

As Introduced	1.4
120th General Assembly	1.6
Regular Session	1.7
1993-1994	1.8
REPRESENTATIVES TERWILLEGER-NETZLEY-AMSTUTZ-TIBERI-VAN VYVEN-	1.10
WINKLER-KREBS-WACHTMANN-SCHULER-PADGETT-CARR	1.11
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A B I L L	1.13
To amend section 3345.281 and to enact section 5.15	1.15
of the Revised Code to designate English as the	1.16
official language of Ohio; to require the use of	1.17
the English language by state and local	1.18
government entities in official actions and	1.19
proceedings, subject to certain exceptions; and	1.20
to require all public higher education teaching	1.21
personnel to be proficient in English.	1.22
BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:	1.25
Section 1. That section 3345.281 be amended and section	1.27
5.15 of the Revised Code be enacted to read as follows:	1.28
Sec. 5.15. (A) AS USED IN THIS SECTION:	1.30
(1) "STATE AGENCY" MEANS ANY ORGANIZED BODY, OFFICE, OR	1.32
AGENCY, INCLUDING THE GENERAL ASSEMBLY AND THE COURTS,	1.33
ESTABLISHED BY THE LAWS OF THIS STATE FOR THE EXERCISE OF ANY	1.34
FUNCTION OF STATE GOVERNMENT.	1.35
(2) "POLITICAL SUBDIVISION" MEANS A MUNICIPAL CORPORATION,	2.1
TOWNSHIP, COUNTY, SCHOOL DISTRICT, OR ANY OTHER BODY CORPORATE	2.2
AND POLITIC RESPONSIBLE FOR GOVERNMENTAL ACTIVITIES ONLY IN A	2.3
GEOGRAPHIC AREA SMALLER THAN THAT OF THIS STATE.	2.4
(3) "PUBLIC RECORD" HAS THE SAME MEANING AS IN SECTION	2.6
149.43 OF THE <u>REVISED CODE</u> .	2.7
(4) "MEETING" AND "PUBLIC BODY" HAVE THE SAME MEANINGS AS	2.9
IN SECTION 121.22 OF THE <u>REVISED CODE</u> .	2.10
(B) THE <u>ENGLISH</u> LANGUAGE IS HEREBY RECOGNIZED AS THE	2.12
COMMON LANGUAGE OF THE <u>UNITED STATES</u> AND DESIGNATED AS THE	2.13
OFFICIAL LANGUAGE OF THIS STATE. EXCEPT AS PROVIDED IN DIVISION	2.14

(C) OF THIS SECTION, THE OFFICIAL LANGUAGE SHALL BE USED FOR EACH PUBLIC RECORD, FOR EACH MEETING OF A PUBLIC BODY, AND FOR EACH OFFICIAL ACTION OF ANY STATE AGENCY OR POLITICAL SUBDIVISION, INCLUDING EACH DOCUMENT, RECORD, MEETING, POLICY, OR OTHER ACTION TAKEN UNDER COLOR OF LAW.

NOTHING IN THIS SECTION SHALL BE CONSTRUED TO APPLY TO ANY ENTITY OTHER THAN A STATE AGENCY OR POLITICAL SUBDIVISION OR TO INFRINGE ON THE RIGHT OF ANY INDIVIDUAL TO CHOOSE HIS PRIMARY LANGUAGE.

(C) A STATE AGENCY OR POLITICAL SUBDIVISION OR ITS OFFICERS OR EMPLOYEES MAY ACT IN A LANGUAGE OTHER THAN THE OFFICIAL LANGUAGE FOR ANY OF THE FOLLOWING PURPOSES:

(1) TO PROVIDE INFORMATION ORALLY TO INDIVIDUALS IN THE COURSE OF DELIVERING SERVICES TO THE GENERAL PUBLIC;

(2) TO COMPLY WITH FEDERAL LAW;

(3) TO PROTECT THE PUBLIC HEALTH OR SAFETY;

(4) TO PROTECT THE RIGHTS OF PARTIES AND WITNESSES IN A CIVIL OR CRIMINAL ACTION IN A COURT OR IN AN ADMINISTRATIVE PROCEEDING;

(5) TO PROVIDE INSTRUCTION IN FOREIGN LANGUAGE COURSES;

(6) TO PROVIDE INSTRUCTION DESIGNED TO AID STUDENTS WITH LIMITED ENGLISH LANGUAGE PROFICIENCY TO MAKE A TIMELY TRANSITION AND INTEGRATION INTO THE PUBLIC SCHOOLS;

(7) TO PROMOTE INTERNATIONAL COMMERCE OR TOURISM.

