

SB-1 Changes in Diversity, Equity, and Inclusion (DEI)

Changes found in O.R.C. 3345.0218

- University must adopt and enforce a policy that prohibits:
 - Orientation or training courses regarding diversity, equity, and inclusion (DEI) except to the extent the orientation or course is necessary to:
 - Comply with Federal law and regulations
 - Comply with State or Federal licensure requirements
 - Obtain or retain accreditation
 - Continuation of any existing DEI offices or departments
 - Establishes new DEI offices or departments
 - Uses DEI in job descriptions
 - Contracts with consultants or third parties to promote admissions, hiring, or promotion on the basis of race, ethnicity, religion, sex, sexual orientation, gender
 - Establishes any new institutional scholarship that uses DEI in any manner
 - Eliminate DEI, to the extent possible, from any current scholarship.
 - If unable to do so because of donor requirements, the scholarship may continue
 - Any continuing scholarship that uses DEI in any manner cannot accept any additional funds that have a DEI requirement
 - Exemption may be granted by the chancellor if research grant requirements contain DEI.
 - Must show efforts made to comply with DEI prohibitions while retaining grant eligibility requirements
 - Prohibitions do not apply to agreements or contracts for research grants entered into prior to effective date of law
 - Any renewal of an agreement or contract for research grants must comply with prohibitions
- University Policy also must:
 - Declare that the University's primary functions is "to practice, or support the practice, discovery, improvement, transmission, and dissemination of knowledge and citizenship education by means of research, teaching, discussion and debate"
 - Declare the University "shall ensure the fullest degree of intellectual diversity".
 - Declare that "faculty and staff shall allow and encourage students to reach their own conclusions about all **controversial beliefs** or policies and shall not seek to indoctrinate any social, political, or religious point of view".

- **Controversial belief** is defined as “any belief or policy that is the subject of political controversy, including issues such as climate policies, electoral politics, foreign policy, diversity, equity and inclusion programs, immigration policy, marriage, or abortion”.
- Demonstrate **intellectual diversity** for course approval, approval of courses to satisfy general education requirements, student course evaluations, common reading programs, annual reviews, strategic goals for each department, and student learning outcomes.
 - **Intellectual diversity** is defined as “multiple, divergent, and varied perspectives on an extensive range of public policy issues”.
- Declare that it “will not endorse or oppose, as an institution, any controversial belief or policy, except on matters that directly impact the institutions funding or mission of discovery, improvement, and dissemination of knowledge”.
 - May endorse the Congress of the United States when it establishes a state of armed hostility with a foreign power.
 - Does not apply to the recognition of State or Federal holidays, support for the Constitution and laws of the United States or the State of Ohio, or the display of the American or Ohio flag.
 - Does not apply to exercise of professional judgement about whether to endorse the consensus or foundational beliefs of an academic discipline, unless that exercise is misused to take an action prohibited above.
- Declare that it will not “encourage, discourage, require, or forbid students, faculty or administrators to endorse, assent to, or publicly express a given ideology, political stand or view of a social policy”.
 - No student shall be required to do any of the aforesaid things in order to obtain an undergraduate or post-graduate degree.
 - Does not apply to exercise of professional judgement about whether to endorse the consensus or foundational beliefs of an academic discipline, unless that exercise is misused to take an action prohibited above.
- Prohibit political and ideological litmus tests in hiring, promotion, and admissions including diversity statements and any other requirement that describes an applicant’s commitment to any ideology, principle, concept, or formulation that requires commitment to any controversial belief or policy.
- Declare that no hiring, promotion or admission process shall encourage, discourage, require, or forbid students, faculty, or administrators to endorse, assent to, or publicly express a given ideology or political stance.

- Declare that the University will not use a diversity statement or any other assessment of an applicant's political or ideological views in any hiring, promotions, or admissions process or decision.
- Declare that "no process or decision regulating conditions of work or study, such as committee assignments, course scheduling or workload adjustment policies shall encourage, discourage, require or forbid students, faculty or administrators to endorse, assent to, or publicly express a given ideology or political stance".
- Declare that the University will seek out invited speakers who have diverse ideological or political views.
- Post prominently on the University website a complete list of all speaker fees, honoraria, and other emoluments in excess of five hundred dollars for events that are sponsored by the University. Information must:
 - Be accessible from the main page of the University's web page by not more than three links
 - Searchable by keywords and phrases
 - Accessible to the public without requiring user registration of any kind
- University must respond to complaints from any student, student group, or faculty member about an alleged violation of the prohibitions and requirements included in the policy adopted above.
 - Mandate to investigate complaints of interference with intellectual diversity rights
 - Inform students and employees of their intellectual diversity protections and how to report violations
 - Report of any violations to chancellor

Changes found in O.R.C. 3345.0217

- None of the above requirements will:
 - prohibit faculty or students from classroom instruction, discussion or debate, so long as faculty allow students to express intellectual diversity, or;
 - Prohibit the University from complying with any state or federal law to provide disability services or to permit student organizations, including fraternities and sororities.
- General Assembly may withhold or reduce state operating subsidy payments, state capital improvement funds, or other state appropriations if it deems the University has not complied with the requirements listed above.

Changes found in O.R.C. 3345.88

- With respect to every position, policy, program, and activity, each state institution of higher education shall do both of the following:
 - Treat all faculty, staff, and students as individuals, hold every individual to equal standards and provide those individuals with equality of opportunity, with regard to those individuals' race, ethnicity, religion, sex, sexual orientation, gender identity, or gender expression.
 - Provide no advantage or disadvantage to faculty, staff, or student on the basis of race, ethnicity, religion, sex, sexual orientation, gender identity, or gender expression in admissions, hiring, promotion, tenuring, or workplace conditions.
- University cannot provide or require training for any administrator, teacher, staff member, or employee that advocates or promotes any of the following concepts:
 - One race or sex is inherently superior to another race or sex
 - An individual, by virtue of his or her race or sex is inherently racist, sexist, or oppressive, whether consciously or unconsciously
 - An individual should be discriminated against or receive adverse treatment solely or partly because or partly because of the individual's race
 - Members of one race cannot nor should not attempt to treat others without respect to race
 - An individual's moral standing or worth is necessarily determined by the individual's race or sex
 - An individual, by virtue of the individual's race or sex, bears responsibility for actions committed in the past by other members of the same sex
 - An individual should feel discomfort, guilt, anguish, or any other form of psychological distress on account of his or her race or sex
 - Meritocracy or traits such as hard work ethic are racist or sexist, or were created by members of a particular race to oppress members of another race
 - Fault, blame, or bias should be assigned to a race or sex, or to members of a race or sex because of their race or sex
- University shall implement a range of disciplinary sanctions for any administrator, teacher, staff member, or employee who authorizes or engages in training prohibited in division (C) of this section.
- University to issue a report regarding each of the following:
 - All violations of division D of this section committed by anyone under the University's jurisdiction and of all consequent disciplinary sanctions.
 - Statistics on the academic qualifications of accepted and matriculating students disaggregated by race and sex. The statistics shall include

information correlating students' academic qualifications and retention rates, disaggregated by race and sex.

- University shall prohibit all policies designed explicitly to segregate faculty, staff, or students based on those individual's race, ethnicity, religion, sex, sexual orientation, gender identity, or gender expression in credit-earning classroom settings, formal orientation ceremonies and formal graduation ceremonies.
- University shall respond to complaints from any student, student group, or faculty member about an alleged violation of the prohibitions and requirements under this section by an employee of the university using the process established under division (C) of Section 3345.0215 of the Revised Code.