

**As Passed by the House**

**134th General Assembly**

**Regular Session**

**2021-2022**

**Am. Sub. H. B. No. 151**

**Representative Jones**

**Cosponsors: Representatives LaRe, Cross, Bird, Swearingen, Manning, Carruthers, Click, Creech, Cutrona, Dean, Edwards, Fowler Arthur, Fraizer, Ginter, Grendell, Gross, Hall, Holmes, John, Kick, Loychik, Merrin, Plummer, Powell, Richardson, Riedel, Schmidt, Stein, Stephens, Stevens, Stewart, Stoltzfus, Wiggam, Wilkin, Young, B.**

**A BILL**

To amend sections 3314.03, 3319.26, and 3326.11 and 1  
to enact sections 3313.5318, 3319.225, and 2  
3345.561 of the Revised Code and to amend the 3  
version of section 3319.223 of the Revised Code 4  
that is scheduled to take effect on April 12, 5  
2023, to continue the changes on and after that 6  
date, to reduce the duration of the Alternative 7  
Resident Educator License from four to two 8  
years, to revise the Ohio Teacher Residency 9  
Program as it exists beginning on April 12, 10  
2023, to require one day of professional 11  
development leave each school year for classroom 12  
teachers to observe veteran teachers, and to 13  
enact the Save Women's Sports Act to require 14  
schools, state institutions of higher education, 15  
and private colleges to designate separate 16  
single-sex teams and sports for each sex. 17

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

**Section 1.** That sections 3314.03, 3319.223, 3319.26, and 18  
3326.11 be amended and sections 3313.5318, 3319.225, and 19  
3345.561 of the Revised Code be enacted to read as follows: 20

**Sec. 3313.5318.** (A) Each school that participates in 21  
athletic competitions or events administered by an organization 22  
that regulates interscholastic athletic conferences or events 23  
shall designate interscholastic athletic teams based on the sex 24  
of the participants as follows: 25

(1) Separate teams for participants of the female sex 26  
within female sports divisions; 27

(2) Separate teams for participants of the male sex within 28  
male sports divisions; 29

(3) If applicable, co-ed teams for participants of the 30  
female and male sexes within co-ed sports divisions. 31

(B) No school, interscholastic conference, or organization 32  
that regulates interscholastic athletics shall permit 33  
individuals of the male sex to participate on athletic teams or 34  
in athletic competitions designated only for participants of the 35  
female sex. 36

(C) If a participant's sex is disputed, the participant 37  
shall establish the participant's sex by presenting a signed 38  
physician's statement indicating the participant's sex based 39  
upon only the following: 40

(1) The participant's internal and external reproductive 41  
anatomy; 42

(2) The participant's normal endogenously produced levels 43  
of testosterone; 44

(3) An analysis of the participant's genetic makeup. 45

(D) No agency or political subdivision of the state and no 46  
accrediting organization or athletic association that operates 47  
or has business activities in this state shall process a 48  
complaint, begin an investigation, or take any other adverse 49  
action against a school or school district for maintaining 50  
separate single-sex interscholastic athletic teams or sports. 51

(E) (1) Any participant who is deprived of an athletic 52  
opportunity or suffers a direct or indirect harm as a result of 53  
a violation of this section shall have a private cause of action 54  
for injunctive relief, damages, and any other relief available 55  
against the school, school district, interscholastic conference, 56  
or organization that regulates interscholastic athletics. 57

(2) Any participant who is subject to retaliation or other 58  
adverse action by a school, school district, interscholastic 59  
conference, or organization that regulates interscholastic 60  
athletics as a result of reporting a violation of this section 61  
shall have a private cause of action for injunctive relief, 62  
damages, and any other relief available against the entity that 63  
takes the retaliatory or other adverse action. 64

(3) Any school or school district that suffers any direct 65  
or indirect harm as a result of a violation of division (D) of 66  
this section shall have a private cause of action for injunctive 67  
relief, damages, and any other relief available against the 68  
agency, political subdivision, accrediting organization, or 69  
athletic association that violates that division. 70

(F) Any civil action brought as a result of a violation of 71  
this section shall be initiated within two years after the date 72  
on which the violation occurs. Persons or organizations who 73  
prevail on a claim brought pursuant to this section shall be 74  
entitled to monetary damages, including for any psychological, 75

emotional, or physical harm suffered, reasonable attorney's fees 76  
and costs, and any other appropriate relief. 77

