of the available receipts of the 1479  
institution of higher education as it provides for in the bond 1480  
proceedings, excluding moneys raised by taxation and state 1481  
appropriations except as permitted by section 3333.90 of the 1482  
Revised Code. Such pledge and lien may be made prior to all other 1483  
expenses, claims, or payments, excepting any pledge of such 1484  
available receipts previously made to the contrary and except as 1485  
provided by any existing restrictions on the use thereof, or such 1486  
pledge and lien may be made subordinate to such other expenses, 1487  
claims, or payments, as provided in the bond proceedings. 1488  
Obligations or assurances may be additionally secured by covenants 1489  
of the institution to make, fix, adjust, collect, and apply such 1490  
charges, rates, fees, rentals, and other items of available 1491  
receipts as will produce pledged available receipts sufficient to 1492  
meet bond service charges, reserve, and other requirements 1493  
provided for in the bond proceedings. Notwithstanding this and any 1494  
other sections of the Revised Code, the holders or owners of the 1495  
obligations or assurances shall not be given the right and shall 1496  
have no right to have excises or taxes levied by the general 1497

assembly for the payment of bond service charges thereon, and each 1498  
such obligation or assurance shall bear on its face a statement to 1499  
that effect and to the effect that the right to such payment is 1500  
limited to the available receipts and special funds pledged to 1501  
such purpose under the bond proceedings. 1502

All pledged available receipts and funds and the proceeds of 1503  
obligations or assurances are trust funds and, subject to the 1504  
provisions of this section and the applicable bond proceedings, 1505  
shall be held, deposited, invested, reinvested, disbursed, 1506  
applied, and used to such extent, in such manner, at such times, 1507  
and for such purposes, as are provided in the bond proceedings. 1508

(D) The bond proceedings for obligations or assurances shall 1509  
provide for the purpose thereof and the principal amount or 1510  
maximum principal amount, and provide for or authorize the manner 1511  
of determining the principal maturity or maturities, the sale 1512  
price including any permitted discount, the interest rate or 1513  
rates, which may be a variable rate or rates, or the maximum 1514  
interest rate, the date of the obligations or assurances and the 1515  
date or dates of payment of interest thereon, their denominations, 1516  
the manner of sale thereof, and the establishment within or 1517  
without the state of a place or places of payment of bond service 1518  
charges. The bond proceedings also shall provide for a pledge of 1519  
and lien on available receipts of the institution of higher 1520  
education as provided in division (C) of this section, and a 1521  
pledge of and lien on such fund or funds provided in the bond 1522  
proceedings arising from available receipts, which pledges and 1523  
liens may provide for parity with obligations or assurances 1524  
theretofore or thereafter issued by the institution. The available 1525  
receipts so pledged and thereafter received by the institution and 1526  
the funds so pledged are immediately subject to the lien of such 1527  
pledge without any physical delivery thereof or further act, and 1528  
the lien of any such pledge is valid and binding against all 1529

parties having claims of any kind against the institution, 1530  
irrespective of whether such parties have notice thereof, and 1531  
shall create a perfected security interest for all purposes of 1532  
Chapter 1309. of the Revised Code, without the necessity for 1533  
separation or delivery of funds or for the filing or recording of 1534  
the bond proceedings by which such pledge is created or any 1535  
certificate, statement, or other document with respect thereto; 1536  
and the pledge of such available receipts and funds shall be 1537  
effective and the money therefrom and thereof may be applied to 1538  
the purposes for which pledged without necessity for any act of 1539  
appropriation. 1540

(E) The bond proceedings may contain additional provisions 1541  
customary or appropriate to the financing or to the obligations or 1542  
assurances or to particular obligations and assurances, including: 1543

(1) The acquisition, construction, reconstruction, equipment, 1544  
furnishing, improvement, operation, alteration, enlargement, 1545  
maintenance, insurance, and repair of facilities or 1546  
entrepreneurial projects, and the duties of the institution of 1547  
higher education with reference thereto; 1548

(2) The terms of the obligations or assurances, including 1549  
provisions for their redemption prior to maturity at the option of 1550  
the institution of higher education at such price or prices and 1551  
under such terms and conditions as are provided in the bond 1552  
proceedings; 1553

(3) Limitations on the purposes to which the proceeds of the 1554  
obligations or assurances may be applied; 1555

(4) The rates or rentals or other charges for the use of or 1556  
right to use the facilities or entrepreneurial projects financed 1557  
by the obligations or assurances, or other properties the revenues 1558  
or receipts from which are pledged to the obligations or 1559  
assurances, and rules for assuring any applicable use and 1560

occupancy thereof, including limitations upon the right to modify 1561  
such rates, rentals, other charges, or regulations; 1562

(5) The use and expenditure of the pledged available receipts 1563  
in such manner and to such extent as shall be determined, which 1564  
may include provision for the payment of the expenses of 1565  
operation, maintenance, and repair of facilities or 1566  
entrepreneurial projects so that such expenses, or part thereof, 1567  
shall be paid or provided as a charge prior or subsequent to the 1568  
payment of bond service charges and any other payments required to 1569  
be made by the bond proceedings; 1570

(6) Limitations on the issuance of additional obligations or 1571  
assurances; 1572

(7) The terms of any trust agreement or indenture securing 1573  
the obligations or assurances or under which the same may be 1574  
issued; 1575

(8) The deposit, investment, and application of funds, and 1576  
the safeguarding of funds on hand or on deposit without regard to 1577  
Chapter 131. or 135. of the Revised Code, and any bank or trust 1578  
company or other financial institution that acts as depository of 1579  
any moneys under the bond proceedings shall furnish such 1580  
indemnifying bonds or pledge such securities as required by the 1581  
bond proceedings or otherwise by the institution of higher 1582  
education; 1583

(9) The binding effect of any or every provision of the bond 1584  
proceedings upon such officer, board, commission, authority, 1585  
agency, department, or other person or body as may from time to 1586  
time have the authority under law to take such actions as may be 1587  
necessary to perform all or any part of the duty required by such 1588  
provision; 1589

(10) Any provision that may be made in a trust agreement or 1590  
indenture; 1591

(11) Any other or additional agreements with respect to the 1592  
facilities of the institution of higher education or its 1593  
entrepreneurial projects, their operation, the available receipts 1594  
and funds pledged, and insurance of facilities or entrepreneurial 1595  
projects and of the institution, its officers and employees. 1596

(F) Such obligations or assurances may have the seal of the 1597  
institution of higher education or a facsimile thereof affixed 1598  
thereto or printed thereon and shall be executed by such officers 1599  
as are designated in the bond proceedings, which execution may be 1600  
by facsimile signatures. Any obligations or assurances may be 1601  
executed by an officer who, on the date of execution, is the 1602  
proper officer although on the date of such obligations or 1603  
assurances such person was not the proper officer. In case any 1604  
officer whose signature or a facsimile of whose signature appears 1605  
on any such obligation or assurance ceases to be such officer 1606  
before delivery thereof, such signature or facsimile is 1607  
nevertheless valid and sufficient for all purposes as if the 1608  
person had remained such officer until such delivery; and in case 1609  
the seal of the institution has been changed after a facsimile of 1610  
the seal has been imprinted on such obligations or assurances, 1611  
such facsimile seal continues to be sufficient as to such 1612  
obligations or assurances and obligations or assurances issued in 1613  
substitution or exchange therefor. 1614

(G) All such obligations or assurances are negotiable 1615  
instruments and securities under Chapter 1308. of the Revised 1616  
Code, subject to the provisions of the bond proceedings as to 1617  
registration. The obligations or assurances may be issued in 1618  
coupon or in registered form, or both. Provision may be made for 1619  
the registration of any obligations or assurances with coupons 1620  
attached thereto as to principal alone or as to both principal and 1621  
interest, their exchange for obligations or assurances so 1622  
registered, and for the conversion or reconversion into 1623

obligations or assurances with coupons attached thereto of any 1624  
obligations or assurances registered as to both principal and 1625  
interest, and for reasonable charges for such registration, 1626  
exchange, conversion, and reconversion. 1627

(H) Pending preparation of definitive obligations or 1628  
assurances, the institution of higher education may issue interim 1629  
receipts or certificates which shall be exchanged for such 1630  
definitive obligations or assurances. 1631

(I) Such obligations or assurances may be secured 1632  
additionally by a trust agreement or indenture between the 1633  
institution of higher education and a corporate trustee, which may 1634  
be any trust company or bank having the powers of a trust company 1635  
within or without this state but authorized to exercise trust 1636  
powers within this state. Any such agreement or indenture may 1637  
contain the resolution authorizing the issuance of the obligations 1638  
or assurances, any provisions that may be contained in the bond 1639  
proceedings as authorized by this section, and other provisions 1640  
which are customary or appropriate in an agreement or indenture of 1641  
such type, including: 1642

(1) Maintenance of each pledge, trust agreement, and 1643  
indenture, or other instrument comprising part of the bond 1644  
proceedings until the institution of higher education has fully 1645  
paid the bond service charges on the obligations or assurances 1646  
secured thereby, or provision therefor has been made; 1647

(2) In the event of default in any payments required to be 1648  
made by the bond proceedings, or any other agreement of the 1649  
institution of higher education made as a part of the contract 1650  
under which the obligations or assurances were issued, enforcement 1651  
of such payments or agreement by mandamus, the appointment of a 1652  
receiver, suit in equity, action at law, or any combination of the 1653  
foregoing; 1654

(3) The rights and remedies of the holders of obligations or 1655  
assurances and of the trustee, and provisions for protecting and 1656  
enforcing them, including limitations on rights of individual 1657  
holders of obligations or assurances; 1658

(4) The replacement of any obligations or assurances that 1659  
become mutilated or are destroyed, lost, or stolen; 1660

(5) Such other provisions as the trustee and the institution 1661  
of higher education agree upon, including limitations, conditions, 1662  
or qualifications relating to any of the foregoing. 1663

(J) Each duty of the institution of higher education and its 1664  
officers or employees, undertaken pursuant to the bond proceedings 1665  
or any related agreement or lease made under authority of law, is 1666  
hereby established as a duty of such institution, and of each such 1667  
officer or employee having authority to perform such duty, 1668  
specially enjoined by law resulting from an office, trust, or 1669  
station within the meaning of section 2731.01 of the Revised Code. 1670  
The persons who are at the time the members of the board of 1671  
trustees or the managing directors of the institution or its 1672  
officers or employees are not liable in their personal capacities 1673  
on such obligations or assurances, or lease, or other agreement of 1674  
the institution. 1675

