

As Introduced

136th General Assembly

Regular Session

2025-2026

H. B. No. 117

Representatives Richardson, Brennan

**Cosponsors: Representatives Dean, Hall, T., Workman, Gross, Daniels,
Klopfenstein, Click, Mathews, T., Stephens, Mullins, Williams, Fischer, Holmes,
Troy, Miller, K., McNally, Santucci**

To amend sections 3313.602, 3314.03, 3326.11, and 1
3328.24 and to enact section 3313.6031 of the 2
Revised Code to enact The Pledge of Allegiance 3
Act to require the Pledge of Allegiance in 4
schools. 5

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

Section 1. That sections 3313.602, 3314.03, 3326.11, and 6
3328.24 be amended and section 3313.6031 of the Revised Code be 7
enacted to read as follows: 8

Sec. 3313.602. (A) ~~The board of education of each city, 9
local, exempted village, and joint vocational school district 10
shall adopt a policy specifying whether or not oral recitation 11
of the pledge of allegiance to the flag shall be a part of the 12
school's program and, if so, establishing a time and manner for 13
the recitation. However, no board of education shall prohibit a 14
classroom teacher from providing in the teacher's classroom 15
reasonable periods of time for the oral recitation of the pledge 16
of allegiance to the flag. The policy adopted under this 17
division, and a teacher who includes recitation of the pledge in 18~~

~~the classroom, shall not require any student to participate in- 19
the recitation and shall prohibit the intimidation of any- 20
student by other students or staff aimed at coercing- 21
participation.- 22~~

~~No board of education or employee of a city, local, 23
exempted village, or joint vocational school district shall- 24
alter the words used in the oral recitation of the pledge of- 25
allegiance to the flag from the words set forth in 4 U.S.C. 4. 26~~

~~(B)~~ In the development of its graded course of study, the 27
board of education of each city and exempted village school 28
district and the governing board of each educational service 29
center shall ensure that the principles of democracy and ethics 30
are emphasized and discussed wherever appropriate in all parts 31
of the curriculum for grades kindergarten through twelve. 32

~~(C)~~ (B) Each city, local, exempted village, and joint 33
vocational school board shall adopt policies that encourage all 34
certificated and noncertificated employees to be cognizant of 35
their roles in instilling ethical principles and democratic 36
ideals in all district pupils. 37

~~(D)~~ (C) The board of education of each city, local, joint 38
vocational, chartered community, and exempted village school 39
district, and the Cleveland scholarship and tutoring program, 40
shall require each district school to devote time on or about 41
Veterans' day to an observance that conveys the meaning and 42
significance of that day. The amount of time each school devotes 43
to this observance shall be at least one hour or, in schools 44
that schedule class periods of less than one hour, at least one 45
standard class period. The board shall determine the specific 46
activities to constitute the observance in each school in the 47
district after consultation with the school's administrators. 48

Sec. 3313.6031. (A) The board of education of each city, 49
local, exempted village, and joint vocational school district 50
shall adopt a policy establishing a time and manner for the 51
daily recitation of the pledge of allegiance to the flag. The 52
policy shall not require any person to participate in the 53
recitation or otherwise infringe on one's constitutional rights. 54

(B) No board of education or employee of a city, local, 55
exempted village, or joint vocational school district shall 56
alter the words used in the oral recitation of the pledge of 57
allegiance to the flag from the words set forth in 4 U.S.C. 4. 58

(C) In the interests of promoting excellent citizenship 59
skills, schools and teachers are highly encouraged to develop 60
and implement lessons related to the American flag and pledge of 61
allegiance. 62

(D) Each district board shall make its policy adopted 63
under this section publicly available. Each district board shall 64
post its policy on its publicly accessible web site, if it has 65
one. 66

Sec. 3314.03. A copy of every contract entered into under 67
this section shall be filed with the director of education and 68
workforce. The department of education and workforce shall make 69
available on its web site a copy of every approved, executed 70
contract filed with the director under this section. 71

(A) Each contract entered into between a sponsor and the 72
governing authority of a community school shall specify the 73
following: 74