**Sec. 3314.03.** A copy of every contract entered into under 78  
this section shall be filed with the superintendent of public 79  
instruction. The department of education shall make available on 80  
its web site a copy of every approved, executed contract filed 81  
with the superintendent under this section. 82

(A) Each contract entered into between a sponsor and the 83  
governing authority of a community school shall specify the 84  
following: 85

(1) That the school shall be established as either of the 86  
following: 87

(a) A nonprofit corporation established under Chapter 88  
1702. of the Revised Code, if established prior to April 8, 89  
2003; 90

(b) A public benefit corporation established under Chapter 91  
1702. of the Revised Code, if established after April 8, 2003. 92

(2) The education program of the school, including the 93  
school's mission, the characteristics of the students the school 94  
is expected to attract, the ages and grades of students, and the 95  
focus of the curriculum; 96

(3) The academic goals to be achieved and the method of 97  
measurement that will be used to determine progress toward those 98  
goals, which shall include the statewide achievement 99  
assessments; 100

(4) Performance standards, including but not limited to 101  
all applicable report card measures set forth in section 3302.03 102  
or 3314.017 of the Revised Code, by which the success of the 103

school will be evaluated by the sponsor;	104
(5) The admission standards of section 3314.06 of the Revised Code and, if applicable, section 3314.061 of the Revised Code;	105 106 107
(6) (a) Dismissal procedures;	108
(b) A requirement that the governing authority adopt an attendance policy that includes a procedure for automatically withdrawing a student from the school if the student without a legitimate excuse fails to participate in seventy-two consecutive hours of the learning opportunities offered to the student.	109 110 111 112 113 114
(7) The ways by which the school will achieve racial and ethnic balance reflective of the community it serves;	115 116
(8) Requirements for financial audits by the auditor of state. The contract shall require financial records of the school to be maintained in the same manner as are financial records of school districts, pursuant to rules of the auditor of state. Audits shall be conducted in accordance with section 117.10 of the Revised Code.	117 118 119 120 121 122
(9) An addendum to the contract outlining the facilities to be used that contains at least the following information:	123 124
(a) A detailed description of each facility used for instructional purposes;	125 126
(b) The annual costs associated with leasing each facility that are paid by or on behalf of the school;	127 128
(c) The annual mortgage principal and interest payments that are paid by the school;	129 130

(d) The name of the lender or landlord, identified as 131  
such, and the lender's or landlord's relationship to the 132  
operator, if any. 133

(10) Qualifications of teachers, including a requirement 134  
that the school's classroom teachers be licensed in accordance 135  
with sections 3319.22 to 3319.31 of the Revised Code, except 136  
that a community school may engage noncertificated persons to 137  
teach up to twelve hours or forty hours per week pursuant to 138  
section 3319.301 of the Revised Code. 139

(11) That the school will comply with the following 140  
requirements: 141

(a) The school will provide learning opportunities to a 142  
minimum of twenty-five students for a minimum of nine hundred 143  
twenty hours per school year. 144

(b) The governing authority will purchase liability 145  
insurance, or otherwise provide for the potential liability of 146  
the school. 147

(c) The school will be nonsectarian in its programs, 148  
admission policies, employment practices, and all other 149  
operations, and will not be operated by a sectarian school or 150  
religious institution. 151

(d) The school will comply with sections 9.90, 9.91, 152  
109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710, 153  
3301.0711, 3301.0712, 3301.0715, 3301.0729, 3301.948, 3302.037, 154  
3313.472, 3313.50, 3313.539, 3313.5310, 3313.608, 3313.609, 155  
3313.6012, 3313.6013, 3313.6014, 3313.6015, 3313.6020, 156  
3313.6024, 3313.6025, 3313.6026, 3313.643, 3313.648, 3313.6411, 157  
3313.66, 3313.661, 3313.662, 3313.666, 3313.667, 3313.668, 158  
3313.669, 3313.6610, 3313.67, 3313.671, 3313.672, 3313.673, 159

3313.69, 3313.71, 3313.716, 3313.718, 3313.719, 3313.7112, 160  
3313.721, 3313.80, 3313.814, 3313.816, 3313.817, 3313.818, 161  
3313.86, 3313.89, 3313.96, 3319.073, 3319.077, 3319.078, 162  
3319.225, 3319.238, 3319.318, 3319.321, 3319.39, 3319.391, 163  
3319.393, 3319.41, 3319.46, 3320.01, 3320.02, 3320.03, 3321.01, 164  
3321.041, 3321.13, 3321.14, 3321.141, 3321.17, 3321.18, 3321.19, 165  
3323.251, 3327.10, 4111.17, 4113.52, 5502.262, and 5705.391 and 166  
Chapters 117., 1347., 2744., 3365., 3742., 4112., 4123., 4141., 167  
and 4167. of the Revised Code as if it were a school district 168  
and will comply with section 3301.0714 of the Revised Code in 169  
the manner specified in section 3314.17 of the Revised Code. 170