(K) The authority to issue obligations or assurances includes 1676  
authority to: 1677

(1) Issue obligations or assurances in the form of bond 1678  
anticipation notes and to renew them from time to time by the 1679  
issuance of new notes. Such notes are payable solely from the 1680  
available receipts and funds that may be pledged to the payment of 1681  
such bonds, or from the proceeds of such bonds or renewal notes, 1682  
or both, as the institution of higher education provides in its 1683  
resolution authorizing such notes. Such notes may be additionally 1684  
secured by covenants of the institution to the effect that it will 1685

do such or all things necessary for the issuance of such bonds or 1686  
renewal notes in appropriate amount, and either exchange such 1687  
bonds or renewal notes therefor or apply the proceeds thereof to 1688  
the extent necessary, to make full payment of the bond service 1689  
charges on such notes at the time or times contemplated, as 1690  
provided in such resolution. Subject to the provisions of this 1691  
division, all references to obligations or assurances in this 1692  
section apply to such anticipation notes. 1693

(2) Issue obligations or assurances to refund, including 1694  
funding and retirement of, obligations or assurances previously 1695  
issued to pay costs of facilities or entrepreneurial projects. 1696  
Such obligations or assurances may be issued in amounts sufficient 1697  
for payment of the principal amount of the obligations or 1698  
assurances to be so refunded, any redemption premiums thereon, 1699  
principal maturities of any obligations or assurances maturing 1700  
prior to the redemption of any other obligations or assurances on 1701  
a parity therewith to be so refunded, interest accrued or to 1702  
accrue to the maturity date or dates of redemption of such 1703  
obligations or assurances, and any expenses incurred or to be 1704  
incurred in connection with such refunding or the issuance of the 1705  
obligations or assurances. 1706

(L) Obligations and assurances are lawful investments for 1707  
banks, societies for savings, savings and loan associations, 1708  
deposit guarantee associations, trust companies, trustees, 1709  
fiduciaries, insurance companies, including domestic for life and 1710  
domestic not for life, trustees or other officers having charge of 1711  
sinking and bond retirement or other special funds of political 1712  
subdivisions and taxing districts of this state, the commissioners 1713  
of the sinking fund, the administrator of workers' compensation in 1714  
accordance with the investment policy approved by the bureau of 1715  
workers' compensation board of directors pursuant to section 1716  
4121.12 of the Revised Code, the state teachers retirement system, 1717



the public employees retirement system, the school employees 1718  
retirement system, and the Ohio police and fire pension fund, 1719  
notwithstanding any other provisions of the Revised Code or rules 1720  
adopted pursuant thereto by any state agency with respect to 1721  
investments by them, and are also acceptable as security for the 1722  
deposit of public moneys. 1723

(M) All facilities or entrepreneurial projects purchased, 1724  
acquired, constructed, or owned by an institution of higher 1725  
education, or financed in whole or in part by obligations or 1726  
assurances issued by an institution, and used for the purposes of 1727  
the institution or other publicly owned and controlled college or 1728  
university, is public property used exclusively for a public 1729  
purpose, and such property and the income therefrom is exempt from 1730  
all taxation and assessment within this state, including ad 1731  
valorem and excise taxes. The obligations or assurances, the 1732  
transfer thereof, and the income therefrom, including any profit 1733  
made on the sale thereof, are at all times free from taxation 1734  
within the state. The transfer of tangible personal property by 1735  
lease under authority of this section or section 3345.07, 3345.11, 1736  
3345.36, 3354.121, 3355.091, 3357.112, or 3358.10 of the Revised 1737  
Code is not a sale as used in Chapter 5739. of the Revised Code. 1738

(N) The authority granted by this section is cumulative with 1739  
the authority granted to institutions of higher education under 1740  
Chapter 154. of the Revised Code, and nothing in this section 1741  
impairs or limits the authority granted by Chapter 154. of the 1742  
Revised Code. In any lease, agreement, or commitment made by an 1743  
institution of higher education under Chapter 154. of the Revised 1744  
Code, it may agree to restrict or subordinate any pledge it may 1745  
thereafter make under authority of this section. 1746

(O) Title to lands acquired under this section and sections 1747  
3345.07 and 3345.11 of the Revised Code by a state university or 1748  
college shall be taken in the name of the state. 1749

(P) Except where costs of facilities or entrepreneurial projects are to be paid in whole or in part from funds appropriated by the general assembly, section 125.81 of the Revised Code and the requirement for certification with respect thereto under section 153.04 of the Revised Code do not apply to such facilities or entrepreneurial projects.

(Q) A state university or college may sell or lease lands or interests in land owned by it or by the state for its use, or facilities authorized to be acquired or constructed by it under section 3345.07 or 3345.11 of the Revised Code, to permit the purchasers or lessees thereof to acquire, construct, equip, furnish, reconstruct, alter, enlarge, remodel, renovate, rehabilitate, improve, maintain, repair, or maintain and operate thereon and to provide by lease or otherwise to such institution, facilities authorized in section 3345.07 or 3345.11 of the Revised Code or entrepreneurial projects authorized under section 3345.36 of the Revised Code. Such land or interests therein shall be sold for such appraised value, or leased, and on such terms as the board of trustees determines. All deeds or other instruments relating to such sales or leases shall be executed by such officer of the state university or college as the board of trustees designates. The state university or college shall hold, invest, or use the proceeds of such sales or leases for the same purposes for which proceeds of borrowings may be used under sections 3345.07 and 3345.11 of the Revised Code or, if the proceeds relate to the sale or lease of entrepreneurial projects, for purposes of section 3345.36 of the Revised Code.

(R) An institution of higher education may pledge available receipts, to the extent permitted by division (C) of this section with respect to obligations, to secure the payments to be made by it under any lease, lease with option to purchase, or lease-purchase agreement authorized under this section or section

3345.07, 3345.11, 3345.36, 3354.121, 3355.091, 3357.112, or 1782  
3358.10 of the Revised Code. 1783

**Sec. 3345.121.** As used in this section: 1784

(A) "Board of trustees" means the board of trustees of a 1785  
state university, university housing commission, state medical 1786  
~~college~~ university, community college district, university branch 1787  
district, technical college district, or state community college. 1788

(B) "Political subdivision" means a municipal corporation, 1789  
county, or township. 1790

(C) "Institution" means all real property owned or leased by 1791  
a board of trustees. If a board owns or leases two or more parcels 1792  
of real property that are not contiguous to any other such real 1793  
property, institution includes only that group of parcels that 1794  
includes the parcel on which the educational facility is or is to 1795  
be located. 1796

(D) "Educational facility" means any building, structure, 1797  
facility, utility, improvement, site, or other interest in real 1798  
estate, together with any appurtenance necessary or convenient to 1799  
the uses thereof, to be used for or in connection with the conduct 1800  
or operation of an educational institution. Educational facilities 1801  
include, but are not limited to, classrooms and other 1802  
instructional facilities, laboratories, research facilities, 1803  
libraries, study facilities, administrative and office facilities, 1804  
museums, gymnasiums, campus walks, drives, and site improvements, 1805  
streets, roads, bridges, dormitories and other suitable living 1806  
quarters or accommodations, dining halls and other food service 1807  
and preparation facilities, student services or activity 1808  
facilities, physical education, athletic and recreational 1809  
facilities, theatres, auditoriums, assembly and exhibition halls, 1810  
greenhouses, agricultural buildings and facilities, parking, 1811  
storage, and maintenance facilities, infirmary, hospital, medical, 1812

and health facilities, continuing education facilities, 1813  
communications, fire prevention, and fire fighting facilities, and 1814  
any one, part of, or combination of the foregoing, whether or not 1815  
comprising part of one building, structure, or facility. 1816

(E) "Capital facilities" means buildings, structures, and 1817  
other improvements, equipment, real estate, and interests in real 1818  
estate within this state, and any one, part of, or combination of 1819  
the foregoing, to serve the general purposes for which the 1820  
political subdivision is authorized to issue obligations pursuant 1821  
to Chapter 133. of the Revised Code, including, but not limited 1822  
to, drives, roadways, parking facilities, walks, lighting, 1823  
machinery, furnishings, utilities, landscaping, wharves, docks, 1824  
piers, reservoirs, dams, tunnels, bridges, retaining walls, 1825  
riprap, culverts, ditches, channels, watercourses, retention 1826  
basins, standpipes and water storage facilities, waste treatment 1827  
and disposal facilities, heating, air conditioning, and 1828  
communications facilities, and site improvements. 1829

(F) "Cost of capital facilities" means the costs of 1830  
acquiring, constructing, reconstructing, rehabilitating, 1831  
remodeling, renovating, enlarging, improving, equipping, or 1832  
furnishing capital facilities, and the financing thereof, 1833  
including the cost of clearance and preparation of the site and of 1834  
any land to be used in connection with capital facilities, the 1835  
cost of any indemnity and surety bonds and premiums on insurance, 1836  
all related direct administrative expenses and allocable portions 1837  
of direct costs of the facilities, cost of engineering and 1838  
architectural services, designs, plans, specifications, surveys, 1839  
and estimates of cost, legal fees, fees and expenses of trustees, 1840  
depositories, and paying agents for the obligations, cost of 1841  
issuance of the obligations and financing charges and fees and 1842  
expenses of financial advisers and consultants in connection 1843  
therewith, interest on obligations from the date thereof to the 1844

time when interest is to be covered from sources other than 1845  
proceeds of obligations, amounts necessary to establish reserves 1846  
as required by the bond proceedings, costs of audits, the 1847  
reimbursement of all moneys advanced or applied by or borrowed 1848  
from any governmental agency, from whatever source provided, for 1849  
the payment of any items of cost of the capital facilities, and 1850  
all other expenses necessary or incident to planning or 1851  
determining feasibility or practicability with respect to capital 1852  
facilities, and such other expenses as may be necessary or 1853  
incident to the acquisition, construction, reconstruction, 1854  
rehabilitation, remodeling, renovation, enlargement, improvement, 1855  
equipment, and furnishing of capital facilities, the financing 1856  
thereof, and the placing of the same in use and operation, 1857  
including any one, part of, or combination of such classes of 1858  
costs and expenses. 1859

(G) "Legislative authority" means, in the case of a municipal 1860  
corporation, its legislative authority; in the case of a township, 1861  
its board of trustees; and in the case of a county, its board of 1862  
commissioners. 1863