(1) That the school shall be established as either of the 75
following: 76

(a) A nonprofit corporation established under Chapter 77

1702. of the Revised Code, if established prior to April 8,	78
2003;	79
(b) A public benefit corporation established under Chapter	80
1702. of the Revised Code, if established after April 8, 2003.	81
(2) The education program of the school, including the	82
school's mission, the characteristics of the students the school	83
is expected to attract, the ages and grades of students, and the	84
focus of the curriculum;	85
(3) The academic goals to be achieved and the method of	86
measurement that will be used to determine progress toward those	87
goals, which shall include the statewide achievement	88
assessments;	89
(4) Performance standards, including but not limited to	90
all applicable report card measures set forth in section 3302.03	91
or 3314.017 of the Revised Code, by which the success of the	92
school will be evaluated by the sponsor;	93
(5) The admission standards of section 3314.06 of the	94
Revised Code and, if applicable, section 3314.061 of the Revised	95
Code;	96
(6) (a) Dismissal procedures;	97
(b) A requirement that the governing authority adopt an	98
attendance policy that includes a procedure for automatically	99
withdrawing a student from the school if the student without a	100
legitimate excuse fails to participate in seventy-two	101
consecutive hours of the learning opportunities offered to the	102
student.	103
(7) The ways by which the school will achieve racial and	104
ethnic balance reflective of the community it serves;	105

(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.	106 107 108 109 110 111
(9) An addendum to the contract outlining the facilities to be used that contains at least the following information:	112 113
(a) A detailed description of each facility used for instructional purposes;	114 115
(b) The annual costs associated with leasing each facility that are paid by or on behalf of the school;	116 117
(c) The annual mortgage principal and interest payments that are paid by the school;	118 119
(d) The name of the lender or landlord, identified as such, and the lender's or landlord's relationship to the operator, if any.	120 121 122
(10) Qualifications of employees, including both of the following:	123 124
(a) A requirement that the school's classroom teachers be licensed in accordance with sections 3319.22 to 3319.31 of the Revised Code, except that a community school may engage noncertificated persons to teach up to twelve hours or forty hours per week pursuant to section 3319.301 of the Revised Code;	125 126 127 128 129
(b) A prohibition against the school employing an individual described in section 3314.104 of the Revised Code in any position.	130 131 132
(11) That the school will comply with the following	133

requirements:	134
(a) The school will provide learning opportunities to a	135
minimum of twenty-five students for a minimum of nine hundred	136
twenty hours per school year.	137
(b) The governing authority will purchase liability	138
insurance, or otherwise provide for the potential liability of	139
the school.	140
(c) The school will be nonsectarian in its programs,	141
admission policies, employment practices, and all other	142
operations, and will not be operated by a sectarian school or	143
religious institution.	144
(d) The school will comply with sections 9.90, 9.91,	145
109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710,	146
3301.0711, 3301.0712, 3301.0715, 3301.0729, 3301.948, 3302.037,	147
3313.472, 3313.473, 3313.474, 3313.50, 3313.539, 3313.5310,	148
3313.5318, 3313.5319, 3313.608, 3313.609, 3313.6012, 3313.6013,	149
3313.6014, 3313.6020, 3313.6024, 3313.6026, 3313.6028,	150
3313.6029, <u>3313.6031</u> , 3313.643, 3313.648, 3313.6411, 3313.6413,	151
3313.66, 3313.661, 3313.662, 3313.666, 3313.667, 3313.668,	152
3313.669, 3313.6610, 3313.67, 3313.671, 3313.672, 3313.673,	153
3313.69, 3313.71, 3313.716, 3313.718, 3313.719, 3313.7112,	154
3313.7117, 3313.721, 3313.753, 3313.80, 3313.814, 3313.816,	155
3313.817, 3313.818, 3313.819, 3313.86, 3313.89, 3313.96,	156
3319.073, 3319.077, 3319.078, 3319.0812, 3319.238, 3319.318,	157
3319.321, 3319.324, 3319.39, 3319.391, 3319.393, 3319.41,	158
3319.46, 3319.90, 3319.614, 3320.01, 3320.02, 3320.03, 3320.04,	159
3321.01, 3321.041, 3321.13, 3321.14, 3321.141, 3321.17, 3321.18,	160
3321.19, 3322.20, 3322.24, 3323.251, 3327.10, 4111.17, 4113.52,	161
5502.262, 5502.703, and 5705.391 and Chapters 117., 1347.,	162
2744., 3365., 3742., 4112., 4123., 4141., and 4167. of the	163