(e) The school shall comply with Chapter 102. and section 171  
2921.42 of the Revised Code. 172

(f) The school will comply with sections 3313.61, 173  
3313.611, 3313.614, 3313.617, 3313.618, and 3313.6114 of the 174  
Revised Code, except that for students who enter ninth grade for 175  
the first time before July 1, 2010, the requirement in sections 176  
3313.61 and 3313.611 of the Revised Code that a person must 177  
successfully complete the curriculum in any high school prior to 178  
receiving a high school diploma may be met by completing the 179  
curriculum adopted by the governing authority of the community 180  
school rather than the curriculum specified in Title XXXIII of 181  
the Revised Code or any rules of the state board of education. 182  
Beginning with students who enter ninth grade for the first time 183  
on or after July 1, 2010, the requirement in sections 3313.61 184  
and 3313.611 of the Revised Code that a person must successfully 185  
complete the curriculum of a high school prior to receiving a 186  
high school diploma shall be met by completing the requirements 187  
prescribed in section 3313.6027 and division (C) of section 188  
3313.603 of the Revised Code, unless the person qualifies under 189  
division (D) or (F) of that section. Each school shall comply 190

with the plan for awarding high school credit based on 191  
demonstration of subject area competency, and beginning with the 192  
2017-2018 school year, with the updated plan that permits 193  
students enrolled in seventh and eighth grade to meet curriculum 194  
requirements based on subject area competency adopted by the 195  
state board of education under divisions (J) (1) and (2) of 196  
section 3313.603 of the Revised Code. Beginning with the 2018- 197  
2019 school year, the school shall comply with the framework for 198  
granting units of high school credit to students who demonstrate 199  
subject area competency through work-based learning experiences, 200  
internships, or cooperative education developed by the 201  
department under division (J) (3) of section 3313.603 of the 202  
Revised Code. 203

(g) The school governing authority will submit within four 204  
months after the end of each school year a report of its 205  
activities and progress in meeting the goals and standards of 206  
divisions (A) (3) and (4) of this section and its financial 207  
status to the sponsor and the parents of all students enrolled 208  
in the school. 209

(h) The school, unless it is an internet- or computer- 210  
based community school, will comply with section 3313.801 of the 211  
Revised Code as if it were a school district. 212

(i) If the school is the recipient of moneys from a grant 213  
awarded under the federal race to the top program, Division (A), 214  
Title XIV, Sections 14005 and 14006 of the "American Recovery 215  
and Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, 216  
the school will pay teachers based upon performance in 217  
accordance with section 3317.141 and will comply with section 218  
3319.111 of the Revised Code as if it were a school district. 219

(j) If the school operates a preschool program that is 220

licensed by the department of education under sections 3301.52 221  
to 3301.59 of the Revised Code, the school shall comply with 222  
sections 3301.50 to 3301.59 of the Revised Code and the minimum 223  
standards for preschool programs prescribed in rules adopted by 224  
the state board under section 3301.53 of the Revised Code. 225

(k) The school will comply with sections 3313.6021 and 226  
3313.6023 of the Revised Code as if it were a school district 227  
unless it is either of the following: 228

(i) An internet- or computer-based community school; 229

(ii) A community school in which a majority of the 230  
enrolled students are children with disabilities as described in 231  
division (A) (4) (b) of section 3314.35 of the Revised Code. 232

(l) The school will comply with section 3321.191 of the 233  
Revised Code, unless it is an internet- or computer-based 234  
community school that is subject to section 3314.261 of the 235  
Revised Code. 236

(12) Arrangements for providing health and other benefits 237  
to employees; 238

(13) The length of the contract, which shall begin at the 239  
beginning of an academic year. No contract shall exceed five 240  
years unless such contract has been renewed pursuant to division 241  
(E) of this section. 242

(14) The governing authority of the school, which shall be 243  
responsible for carrying out the provisions of the contract; 244

(15) A financial plan detailing an estimated school budget 245  
for each year of the period of the contract and specifying the 246  
total estimated per pupil expenditure amount for each such year. 247

