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# OHIO LEGISLATIVE SERVICE COMMISSION

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S.B. 259  
135<sup>th</sup> General Assembly

## Bill Analysis

**Version:** As Introduced

**Primary Sponsor:** Sen. Gavarone

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### SUMMARY

- Permits a student subjected to certain qualifying offenses to participate in interscholastic athletics at a different school.
- Prohibits a district or school, interscholastic conference, or organization that regulates interscholastic conferences or events from imposing extra fees, rules, penalties, or restrictions on students who participate in interscholastic athletics at a different school under the bill.

### DETAILED ANALYSIS

#### Participation in interscholastic athletics at a different school

Under the bill, a school district superintendent or chief administrative officer of a school may permit a home-educated student or a student enrolled in a different school district, community school, STEM school, chartered nonpublic school, or nonchartered nonpublic school to participate in interscholastic athletics at one of the superintendent or chief administrative officer's schools if the student was subject to any of the following by a school official, employee, volunteer, or another student:

1. Harassment, intimidation, or bullying;<sup>1</sup>
2. An offense of violence;<sup>2</sup>
3. A violation of state importuning law;<sup>3</sup>

<sup>1</sup> R.C. 3313.666, not in the bill.

<sup>2</sup> R.C. 2901.01, not in the bill.

<sup>3</sup> R.C. 2907.07, not in the bill.

4. An attempt to commit an offense of violence or to violate state importuning law;
5. Conduct by a school official, employee, or volunteer that violates that Licensure Code of Professional Conduct for Ohio Educators developed by the State Board of Education. See the [Licensure Code of Professional Conduct for Ohio Educators \(PDF\)](#), which is available on the State Board of Education website: [sboe.ohio.gov](http://sboe.ohio.gov).<sup>4</sup>

To be a qualifying offense under the bill, the individual who was alleged to commit an offense of violence, violation of the importuning law, or an attempt to do either, must have also been charged with, indicted for, convicted of, or pled guilty to committing the offense or, if the offender is another student, has been alleged to be or is adjudicated a delinquent child for committing the offense.

A student who is not home educated must be of the appropriate age and grade level, as determined by the superintendent of the district or the chief administrative officer of the qualifying school, to participate in interscholastic athletics at a different school under the bill. The student must also fulfill the same nonacademic and financial requirements as any other participant.<sup>5</sup> A home-educated student must fulfill the requirements for participation in interscholastic athletics prescribed in continuing law.<sup>6</sup>

## **Prohibitions for entities that oversee interscholastic athletics**

Districts and schools are prohibited from imposing additional rules or fees on a student who qualifies to participate in interscholastic athletics under the bill than the rules or fees applied to other students who are participating in the same activity.<sup>7</sup>

The bill also prohibits each school district, interscholastic conference, or organization that regulates interscholastic conferences or events (such as the Ohio High School Athletics Association) from doing either of the following:

1. Requiring a student who is eligible to participate in interscholastic athletics under the bill to meet eligibility requirements that conflict with those requirements;
2. Penalizing or restricting the eligibility to participate in interscholastic athletics of a student who, during a school year, ceases to participate in interscholastic athletics at one district or school and then begins to participate in interscholastic athletics at a different district or school under the bill.<sup>8</sup>

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<sup>4</sup> R.C. 3313.5313(B) and (C).

<sup>5</sup> R.C. 3313.5313(D).

<sup>6</sup> R.C. 3313.5313(E).

<sup>7</sup> R.C. 3313.5313(F).

<sup>8</sup> R.C. 3313.5313(H).

The bill explicitly prohibits a public or private school from taking any action contrary from the bill's requirements.<sup>9</sup>

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## HISTORY

Action	Date
Introduced	05-07-24

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<sup>9</sup> R.C. 3313.5313(G).