Revised Code as if it were a school district and will comply 164
with section 3301.0714 of the Revised Code in the manner 165
specified in section 3314.17 of the Revised Code. 166

(e) The school shall comply with Chapter 102. and section 167
2921.42 of the Revised Code. 168

(f) The school will comply with sections 3313.61, 169
3313.611, 3313.614, 3313.617, 3313.618, and 3313.6114 of the 170
Revised Code, except that for students who enter ninth grade for 171
the first time before July 1, 2010, the requirement in sections 172
3313.61 and 3313.611 of the Revised Code that a person must 173
successfully complete the curriculum in any high school prior to 174
receiving a high school diploma may be met by completing the 175
curriculum adopted by the governing authority of the community 176
school rather than the curriculum specified in Title XXXIII of 177
the Revised Code or any rules of the department. Beginning with 178
students who enter ninth grade for the first time on or after 179
July 1, 2010, the requirement in sections 3313.61 and 3313.611 180
of the Revised Code that a person must successfully complete the 181
curriculum of a high school prior to receiving a high school 182
diploma shall be met by completing the requirements prescribed 183
in section 3313.6027 and division (C) of section 3313.603 of the 184
Revised Code, unless the person qualifies under division (D) or 185
(F) of that section. Each school shall comply with the plan for 186
awarding high school credit based on demonstration of subject 187
area competency, and beginning with the 2017-2018 school year, 188
with the updated plan that permits students enrolled in seventh 189
and eighth grade to meet curriculum requirements based on 190
subject area competency adopted by the department under 191
divisions (J) (1) and (2) of section 3313.603 of the Revised 192
Code. Beginning with the 2018-2019 school year, the school shall 193
comply with the framework for granting units of high school 194

credit to students who demonstrate subject area competency 195
through work-based learning experiences, internships, or 196
cooperative education developed by the department under division 197
(J) (3) of section 3313.603 of the Revised Code. 198

(g) The school governing authority will submit within four 199
months after the end of each school year a report of its 200
activities and progress in meeting the goals and standards of 201
divisions (A) (3) and (4) of this section and its financial 202
status to the sponsor and the parents of all students enrolled 203
in the school. 204

(h) The school, unless it is an internet- or computer- 205
based community school, will comply with section 3313.801 of the 206
Revised Code as if it were a school district. 207

(i) If the school is the recipient of moneys from a grant 208
awarded under the federal race to the top program, Division (A), 209
Title XIV, Sections 14005 and 14006 of the "American Recovery 210
and Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, 211
the school will pay teachers based upon performance in 212
accordance with section 3317.141 and will comply with section 213
3319.111 of the Revised Code as if it were a school district. 214

(j) If the school operates a preschool program that is 215
licensed by the department under sections 3301.52 to 3301.59 of 216
the Revised Code, the school shall comply with sections 3301.50 217
to 3301.59 of the Revised Code and the minimum standards for 218
preschool programs prescribed in rules adopted by the department 219
of children and youth under section 3301.53 of the Revised Code. 220

(k) The school will comply with sections 3313.6021 and 221
3313.6023 of the Revised Code as if it were a school district 222
unless it is either of the following: 223