(16) Requirements and procedures regarding the disposition 248

of employees of the school in the event the contract is 249  
terminated or not renewed pursuant to section 3314.07 of the 250  
Revised Code; 251

(17) Whether the school is to be created by converting all 252  
or part of an existing public school or educational service 253  
center building or is to be a new start-up school, and if it is 254  
a converted public school or service center building, 255  
specification of any duties or responsibilities of an employer 256  
that the board of education or service center governing board 257  
that operated the school or building before conversion is 258  
delegating to the governing authority of the community school 259  
with respect to all or any specified group of employees provided 260  
the delegation is not prohibited by a collective bargaining 261  
agreement applicable to such employees; 262

(18) Provisions establishing procedures for resolving 263  
disputes or differences of opinion between the sponsor and the 264  
governing authority of the community school; 265

(19) A provision requiring the governing authority to 266  
adopt a policy regarding the admission of students who reside 267  
outside the district in which the school is located. That policy 268  
shall comply with the admissions procedures specified in 269  
sections 3314.06 and 3314.061 of the Revised Code and, at the 270  
sole discretion of the authority, shall do one of the following: 271

(a) Prohibit the enrollment of students who reside outside 272  
the district in which the school is located; 273

(b) Permit the enrollment of students who reside in 274  
districts adjacent to the district in which the school is 275  
located; 276

(c) Permit the enrollment of students who reside in any 277

other district in the state.	278
(20) A provision recognizing the authority of the	279
department of education to take over the sponsorship of the	280
school in accordance with the provisions of division (C) of	281
section 3314.015 of the Revised Code;	282
(21) A provision recognizing the sponsor's authority to	283
assume the operation of a school under the conditions specified	284
in division (B) of section 3314.073 of the Revised Code;	285
(22) A provision recognizing both of the following:	286
(a) The authority of public health and safety officials to	287
inspect the facilities of the school and to order the facilities	288
closed if those officials find that the facilities are not in	289
compliance with health and safety laws and regulations;	290
(b) The authority of the department of education as the	291
community school oversight body to suspend the operation of the	292
school under section 3314.072 of the Revised Code if the	293
department has evidence of conditions or violations of law at	294
the school that pose an imminent danger to the health and safety	295
of the school's students and employees and the sponsor refuses	296
to take such action.	297
(23) A description of the learning opportunities that will	298
be offered to students including both classroom-based and non-	299
classroom-based learning opportunities that is in compliance	300
with criteria for student participation established by the	301
department under division (H) (2) of section 3314.08 of the	302
Revised Code;	303
(24) The school will comply with sections 3302.04 and	304
3302.041 of the Revised Code, except that any action required to	305
be taken by a school district pursuant to those sections shall	306

be taken by the sponsor of the school. However, the sponsor 307  
shall not be required to take any action described in division 308  
(F) of section 3302.04 of the Revised Code. 309

(25) Beginning in the 2006-2007 school year, the school 310  
will open for operation not later than the thirtieth day of 311  
September each school year, unless the mission of the school as 312  
specified under division (A) (2) of this section is solely to 313  
serve dropouts. In its initial year of operation, if the school 314  
fails to open by the thirtieth day of September, or within one 315  
year after the adoption of the contract pursuant to division (D) 316  
of section 3314.02 of the Revised Code if the mission of the 317  
school is solely to serve dropouts, the contract shall be void. 318

(26) Whether the school's governing authority is planning 319  
to seek designation for the school as a STEM school equivalent 320  
under section 3326.032 of the Revised Code; 321

(27) That the school's attendance and participation 322  
policies will be available for public inspection; 323

(28) That the school's attendance and participation 324  
records shall be made available to the department of education, 325  
auditor of state, and school's sponsor to the extent permitted 326  
under and in accordance with the "Family Educational Rights and 327  
Privacy Act of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended, 328  
and any regulations promulgated under that act, and section 329  
3319.321 of the Revised Code; 330

(29) If a school operates using the blended learning 331  
model, as defined in section 3301.079 of the Revised Code, all 332  
of the following information: 333

(a) An indication of what blended learning model or models 334  
will be used; 335

