

As Passed by the House	1
121st General Assembly	4
Regular Session	5
1995-1996	6
REPRESENTATIVES TERWILLEGER-TIBERI-KREBS-HOTTINGER-WACHTMANN-HOOD-	8
VESPER-PADGETT-JORDAN-HARRIS-GRENDELL-O'BRIEN-VAN VYVEN-FOX-	9
SCHURING-BATCHELDER-BRADING-WISE-ROMAN-BUCHY-MOTTL-CAREY-	10
COLONNA-THOMAS	11
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A B I L L

To amend section 3345.281 and to enact section 5.15 of the Revised Code to require the use of the English language by state and local government entities in official actions and proceedings, subject to certain exceptions, and to require state institutions of higher education to refund fees to students who cannot reasonably understand the spoken language utilized by teaching personnel.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 3345.281 be amended and section 5.15 of the Revised Code be enacted to read as follows:

Sec. 5.15. (A) AS USED IN THIS SECTION:

(1) "STATE AGENCY" MEANS ANY ORGANIZED BODY, OFFICE, OR AGENCY, INCLUDING THE GENERAL ASSEMBLY AND THE COURTS, ESTABLISHED BY THE LAWS OF THIS STATE FOR THE EXERCISE OF ANY FUNCTION OF STATE GOVERNMENT.

(2) "POLITICAL SUBDIVISION" MEANS A MUNICIPAL CORPORATION, TOWNSHIP, COUNTY, SCHOOL DISTRICT, OR ANY OTHER BODY CORPORATE AND POLITIC RESPONSIBLE FOR GOVERNMENTAL ACTIVITIES IN A GEOGRAPHIC AREA SMALLER THAN THAT OF THE STATE.

(3) "PUBLIC RECORD" HAS THE SAME MEANING AS IN SECTION

149.43 OF THE REVISED CODE.

(4) "MEETING" AND "PUBLIC BODY" HAVE THE SAME MEANINGS AS 45
IN SECTION 121.22 OF THE REVISED CODE. 46

(B) EXCEPT AS PROVIDED IN DIVISION (C) OF THIS SECTION, 49
THE ENGLISH LANGUAGE SHALL BE USED FOR EACH PUBLIC RECORD, FOR 50
EACH MEETING OF A PUBLIC BODY, AND FOR EACH OFFICIAL ACTION OF 51
ANY STATE AGENCY OR POLITICAL SUBDIVISION, INCLUDING EACH 52
DOCUMENT, RECORD, MEETING, POLICY, OR OTHER ACTION TAKEN UNDER 53
COLOR OF LAW.

NOTHING IN THIS SECTION SHALL BE CONSTRUED TO APPLY TO ANY 56
ENTITY OTHER THAN A STATE AGENCY OR POLITICAL SUBDIVISION, TO
INFRINGE ON THE RIGHT OF ANY INDIVIDUAL TO CHOOSE THAT 57
INDIVIDUAL'S PRIMARY LANGUAGE, OR TO DO ANYTHING OTHER THAN 58
CODIFY A LANGUAGE POLICY FOR STATE AGENCIES AND POLITICAL 59
SUBDIVISIONS.

(C) A STATE AGENCY OR POLITICAL SUBDIVISION OR ITS 62
OFFICERS OR EMPLOYEES MAY ACT IN A LANGUAGE OTHER THAN THE 63
ENGLISH LANGUAGE FOR ANY OF THE FOLLOWING PURPOSES:

(1) TO PROVIDE INFORMATION ORALLY TO INDIVIDUALS IN THE 65
COURSE OF DELIVERING SERVICES TO THE GENERAL PUBLIC; 66

(2) TO COMPLY WITH FEDERAL LAW; 68

(3) TO PROTECT THE PUBLIC HEALTH OR SAFETY; 70

(4) TO PROTECT THE RIGHTS OF PARTIES AND WITNESSES IN A 72
CIVIL OR CRIMINAL ACTION IN A COURT OR IN AN ADMINISTRATIVE 73
PROCEEDING; 74

(5) TO PROVIDE INSTRUCTION IN FOREIGN LANGUAGE COURSES; 76

(6) TO PROVIDE INSTRUCTION DESIGNED TO AID STUDENTS WITH 79
LIMITED ENGLISH LANGUAGE PROFICIENCY SO THEY CAN MAKE A TIMELY 80
TRANSITION TO USE OF THE ENGLISH LANGUAGE IN THE PUBLIC SCHOOLS; 81

(7) TO PROMOTE INTERNATIONAL COMMERCE, TRADE, OR TOURISM; 83

(8) TO UTILIZE IN DOCUMENTS TERMS OF ART OR PHRASES FROM 85
LANGUAGES OTHER THAN THE ENGLISH LANGUAGE. 86

Sec. 3345.281. (A) As used in this section, "teaching 88
assistant" means a student enrolled full-time or part-time in a 89

graduate degree program at an educational institution for which 90
the student has received an appointment to provide 91
classroom-related services. 92

The board of trustees of each state university, college of 94
medicine, technical college, state community college, community 95
college, and the board of trustees or managing authority of each 96
university branch shall establish a program to assess the oral 97
English language proficiency of all teaching assistants providing 98
classroom instruction to students and shall ensure that teaching 99
assistants who are not orally proficient in the English language 100
attain such proficiency prior to providing classroom instruction 101
to students.

(B) A STATE UNIVERSITY, COLLEGE OF MEDICINE, TECHNICAL 103
COLLEGE, STATE COMMUNITY COLLEGE, COMMUNITY COLLEGE, OR 104
UNIVERSITY BRANCH SHALL REFUND TUITION AND OTHER FEES PAID BY A 105
STUDENT IN ORDER TO ATTEND A CLASS OR COURSE AT SUCH INSTITUTION 106
IF THE STUDENT CANNOT REASONABLY UNDERSTAND THE SPOKEN LANGUAGE 107
UTILIZED BY THE PROFESSOR, TEACHING ASSISTANT, OR OTHER TEACHING 108
PERSONNEL IN THE PROVISION OF INSTRUCTION IN THAT CLASS OR COURSE 110
AND THE STUDENT REQUESTS SUCH REFUND WITHIN THIRTY DAYS OF THE 111
FIRST REGULARLY SCHEDULED MEETING OF THE CLASS OR COURSE. 112

Section 2. That existing section 3345.281 of the Revised 114
Code is hereby repealed. 115