(i) An internet- or computer-based community school;	224
(ii) A community school in which a majority of the enrolled students are children with disabilities as described in division (B) (2) of section 3314.35 of the Revised Code.	225 226 227
(1) The school will comply with section 3321.191 of the Revised Code, unless it is an internet- or computer-based community school that is subject to section 3314.261 of the Revised Code.	228 229 230 231
(12) Arrangements for providing health and other benefits to employees;	232 233
(13) The length of the contract, which shall begin at the beginning of an academic year. No contract shall exceed five years unless such contract has been renewed pursuant to division (E) of this section.	234 235 236 237
(14) The governing authority of the school, which shall be responsible for carrying out the provisions of the contract;	238 239
(15) A financial plan detailing an estimated school budget for each year of the period of the contract and specifying the total estimated per pupil expenditure amount for each such year.	240 241 242
(16) Requirements and procedures regarding the disposition of employees of the school in the event the contract is terminated or not renewed pursuant to section 3314.07 of the Revised Code;	243 244 245 246
(17) Whether the school is to be created by converting all or part of an existing public school or educational service center building or is to be a new start-up school, and if it is a converted public school or service center building, specification of any duties or responsibilities of an employer	247 248 249 250 251

that the board of education or service center governing board 252
that operated the school or building before conversion is 253
delegating to the governing authority of the community school 254
with respect to all or any specified group of employees provided 255
the delegation is not prohibited by a collective bargaining 256
agreement applicable to such employees; 257

(18) Provisions establishing procedures for resolving 258
disputes or differences of opinion between the sponsor and the 259
governing authority of the community school; 260

(19) A provision requiring the governing authority to 261
adopt a policy regarding the admission of students who reside 262
outside the district in which the school is located. That policy 263
shall comply with the admissions procedures specified in 264
sections 3314.06 and 3314.061 of the Revised Code and, at the 265
sole discretion of the authority, shall do one of the following: 266

(a) Prohibit the enrollment of students who reside outside 267
the district in which the school is located; 268

(b) Permit the enrollment of students who reside in 269
districts adjacent to the district in which the school is 270
located; 271

(c) Permit the enrollment of students who reside in any 272
other district in the state. 273

(20) A provision recognizing the authority of the 274
department to take over the sponsorship of the school in 275
accordance with the provisions of division (C) of section 276
3314.015 of the Revised Code; 277

(21) A provision recognizing the sponsor's authority to 278
assume the operation of a school under the conditions specified 279
in division (B) of section 3314.073 of the Revised Code; 280

(22) A provision recognizing both of the following:	281
(a) The authority of public health and safety officials to	282
inspect the facilities of the school and to order the facilities	283
closed if those officials find that the facilities are not in	284
compliance with health and safety laws and regulations;	285
(b) The authority of the department as the community	286
school oversight body to suspend the operation of the school	287
under section 3314.072 of the Revised Code if the department has	288
evidence of conditions or violations of law at the school that	289
pose an imminent danger to the health and safety of the school's	290
students and employees and the sponsor refuses to take such	291
action.	292
(23) A description of the learning opportunities that will	293
be offered to students including both classroom-based and non-	294
classroom-based learning opportunities that is in compliance	295
with criteria for student participation established by the	296
department under division (H) (2) of section 3314.08 of the	297
Revised Code;	298
(24) The school will comply with sections 3302.04 and	299
3302.041 of the Revised Code, except that any action required to	300
be taken by a school district pursuant to those sections shall	301
be taken by the sponsor of the school.	302
(25) Beginning in the 2006-2007 school year, the school	303
will open for operation not later than the thirtieth day of	304
September each school year, unless the mission of the school as	305
specified under division (A) (2) of this section is solely to	306
serve dropouts. In its initial year of operation, if the school	307
fails to open by the thirtieth day of September, or within one	308
year after the adoption of the contract pursuant to division (D)	309

of section 3314.02 of the Revised Code if the mission of the school is solely to serve dropouts, the contract shall be void.