(b) A description of how student instructional needs will	336
be determined and documented;	337
(c) The method to be used for determining competency,	338
granting credit, and promoting students to a higher grade level;	339
(d) The school's attendance requirements, including how	340
the school will document participation in learning	341
opportunities;	342
(e) A statement describing how student progress will be	343
monitored;	344
(f) A statement describing how private student data will	345
be protected;	346
(g) A description of the professional development	347
activities that will be offered to teachers.	348
(30) A provision requiring that all moneys the school's	349
operator loans to the school, including facilities loans or cash	350
flow assistance, must be accounted for, documented, and bear	351
interest at a fair market rate;	352
(31) A provision requiring that, if the governing	353
authority contracts with an attorney, accountant, or entity	354
specializing in audits, the attorney, accountant, or entity	355
shall be independent from the operator with which the school has	356
contracted.	357
(32) A provision requiring the governing authority to	358
adopt an enrollment and attendance policy that requires a	359
student's parent to notify the community school in which the	360
student is enrolled when there is a change in the location of	361
the parent's or student's primary residence.	362
(33) A provision requiring the governing authority to	363

adopt a student residence and address verification policy for 364  
students enrolling in or attending the school. 365

(B) The community school shall also submit to the sponsor 366  
a comprehensive plan for the school. The plan shall specify the 367  
following: 368

(1) The process by which the governing authority of the 369  
school will be selected in the future; 370

(2) The management and administration of the school; 371

(3) If the community school is a currently existing public 372  
school or educational service center building, alternative 373  
arrangements for current public school students who choose not 374  
to attend the converted school and for teachers who choose not 375  
to teach in the school or building after conversion; 376

(4) The instructional program and educational philosophy 377  
of the school; 378

(5) Internal financial controls. 379

When submitting the plan under this division, the school 380  
shall also submit copies of all policies and procedures 381  
regarding internal financial controls adopted by the governing 382  
authority of the school. 383

(C) A contract entered into under section 3314.02 of the 384  
Revised Code between a sponsor and the governing authority of a 385  
community school may provide for the community school governing 386  
authority to make payments to the sponsor, which is hereby 387  
authorized to receive such payments as set forth in the contract 388  
between the governing authority and the sponsor. The total 389  
amount of such payments for monitoring, oversight, and technical 390  
assistance of the school shall not exceed three per cent of the 391

total amount of payments for operating expenses that the school receives from the state. 392  
393

(D) The contract shall specify the duties of the sponsor which shall be in accordance with the written agreement entered into with the department of education under division (B) of section 3314.015 of the Revised Code and shall include the following: 394  
395  
396  
397  
398

(1) Monitor the community school's compliance with all laws applicable to the school and with the terms of the contract; 399  
400  
401

(2) Monitor and evaluate the academic and fiscal performance and the organization and operation of the community school on at least an annual basis; 402  
403  
404

(3) Report on an annual basis the results of the evaluation conducted under division (D) (2) of this section to the department of education and to the parents of students enrolled in the community school; 405  
406  
407  
408

(4) Provide technical assistance to the community school in complying with laws applicable to the school and terms of the contract; 409  
410  
411

(5) Take steps to intervene in the school's operation to correct problems in the school's overall performance, declare the school to be on probationary status pursuant to section 3314.073 of the Revised Code, suspend the operation of the school pursuant to section 3314.072 of the Revised Code, or terminate the contract of the school pursuant to section 3314.07 of the Revised Code as determined necessary by the sponsor; 412  
413  
414  
415  
416  
417  
418

(6) Have in place a plan of action to be undertaken in the event the community school experiences financial difficulties or 419  
420

closes prior to the end of a school year. 421

(E) Upon the expiration of a contract entered into under 422  
this section, the sponsor of a community school may, with the 423  
approval of the governing authority of the school, renew that 424  
contract for a period of time determined by the sponsor, but not 425  
ending earlier than the end of any school year, if the sponsor 426  
finds that the school's compliance with applicable laws and 427  
terms of the contract and the school's progress in meeting the 428  
academic goals prescribed in the contract have been 429  
satisfactory. Any contract that is renewed under this division 430  
remains subject to the provisions of sections 3314.07, 3314.072, 431  
and 3314.073 of the Revised Code. 432

(F) If a community school fails to open for operation 433  
within one year after the contract entered into under this 434  
section is adopted pursuant to division (D) of section 3314.02 435  
of the Revised Code or permanently closes prior to the 436  
expiration of the contract, the contract shall be void and the 437  
school shall not enter into a contract with any other sponsor. A 438  
school shall not be considered permanently closed because the 439  
operations of the school have been suspended pursuant to section 440  
3314.072 of the Revised Code. 441

