

**As Introduced**

**136th General Assembly  
Regular Session  
2025-2026**

**S. B. No. 113**

**Senator Brenner**

**Cosponsors: Senators Cirino, Schaffer, O'Brien, Wilkin**

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**A BILL**

To amend sections 3314.03, 3326.11, and 3328.24 and  
to enact section 3313.475 of the Revised Code to  
prohibit diversity, equity, and inclusion in  
public schools.

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

**Section 1.** That sections 3314.03, 3326.11, and 3328.24 be  
amended and section 3313.475 of the Revised Code be enacted to  
read as follows:

**Sec. 3313.475.** (A) Not later than ninety days after the  
effective date of this section, the board of education of each  
city, local, exempted village, and joint vocational school  
district shall adopt and enforce a policy that prohibits all of  
the following:

(1) Any orientation or training course regarding  
diversity, equity, and inclusion;

(2) The continuation of existing diversity, equity, and  
inclusion offices or departments;

(3) Establishing new diversity, equity, and inclusion

offices or departments; 18

(4) Using diversity, equity, and inclusion in job 19  
descriptions; 20

(5) Contracting with consultants or third-parties whose 21  
role is or would be to promote admissions, hiring, or promotion 22  
on the basis of race, ethnicity, religion, sex, sexual 23  
orientation, gender identity, or gender expression. 24

(6) Replacing any orientation, training, office, or 25  
position designated for the purpose of diversity, equity, and 26  
inclusion that is prohibited under the policy with an 27  
orientation, training, office, or position under a different 28  
designation that serves the same or similar purposes, or that 29  
uses the same or similar means. 30

(B) Each board of education shall establish a process 31  
under which a student, parent, or district employee may submit a 32  
complaint about an alleged violation of the policy. The process 33  
shall comply with standards adopted by the director of education 34  
and workforce. 35

Under the process, the board of education shall 36  
investigate the alleged violation and conduct a fair and 37  
impartial hearing regarding the alleged violation. If the 38  
hearing determines the policy was violated, the board of 39  
education shall determine a resolution to address the violation 40  
and prevent any further violation of the policy. 41

**Sec. 3314.03.** A copy of every contract entered into under 42  
this section shall be filed with the director of education and 43  
workforce. The department of education and workforce shall make 44  
available on its web site a copy of every approved, executed 45  
contract filed with the director under this section. 46

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

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

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

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

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

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

(4) Performance standards, including but not limited to all applicable report card measures set forth in section 3302.03 or 3314.017 of the Revised Code, by which the success of the school will be evaluated by the sponsor;

(5) The admission standards of section 3314.06 of the Revised Code and, if applicable, section 3314.061 of the Revised Code;

(6) (a) Dismissal procedures;

(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 75  
legitimate excuse fails to participate in seventy-two 76  
consecutive hours of the learning opportunities offered to the 77  
student. 78

(7) The ways by which the school will achieve racial and 79  
ethnic balance reflective of the community it serves; 80

(8) Requirements for financial audits by the auditor of 81  
state. The contract shall require financial records of the 82  
school to be maintained in the same manner as are financial 83  
records of school districts, pursuant to rules of the auditor of 84  
state. Audits shall be conducted in accordance with section 85  
117.10 of the Revised Code. 86

(9) An addendum to the contract outlining the facilities 87  
to be used that contains at least the following information: 88

(a) A detailed description of each facility used for 89  
instructional purposes; 90

(b) The annual costs associated with leasing each facility 91  
that are paid by or on behalf of the school; 92

(c) The annual mortgage principal and interest payments 93  
that are paid by the school; 94

(d) The name of the lender or landlord, identified as 95  
such, and the lender's or landlord's relationship to the 96  
operator, if any. 97