Not later than the ninetieth day after the effective date of 1864  
an initial appropriation by the general assembly for the 1865  
construction or renovation of an educational facility that exceeds 1866  
one hundred thousand dollars, the board of trustees of the 1867  
institution receiving the appropriation shall, by certified mail, 1868  
return receipt requested, submit to the legislative authority of 1869  
each political subdivision within which the institution is located 1870  
or to which it is contiguous, a written notice of the board's 1871  
intention to proceed with such construction or renovation. This 1872  
notice shall include a description of the construction or 1873  
renovation, the estimated date for opening bids therefor, and the 1874  
estimated date of the completion of the construction or 1875  
renovation. 1876

Not later than the sixtieth day after it receives the notice, 1877  
the legislative authority may, by certified mail, return receipt 1878  
requested, forward its comments or objections on the proposed 1879  
construction or renovation to the board, which shall include, but 1880  
need not be limited to, a description of any capital facilities it 1881  
determines the political subdivision will be required to make as a 1882  
direct or indirect consequence of the construction or renovation 1883  
and the estimated costs of such capital facilities. The board 1884  
shall not advertise for bids for the construction or renovation 1885  
until it has received comments or objections from the legislative 1886  
authority or until sixty days have elapsed since the legislative 1887  
authority received the notice, whichever is earlier. The board 1888  
shall maintain as part of its permanent records, any comments or 1889  
objections received from the legislative authority and any action 1890  
taken by the board with respect to such comments or objections. 1891

**Sec. 3345.17.** All property, personal, real, or mixed of the 1892  
boards of trustees and of the housing commissions of the state 1893  
universities, the ~~northeastern~~ northeast Ohio ~~universities college~~ 1894  
~~of medicine~~ medical university, and of the state held for the use 1895  
and benefit of any such institution, which is used for the support 1896  
of such institution, is exempt from taxation so long as such 1897  
property is used for the support of such university ~~or college~~. 1898

**Sec. 3345.201.** The board of trustees of a state college or 1899  
university which operates a clinical teaching or research hospital 1900  
or ambulatory facility may purchase liability insurance for the 1901  
agents, employees, students, nurses, interns, and resident 1902  
physicians of such hospital against all liability arising from 1903  
their performance of services on behalf of such hospital or 1904  
facility. 1905

The boards of trustees of the ~~northeastern~~ northeast Ohio 1906  
~~universities college of medicine~~ medical university, Ohio 1907

university, and the Wright state university if they provide 1908  
clinical instruction programs in the facilities of a hospital not 1909  
operated by the ~~college or~~ university, may purchase liability 1910  
insurance for agents, employees, students, nurses, interns, and 1911  
resident physicians performing services in relation to such 1912  
hospital against all liability arising from their performance of 1913  
services on behalf of such ~~college or~~ university. 1914

Such insurance may be provided by one or more insurance 1915  
policies. 1916

**Sec. 3345.28.** The board of trustees of any state university, 1917  
~~college of medicine~~ medical university, technical college, state 1918  
community college, community college, or the board of trustees or 1919  
managing authority of any university branch may establish and 1920  
administer a faculty improvement program, under which any 1921  
full-time faculty member with at least seven academic years of 1922  
teaching service at the college, university, or branch may be 1923  
granted professional leave for a period not to exceed one academic 1924  
year to engage in further education, research, or any other 1925  
purpose approved by the board. A board of trustees or managing 1926  
authority that establishes such a program shall, by rule, adopt a 1927  
definition of "academic years of teaching service" and of 1928  
"full-time faculty member." 1929

No such board or authority shall pay any faculty member for 1930  
or during a period of professional leave any salary exceeding the 1931  
amount that would have been paid to such faculty member for 1932  
performing ~~his~~ the faculty member's regular duties during the 1933  
period of the leave. No faculty member shall, by virtue of being 1934  
on professional leave, suffer a reduction or termination of ~~his~~ 1935  
the faculty member's regular employee retirement or insurance 1936  
benefits or of any other benefit or privilege ~~he receives~~ being 1937  
received as a faculty member at the college, university, or branch 1938

where ~~he~~ the faculty member is employed. Whenever such a benefit 1939  
would be reduced because of a reduction in the faculty member's 1940  
salary during the period of professional leave, the faculty member 1941  
shall be given a chance to have the benefit increased to its 1942  
normal level, in accordance with rules adopted by the board of 1943  
trustees or the managing authority. A faculty member who has been 1944  
granted professional leave shall complete another seven years of 1945  
service at the college, university, or branch at which ~~he~~ the 1946  
faculty member is employed before ~~he becomes~~ becoming eligible for 1947  
another grant of professional leave at that college, university, 1948  
or branch. Professional leave taken as part of a faculty 1949  
improvement program established under this section shall not be 1950  
deemed to be in lieu of released time or assigned duty in 1951  
connection with a specific research, scholarly, or creative 1952  
program. 1953

Boards of trustees and managing authorities may accept moneys 1954  
from any person, political subdivision, or the federal government 1955  
to support a faculty improvement program, and may establish such 1956  
additional rules as are necessary to establish and administer it. 1957

Each grant of professional leave shall be in accordance with 1958  
a professional improvement policy for professional leaves that has 1959  
been approved by the board of trustees or the managing authority. 1960  
No professional leave shall be granted that requires a 1961  
compensating addition to the permanent faculty or staff of the 1962  
college, university, or branch. No professional leave shall be 1963  
approved unless a specific plan for the professional improvement 1964  
of the faculty member while on leave has been submitted to and 1965  
accepted by the president of the university, college, or branch. 1966  
At the completion of the leave, the faculty member shall submit to 1967  
the president a report detailing the attainments of the faculty 1968  
member under this professional improvement plan. 1969

Not later than the thirtieth day of June of each year, the 1970



chancellor of the board of regents shall report to the ~~chairmen~~ 1971  
chairpersons of the education committees of the house of 1972  
representatives and the senate on the status of implementation of 1973  
faculty improvement programs. The report shall include, but need 1974  
not be limited to, the following: the number of professional leave 1975  
grants made by each institution; the purpose of each professional 1976  
leave; and a statement of the cost to the institution of each 1977  
professional leave, to the extent that such cost exceeds the 1978  
salary of the faculty member on professional leave. 1979

**Sec. 3345.281.** As used in this section, "teaching assistant" 1980  
means a student enrolled full-time or part-time in a graduate 1981  
degree program at an educational institution for which the student 1982  
has received an appointment to provide classroom-related services. 1983

The board of trustees of each state university, ~~college of~~ 1984  
~~medicine~~ medical university, technical college, state community 1985  
college, community college, and the board of trustees or managing 1986  
authority of each university branch shall establish a program to 1987  
assess the oral English language proficiency of all teaching 1988  
assistants providing classroom instruction to students and shall 1989  
ensure that teaching assistants who are not orally proficient in 1990  
the English language attain such proficiency prior to providing 1991  
classroom instruction to students. 1992

**Sec. 3345.31.** The boards of trustees of a state university, 1993  
the board of trustees of the ~~northeastern~~ northeast Ohio 1994  
~~universities college of medicine~~ medical university, the board of 1995  
trustees of a technical college or community college district, and 1996  
the board of control of the Ohio agricultural research and 1997  
development center may establish compensation plans, including 1998  
schedules of hourly rates, for the compensation of all employees 1999  
and may establish rules or policies for the administration of 2000  
their respective compensation plans. 2001

The provisions of this section do not apply to employees for whom the state employment relations board establishes appropriate bargaining units pursuant to section 4117.06 of the Revised Code.

**Sec. 3345.32.** (A) As used in this section:

(1) "State university or college" means the institutions described in section 3345.27 of the Revised Code and the ~~northeastern northeast Ohio universities college of medicine~~ medical university.

(2) "Resident" has the meaning specified by rule of the chancellor of the Ohio board of regents.

(3) "Statement of selective service status" means a statement certifying one of the following:

(a) That the individual filing the statement has registered with the selective service system in accordance with the "Military Selective Service Act," 62 Stat. 604, 50 U.S.C. App. 453, as amended;

(b) That the individual filing the statement is not required to register with the selective service for one of the following reasons:

(i) The individual is under eighteen or over twenty-six years of age.

(ii) The individual is on active duty with the armed forces of the United States other than for training in a reserve or national guard unit.

(iii) The individual is a nonimmigrant alien lawfully in the United States in accordance with section 101 (a)(15) of the "Immigration and Nationality Act," 8 U.S.C. 1101, as amended.

(iv) The individual is not a citizen of the United States and is a permanent resident of the Trust Territory of the Pacific

Islands or the Northern Mariana Islands. 2031

(4) "Institution of higher education" means any eligible 2032  
institution approved by the United States department of education 2033  
pursuant to the "Higher Education Act of 1965," 79 Stat. 1219, as 2034  
amended, or any institution whose students are eligible for 2035  
financial assistance under any of the programs described by 2036  
division (E) of this section. 2037

(B) The chancellor shall, by rule, specify the form of 2038  
statements of selective service status to be filed in compliance 2039  
with divisions (C) to ~~(F)~~(E) of this section. Each statement of 2040  
selective service status shall contain a section wherein a male 2041  
student born after December 31, 1959, certifies that the student 2042  
has registered with the selective service system in accordance 2043  
with the "Military Selective Service Act," 62 Stat. 604, 50 U.S.C. 2044  
App. 453, as amended. For those students not required to register 2045  
with the selective service, as specified in divisions (A)(2)(b)(i) 2046  
to (iv) of this section, a section shall be provided on the 2047  
statement of selective service status for the certification of 2048  
nonregistration and for an explanation of the reason for the 2049  
exemption. The chancellor may require that such statements be 2050  
accompanied by documentation specified by rule of the chancellor. 2051

(C) A state university or college that enrolls in any course, 2052  
class, or program a male student born after December 31, 1959, who 2053  
has not filed a statement of selective service status with the 2054  
university or college shall, regardless of the student's 2055  
residency, charge the student any tuition surcharge charged 2056  
students who are not residents of this state. 2057

(D) No male born after December 31, 1959, shall be eligible 2058  
to receive any loan, grant, scholarship, or other financial 2059  
assistance for educational expenses granted under section 3315.33, 2060  
3333.12, 3333.122, 3333.21, 3333.22, 3333.26, 3333.391, 5910.03, 2061  
5910.032, or 5919.34 of the Revised Code, financed by an award 2062

under the choose Ohio first scholarship program established under 2063  
section 3333.61 of the Revised Code, or financed by an award under 2064  
the Ohio co-op/internship program established under section 2065  
3333.72 of the Revised Code, unless that person has filed a 2066  
statement of selective service status with that person's 2067  
institution of higher education. 2068