**Sec. 3319.223.** (A) The superintendent of public 442  
instruction and the chancellor of higher education jointly shall 443  
establish the Ohio teacher residency program, which shall be a 444  
two-year, entry-level program for classroom teachers. Except as 445  
provided in division (B) of this section, the teacher residency 446  
program shall include at least the following components: 447

(1) Mentoring by teachers, which may be provided online 448  
or in person. The department of education shall provide 449  
participants and mentors with access to online professional 450

development resources and sample videos of Ohio classroom 451  
lessons submitted for the assessment prescribed under division 452  
(A) (3) of this section at no cost. 453

(2) Counseling, as determined necessary by the school 454  
district or school, to ensure that program participants receive 455  
needed professional development<sup>+</sup>. The department shall provide 456  
to each participant who does not receive a passing score on the 457  
assessment under division (A) (3) of this section, at no cost, 458  
the opportunity to meet online with an instructional coach who 459  
is a certified assessor of the assessment to review the 460  
participant's assessment score results and discuss improvement 461  
strategies and professional development. 462

Participants who choose to meet with an instructional 463  
coach shall select from an online pool of instructional coaches 464  
who have completed training and are approved by the department. 465  
The characteristics of each coach's school or district, 466  
including its size, typology, and demographics, shall be made 467  
available. However, participants shall not be required to choose 468  
an instructional coach from a similar district or school. 469

Participants who have not taken the assessment under 470  
division (A) (3) of this section may meet online with department- 471  
approved instructional coaches if the participant's school 472  
district or school pays the costs associated with the meetings. 473

(3) Measures of appropriate progression through the 474  
program, which shall include the performance-based assessment 475  
prescribed by the state board of education for resident 476  
educators. The state board shall not limit the number of 477  
attempts to successfully complete the performance-based 478  
assessment. 479

An individual may submit the assessment between the first 480  
Tuesday of October and the first Friday of April of the 481  
individual's second year of the program. The results of the 482  
assessment shall be returned within thirty days unless a new 483  
assessor is contracted, in which case the results shall be 484  
returned in forty-five days. 485

(B) No individual who is teaching career-technical courses 486  
under an alternative resident educator license issued under 487  
section 3319.26 of the Revised Code or rule of the state board 488  
shall be required to do either of the following: 489

(1) Complete the conditions of the Ohio teacher residency 490  
program that a participant, as of September 29, 2015, would have 491  
been required to complete during the participant's first and 492  
second year of teaching under an alternative resident educator 493  
license. 494

(2) Take a performance-based assessment. 495

(C) The teacher residency program shall be aligned with 496  
the standards for teachers adopted by the state board under 497  
section 3319.61 of the Revised Code and best practices 498  
identified by the superintendent of public instruction. 499

(D) Each person who holds a resident educator license 500  
issued under section 3319.22 or 3319.227 of the Revised Code or 501  
an alternative resident educator license issued under section 502  
3319.26 of the Revised Code shall participate in the teacher 503  
residency program. Successful completion of the program shall be 504  
required to qualify any such person for a professional educator 505  
license issued under section 3319.22 of the Revised Code. 506

Sec. 3319.225. Beginning with the first school year that 507  
begins on or after the effective date of this section, the board 508

of education of each school district shall provide one day of 509  
professional development leave each school year, to observe a 510  
veteran classroom teacher, for each teacher employed by the 511  
district who is licensed under section 3319.22 of the Revised 512  
Code and who is not a superintendent, assistant superintendent, 513  
principal, assistant principal, or other administrator, as 514  
defined in section 3319.02 of the Revised Code. 515

Each local professional development committee established 516  
under section 3319.22 of the Revised Code shall consider a 517  
teacher's observation of a veteran teacher as part of the 518  
continuing education required for license renewal under that 519  
section. 520

**Sec. 3319.26.** (A) The state board of education shall adopt 521  
rules establishing the standards and requirements for obtaining 522  
an alternative resident educator license for teaching in grades 523  
kindergarten to twelve, or the equivalent, in a designated 524  
subject area or in the area of intervention specialist, as 525  
defined by rule of the state board. The rules shall also include 526  
the reasons for which an alternative resident educator license 527  
may be renewed under division (D) of this section. 528

(B) The superintendent of public instruction and the 529  
chancellor of higher education jointly shall develop an 530  
intensive pedagogical training institute to provide instruction 531  
in the principles and practices of teaching for individuals 532  
seeking an alternative resident educator license. The 533  
instruction shall cover such topics as student development and 534  
learning, pupil assessment procedures, curriculum development, 535  
classroom management, and teaching methodology. 536

