



## Ohio Revised Code

### Section 3364.07 Institute of American constitutional thought and leadership.

Effective: October 3, 2023

Legislation: House Bill 33 - 135th General Assembly

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(A) The institute of American constitutional thought and leadership is established for the purpose of creating and disseminating knowledge about American constitutional thought and to form future leaders of the legal profession through research, scholarship, teaching, collaboration, and mentorship. The institute shall be an independent academic unit within the university of Toledo, initially physically located at the college of law. The university shall require the college of law to provide adequate administrative space for the institute.

(B) The institute shall pursue all of the following goals:

(1) To enrich the curriculum in American constitutional studies, including the core texts and great debates of western civilization;

(2) To educate university students in the principles, ideals, and institutions of the American and Ohio constitutional order;

(3) To educate university students in the foundations of responsible leadership and informed citizenship and to cultivate the next generation of leaders in the legal profession;

(4) To offer university-wide programming related to the values of open inquiry and civil discourse;

(5) To expand the intellectual diversity of the university's academic community and to create a rich forum for the development of ideas across the political and ideological spectrum;

(6) To support faculty and graduate student scholarship that advances understanding of American constitutional thought and institutions;

(7) To promote scholarly collaboration within the university and beyond;



(8) To host lectures, debates, and symposia, and sponsor visiting scholars, jurists, and teachers.

(C) The institute shall adhere to the following policies:

(1) The institute shall educate students by means of free, open, and rigorous intellectual inquiry to seek the truth.

(2) The institute shall equip students with the skills, habits, and dispositions of mind they need to reach their own informed conclusions on matters of legal, social, and political importance.

(3) The institute shall value intellectual diversity in higher education, including in faculty recruitment, hiring, and appointment, and aspire to enhance the intellectual diversity of academic life at the university.

(4) The institute shall create a community dedicated to an ethic of civil and free inquiry, which respects the intellectual freedom of each member, supports individual capacities for growth, and welcomes the differences of opinion that naturally occur in a public university community.

(D)(1) Not later than sixty days after the effective date of this section , the talent, compensation, and governance committee of the board of trustees of the university, if such a committee exists, shall appoint, with the advice and consent of the senate, a seven-member institute academic council. If no such committee exists, the board of trustees shall appoint members under this division. An initial member shall not begin service until confirmed by the senate. Four members shall form a quorum.

(2) The academic council shall be comprised of scholars with relevant expertise and experience. Not more than one member of the council may be an employee of the university. Best efforts shall be made to have not fewer than three members of the council be from Ohio.

(3) Three members of the academic council shall serve initial terms of two years and four members shall serve initial terms of four years, which the members shall determine at their first meeting, and select replacements for vacant seats.

(4) To fill a vacancy for the institute director after the initial director, following a national search, the



academic council shall transmit to the president a list of finalists from which the president shall select a director, subject to the approval of the talent, compensation, and governance committee of the board of trustees.

(E)(1) The institute shall be led by a director who shall report directly to the president and provost of the university and consult with the dean of the college of law. The president of the university shall appoint an initial director not later than thirty days after the effective date of this section . The director shall be an expert of the western tradition, the American founding, and American constitutional thought, and shall have shown a commitment to the purposes, goals, and policies of the institute. The director's term shall be for five years and shall be renewable.

(2) The director shall have the protection of tenure or tenure eligibility. Any existing tenure with the university held by a director shall be maintained with the university.

(F) The institute shall be an independent academic unit of the university with the authority to house tenure-track faculty who hold their appointments within the institute. Not fewer than five tenure-track faculty positions shall be allotted to the institute. Faculty appointed within the institute shall not be required, but may be permitted, to hold joint or courtesy appointments within any other division of the university. No faculty from outside the institute shall have the authority to block faculty hires into the institute.

(G)(1) The director shall have the sole and exclusive authority to manage the recruitment and hiring process and to extend offers for employment for all faculty and staff, and to terminate employment of all staff. The director shall oversee, develop, and approve the institute's curriculum. The institute shall be granted the authority to offer courses and develop certificate, minor, major, and graduate programs, and offer degrees.

(2) Employment contracts offered under division (G)(1) of this section to tenure-track faculty appointed to the institute shall guarantee reappointment elsewhere in the university, at the same rank and compensation, in the event the institute is discontinued.

(H) The director of the institute shall submit an annual report to the board of trustees of the university and the general assembly in accordance with section 101.68 of the Revised Code. The



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report shall provide a full account of the institute's achievements, opportunities, challenges, and obstacles in the development of this academic unit.

(I) The board of trustees of the university may change the name of the institute in accordance with the philanthropic naming policies and practices of the university.