(10) Qualifications of employees, including both of the 98  
following: 99

(a) A requirement that the school's classroom teachers be 100  
licensed in accordance with sections 3319.22 to 3319.31 of the 101  
Revised Code, except that a community school may engage 102

noncertificated persons to teach up to twelve hours or forty	103
hours per week pursuant to section 3319.301 of the Revised Code;	104
(b) A prohibition against the school employing an	105
individual described in section 3314.104 of the Revised Code in	106
any position.	107
(11) That the school will comply with the following	108
requirements:	109
(a) The school will provide learning opportunities to a	110
minimum of twenty-five students for a minimum of nine hundred	111
twenty hours per school year.	112
(b) The governing authority will purchase liability	113
insurance, or otherwise provide for the potential liability of	114
the school.	115
(c) The school will be nonsectarian in its programs,	116
admission policies, employment practices, and all other	117
operations, and will not be operated by a sectarian school or	118
religious institution.	119
(d) The school will comply with sections 9.90, 9.91,	120
109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710,	121
3301.0711, 3301.0712, 3301.0715, 3301.0729, 3301.948, 3302.037,	122
3313.472, <u>3313.475</u> , 3313.50, 3313.539, 3313.5310, 3313.5318,	123
3313.5319, 3313.608, 3313.609, 3313.6012, 3313.6013, 3313.6014,	124
3313.6020, 3313.6024, 3313.6025, 3313.6026, 3313.6028,	125
3313.6029, 3313.643, 3313.648, 3313.6411, 3313.6413, 3313.66,	126
3313.661, 3313.662, 3313.666, 3313.667, 3313.668, 3313.669,	127
3313.6610, 3313.67, 3313.671, 3313.672, 3313.673, 3313.69,	128
3313.71, 3313.716, 3313.718, 3313.719, 3313.7112, 3313.7117,	129
3313.721, 3313.753, 3313.80, 3313.814, 3313.816, 3313.817,	130
3313.818, 3313.819, 3313.86, 3313.89, 3313.96, 3319.073,	131

3319.077, 3319.078, 3319.0812, 3319.238, 3319.318, 3319.321,	132
3319.324, 3319.39, 3319.391, 3319.393, 3319.41, 3319.46,	133
3319.614, 3320.01, 3320.02, 3320.03, 3320.04, 3321.01, 3321.041,	134
3321.13, 3321.14, 3321.141, 3321.17, 3321.18, 3321.19, 3322.20,	135
3322.24, 3323.251, 3327.10, 4111.17, 4113.52, 5502.262,	136
5502.703, and 5705.391 and Chapters 117., 1347., 2744., 3365.,	137
3742., 4112., 4123., 4141., and 4167. of the Revised Code as if	138
it were a school district and will comply with section 3301.0714	139
of the Revised Code in the manner specified in section 3314.17	140
of the Revised Code.	141
(e) The school shall comply with Chapter 102. and section	142
2921.42 of the Revised Code.	143
(f) The school will comply with sections 3313.61,	144
3313.611, 3313.614, 3313.617, 3313.618, and 3313.6114 of the	145
Revised Code, except that for students who enter ninth grade for	146
the first time before July 1, 2010, the requirement in sections	147
3313.61 and 3313.611 of the Revised Code that a person must	148
successfully complete the curriculum in any high school prior to	149
receiving a high school diploma may be met by completing the	150
curriculum adopted by the governing authority of the community	151
school rather than the curriculum specified in Title XXXIII of	152
the Revised Code or any rules of the department. Beginning with	153
students who enter ninth grade for the first time on or after	154
July 1, 2010, the requirement in sections 3313.61 and 3313.611	155
of the Revised Code that a person must successfully complete the	156
curriculum of a high school prior to receiving a high school	157
diploma shall be met by completing the requirements prescribed	158
in section 3313.6027 and division (C) of section 3313.603 of the	159
Revised Code, unless the person qualifies under division (D) or	160
(F) of that section. Each school shall comply with the plan for	161
awarding high school credit based on demonstration of subject	162