(E) If an institution of higher education receives a 2069  
statement from an individual certifying that the individual has 2070  
registered with the selective service system in accordance with 2071  
the "Military Selective Service Act," 62 Stat. 604, 50 U.S.C. App. 2072  
453, as amended or that the individual is exempt from registration 2073  
for a reason other than that the individual is under eighteen 2074  
years of age, the institution shall not require the individual to 2075  
file any further statements. If it receives a statement certifying 2076  
that the individual is not required to register because the 2077  
individual is under eighteen years of age, the institution shall 2078  
require the individual to file a new statement of selective 2079  
service status each time the individual seeks to enroll for a new 2080  
academic term or makes application for a new loan or loan 2081  
guarantee or for any form of financial assistance for educational 2082  
expenses, until it receives a statement certifying that the 2083  
individual has registered with the selective service system or is 2084  
exempt from registration for a reason other than that the 2085  
individual is under eighteen years of age. 2086

**Sec. 3345.34.** (A) No student trustee of a state university or 2087  
the ~~northeastern~~ northeast Ohio ~~universities~~ college of medicine 2088  
medical university shall use the trusteeship to influence any 2089  
grade or other evaluation of the student trustee's performance 2090  
made by a member of the faculty or other employee of the ~~state~~ 2091  
university ~~or the college~~. 2092

(B) No member of the faculty or other employee of a state 2093

university or the ~~northeastern~~ northeast Ohio ~~universities college~~ 2094  
~~of medicine~~ medical university shall confer any favor, advantage, 2095  
preference, or other benefit on a student trustee because of the 2096  
student's trusteeship. 2097

**Sec. 3345.50.** Notwithstanding anything to the contrary in 2098  
sections 123.01 and 123.15 of the Revised Code, a state 2099  
university, a state community college, or the ~~northeastern~~ 2100  
northeast Ohio ~~universities college of medicine~~ medical university 2101  
not certified pursuant to section 123.17 of the Revised Code may 2102  
administer any capital facilities project for the construction, 2103  
reconstruction, improvement, renovation, enlargement, or 2104  
alteration of a public improvement under its jurisdiction for 2105  
which the total amount of funds expected to be appropriated by the 2106  
general assembly does not exceed four million dollars without the 2107  
supervision, control, or approval of the department of 2108  
administrative services as specified in those sections, if both of 2109  
the following occur: 2110

(A) Within sixty days after the effective date of the section 2111  
of an act in which the general assembly initially makes an 2112  
appropriation for the project, the board of trustees of the 2113  
institution notifies the chancellor of the Ohio board of regents 2114  
in writing of its intent to administer the capital facilities 2115  
project; 2116

(B) The board of trustees complies with the guidelines 2117  
established pursuant to section 153.16 of the Revised Code and all 2118  
laws that govern the selection of consultants, preparation and 2119  
approval of contract documents, receipt of bids, and award of 2120  
contracts with respect to the project. 2121

The ~~board of regents~~ chancellor shall adopt rules in 2122  
accordance with Chapter 119. of the Revised Code that establish 2123  
criteria for the administration by any such institution of higher 2124

education of a capital facilities project for which the total 2125  
amount of funds expected to be appropriated by the general 2126  
assembly exceeds four million dollars. The criteria, to be 2127  
developed with the department of administrative services and 2128  
higher education representatives selected by the ~~board of regents~~ 2129  
chancellor, shall include such matters as the adequacy of the 2130  
staffing levels and expertise needed for the institution to 2131  
administer the project, past performance of the institution in 2132  
administering such projects, and the amount of institutional or 2133  
other nonstate money to be used in financing the project. The 2134  
~~board of regents~~ chancellor and the department of administrative 2135  
services shall approve the request of any such institution of 2136  
higher education that seeks to administer any such capital 2137  
facilities project and meets the criteria set forth in the rules 2138  
and in the requirements of division (B) of this section. 2139

**Sec. 3345.51.** (A) Notwithstanding anything to the contrary in 2140  
sections 123.01 and 123.15 of the Revised Code, a state 2141  
university, the ~~northeastern~~ northeast Ohio ~~universities college~~ 2142  
~~of medicine~~ medical university, or a state community college may 2143  
administer any capital facilities project for the construction, 2144  
reconstruction, improvement, renovation, enlargement, or 2145  
alteration of a public improvement under its jurisdiction for 2146  
which funds are appropriated by the general assembly without the 2147  
supervision, control, or approval of the department of 2148  
administrative services as specified in those sections, if all of 2149  
the following occur: 2150

(1) The institution is certified by the state architect under 2151  
section 123.17 of the Revised Code; 2152

(2) Within sixty days after the effective date of the section 2153  
of an act in which the general assembly initially makes an 2154  
appropriation for the project, the board of trustees of the 2155

institution notifies the chancellor of the Ohio board of regents 2156  
in writing of its request to administer the capital facilities 2157  
project and the ~~board of regents~~ chancellor approves that request 2158  
pursuant to division (B) of this section; 2159

(3) The board of trustees passes a resolution stating its 2160  
intent to comply with section 153.13 of the Revised Code and the 2161  
guidelines established pursuant to section 153.16 of the Revised 2162  
Code and all laws that govern the selection of consultants, 2163  
preparation and approval of contract documents, receipt of bids, 2164  
and award of contracts with respect to the project. 2165

(B) The ~~board of regents~~ chancellor shall adopt rules in 2166  
accordance with Chapter 119. of the Revised Code that establish 2167  
criteria for the administration by any such institution of higher 2168  
education of a capital facilities project for which the general 2169  
assembly appropriates funds. The criteria, to be developed with 2170  
the department of administrative services and higher education 2171  
representatives selected by the ~~board of regents~~ chancellor, shall 2172  
include such matters as the adequacy of the staffing levels and 2173  
expertise needed for the institution to administer the project, 2174  
past performance of the institution in administering such 2175  
projects, and the amount of institutional or other nonstate money 2176  
to be used in financing the project. The ~~board of regents~~ 2177  
chancellor shall approve the request of any such institution of 2178  
higher education that seeks to administer any such capital 2179  
facilities project and meets the criteria set forth in the rules 2180  
and the requirements of division (A) of this section. 2181

(C) Any institution that administers a capital facilities 2182  
project under this section shall conduct biennial audits for the 2183  
duration of the project to ensure that the institution is 2184  
complying with Chapters 9., 123., and 153. of the Revised Code and 2185  
that the institution is using its certification issued under 2186  
section 123.17 of the Revised Code appropriately. The ~~board of~~ 2187

~~regents~~ chancellor, in consultation with higher education 2188  
representatives selected by the ~~board~~ chancellor, shall adopt 2189  
rules in accordance with Chapter 119. of the Revised Code that 2190  
establish criteria for the conduct of the audits. The criteria 2191  
shall include documentation necessary to determine compliance with 2192  
Chapters 9., 123., and 153. of the Revised Code and a method to 2193  
determine whether an institution is using its certification issued 2194  
under section 123.17 of the Revised Code appropriately. 2195

(D) The ~~board of regents~~ chancellor, in consultation with 2196  
higher education representatives selected by the ~~board~~ chancellor, 2197  
shall adopt rules in accordance with Chapter 119. of the Revised 2198  
Code establishing criteria for monitoring capital facilities 2199  
projects administered by institutions under this section. The 2200  
criteria shall include the following: 2201

(1) Conditions under which the ~~board of regents~~ chancellor 2202  
may revoke the authority of an institution to administer a capital 2203  
facilities project under this section, including the failure of an 2204  
institution to maintain a sufficient number of employees who have 2205  
successfully completed the certification program under section 2206  
123.17 of the Revised Code; 2207

(2) A process for institutions to remedy any problems found 2208  
by an audit conducted pursuant to division (C) of this section, 2209  
including the improper use of state funds or violations of Chapter 2210  
9., 123., or 153. of the Revised Code. 2211

(E) If the ~~board of regents~~ chancellor revokes an 2212  
institution's authority to administer a capital facilities 2213  
project, the department of administrative services shall 2214  
administer the capital facilities project. The ~~board of regents~~ 2215  
chancellor also may require an institution, for which the ~~board~~ 2216  
chancellor revoked authority to administer a capital facilities 2217  
project, to acquire a new local administration competency 2218  
certification pursuant to section 123.17 of the Revised Code. 2219



**Sec. 3345.71.** As used in sections 3345.72 to 3345.77 of the Revised Code:

(A) "State university or college" means any state university listed in section 3345.011 of the Revised Code, the ~~northeastern~~ northeast Ohio universities college of medicine medical university, any community college under Chapter 3354. of the Revised Code, any technical college under Chapter 3357. of the Revised Code, and any state community college under Chapter 3358. of the Revised Code.

(B) "Fiscal watch" means the existence of a fiscal watch declared under section 3345.72 of the Revised Code.

**Sec. 3350.10.** (A) There is hereby created the ~~northeastern~~ northeast Ohio universities college of medicine medical university. The principal goal of the ~~college~~ 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 ~~college~~ medical university may incorporate in the clinical experience provided its students the several community hospitals in the cities and areas served by the ~~college~~ 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.

