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# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
and Drafting

Legislative Budget  
Office

**H.B. 634**  
**136<sup>th</sup> General Assembly**

## Bill Analysis

**Version:** As Introduced

**Primary Sponsors:** Reps. Young and Kishman

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### SUMMARY

- Prohibits an interscholastic conference or organization that regulates interscholastic conferences and events from penalizing or restricting the eligibility of a student to participate in interscholastic athletics because the student is a transfer student, unless the student was subject to a prior disciplinary action.

### DETAILED ANALYSIS

#### Participation in athletics

The bill generally prohibits an athletic regulatory organization, which is an interscholastic conference or organization that regulates interscholastic conferences or events (such as OHSAA), from penalizing or restricting the eligibility of a student to participate in interscholastic athletics because the student is a transfer student. Under the bill, a transfer student is a student who attends a school operated by a school district under:

1. An intradistrict open enrollment policy, which permits a student to attend a school operated by the student's resident district other than the one the student would normally be assigned;
2. An interdistrict open enrollment policy, which permits a student to attend a school operated by a district other than the student's resident district if the other district authorizes nonresident students to do so; or
3. A provision of continuing law that authorizes two superintendents to enter into an agreement to permit a student who is a resident of one of the superintendent's districts to attend school in the other superintendent's district to protect the student's physical or mental well-being or to deal with other extenuating circumstances.

Under the bill, a transfer student generally must be allowed to immediately participate in interscholastic athletics at the school the student is attending on the same basis as any student who has always attended the schools of that district.<sup>1</sup>

However, if the transfer student is subject to a prior disciplinary action before becoming a transfer student that is either a suspension, expulsion, or removal, or a disciplinary action issued by an athletic regulatory organization that limits a student's eligibility to participate in interscholastic athletics for violating any of the organization's rules or bylaws, the student may be prohibited from participating in athletics.

For a transfer student subject to a prior disciplinary action and attending school under (1) interdistrict open enrollment or (2) the law to protect a student's physical or mental well-being, the bill requires the superintendents of the student's resident district and the school district the student is attending to, within ten business days of approval for the student to attend school in the nonresident district, issue a written decision on when the student will become eligible to participate in interscholastic athletics, taking into account the prior disciplinary action.<sup>2</sup>

For a transfer student subject to a prior disciplinary action and attending an alternative school under intradistrict open enrollment, the district superintendent, within ten business days of approval for the student to attend an alternative school, must issue a written decision on when the student will become eligible to participate in interscholastic athletics, taking into account the prior disciplinary action.

In both instances, the written decisions by the superintendents must not weaken, shorten, or override any ongoing suspension, expulsion, or other disciplinary action. If the superintendents fail to issue a decision within ten business days, the student immediately becomes eligible to participate in interscholastic athletics.<sup>3</sup>

Finally, nothing in the bill prohibits an athletic regulatory organization from enforcing any eligibility rules that apply to all students attending a school, including age, safety, and academics requirements and limits on the quantity of seasons of participation.<sup>4</sup>

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## HISTORY

Action	Date
Introduced	12-23-25

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<sup>1</sup> R.C. 3313.5321(A) and (B). See R.C. 3313.64(F)(12), 3313.97, and 3313.98, none of which are in the bill.

<sup>2</sup> R.C. 3313.5321(C).

<sup>3</sup> R.C. 3313.5321(D).

<sup>4</sup> R.C. 3313.5321(A).