area competency, and beginning with the 2017-2018 school year, 163  
with the updated plan that permits students enrolled in seventh 164  
and eighth grade to meet curriculum requirements based on 165  
subject area competency adopted by the department under 166  
divisions (J) (1) and (2) of section 3313.603 of the Revised 167  
Code. Beginning with the 2018-2019 school year, the school shall 168  
comply with the framework for granting units of high school 169  
credit to students who demonstrate subject area competency 170  
through work-based learning experiences, internships, or 171  
cooperative education developed by the department under division 172  
(J) (3) of section 3313.603 of the Revised Code. 173

(g) The school governing authority will submit within four 174  
months after the end of each school year a report of its 175  
activities and progress in meeting the goals and standards of 176  
divisions (A) (3) and (4) of this section and its financial 177  
status to the sponsor and the parents of all students enrolled 178  
in the school. 179

(h) The school, unless it is an internet- or computer- 180  
based community school, will comply with section 3313.801 of the 181  
Revised Code as if it were a school district. 182

(i) If the school is the recipient of moneys from a grant 183  
awarded under the federal race to the top program, Division (A), 184  
Title XIV, Sections 14005 and 14006 of the "American Recovery 185  
and Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, 186  
the school will pay teachers based upon performance in 187  
accordance with section 3317.141 and will comply with section 188  
3319.111 of the Revised Code as if it were a school district. 189

(j) If the school operates a preschool program that is 190  
licensed by the department under sections 3301.52 to 3301.59 of 191  
the Revised Code, the school shall comply with sections 3301.50 192

to 3301.59 of the Revised Code and the minimum standards for 193  
preschool programs prescribed in rules adopted by the department 194  
of children and youth under section 3301.53 of the Revised Code. 195

(k) The school will comply with sections 3313.6021 and 196  
3313.6023 of the Revised Code as if it were a school district 197  
unless it is either of the following: 198

(i) An internet- or computer-based community school; 199

(ii) A community school in which a majority of the 200  
enrolled students are children with disabilities as described in 201  
division (B) (2) of section 3314.35 of the Revised Code. 202

(l) The school will comply with section 3321.191 of the 203  
Revised Code, unless it is an internet- or computer-based 204  
community school that is subject to section 3314.261 of the 205  
Revised Code. 206

(12) Arrangements for providing health and other benefits 207  
to employees; 208

(13) The length of the contract, which shall begin at the 209  
beginning of an academic year. No contract shall exceed five 210  
years unless such contract has been renewed pursuant to division 211  
(E) of this section. 212

(14) The governing authority of the school, which shall be 213  
responsible for carrying out the provisions of the contract; 214

(15) A financial plan detailing an estimated school budget 215  
for each year of the period of the contract and specifying the 216  
total estimated per pupil expenditure amount for each such year. 217

(16) Requirements and procedures regarding the disposition 218  
of employees of the school in the event the contract is 219  
terminated or not renewed pursuant to section 3314.07 of the 220

Revised Code;	221
(17) Whether the school is to be created by converting all	222
or part of an existing public school or educational service	223
center building or is to be a new start-up school, and if it is	224
a converted public school or service center building,	225
specification of any duties or responsibilities of an employer	226
that the board of education or service center governing board	227
that operated the school or building before conversion is	228
delegating to the governing authority of the community school	229
with respect to all or any specified group of employees provided	230
the delegation is not prohibited by a collective bargaining	231
agreement applicable to such employees;	232
(18) Provisions establishing procedures for resolving	233
disputes or differences of opinion between the sponsor and the	234
governing authority of the community school;	235
(19) A provision requiring the governing authority to	236
adopt a policy regarding the admission of students who reside	237
outside the district in which the school is located. That policy	238
shall comply with the admissions procedures specified in	239
sections 3314.06 and 3314.061 of the Revised Code and, at the	240
sole discretion of the authority, shall do one of the following:	241
(a) Prohibit the enrollment of students who reside outside	242
the district in which the school is located;	243
(b) Permit the enrollment of students who reside in	244
districts adjacent to the district in which the school is	245
located;	246
(c) Permit the enrollment of students who reside in any	247
other district in the state.	248
(20) A provision recognizing the authority of the	249

department to take over the sponsorship of the school in 250  
accordance with the provisions of division (C) of section 251  
3314.015 of the Revised Code; 252