(C) The rules adopted under this section shall require 537  
applicants for the alternative resident educator license to 538

satisfy the following conditions prior to issuance of the 539  
license, but they shall not require applicants to have completed 540  
a major or coursework in the subject area for which application 541  
is being made: 542

(1) Hold a minimum of a baccalaureate degree; 543

(2) Successfully complete the pedagogical training 544  
institute described in division (B) of this section or the 545  
preservice training provided to participants of a teacher 546  
preparation program that has been approved by the chancellor. 547  
The chancellor may approve any such program that requires 548  
participants to hold a bachelor's degree; have either a 549  
cumulative undergraduate grade point average of at least 2.5 out 550  
of 4.0, or its equivalent or a cumulative graduate school grade 551  
point average of at least 3.0 out of 4.0; and successfully 552  
complete the program's preservice training. 553

(3) Pass an examination in the subject area for which 554  
application is being made. 555

(D) An alternative resident educator license shall be 556  
valid for ~~four~~ two years and shall be renewable for reasons 557  
specified by rules adopted by the state board pursuant to 558  
division (A) of this section. The state board, on a case-by-case 559  
basis, may extend the license's duration as necessary to enable 560  
the license holder to complete the Ohio teacher residency 561  
program established under section 3319.223 of the Revised Code. 562

(E) The rules shall require the holder of an alternative 563  
resident educator license, as a condition of continuing to hold 564  
the license, to do all of the following: 565

(1) Participate in the Ohio teacher residency program 566  
under section 3319.223 of the Revised Code; 567

(2) Show satisfactory progress in taking and successfully	568
completing one of the following:	569
(a) At least twelve additional semester hours, or the	570
equivalent, of college coursework in the principles and	571
practices of teaching in such topics as student development and	572
learning, pupil assessment procedures, curriculum development,	573
classroom management, and teaching methodology;	574
(b) Professional development provided by a teacher	575
preparation program that has been approved by the chancellor	576
under division (C) (2) of this section.	577
(3) Take an assessment of professional knowledge in the	578
second year of teaching under the license.	579
(F) The rules shall provide for the granting of a	580
professional educator license to a holder of an alternative	581
resident educator license upon successfully completing all of	582
the following:	583
(1) <del>Four</del> <u>Two</u> years of teaching under the alternative	584
license;	585
(2) The additional college coursework or professional	586
development described in division (E) (2) of this section;	587
(3) The assessment of professional knowledge described in	588
division (E) (3) of this section. The standards for successfully	589
completing this assessment and the manner of conducting the	590
assessment shall be the same as for any other individual who is	591
required to take the assessment pursuant to rules adopted by the	592
state board under section 3319.22 of the Revised Code.	593
(4) The Ohio teacher residency program;	594
(5) All other requirements for a professional educator	595

license adopted by the state board under section 3319.22 of the Revised Code. 596  
597

(G) A person who is assigned to teach in this state as a participant in the teach for America program or who has completed two years of teaching in another state as a participant in that program shall be eligible for a license only under section 3319.227 of the Revised Code and shall not be eligible for a license under this section. 598  
599  
600  
601  
602  
603

**Sec. 3326.11.** Each science, technology, engineering, and mathematics school established under this chapter and its governing body shall comply with sections 9.90, 9.91, 109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 2921.42, 2921.43, 3301.0714, 3301.0715, 3301.0729, 3301.948, 3302.037, 3313.14, 3313.15, 3313.16, 3313.18, 3313.201, 3313.26, 3313.472, 3313.48, 3313.481, 3313.482, 3313.50, 3313.539, 3313.5310, 3313.608, 3313.6012, 3313.6013, 3313.6014, 3313.6015, 3313.6020, 3313.6021, 3313.6024, 3313.6025, 3313.6026, 3313.61, 3313.611, 3313.614, 3313.615, 3313.617, 3313.618, 3313.6114, 3313.643, 3313.648, 3313.6411, 3313.66, 3313.661, 3313.662, 3313.666, 3313.667, 3313.668, 3313.669, 3313.6610, 3313.67, 3313.671, 3313.672, 3313.673, 3313.69, 3313.71, 3313.716, 3313.718, 3313.719, 3313.7112, 3313.721, 3313.80, 3313.801, 3313.814, 3313.816, 3313.817, 3313.818, 3313.86, 3313.89, 3313.96, 3319.073, 3319.077, 3319.078, 3319.21, 3319.225, 3319.238, 3319.318, 3319.32, 3319.321, 3319.35, 3319.39, 3319.391, 3319.393, 3319.41, 3319.45, 3319.46, 3320.01, 3320.02, 3320.03, 3321.01, 3321.041, 3321.05, 3321.13, 3321.14, 3321.141, 3321.17, 3321.18, 3321.19, 3321.191, 3323.251, 3327.10, 4111.17, 4113.52, 5502.262, and 5705.391 and Chapters 102., 117., 1347., 2744., 3307., 3309., 3365., 3742., 4112., 4123., 4141., and 4167. of the Revised Code as if it were a school district. 604  
605  
606  
607  
608  
609  
610  
611  
612  
613  
614  
615  
616  
617  
618  
619  
620  
621  
622  
623  
624  
625  
626

