

S.B. 24
Academic Bill of Rights
126th General Assembly
Bill Summary

Sponsor: Representative Larry Mumper (R – Marion)

Status:

Introduced:	01/26/05
Referred to Senate Education:	01/27/05
1 st Hearing	02/22/05
2 nd Hearing	03/01/05
3 rd Hearing	03/08/05

What this bill does:

- Requires the board of trustees of each public and private institution of higher education to adopt a policy recognizing that students, faculty and instructors of the institution have the following rights:
 - A learning environment in which students have access to a broad range of serious scholarly opinion.
 - Students are to be graded solely on the basis of their reasoned answers and not to be discriminated on the basis of political, ideological, or religious beliefs. Faculty and instructors are not to use their courses or positions for the purpose of political, ideological, religious, or antireligious indoctrination.
 - Faculty and instructors are not to infringe the academic freedom and quality of education by persistently introducing controversial matter into the classroom that has no relation to their subject of study.
 - University administrators, student government organization, and institutional policies are not to infringe the freedom of speech, freedom of expression, freedom of assembly, and freedom of conscience of students and student organizations.
 - The institution must distribute student fee funds on a viewpoint-neutral basis and must maintain a posture of neutrality with respect to political and religious disagreements.
 - Faculty and instructors are free to pursue and discuss their own findings and perspectives but have to make students aware of other serious scholarly viewpoints.
 - Faculty and instructors have to be hired, fired, promoted and granted tenure on the basis of their competence and knowledge and not on the basis of their political, ideological, or religious beliefs.
 - Faculty and instructors cannot be excluded from tenure, search, and hiring committees on the basis of their political, ideological, or religious beliefs.

- Boards of trustees of public and private campuses are required to adopt a grievance procedure under which a student, faculty member, or

instructor may seek redress for an alleged violation of any of the rights specified by the institution's policy adopted under this bill.

- Each board of trustees must provide students, faculty, and instructors with notice of the rights and grievance procedures in the institution's course catalog, student handbook and web site.

Additional information:

- On September 13, 2005, Senate Education Committee Chair Joy Padgett announced that the S.B. 24 would be put on hold under an agreement between Ohio's public universities and bill supporters. The Ohio Gongwer Report for that day reported the following:

Sen. Larry Mumfer, the bill's prime sponsor, called the solution without legislation a good coming together of all interested parties and, in particular, by representatives of the state's 13 four-year public institutions of higher education, two medical colleges, community colleges and private non-profit colleges to make institution-specific changes coupled with satisfactory implementation.

He praised the behind the scenes works of Senator Padgett and representatives of the Inter-University Council of Ohio (IUC). Senator Mumfer said he appreciated the fact that the higher education community felt the legislation, which also would have required the establishment of a grievance procedure for alleged rights violations, was not wanted or needed but stepped forward to craft a compromise entailing the adoption of the resolution by IUC.

James McCollum, executive director of the Inter-University Council of Ohio, said that the solution provides flexibility without resorting to a statutory remedy in. He said university communities believe in diversity of opinions and access to a process of student rights and grievance procedures. Mr. McCollum called the agreement an amicable resolution to the issue and told committee members there would be a complete report presented early next year on campus-specific procedures adopted and implemented.

Mr. McCollum said the IUC is considering and will adopt at its next meeting a resolution on academic rights and responsibilities. The resolution states that Ohio's four-year public universities are committed to valuing and respecting diversity of ideas, including respect for diverse political viewpoints and neither student nor faculty should be evaluated on the basis of their political opinions. Any members of the university community that believe they have been treated unfairly on academic matters must have access to an institutional process to consider their grievances, the solution further states.

The resolution goes on to declare that each university will review its student's rights and campus grievance procedures to recognize and foster respect for diversity of ideas and each university will cultivate an environment in which those rights are disseminated broadly to all members of the university community, especially students.

- To access the bill in its entirety, click on or visit the following link:
http://www.legislature.state.oh.us/bills.cfm?ID=126_SB_24