(1) Until ~~the ninetieth day after the effective date of this amendment~~ December 22, 2008, the government of the ~~college~~ 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 2250  
member each of the boards of trustees of the university of Akron, 2251  
Kent state university, and Youngstown state university, to be 2252  
appointed by their respective boards of trustees for a term of six 2253  
years ending on the first day of May or until the trustee's term 2254  
on the respective university board of trustees expires, whichever 2255  
occurs first; and one person each to be appointed by the boards of 2256  
trustees of the university of Akron, Kent state university, and 2257  
Youngstown state university, for a term of nine years ending on 2258  
the first day of May; except that the term of those first 2259  
appointed by the several boards of trustees shall expire on the 2260  
first day of May next following their appointment. Vacancies shall 2261  
be filled for the unexpired term in the manner provided for 2262  
original appointment. The trustees shall receive no compensation 2263  
for their services but shall be paid their reasonable necessary 2264  
expenses while engaged in the discharge of their official duties. 2265  
A majority of the board constitutes a quorum. 2266

(2) Beginning ~~ninety days after the effective date of this~~ 2267  
~~amendment~~ December 22, 2008, the government of the ~~college~~ 2268  
northeast Ohio medical university is vested in a board of eleven 2269  
trustees, who shall be appointed by the governor, with the advice 2270  
and consent of the senate. Two of the trustees shall be current 2271  
students of the ~~college~~ medical university, and their selection 2272  
and terms shall be in accordance with division (B) of this 2273  
section. Except as provided in division (A)(3) of this section and 2274  
except for the student members, terms of office shall be for nine 2275  
years. Each trustee shall hold office from the date of appointment 2276  
until the end of the term for which the trustee was appointed. Any 2277  
trustee appointed to fill a vacancy occurring prior to the 2278  
expiration of the term for which the trustee's predecessor was 2279  
appointed shall hold office for the remainder of such term. Any 2280  
trustee shall continue in office subsequent to the expiration date 2281  
of the trustee's term until the trustee's successor takes office, 2282

or until a period of sixty days has elapsed, whichever occurs 2283  
first. No person who has served a full nine-year term or more than 2284  
six years of such a term shall be eligible for reappointment until 2285  
a period of four years has elapsed since the last day of the term 2286  
for which the person previously served. The trustees shall receive 2287  
no compensation for their services but shall be paid their 2288  
reasonable necessary expenses while engaged in the discharge of 2289  
their official duties. A majority of the board constitutes a 2290  
quorum. 2291

(3) Not later than ~~ninety days after the effective date of~~ 2292  
~~this amendment~~ December 22, 2008, the governor, with the advice 2293  
and consent of the senate, shall appoint the two student trustees 2294  
and successors for the trustees serving under division (A)(1) of 2295  
this section. Except for the student trustees, who shall serve 2296  
terms pursuant to division (B) of this section, the initial terms 2297  
of office for trustees appointed under division (A)(2) of this 2298  
section shall be as follows: one term ending ~~one year after the~~ 2299  
~~effective date of this amendment~~ September 23, 2009; one term 2300  
ending ~~two years after the effective date of this amendment~~ 2301  
September 23, 2010; one term ending ~~three years after the~~ 2302  
~~effective date of this amendment~~ September 23, 2011; one term 2303  
ending ~~four years after the effective date of this amendment~~ 2304  
September 23, 2012; one term ending ~~five years after the effective~~ 2305  
~~date of this amendment~~ September 23, 2013; one term ending ~~six~~ 2306  
~~years after the effective date of this amendment~~ September 23, 2307  
2014; one term ending ~~seven years after the effective date of this~~ 2308  
~~amendment~~ September 23, 2015; one term ending ~~eight years after~~ 2309  
~~the effective date of this amendment~~ September 23, 2016; one term 2310  
ending ~~nine years after the effective date of this amendment~~ 2311  
September 23, 2017. Thereafter, terms of office shall be for nine 2312  
years, as provided in division (A)(2) of this section. 2313

(B) The student members of the board of trustees of the 2314

~~northeastern~~ northeast Ohio ~~universities college of medicine~~ 2315  
medical university have no voting power on the board. Student 2316  
members shall not be considered as members of the board in 2317  
determining whether a quorum is present. Student members shall not 2318  
be entitled to attend executive sessions of the board. The student 2319  
members of the board shall be appointed by the governor, with the 2320  
advice and consent of the senate, from a group of five candidates 2321  
selected pursuant to a procedure adopted by the ~~college's~~ 2322  
university's student governments and approved by the ~~college's~~ 2323  
university's board of trustees. The initial term of office of one 2324  
of the student members shall commence ~~ninety days after the~~ 2325  
~~effective date of this amendment~~ December 22, 2008, and shall 2326  
expire on June 30, 2009, and the initial term of office of the 2327  
other student member shall commence ~~ninety days after the~~ 2328  
~~effective date of this amendment~~ December 22, 2008, and shall 2329  
expire on June 30, 2010. Thereafter, terms of office of student 2330  
members shall be for two years, each term ending on the same day 2331  
of the same month of the year as the term it succeeds. In the 2332  
event that a student member cannot fulfill a two-year term, a 2333  
replacement shall be selected to fill the unexpired term in the 2334  
same manner used to make the original selection. 2335

**Sec. 3350.11.** The board of trustees of the ~~northeastern~~ 2336  
~~northeast~~ Ohio ~~universities college of medicine~~ medical university 2337  
shall annually elect from ~~their~~ its members a ~~chairman~~ chairperson 2338  
and a ~~vice-chairman;~~ vice-chairperson. The board may also 2339  
appoint a secretary of the board, a treasurer, and such other 2340  
officers of the ~~college~~ university as the interest of the ~~college~~ 2341  
university requires, who may be members of the board, ~~and they.~~ 2342  
The board may also appoint boards or commissions to assist the 2343  
officers of the ~~college~~ university with its operation. The 2344  
treasurer, before entering upon the discharge of ~~his~~ the official 2345  
duties of treasurer, shall give bond to the state for the faithful 2346

performance of ~~his~~ the official duties of treasurer and the proper 2347  
accounting for all moneys coming into ~~his~~ the treasurer's care. 2348  
The amount of the bonds shall be determined by the board, but 2349  
shall not be for a sum less than the estimated amount which may 2350  
come into ~~his~~ the treasurer's control at any time. The bonds shall 2351  
be approved by the attorney general. 2352

**Sec. 3350.12.** The board of trustees of the ~~northeastern~~ 2353  
~~northeast~~ Ohio ~~universities college of medicine~~ medical university 2354  
shall employ, fix the compensation of, and remove, the president, 2355  
~~who shall be called the provost,~~ and such number of professors, 2356  
teachers, officers, and other employees as are considered 2357  
necessary. The board shall do all things necessary for the 2358  
creation, proper maintenance, and successful and continuous 2359  
operation of the ~~college~~ university and may adopt and from time to 2360  
time amend bylaws, rules, and regulations for the conduct of the 2361  
board and the government and conduct of the ~~college~~ university. 2362  
The board may accept donations of lands and moneys for the 2363  
purposes of the ~~college~~ university. 2364

**Sec. 3350.13.** The board of trustees of the ~~northeastern~~ 2365  
~~northeast~~ Ohio ~~universities college of medicine~~ medical university 2366  
may receive and hold in trust, for the use and benefit of the 2367  
~~college~~ university, any grant or devise of land, and any donation 2368  
or bequest of money or other personal property, to be applied to 2369  
the general or special use of the ~~college~~ university, unless 2370  
otherwise directed in the donation or bequest. The board may make 2371  
and enter into all contracts and agreements necessary or 2372  
incidental to the operation of the ~~college~~ university. 2373

**Sec. 3350.14.** The general assembly shall support the 2374  
~~northeastern~~ northeast Ohio ~~universities college of medicine~~ 2375  
medical university by such sums and in such manner as it may 2376

provide, but support may come from other sources. No state funds 2377  
shall be provided under this section unless ~~such college~~ the 2378  
university meets the requirements of section 3333.11 of the 2379  
Revised Code. 2380

**Section 2.** That existing sections 145.01, 145.011, 151.04, 2381  
154.01, 185.03, 185.05, 3304.30, 3305.01, 3333.045, 3333.11, 2382  
3333.111, 3333.611, 3334.01, 3345.04, 3345.12, 3345.121, 3345.17, 2383  
3345.201, 3345.28, 3345.281, 3345.31, 3345.32, 3345.34, 3345.50, 2384  
3345.51, 3345.71, 3350.10, 3350.11, 3350.12, 3350.13, and 3350.14 2385  
of the Revised Code are hereby repealed. 2386

**Section 3.** That Sections 371.10, 371.20.80, and 371.40.90 of 2387  
Am. Sub. H.B. 1 of the 128th General Assembly be amended to read 2388  
as follows: 2389

**Sec. 371.10. BOR BOARD OF REGENTS** 2390

General Revenue Fund				2391
GRF 235321	Operating Expenses	\$ 2,366,640	\$ 2,366,640	2392
GRF 235401	Lease Rental Payments	\$ 124,461,100	\$ 107,897,100	2393
GRF 235402	Sea Grants	\$ 300,000	\$ 300,000	2394
GRF 235406	Articulation and	\$ 2,531,700	\$ 2,531,700	2395
	Transfer			
GRF 235408	Midwest Higher	\$ 95,000	\$ 95,000	2396
	Education Compact			
GRF 235409	Information System	\$ 937,800	\$ 937,800	2397
GRF 235414	State Grants and	\$ 1,414,366	\$ 1,414,366	2398
	Scholarship			
	Administration			
GRF 235417	Ohio Learning Network	\$ 2,723,320	\$ 2,723,320	2399
GRF 235428	Appalachian New	\$ 819,295	\$ 819,295	2400
	Economy Partnership			
GRF 235433	Economic Growth	\$ 511,715	\$ 511,715	2401

	Challenge				
GRF 235438	Choose Ohio First Scholarship	\$ 12,927,304	\$ 15,845,591		2402
GRF 235442	Teacher Fellowship	\$ 0	\$ 2,500,000		2403
GRF 235443	Adult Basic and Literacy Education - State	\$ 7,302,416	\$ 7,302,416		2404
GRF 235444	Post-Secondary Adult Career-Technical Education	\$ 15,317,549	\$ 15,317,547		2405
GRF 235474	Area Health Education Centers Program Support	\$ 1,059,078	\$ 1,059,078		2406
GRF 235501	State Share of Instruction	\$ 1,677,708,351	\$ 1,689,554,971		2407
GRF 235502	Student Support Services	\$ 692,974	\$ 692,974		2408
GRF 235504	War Orphans Scholarships	\$ 4,331,089	\$ 4,331,089		2409
GRF 235507	OhioLINK	\$ 6,433,313	\$ 6,433,313		2410
GRF 235508	Air Force Institute of Technology	\$ 1,785,439	\$ 1,785,439		2411
GRF 235510	Ohio Supercomputer Center	\$ 3,719,354	\$ 3,719,354		2412
GRF 235511	Cooperative Extension Service	\$ 23,518,608	\$ 22,467,678		2413
GRF 235513	Ohio University Voinovich School	\$ 326,000	\$ 326,000		2414
GRF 235514	Central State Supplement	\$ 12,109,106	\$ 12,109,106		2415
GRF 235515	Case Western Reserve University School of Medicine	\$ 2,525,003	\$ 2,525,003		2416

