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H.B. 414
135th General Assembly

Bill Analysis

Version: As Introduced

Primary Sponsor: Rep. Forhan

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SUMMARY

- Creates the Comprehensive Science of Hair Learning Institute as a state institution of higher education.
- Establishes the Institute's board of trustees, defines its membership, and specifies its powers and duties.
- Requires, within a specified time after the bill's effective date, the Institute's board to meet and begin consulting with the Chancellor of Higher Education and the Department of Administrative Services to acquire real property for the Institute's main campus.
- Requires the State Cosmetology and Barber Board to establish and administer a natural curly textured hair science grant program to engage students and instructors in learning about the science and care of natural curly textured hair at either the Institute or another cosmetology school.
- Appropriates \$10 million in FY 2024 for the Natural Curly Textured Hair Science Grant Program.

DETAILED ANALYSIS

Comprehensive Science of Hair Learning Institute

The bill creates the Comprehensive Science of Hair Learning Institute as a state institution of higher education. Under continuing law, other state institutions of higher education include the 13 state universities, the Northeast Ohio Medical University, and all of

the community colleges, state community colleges, technical colleges, and university branch campuses.¹

Like other state institutions of higher education, the Institute may engage a legislative agent to lobby on the Institute's behalf. Under continuing law, a contract between a state institution of higher education and a legislative agent exceeding \$50,000 a year is subject to Controlling Board approval, unless the legislative agent is employed directly by the state institution.²

The bill requires the General Assembly to support the Institute with money and in any other manner the General Assembly determines. Support also may come from sources other than the General Assembly.³

The Institute is subject to a continuing law fiscal watch program administered by the Office of Budget and Management, the Chancellor of Higher Education, and several appointed representatives. Under the program, a state institution of higher education must take specific actions when the Chancellor (using criteria established by rule) adopts a resolution declaring the institution to be in a state of fiscal emergency.⁴

Board of trustees

Under the bill, the Institute is governed by an 11-member board of trustees appointed by the Governor with the advice and consent of the Senate. Two trustees must be Institute students.

The nonstudent board members' initial terms are staggered. After the initial staggered terms, each nonstudent member serves for a nine-year term beginning on July 1, and ending on June 30.

Student members are chosen from a group of five candidates selected using a procedure adopted by the Institute's student governments and approved by the board. The initial student members' terms also are staggered. After the initial terms, student members serve two-year terms. Each term ends on the same day of the same month of the year as the term it succeeds. If a student member cannot fulfill a two-year term, a replacement is selected to fill the unexpired term in the manner used for the original selection.

Trustees hold office from the date of appointment until the end of the term for which the trustee was appointed. Any trustee appointed to finish another person's unexpired term holds office for the remainder of the term. A trustee continues in office after the expiration of the trustee's term until the earlier of the date the trustee's successor takes office or 60 days.

¹ R.C. 3363.01(A), with conforming changes in R.C. 2917.31, 3333.045, 3334.01, and 3345.011.

² R.C. 101.711.

³ R.C. 3363.06.

⁴ R.C. 3345.71.

Any person who has served a full nine-year term or more than six years of a term is ineligible for reappointment until four years after the last day of the person's previous term.

Trustees are not compensated for their services but are paid reasonable and necessary expenses while engaged in their official duties.

A majority of appointed trustees constitutes a quorum. However, student members are not considered members for determining whether a quorum is present, and they have no voting power. Student members also are not entitled to attend the board's executive sessions.⁵

Board property, main campus, and other facilities

The board may receive and hold, for the Institute's benefit, any grant or devise of land and any donation or bequest of other property. Unless the source otherwise directs, land and property held in trust by the board must be applied to the Institute's general or special uses. The board may enter contracts or agreements necessary or incidental to the acquisition of property for the Institute's operations. The board also may contract with a financial institution for services necessary to make direct deposits of payments the board is legally permitted or required to make while performing its duties.⁶

Not later than 30 days after all of the nonstudent trustees are appointed, the board must meet and begin consulting with the Chancellor of Higher Education and the Department of Administrative Services to acquire real property in Ohio for use as the Institute's main campus. The Institute must have one main campus. It may establish branch campuses with the Chancellor's approval.⁷

Bonds and other debt obligations may be issued in accordance with continuing law to finance costs associated with real estate, buildings, structures, equipment, and improvements for the Institute's operations.⁸

Property held by the board for the Institute's use and benefit is tax exempt so long as it is used to support the Institute.⁹

Chairperson, officers, and other employees

The board annually elects a chairperson and vice-chairperson from its members. The board may appoint a secretary, a treasurer, and other officers as may be necessary. If the board appoints a treasurer, the treasurer must provide the state a bond or be insured. The bond or insurance is for the faithful performance of the treasurer's duties and the proper accounting for moneys coming into the treasurer's care. The board determines the amount of bond or

⁵ R.C. 3363.01.