Sec. 3345.561. (A) As used in this section: 627

(1) "Private college" means a nonprofit institution that 628  
holds a certificate of authorization issued under section 629  
1713.02 of the Revised Code; 630

(2) "State institution of higher education" has the same 631  
meaning as in section 3345.011 of the Revised Code. 632

(B) Each state institution of higher education or private 633  
college that is a member of the national collegiate athletics 634  
association, the national association of intercollegiate 635  
athletics, or the national junior college association shall 636  
designate intercollegiate athletic teams and sports based on the 637  
sex of the participants as follows: 638

(1) One single-sex team for participants of the female 639  
sex; 640

(2) One single-sex team for participants of the male sex; 641

(3) If applicable, one team for participants of both the 642  
female and male sexes. 643

(C) No state institution or private college to which 644  
division (B) of this section applies shall allow individuals of 645  
the male sex to participate on athletic teams or in athletic 646  
competitions designated for only participants of the female sex. 647

(D) If a participant's sex is disputed, the participant 648  
shall establish the participant's sex by presenting a signed 649  
physician's statement indicating the participant's sex based 650  
upon only the following: 651

(1) The participant's internal and external reproductive 652  
anatomy; 653

(2) The participant's normal endogenously produced levels 654  
of testosterone; 655

(3) An analysis of the participant's genetic makeup. 656

(E) No agency or political subdivision of the state and no 657  
accrediting organization or athletic association that operates 658  
or has business activities in this state shall process a 659  
complaint, begin an investigation, or take any other adverse 660  
action against a state institution of higher education or 661  
private college for maintaining separate single-sex 662  
intercollegiate athletic teams or sports for participants of the 663  
female sex. 664

(F) (1) Any participant who is deprived of an athletic 665  
opportunity or suffers a direct or indirect harm as a result of 666  
a violation of this section shall have a private cause of action 667  
for injunctive relief, damages, and any other relief available 668  
against the state institution or the private college. 669

(2) Any participant who is subject to retaliation or other 670  
adverse action by a state institution or private college as a 671  
result of reporting a violation of this section shall have a 672  
private cause of action for injunctive relief, damages, and any 673  
other relief available against the entity that takes the 674  
retaliatory or other adverse action. 675

(3) Any state institution or private college that suffers 676  
any direct or indirect harm as a result of a violation of 677  
division (E) of this section shall have a private cause of 678  
action for injunctive relief, damages, and any other relief 679  
available against the agency, political subdivision, accrediting 680  
organization, or athletic association that violates that 681  
division. 682

(G) Any civil action brought as a result of a violation of 683  
this section shall be initiated within two years after the date 684  
on which the violation occurs. Persons or organizations who 685  
prevail on a claim brought pursuant to this section shall be 686  
entitled to monetary damages, including for any psychological, 687  
emotional, or physical harm suffered, reasonable attorney's fees 688  
and costs, and any other appropriate relief. 689

**Section 2.** That existing sections 3314.03, 3319.223, 690  
3319.26, and 3326.11 of the Revised Code are hereby repealed. 691

**Section 3.** Sections 3313.5318 and 3345.561 of the Revised 692  
Code as enacted by this act shall be known as the Save Women's 693  
Sports Act. 694

**Section 4.** Section 3319.223 of the Revised Code as amended 695  
by this act takes effect on the later of April 12, 2023, or the 696  
effective date of this section. (April 12, 2023, is the 697  
effective date of an earlier amendment to that section by H.B. 698  
442 of the 133rd General Assembly.) 699

Sections 3314.03, 3319.26, and 3326.11 as amended by this 700  
act and section 3319.225 of the Revised Code as enacted by this 701  
act take effect on the later of April 12, 2023, or the effective 702  
date of this section. 703