GRF 235519	Family Practice	\$	3,724,923	\$	3,724,923	2417
GRF 235520	Shawnee State Supplement	\$	2,577,393	\$	2,577,393	2418
GRF 235521	The Ohio State University John Glenn School of Public Affairs	\$	277,500	\$	277,500	2419
GRF 235524	Police and Fire Protection	\$	119,793	\$	119,793	2420
GRF 235525	Geriatric Medicine	\$	614,295	\$	614,295	2421
GRF 235526	Primary Care Residencies	\$	1,839,083	\$	1,839,083	2422
GRF 235535	Ohio Agricultural Research and Development Center	\$	34,000,000	\$	34,000,000	2423
GRF 235536	The Ohio State University Clinical Teaching	\$	11,375,225	\$	11,375,225	2424
GRF 235537	University of Cincinnati Clinical Teaching	\$	9,355,968	\$	9,355,968	2425
GRF 235538	University of Toledo Clinical Teaching	\$	7,292,471	\$	7,292,471	2426
GRF 235539	Wright State University Clinical Teaching	\$	3,542,823	\$	3,542,823	2427
GRF 235540	Ohio University Clinical Teaching	\$	3,424,956	\$	3,424,956	2428
GRF 235541	<del>Northeastern</del> <u>Northeast</u> <del>Ohio Universities</del> <del>College of Medicine</del> <u>Medical University</u> Clinical Teaching	\$	3,522,563	\$	3,522,563	2429



GRF 235552	Capital Component	\$	20,382,568	\$	20,382,568	2430
GRF 235555	Library Depositories	\$	1,477,274	\$	1,477,274	2431
GRF 235556	Ohio Academic Resources Network	\$	3,253,866	\$	3,253,866	2432
GRF 235558	Long-term Care Research	\$	217,000	\$	217,000	2433
GRF 235563	Ohio College Opportunity Grant	\$	95,000,000	\$	76,000,000	2434
GRF 235567	Central State University Speed to Scale	\$	1,775,254	\$	0	2435
GRF 235572	The Ohio State University Clinic Support	\$	901,703	\$	901,703	2436
GRF 235579	Bliss Institute	\$	257,474	\$	257,474	2437
GRF 235596	Hazardous Materials Program	\$	373,858	\$	373,858	2438
GRF 235599	National Guard Scholarship Program	\$	14,912,271	\$	14,912,271	2439
GRF 235644	State Share of Instruction - Federal Stimulus - Education	\$	309,874,026	\$	308,802,662	2440
GRF 235909	Higher Education General Obligation Debt Service	\$	105,392,500	\$	86,937,900	2441
TOTAL GRF	General Revenue Fund	\$	2,541,401,307	\$	2,500,750,064	2442
	General Services Fund Group					2443
2200 235614	Program Approval and Reauthorization	\$	1,000,000	\$	1,000,000	2444
4560 235603	Sales and Services	\$	200,000	\$	200,000	2445
TOTAL GSF	General Services Fund Group	\$	1,200,000	\$	1,200,000	2447
	Federal Special Revenue Fund Group					2448

3120	235609	Tech Prep	\$	183,849	\$	183,849	2449
3120	235611	Gear-up Grant	\$	3,900,000	\$	3,900,000	2450
3120	235612	Carl D. Perkins Grant/Plan Administration	\$	912,961	\$	912,961	2451
3120	235617	Improving Teacher Quality Grant	\$	3,200,000	\$	3,200,000	2452
3120	235641	Adult Basic Literacy Education - Federal	\$	17,869,546	\$	17,869,546	2453
3BE0	235636	Adult Education and Family Literacy Act Incentive Grant	\$	1,783,583	\$	1,783,583	2454
3BG0	235626	Star Schools	\$	250,000	\$	0	2455
3H20	235608	Human Services Project	\$	3,500,000	\$	3,500,000	2456
3N60	235605	State Student Incentive Grants	\$	2,533,339	\$	2,533,339	2457
3N60	235638	College Access Challenge Grant	\$	2,268,044	\$	2,268,044	2458
TOTAL FED Federal Special Revenue							2459
Fund Group			\$	36,401,322	\$	36,151,322	2460
State Special Revenue Fund Group							2461
4E80	235602	Higher Educational Facility Commission Administration	\$	30,000	\$	30,000	2462
6490	235607	The Ohio State University Highway/Transportation Research	\$	500,000	\$	500,000	2463
6820	235606	Nursing Loan Program	\$	893,000	\$	893,000	2464
TOTAL SSR State Special Revenue							2465
Fund Group			\$	1,423,000	\$	1,423,000	2466
Third Frontier Research & Development Fund Group							2467

7011 235634 Research Incentive	\$	8,000,000	\$	8,000,000	2468
Third Frontier Fund					
TOTAL 011 Third Frontier Research & Development Fund Group	\$	8,000,000	\$	8,000,000	2469
TOTAL ALL BUDGET FUND GROUPS	\$	2,588,425,629	\$	2,547,524,386	2470

**Sec. 371.20.80. STATE SHARE OF INSTRUCTION FORMULAS** 2472

The Chancellor of the Board of Regents shall establish 2473  
procedures to allocate the foregoing appropriation items 235501, 2474  
State Share of Instruction, and 235644, State Share of Instruction 2475  
- Federal Stimulus - Education, based on the formulas, enrollment, 2476  
course completion, degree attainment, and student access factors 2477  
in the instructional models set out in this section. 2478

The foregoing appropriation items 235501, State Share of 2479  
Instruction, and 235644, State Share of Instruction - Federal 2480  
Stimulus - Education, shall be combined for the purposes of 2481  
allocating the state share of instruction subsidy. 2482

(A) FULL-TIME EQUIVALENT (FTE) ENROLLMENTS AND COMPLETIONS 2483

(1) As soon as possible during each fiscal year of the 2484  
biennium ending June 30, 2011, in accordance with instructions of 2485  
the Board of Regents, each state-assisted institution of higher 2486  
education shall report its actual enrollment, consistent with the 2487  
definitions in the Higher Education Information (HEI) system's 2488  
enrollment files, to the Chancellor of the Board of Regents. 2489

(2) In defining the number of full-time equivalent students 2490  
for state subsidy purposes, the Chancellor of the Board of Regents 2491  
shall exclude all undergraduate students who are not residents of 2492  
Ohio, except those charged in-state fees in accordance with 2493  
reciprocity agreements made under section 3333.17 of the Revised 2494  
Code or employer contracts entered into under section 3333.32 of 2495  
the Revised Code. 2496

(3) In calculating the core subsidy entitlements for university branch and main campuses, the Chancellor of the Board of Regents shall use the following count of FTE students:	2497
	2498
	2499
(a) The subsidy eligible enrollments by model shall equal only those FTE students who successfully complete the course as defined and reported through the Higher Education Information (HEI) system course enrollment file;	2500
	2501
	2502
	2503
(b) For those FTE students with successful course completions, identified in division (3)(a) of this section, completions that were achieved by a student that was eligible to receive Ohio need-based financial aid shall have their enrollments weighted by the following:	2504
	2505
	2506
	2507
	2508
(i) Campus-specific course completion rates by discipline area and level; and	2509
	2510
(ii) A statewide average OIG/OCOG course completion weight determined for each discipline area and level. The statewide average OIG/OCOG course completion weight shall be determined by calculating the difference between the percentage of traditional students who complete a course and the percentage of Ohio Instructional Grant and Ohio College Opportunity Grant recipients who complete the same course.	2511
	2512
	2513
	2514
	2515
	2516
	2517
(4) In calculating the core subsidy entitlements for Medical II models only, the Board of Regents shall use the following count of FTE students:	2518
	2519
	2520
(a) For those medical schools whose current year enrollment, including students repeating terms, is below the base enrollment, the Medical II FTE enrollment shall equal: 65 per cent of the base enrollment plus 35 per cent of the current year enrollment including students repeating terms, where the base enrollment is:	2521
	2522
	2523
	2524
	2525
The Ohio State University	1010 2526
University of Cincinnati	833 2527

University of Toledo	650	2528
Wright State University	433	2529
Ohio University	433	2530
<del>Northeastern</del> <u>Northeast</u> Ohio Universities	433	2531
<del>College of Medicine</del> <u>Medical University</u>		

(b) For those medical schools whose current year enrollment, 2532  
excluding students repeating terms, is equal to or greater than 2533  
the base enrollment, the Medical II FTE enrollment shall equal the 2534  
base enrollment plus the FTE for repeating students. 2535

(c) Students repeating terms may be no more than five per 2536  
cent of current year enrollment. 2537

(5) The state share of instruction to state-supported 2538  
universities for students enrolled in law schools in fiscal year 2539  
2010 and fiscal year 2011 shall be calculated by using the number 2540  
of subsidy-eligible FTE law school students funded by state 2541  
subsidy in fiscal year 1995 or the actual number of 2542  
subsidy-eligible FTE law school students at the institution in the 2543  
fiscal year, whichever is less. 2544

(B) TOTAL COSTS PER FULL-TIME EQUIVALENT STUDENT 2545

For purposes of calculating state share of instruction 2546  
allocations, the total instructional costs per full-time 2547  
equivalent student shall be: 2548

Model	Fiscal	Fiscal	
	Year 2010	Year 2011	
ARTS AND HUMANITIES 1	\$7,658	\$7,891	2550
ARTS AND HUMANITIES 2	\$10,117	\$10,425	2551
ARTS AND HUMANITIES 3	\$13,067	\$13,464	2552
ARTS AND HUMANITIES 4	\$19,194	\$19,778	2553
ARTS AND HUMANITIES 5	\$29,994	\$30,906	2554
ARTS AND HUMANITIES 6	\$35,991	\$37,085	2555
BUSINESS, EDUCATION & SOCIAL SCIENCES 1	\$6,732	\$6,937	2556