(D) ANY RESIDENT OF THIS STATE WHO DETERMINES THAT THIS SECTION IS NOT BEING OBSERVED MAY BRING AN ACTION IN THE APPROPRIATE COURT OF COMMON PLEAS TO ENFORCE, OR ENJOIN A VIOLATION OF, THIS SECTION.

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

The board of trustees of each state university, college of medicine, technical college, state community college, community

college, and the board of trustees or managing authority of each 3.28  
 university branch shall establish a program to assess the oral 3.30  
 English language proficiency of all PROFESSORS, teaching 3.31  
 assistants, AND OTHER TEACHING PERSONNEL providing classroom 3.32  
 instruction to students and shall ensure that ALL PROFESSORS, 3.34  
 teaching assistants, AND OTHER TEACHING PERSONNEL who are not 3.36  
 orally proficient in the English language attain such proficiency 4.2  
 prior to providing classroom instruction to students. 4.3

Section 2. That existing section 3345.281 of the Revised 4.5  
 Code is hereby repealed. 4.6

Section 3. In amending section 3345.281 and in enacting 4.8  
 section 5.15 of the Revised Code in this act, the 120th General 4.9  
 Assembly acknowledges the following: 4.10

(A) The people of the United States have brought together 4.12  
 the cultural heritage of many nations. 4.13

(B) Our communities have been greatly enriched by this 4.15  
 cultural diversity and should promote the dignity of all the 4.16  
 heritages that form this nation's pluralistic society. 4.17

(C) The people of the United States, despite their many 4.19  
 differences, have lived together harmoniously and productively as 4.21  
 citizens of one nation.

(D) This nation has benefited throughout its history by 4.23  
 the advantages afforded throughout the historic evolution of a 4.24  
 common language among diverse immigrant and ethnic groups. A 4.25  
 common language provided a vehicle for commercial growth, social 4.26  
 cohesion, and participation in the building of a new nation. 4.27

(E) A knowledge of the common language was, and is, 4.29  
 essential to full exercise of constitutional freedoms, informed 4.30  
 and knowledgeable empowerment as voters, citizen checks against 4.31  
 government abuses, and individual prosperity and independence. 4.32

(F) Our common language has provided our strongest bond to 4.34  
 one another as fellow citizens and has contributed substantially 4.35  
 to national unity and social cohesiveness; it has provided a 4.36  
 means for pursuing a more perfected implementation of ideals of 5.1  
 individual equality. 5.2

(G) The traditional and common language of the United States and of this state is English. It is the only language that crosses ethnic, racial, and religious lines and is, therefore, neither tied to nor the property of any ethnic group. Rather, English is our single non-ethnic language.

(H) English has been this nation's language by custom only and warrants special legal protection. The purpose of this act is to maintain the benefits of this role of our common language and to contribute to ensuring that all individuals are offered an opportunity to learn our common language.

(I) Government has a fiduciary responsibility to the citizenry to ensure that it operates as efficiently as possible. The unlimited growth of multiple language bureaucracies and printing represents an abrogation of this fiduciary responsibility.

(J) Government has a responsibility to protect the civil rights of the citizenry. The development of separate-but-equal bureaucracies operating in multiple languages represents an abrogation of the government's responsibility to provide uniform, consistent services to all citizens.

(K) As government has a responsibility to limit the growth of multiple language bureaucracies to prevent the isolation of cultural groups, the state and its municipalities and the government of the United States also share a responsibility to ensure that all citizens have opportunities to learn English.