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

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

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

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

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

(b) A description of how student instructional needs will be determined and documented;

(c) The method to be used for determining competency, granting credit, and promoting students to a higher grade level;

(d) The school's attendance requirements, including how the school will document participation in learning opportunities;

(e) A statement describing how student progress will be monitored;

(f) A statement describing how private student data will be protected;	338 339
(g) A description of the professional development activities that will be offered to teachers.	340 341
(30) A provision requiring that all moneys the school's operator loans to the school, including facilities loans or cash flow assistance, must be accounted for, documented, and bear interest at a fair market rate;	342 343 344 345
(31) A provision requiring that, if the governing authority contracts with an attorney, accountant, or entity specializing in audits, the attorney, accountant, or entity shall be independent from the operator with which the school has contracted.	346 347 348 349 350
(32) A provision requiring the governing authority to adopt an enrollment and attendance policy that requires a student's parent to notify the community school in which the student is enrolled when there is a change in the location of the parent's or student's primary residence.	351 352 353 354 355
(33) A provision requiring the governing authority to adopt a student residence and address verification policy for students enrolling in or attending the school.	356 357 358
(B) The community school shall also submit to the sponsor a comprehensive plan for the school. The plan shall specify the following:	359 360 361
(1) The process by which the governing authority of the school will be selected in the future;	362 363
(2) The management and administration of the school;	364
(3) If the community school is a currently existing public	365

school or educational service center building, alternative 366
arrangements for current public school students who choose not 367
to attend the converted school and for teachers who choose not 368
to teach in the school or building after conversion; 369

(4) The instructional program and educational philosophy 370
of the school; 371

(5) Internal financial controls. 372

When submitting the plan under this division, the school 373
shall also submit copies of all policies and procedures 374
regarding internal financial controls adopted by the governing 375
authority of the school. 376

(C) A contract entered into under section 3314.02 of the 377
Revised Code between a sponsor and the governing authority of a 378
community school may provide for the community school governing 379
authority to make payments to the sponsor, which is hereby 380
authorized to receive such payments as set forth in the contract 381
between the governing authority and the sponsor. The total 382
amount of such payments for monitoring, oversight, and technical 383
assistance of the school shall not exceed three per cent of the 384
total amount of payments for operating expenses that the school 385
receives from the state. 386

(D) The contract shall specify the duties of the sponsor 387
which shall be in accordance with the written agreement entered 388
into with the department under division (B) of section 3314.015 389
of the Revised Code and shall include the following: 390

(1) Monitor the community school's compliance with all 391
laws applicable to the school and with the terms of the 392
contract; 393

(2) Monitor and evaluate the academic and fiscal 394

performance and the organization and operation of the community school on at least an annual basis; 395
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(3) Provide technical assistance to the community school in complying with laws applicable to the school and terms of the contract; 397
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(4) 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; 400
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(5) Have in place a plan of action to be undertaken in the event the community school experiences financial difficulties or closes prior to the end of a school year. 407
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(E) Upon the expiration of a contract entered into under this section, the sponsor of a community school may, with the approval of the governing authority of the school, renew that contract for a period of time determined by the sponsor, but not ending earlier than the end of any school year, if the sponsor finds that the school's compliance with applicable laws and terms of the contract and the school's progress in meeting the academic goals prescribed in the contract have been satisfactory. Any contract that is renewed under this division remains subject to the provisions of sections 3314.07, 3314.072, and 3314.073 of the Revised Code. 410
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(F) If a community school fails to open for operation within one year after the contract entered into under this section is adopted pursuant to division (D) of section 3314.02 421
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of the Revised Code or permanently closes prior to the 424
expiration of the contract, the contract shall be void and the 425
school shall not enter into a contract with any other sponsor. A 426
school shall not be considered permanently closed because the 427
operations of the school have been suspended pursuant to section 428
3314.072 of the Revised Code. 429