BUSINESS, EDUCATION & SOCIAL SCIENCES 2	\$7,803	\$8,041	2557
BUSINESS, EDUCATION & SOCIAL SCIENCES 3	\$9,619	\$9,911	2558
BUSINESS, EDUCATION & SOCIAL SCIENCES 4	\$11,607	\$11,959	2559
BUSINESS, EDUCATION & SOCIAL SCIENCES 5	\$18,044	\$18,592	2560
BUSINESS, EDUCATION & SOCIAL SCIENCES 6	\$22,615	\$23,303	2561
BUSINESS, EDUCATION & SOCIAL SCIENCES 7	\$27,528	\$28,365	2562
MEDICAL 1	\$47,494	\$48,938	2563
MEDICAL 2	\$45,420	\$46,801	2564
SCIENCE, TECHNOLOGY, ENGINEERING, MATHEMATICS,	\$6,943	\$7,154	2565
MEDICINE 1			
SCIENCE, TECHNOLOGY, ENGINEERING, MATHEMATICS,	\$9,792	\$10,090	2566
MEDICINE 2			
SCIENCE, TECHNOLOGY, ENGINEERING, MATHEMATICS,	\$11,963	\$12,327	2567
MEDICINE 3			
SCIENCE, TECHNOLOGY, ENGINEERING, MATHEMATICS,	\$15,282	\$15,747	2568
MEDICINE 4			
SCIENCE, TECHNOLOGY, ENGINEERING, MATHEMATICS,	\$19,471	\$20,063	2569
MEDICINE 5			
SCIENCE, TECHNOLOGY, ENGINEERING, MATHEMATICS,	\$21,771	\$22,433	2570
MEDICINE 6			
SCIENCE, TECHNOLOGY, ENGINEERING, MATHEMATICS,	\$27,906	\$28,755	2571
MEDICINE 7			
SCIENCE, TECHNOLOGY, ENGINEERING, MATHEMATICS,	\$36,547	\$37,658	2572
MEDICINE 8			
SCIENCE, TECHNOLOGY, ENGINEERING, MATHEMATICS,	\$51,283	\$52,842	2573
MEDICINE 9			
Doctoral I and Doctoral II models shall be allocated in			2574
accordance with division (D)(2) of this section.			2575
(C) SCIENCE, TECHNOLOGY, ENGINEERING, MATHEMATICS, MEDICAL,			2576
AND GRADUATE WEIGHTS			2577
For the purpose of implementing the recommendations of the			2578
State Share of Instruction Consultation and the Higher Education			2579

Funding Study Council that priority be given to maintaining state support for science, technology, engineering, mathematics, medicine, and graduate programs, the costs in division (B) of this section shall be weighted by the amounts provided below:

Model	Fiscal Year 2010	Fiscal Year 2011	
ARTS AND HUMANITIES 1	1.0000	1.0000	2585
ARTS AND HUMANITIES 2	1.0000	1.0000	2586
ARTS AND HUMANITIES 3	1.0000	1.0000	2587
ARTS AND HUMANITIES 4	1.0000	1.0000	2588
ARTS AND HUMANITIES 5	1.0425	1.0425	2589
ARTS AND HUMANITIES 6	1.0425	1.0425	2590
BUSINESS, EDUCATION & SOCIAL SCIENCES 1	1.0000	1.0000	2591
BUSINESS, EDUCATION & SOCIAL SCIENCES 2	1.0000	1.0000	2592
BUSINESS, EDUCATION & SOCIAL SCIENCES 3	1.0000	1.0000	2593
BUSINESS, EDUCATION & SOCIAL SCIENCES 4	1.0000	1.0000	2594
BUSINESS, EDUCATION & SOCIAL SCIENCES 5	1.0425	1.0425	2595
BUSINESS, EDUCATION & SOCIAL SCIENCES 6	1.0425	1.0425	2596
BUSINESS, EDUCATION & SOCIAL SCIENCES 7	1.0425	1.0425	2597
MEDICAL 1	1.6456	1.6456	2598
MEDICAL 2	1.7462	1.7462	2599
SCIENCE, TECHNOLOGY, ENGINEERING, MATHEMATICS, MEDICINE 1	1.0000	1.0000	2600
SCIENCE, TECHNOLOGY, ENGINEERING, MATHEMATICS, MEDICINE 2	1.0017	1.0017	2601
SCIENCE, TECHNOLOGY, ENGINEERING, MATHEMATICS, MEDICINE 3	1.6150	1.6150	2602
SCIENCE, TECHNOLOGY, ENGINEERING, MATHEMATICS, MEDICINE 4	1.6920	1.6920	2603
SCIENCE, TECHNOLOGY, ENGINEERING, MATHEMATICS, MEDICINE 5	1.4222	1.4222	2604
SCIENCE, TECHNOLOGY, ENGINEERING, MATHEMATICS, MEDICINE 6	1.8798	1.8798	2605

SCIENCE, TECHNOLOGY, ENGINEERING, MATHEMATICS,	1.4380	1.4380	2606
MEDICINE 7			
SCIENCE, TECHNOLOGY, ENGINEERING, MATHEMATICS,	1.5675	1.5675	2607
MEDICINE 8			
SCIENCE, TECHNOLOGY, ENGINEERING, MATHEMATICS,	1.1361	1.1361	2608
MEDICINE 9			
(D) CALCULATION OF STATE SHARE OF INSTRUCTION FORMULA			2609
ENTITLEMENTS AND ADJUSTMENTS			2610
(1) Of the foregoing appropriation items 235501, State Share			2611
of Instruction, and 235644, State Share of Instruction - Federal			2612
Stimulus - Education, 5 per cent of the appropriation for			2613
state-supported community colleges, state community colleges, and			2614
technical colleges in fiscal year 2011 shall be allocated to			2615
colleges in proportion to their share of college student success			2616
factors. In fiscal year 2011, student success factors shall			2617
include all measureable student outcomes that contribute to			2618
student achievement as determined by the Chancellor of the Board			2619
of Regents based on the recommendation of the consultation created			2620
in the <del>Section of this act</del> <u>sections of Am. Sub. H.B. 1 of the</u>			2621
<u>128th General Assembly</u> entitled "Studies to Determine Weights for			2622
Fiscal Year 2011 State Share of Instruction Formula."			2623
(2) Of the foregoing appropriation items 235501, State Share			2624
of Instruction, and 235644, State Share of Instruction - Federal			2625
Stimulus - Education, up to 12.89 per cent of the appropriation			2626
for university main campuses in each fiscal year shall be reserved			2627
for support of doctoral programs to implement the funding			2628
recommendations made by representatives of the universities. The			2629
amount so reserved shall be referred to as the doctoral set-aside.			2630
The doctoral set-aside shall be allocated to universities as			2631
follows:			2632
(a) 90 per cent of the doctoral set-aside in fiscal year 2010			2633
and 80 per cent of the doctoral set-aside in fiscal year 2011			2634



shall be allocated to universities in proportion to their share of 2635  
the total number of Doctoral I equivalent FTEs as calculated on an 2636  
institutional basis using the greater of the two-year or five-year 2637  
FTEs for the period fiscal year 1994 through fiscal year 1998 with 2638  
annualized FTEs for fiscal years 1994 through 1997 and all-term 2639  
FTEs for fiscal year 1998 as adjusted to reflect the effects of 2640  
doctoral review and subsequent changes in Doctoral I equivalent 2641  
enrollments. For the purposes of this calculation, Doctoral I 2642  
equivalent FTEs shall equal the sum of Doctoral I FTEs plus 1.5 2643  
times the sum of Doctoral II FTEs. 2644

(b) 5 per cent of the doctoral set-aside in fiscal year 2010 2645  
and 10 per cent of the doctoral set-aside in fiscal year 2011 2646  
shall be allocated to universities in proportion to each campus's 2647  
share of the total statewide doctoral degrees, weighted by the 2648  
cost of the doctoral discipline. In calculating each campus's 2649  
doctoral degrees the Chancellor of the Board of Regents shall use 2650  
the three-year average doctoral degrees awarded for the three-year 2651  
period ending in the prior year. 2652

(c) 2.5 per cent of the doctoral set-aside in fiscal year 2653  
2010 and 5 per cent of the doctoral set-aside in fiscal year 2011 2654  
shall be allocated to universities in proportion to their share of 2655  
research grant activity, using data collected and published by the 2656  
National Science Foundation. Grant awards from the National Health 2657  
Institute shall be weighted at 50 per cent. 2658

(d) 2.5 per cent of the doctoral set-aside in fiscal year 2659  
2010 and 5 per cent of the doctoral set-aside in fiscal year 2011 2660  
shall be allocated to universities based on other quality measures 2661  
that contribute to the advancement of the Chancellor's strategic 2662  
plan. These other quality measures shall be identified by the 2663  
Chancellor in consultation with universities. If for any reason 2664  
metrics for distributing the quality component of the doctoral 2665  
set-aside are not identified prior to the fiscal year allocation 2666

process, this portion of the doctoral set-aside funds shall be 2667  
allocated to universities based on division (D)(2)(a) of this 2668  
section. 2669

(3) Of the foregoing appropriation items 235501, State Share 2670  
of Instruction, and 235644, State Share of Instruction - Federal 2671  
Stimulus - Education, 6.96 per cent of the appropriation for 2672  
university main campuses in each fiscal year shall be reserved for 2673  
support of Medical II FTEs. The amount so reserved shall be 2674  
referred to as the medical II set-aside. 2675

The medical II set-aside shall be allocated to universities 2676  
in proportion to their share of the total number of Medical II 2677  
FTEs as calculated in division (A) of this section, weighted by 2678  
model cost. 2679

(4) Of the foregoing appropriation items 235501, State Share 2680  
of Instruction, and 235644, State Share of Instruction - Federal 2681  
Stimulus - Education, 1.61 per cent of the appropriation for 2682  
university main campuses in each fiscal year shall be reserved for 2683  
support of Medical I FTEs. The amount so reserved shall be 2684  
referred to as the medical I set-aside. 2685

The medical I set-aside shall be allocated to universities in 2686  
proportion to their share of the total number of Medical I FTEs as 2687  
calculated in division (A) of this section. 2688

(5) Of the foregoing appropriation items 235501, State Share 2689  
of Instruction, and 235644, State Share of Instruction - Federal 2690  
Stimulus - Education, 5 per cent of the fiscal year 2010 2691  
appropriation for university main campuses and 10 per cent of the 2692  
fiscal year 2011 appropriation for university main campuses shall 2693  
be reserved for support of associate, baccalaureate, master's, and 2694  
professional level degree attainment. 2695

The degree attainment funding shall be allocated to 2696  
universities in proportion to each campus's share of the total 2697

statewide degrees granted, weighted by the cost of the degree 2698  
programs. 2699

In calculating the subsidy entitlements for degree attainment 2700  
at university main campuses, the Chancellor of the Board of 2701  
Regents shall use the following count of degrees and degree costs: 2702

(a) For those associate degrees awarded by a state-supported 2703  
university, the subsidy eligible degrees granted are defined as 2704  
only those earned by students attending a university that received 2705  
funding under GRF appropriation item 235418, Access Challenge, in 2706  
fiscal year 2009. 2707