(21) A provision recognizing the sponsor's authority to 253  
assume the operation of a school under the conditions specified 254  
in division (B) of section 3314.073 of the Revised Code; 255

(22) A provision recognizing both of the following: 256

(a) The authority of public health and safety officials to 257  
inspect the facilities of the school and to order the facilities 258  
closed if those officials find that the facilities are not in 259  
compliance with health and safety laws and regulations; 260

(b) The authority of the department as the community 261  
school oversight body to suspend the operation of the school 262  
under section 3314.072 of the Revised Code if the department has 263  
evidence of conditions or violations of law at the school that 264  
pose an imminent danger to the health and safety of the school's 265  
students and employees and the sponsor refuses to take such 266  
action. 267

(23) A description of the learning opportunities that will 268  
be offered to students including both classroom-based and non- 269  
classroom-based learning opportunities that is in compliance 270  
with criteria for student participation established by the 271  
department under division (H) (2) of section 3314.08 of the 272  
Revised Code; 273

(24) The school will comply with sections 3302.04 and 274  
3302.041 of the Revised Code, except that any action required to 275  
be taken by a school district pursuant to those sections shall 276  
be taken by the sponsor of the school. 277

(25) Beginning in the 2006-2007 school year, the school 278

will open for operation not later than the thirtieth day of 279  
September each school year, unless the mission of the school as 280  
specified under division (A) (2) of this section is solely to 281  
serve dropouts. In its initial year of operation, if the school 282  
fails to open by the thirtieth day of September, or within one 283  
year after the adoption of the contract pursuant to division (D) 284  
of section 3314.02 of the Revised Code if the mission of the 285  
school is solely to serve dropouts, the contract shall be void. 286

(26) Whether the school's governing authority is planning 287  
to seek designation for the school as a STEM school equivalent 288  
under section 3326.032 of the Revised Code; 289

(27) That the school's attendance and participation 290  
policies will be available for public inspection; 291

(28) That the school's attendance and participation 292  
records shall be made available to the department, auditor of 293  
state, and school's sponsor to the extent permitted under and in 294  
accordance with the "Family Educational Rights and Privacy Act 295  
of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended, and any 296  
regulations promulgated under that act, and section 3319.321 of 297  
the Revised Code; 298

(29) If a school operates using the blended learning 299  
model, as defined in section 3301.079 of the Revised Code, all 300  
of the following information: 301

(a) An indication of what blended learning model or models 302  
will be used; 303

(b) A description of how student instructional needs will 304  
be determined and documented; 305

(c) The method to be used for determining competency, 306  
granting credit, and promoting students to a higher grade level; 307

(d) The school's attendance requirements, including how the school will document participation in learning opportunities;	308 309 310
(e) A statement describing how student progress will be monitored;	311 312
(f) A statement describing how private student data will be protected;	313 314
(g) A description of the professional development activities that will be offered to teachers.	315 316
(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;	317 318 319 320
(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.	321 322 323 324 325
(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.	326 327 328 329 330
(33) A provision requiring the governing authority to adopt a student residence and address verification policy for students enrolling in or attending the school.	331 332 333
(B) The community school shall also submit to the sponsor a comprehensive plan for the school. The plan shall specify the	334 335