⁶ R.C. 9.37 and 3363.05.

⁷ R.C. 3363.02.

⁸ R.C. 151.04, 154.01, and 3345.12.

⁹ R.C. 3345.17.

insurance. The amount may not be for less than the estimated amount which may come into the treasurer's sole control, less any reasonable deductible.¹⁰

The board must employ, fix the compensation of, and remove the Institute's president and the number of teachers and other employees as it deems necessary. The board does all things necessary for the Institute's creation, maintenance, and successful and continuous operation, including establishing compensation plans and employees' hourly rates. The board may adopt and amend bylaws and rules for the board's conduct and the government and conduct of the Institute.¹¹

A teacher or faculty member of the Institute is a member of the State Teachers Retirement System (STRS). Nonteaching employees of the Institute are members of the School Employees Retirement System (SERS). However, continuing law allows state institutes of higher education like the Institute to establish (and employees to participate in) an alternative retirement plan.¹²

Natural Curly Textured Hair Science Grant Program

Under the bill, the State Cosmetology and Barber Board must establish and administer a natural curly textured hair science grant program. The program is to engage students and instructors in learning or acquiring knowledge of the science and care of natural curly textured hair at either the Institute or another cosmetology school. Under the program, the Board may award a grant to the Institute or cosmetology school to offer any of the following:

- A course of practical training and technical instruction for natural hair styling that an individual must pass to obtain a license to practice a branch of cosmetology;
- Educational programs to broaden an instructor's knowledge and skills in the science and care of natural curly textured hair for teaching a course that an individual must pass to obtain a license to practice a branch of cosmetology, post-secondary program, or advanced practice program at the Institute or a cosmetology school;
- Seminars or workshops focused on hair care techniques and management of natural curly textured hair, including knowledge of hair structure and biology, and cultural sensitivity, in collaboration with experts in the practice or teaching of natural curly textured hair science and care and educators of diversity training.¹³

The Institute or a cosmetology school seeking to participate in the program must apply in a form and manner prescribed by the Board. In the application, the Institute or school must

¹⁰ R.C. 3363.03.

¹¹ R.C. 3345.31 and 3363.04.

¹² R.C. 3305.01, 3307.01, and 3309.01; R.C. 3305.02 and 3309.011, not in the bill.

¹³ R.C. 4713.47(A).

attest that the Institute or school will use a book specified by the Board when offering a course, program, seminar, or workshop funded by a grant.¹⁴

The Institute or a school awarded a grant to offer a program under the bill may include any of the following topics:

- The science and anatomy of different hair textures and the effects of styling and hair care practices on natural curly textured hair, based on the books and other teachings of Dr. Willie Morrow;
- Training in the technical mechanics of natural curly textured hair, including knowledge of hair structure and biology outside of styling applications;
- Comprehensive training in hair and scalp care for natural curly textured hair, such as treatment options including deep conditioning and hot oil massages or other services to improve moisture retention, curl definition, or hair strengthening;
- The significance of hair care for natural curly textured hair and natural, protective, or cultural hair styles.¹⁵

The Board must adopt rules necessary for the administration of the grant program, including all of the following:

- Eligibility requirements for the Institute or school to receive a grant;
- The amounts in which grants may be made;
- The total amount that may be awarded to the Institute or a school;
- The book on the science and care of natural curly textured hair that the Institute or a school must use in a course, program, seminar, or workshop funded by a grant.¹⁶

Appropriation

The bill appropriates \$10 million in FY 2024 for the Natural Curly Textured Hair Science Grant Program created by the bill.¹⁷

¹⁴ R.C. 4713.47(B).

¹⁵ R.C. 4713.47(C).

¹⁶ R.C. 4713.08(A)(20) and 4713.47(D).

¹⁷ Sections 3 and 4.

HISTORY

Action	Date
Introduced	02-15-24