(b) In calculating each campus's count of degrees, the 2708  
Chancellor of the Board of Regents shall use the three-year 2709  
average associate, baccalaureate, master's, and professional 2710  
degrees awarded for the three-year period ending in the prior 2711  
year. 2712

Eligible associate degrees defined in division (D)(5)(a) of 2713  
this section and all bachelor's degrees earned by a student that 2714  
was eligible to receive Ohio need-based financial aid shall have 2715  
their associates degree cost weighted by a statewide OIG/OCOG 2716  
degree completion weight. 2717

The statewide average OIG/OCOG degree completion weight shall 2718  
be determined by calculating the difference between the percentage 2719  
of traditional students who earned a degree and the percentage of 2720  
Ohio Instructional Grant and Ohio College Opportunity Grant 2721  
recipients who earned a degree during the same time period. 2722

(6) Each campus's state share of instruction base formula 2723  
earnings shall be determined as follows: 2724

(a) For each campus in each fiscal year, the instructional 2725  
costs shall be determined by multiplying the amounts listed above 2726  
in divisions (B) and (C) of this section by (i) average 2727  
subsidy-eligible FTEs for the two-year period ending in the prior 2728

year for all models except Doctoral I and Doctoral II; and (ii) 2729  
average subsidy-eligible FTEs for the five-year period ending in 2730  
the prior year for all models except Doctoral I and Doctoral II. 2731

(b) The Chancellor of the Board of Regents shall compute the 2732  
two calculations listed in division (D)(6)(a) of this section and 2733  
use the greater amount as each campus's instructional costs. 2734

(c) The Chancellor of the Board of Regents shall compute a 2735  
uniform state share of instructional costs for each sector. 2736

(i) For the state supported community colleges, state 2737  
community colleges, and technical colleges, the Chancellor of the 2738  
Board of Regents shall compute the uniform state share of 2739  
institutional costs by dividing the earmark in division (C)(1) of 2740  
Section 371.20.90 of ~~this act~~ Am. Sub. H.B. 1 of the 128th General 2741  
Assembly, less the student college success allocation as described 2742  
in division (D)(1) of this section, by the sum of all eligible 2743  
campuses' instructional costs as calculated in division (D)(6)(b) 2744  
of this section. 2745

(ii) For the state supported university branch campuses, the 2746  
Chancellor of the Board of Regents shall compute the uniform state 2747  
share of institutional costs by dividing the earmark in division 2748  
(C)(2) of Section 371.20.90 of ~~this act~~ Am. Sub. H.B. 1 of the 2749  
128th General Assembly by the sum of all campuses' instructional 2750  
costs as calculated in division (D)(6)(b) of this section. 2751

(iii) For the state supported university main campuses, the 2752  
Chancellor of the Board of Regents shall compute the uniform state 2753  
share of institutional costs by dividing the earmark in division 2754  
(C)(3) of Section 371.20.90 of ~~this act~~ Am. Sub. H.B. 1 of the 2755  
128th General Assembly, less the doctoral set-aside, less the 2756  
medical I set-aside, less the medical II set-aside, and less the 2757  
degree attainment funding as calculated in divisions (D)(2) to (5) 2758  
of this section, by the sum of all campuses' instructional costs 2759

as calculated in division (D)(6)(b) of this section. 2760

(d) The formula entitlement for each sector's campuses shall 2761  
be determined by multiplying the uniform state share of costs 2762  
calculated in division (D)(6)(c) of this section by the campus's 2763  
instructional cost determined in division (D)(6)(b) of this 2764  
section. 2765

(7) In addition to the student success allocation, doctoral 2766  
set-aside, medical I set-aside, medical II set-aside, and the 2767  
degree attainment allocation determined in ~~division~~ divisions 2768  
(D)(1) to (D)(5) of this section and the formula entitlement 2769  
determined in division (D)(6) of this section, an allocation based 2770  
on facility-based plant operations and maintenance (POM) subsidy 2771  
shall be made. For each eligible campus, the amount of the POM 2772  
allocation in each fiscal year shall be distributed based on what 2773  
each campus received in the fiscal year 2009 POM allocation. 2774

Any POM allocations required by this division shall be funded 2775  
by proportionately reducing formula entitlement earnings, 2776  
including the POM allocations, for all campuses in that sector. 2777

(8) STABILITY IN STATE SHARE OF INSTRUCTION FUNDING 2778

In addition to and after the adjustments noted above, in 2779  
fiscal year 2010, no campus shall receive a state share of 2780  
instruction allocation that is less than 99 per cent of the prior 2781  
year's combined state share of instruction, access challenge, and 2782  
success challenge amounts. Funds shall be made available to 2783  
support this allocation by proportionately reducing formula 2784  
entitlement earnings from those campuses, within each sector, that 2785  
are not receiving stability funding. 2786

In fiscal year 2011, in addition to and after the adjustments 2787  
noted above, no campus shall receive a state share of instruction 2788  
allocation that is less than 98 per cent of the prior year's 2789  
combined state share of instruction, access challenge, and success 2790

challenge amounts. Funds shall be made available to support this 2791  
allocation by proportionately reducing formula entitlement 2792  
earnings from those campuses, within each sector, that do not 2793  
receive stability funding. 2794

(9) CAPITAL COMPONENT DEDUCTION 2795

After all other adjustments have been made, state share of 2796  
instruction earnings shall be reduced for each campus by the 2797  
amount, if any, by which debt service charged in Am. H.B. 748 of 2798  
the 121st General Assembly, Am. Sub. H.B. 850 of the 122nd General 2799  
Assembly, Am. Sub. H.B. 640 of the 123rd General Assembly, H.B. 2800  
675 of the 124th General Assembly, Am. Sub. H.B. 16 of the 126th 2801  
General Assembly, and Am. Sub. H.B. 699 of the 126th General 2802  
Assembly, Am. Sub. H.B. 496 of the 127th General Assembly, and Am. 2803  
Sub. H.B. 562 of the 127th General Assembly for that campus 2804  
exceeds that campus's capital component earnings. The sum of the 2805  
amounts deducted shall be transferred to appropriation item 2806  
235552, Capital Component, in each fiscal year. 2807

(E) EXCEPTIONAL CIRCUMSTANCES 2808

Adjustments may be made to the state share of instruction 2809  
payments and other subsidies distributed by the Chancellor of the 2810  
Board of Regents to state-assisted colleges and universities for 2811  
exceptional circumstances. No adjustments for exceptional 2812  
circumstances may be made without the recommendation of the 2813  
Chancellor and the approval of the Controlling Board. 2814

(F) APPROPRIATION REDUCTIONS TO THE STATE SHARE OF 2815  
INSTRUCTION 2816

The standard provisions of the state share of instruction 2817  
calculation as described in the preceding sections of temporary 2818  
law shall apply to any reductions made to appropriation items 2819  
235501, State Share of Instruction, and 235644, State Share of 2820  
Instruction - Federal Stimulus - Education, before the Board of 2821

Regents has formally approved the final allocation of the state 2822  
share of instruction funds for any fiscal year. 2823

Any reductions made to appropriation items 235501, State 2824  
Share of Instruction, and 235644, State Share of Instruction - 2825  
Federal Stimulus - Education, after the Board of Regents has 2826  
formally approved the final allocation of the state share of 2827  
instruction funds for any fiscal year, shall be uniformly applied 2828  
to each campus in proportion to its share of the final allocation. 2829

(G) DISTRIBUTION OF STATE SHARE OF INSTRUCTION 2830

The state share of instruction payments to the institutions 2831  
shall be in substantially equal monthly amounts during the fiscal 2832  
year, unless otherwise determined by the Director of Budget and 2833  
Management pursuant to section 126.09 of the Revised Code. 2834  
Payments during the first six months of the fiscal year shall be 2835  
based upon the state share of instruction appropriation estimates 2836  
made for the various institutions of higher education according to 2837  
the Chancellor of the Board of Regents enrollment estimates. 2838  
Payments during the last six months of the fiscal year shall be 2839  
distributed after approval of the Controlling Board upon the 2840  
request of the Board of Regents. 2841

**Sec. 371.40.90.** STATE UNIVERSITY CLINICAL TEACHING 2842

The foregoing appropriation items 235536, The Ohio State 2843  
University Clinical Teaching; 235537, University of Cincinnati 2844  
Clinical Teaching; 235538, University of Toledo Clinical Teaching; 2845  
235539, Wright State University Clinical Teaching; 235540, Ohio 2846  
University Clinical Teaching; and 235541, ~~Northeastern~~ Northeast 2847  
Ohio ~~Universities~~ College of Medicine Medical University Clinical 2848  
Teaching, shall be distributed through the Chancellor of the Board 2849  
of Regents. 2850

**Section 4.** That existing Sections 371.10, 371.20.80, and 2851

371.40.90 of Am. Sub. H.B. 1 of the 128th General Assembly are 2852  
hereby repealed. 2853

**Section 5.** That Section 105.45.20 of Sub. H.B. 462 of the 2854  
128th General Assembly be amended to read as follows: 2855

Reappropriations

<b>Sec. 105.45.20.</b>	<del>NEM NORTHEASTERN</del> <u>NORTHEAST</u> OHIO <del>UNIVERSITIES</del>		2856
	<del>COLLEGE OF MEDICINE</del> <u>MEDICAL UNIVERSITY</u>		2857
C30500	Basic Renovations	\$ 338,129	2858
C30501	Cooperating Regional Library Depository	\$ 582,218	2859
	- Northeastern		
C30505	Campus Network Expansion	\$ 8,676	2860
C30515	Building Envelope Restoration	\$ 2,068	2861
C30519	Steam to Hot Water Heating Conversion	\$ 1,488,560	2862
Total	<del>Northeastern</del> <u>Northeast</u> Ohio <del>Universities</del>	\$ 2,419,651	2863
	<del>College of Medicine</del> <u>Medical University</u>		

**Section 6.** That existing Section 105.45.20 of Sub. H.B. 462 2865  
of the 128th General Assembly is hereby repealed. 2866

**Section 7.** This act is hereby declared to be an emergency 2867  
measure necessary for the immediate preservation of the public 2868  
peace, health, and safety. The reason for such necessity is to 2869  
allow the renaming of the Northeast Ohio Medical University to 2870  
take effect in time for the 2011 commencement in recognition of 2871  
the achievements of the new graduates. Therefore, this act shall 2872  
go into immediate effect. 2873