Sec. 3326.11. Each science, technology, engineering, and 430
mathematics school established under this chapter and its 431
governing body shall comply with sections 9.90, 9.91, 109.65, 432
121.22, 149.43, 2151.357, 2151.421, 2313.19, 2921.42, 2921.43, 433
3301.0714, 3301.0715, 3301.0729, 3301.948, 3302.037, 3313.14, 434
3313.15, 3313.16, 3313.18, 3313.201, 3313.26, 3313.472, 435
3313.473, 3313.474, 3313.48, 3313.481, 3313.482, 3313.50, 436
3313.539, 3313.5310, 3313.5318, 3313.5319, 3313.608, 3313.6012, 437
3313.6013, 3313.6014, 3313.6020, 3313.6021, 3313.6023, 438
3313.6024, 3313.6026, 3313.6028, 3313.6029, 3313.6031, 3313.61, 439
3313.611, 3313.614, 3313.615, 3313.617, 3313.618, 3313.6114, 440
3313.643, 3313.648, 3313.6411, 3313.6413, 3313.66, 3313.661, 441
3313.662, 3313.666, 3313.667, 3313.668, 3313.669, 3313.6610, 442
3313.67, 3313.671, 3313.672, 3313.673, 3313.69, 3313.71, 443
3313.716, 3313.717, 3313.718, 3313.719, 3313.7112, 3313.7117, 444
3313.721, 3313.753, 3313.80, 3313.801, 3313.814, 3313.816, 445
3313.817, 3313.818, 3313.819, 3313.86, 3313.89, 3313.96, 446
3319.073, 3319.077, 3319.078, 3319.0812, 3319.21, 3319.238, 447
3319.318, 3319.32, 3319.321, 3319.324, 3319.35, 3319.39, 448
3319.391, 3319.393, 3319.41, 3319.45, 3319.46, 3319.90, 449
3319.614, 3320.01, 3320.02, 3320.03, 3320.04, 3321.01, 3321.041, 450
3321.05, 3321.13, 3321.14, 3321.141, 3321.17, 3321.18, 3321.19, 451
3321.191, 3322.20, 3322.24, 3323.251, 3327.10, 4111.17, 4113.52, 452
5502.262, 5502.703, and 5705.391 and Chapters 102., 117., 1347., 453
2744., 3307., 3309., 3365., 3742., 4112., 4123., 4141., and 454

4167. of the Revised Code as if it were a school district. 455

Sec. 3328.24. A college-preparatory boarding school 456
established under this chapter and its board of trustees shall 457
comply with sections 102.02, 3301.0710, 3301.0711, 3301.0712, 458
3301.0714, 3301.0729, 3301.948, 3302.037, 3313.474, 3313.5318, 459
3313.5319, 3313.6013, 3313.6021, 3313.6023, 3313.6024, 460
3313.6026, 3313.6029, 3313.6031, 3313.617, 3313.618, 3313.6114, 461
3313.6411, 3313.6413, 3313.668, 3313.669, 3313.6610, 3313.717, 462
3313.7112, 3313.7117, 3313.721, 3313.753, 3313.89, 3319.073, 463
3319.077, 3319.078, 3319.318, 3319.324, 3319.39, 3319.391, 464
3319.393, 3319.46, 3320.01, 3320.02, 3320.03, 3320.04, 3323.251, 465
and 5502.262, and Chapter 3365. of the Revised Code as if the 466
school were a school district and the school's board of trustees 467
were a district board of education. 468

Section 2. That existing sections 3313.602, 3314.03, 469
3326.11, and 3328.24 of the Revised Code are hereby repealed. 470

Section 3. The General Assembly, applying the principle 471
stated in division (B) of section 1.52 of the Revised Code that 472
amendments are to be harmonized if reasonably capable of 473
simultaneous operation, finds that the following sections, 474
presented in this act as composites of the sections as amended 475
by the acts indicated, are the resulting versions of the 476
sections in effect prior to the effective date of the sections 477
as presented in this act: 478

Section 3314.03 of the Revised Code as amended by H.B. 8, 479
H.B. 214, H.B. 250, S.B. 104, S.B. 168, S.B. 208, and S.B. 234, 480
all of the 135th General Assembly. 481

Section 3326.11 of the Revised Code as amended by H.B. 8, 482
H.B. 47, H.B. 214, S.B. 104, S.B. 168, S.B. 208, and S.B. 234, 483

all of the 135th General Assembly.	484
Section 3328.24 of the Revised Code as amended by both	485
S.B. 208 and S.B. 234 of the 135th General Assembly.	486
Section 4. This act shall be known as The Pledge of	487
Allegiance Act.	488