following:	336
(1) The process by which the governing authority of the school will be selected in the future;	337 338
(2) The management and administration of the school;	339
(3) If the community school is a currently existing public school or educational service center building, alternative arrangements for current public school students who choose not to attend the converted school and for teachers who choose not to teach in the school or building after conversion;	340 341 342 343 344
(4) The instructional program and educational philosophy of the school;	345 346
(5) Internal financial controls.	347
When submitting the plan under this division, the school shall also submit copies of all policies and procedures regarding internal financial controls adopted by the governing authority of the school.	348 349 350 351
(C) A contract entered into under section 3314.02 of the Revised Code between a sponsor and the governing authority of a community school may provide for the community school governing authority to make payments to the sponsor, which is hereby authorized to receive such payments as set forth in the contract between the governing authority and the sponsor. The total amount of such payments for monitoring, oversight, and technical assistance of the school shall not exceed three per cent of the total amount of payments for operating expenses that the school receives from the state.	352 353 354 355 356 357 358 359 360 361
(D) The contract shall specify the duties of the sponsor which shall be in accordance with the written agreement entered	362 363

into with the department under division (B) of section 3314.015 364  
of the Revised Code and shall include the following: 365

(1) Monitor the community school's compliance with all 366  
laws applicable to the school and with the terms of the 367  
contract; 368

(2) Monitor and evaluate the academic and fiscal 369  
performance and the organization and operation of the community 370  
school on at least an annual basis; 371

(3) Provide technical assistance to the community school 372  
in complying with laws applicable to the school and terms of the 373  
contract; 374

(4) Take steps to intervene in the school's operation to 375  
correct problems in the school's overall performance, declare 376  
the school to be on probationary status pursuant to section 377  
3314.073 of the Revised Code, suspend the operation of the 378  
school pursuant to section 3314.072 of the Revised Code, or 379  
terminate the contract of the school pursuant to section 3314.07 380  
of the Revised Code as determined necessary by the sponsor; 381

(5) Have in place a plan of action to be undertaken in the 382  
event the community school experiences financial difficulties or 383  
closes prior to the end of a school year. 384

(E) Upon the expiration of a contract entered into under 385  
this section, the sponsor of a community school may, with the 386  
approval of the governing authority of the school, renew that 387  
contract for a period of time determined by the sponsor, but not 388  
ending earlier than the end of any school year, if the sponsor 389  
finds that the school's compliance with applicable laws and 390  
terms of the contract and the school's progress in meeting the 391  
academic goals prescribed in the contract have been 392

satisfactory. Any contract that is renewed under this division 393  
remains subject to the provisions of sections 3314.07, 3314.072, 394  
and 3314.073 of the Revised Code. 395

(F) If a community school fails to open for operation 396  
within one year after the contract entered into under this 397  
section is adopted pursuant to division (D) of section 3314.02 398  
of the Revised Code or permanently closes prior to the 399  
expiration of the contract, the contract shall be void and the 400  
school shall not enter into a contract with any other sponsor. A 401  
school shall not be considered permanently closed because the 402  
operations of the school have been suspended pursuant to section 403  
3314.072 of the Revised Code. 404

**Sec. 3326.11.** Each science, technology, engineering, and 405  
mathematics school established under this chapter and its 406  
governing body shall comply with sections 9.90, 9.91, 109.65, 407  
121.22, 149.43, 2151.357, 2151.421, 2313.19, 2921.42, 2921.43, 408  
3301.0714, 3301.0715, 3301.0729, 3301.948, 3302.037, 3313.14, 409  
3313.15, 3313.16, 3313.18, 3313.201, 3313.26, 3313.472, 410  
3313.475, 3313.48, 3313.481, 3313.482, 3313.50, 3313.539, 411  
3313.5310, 3313.5318, 3313.5319, 3313.608, 3313.6012, 3313.6013, 412  
3313.6014, 3313.6020, 3313.6021, 3313.6023, 3313.6024, 413  
3313.6025, 3313.6026, 3313.6028, 3313.6029, 3313.61, 3313.611, 414  
3313.614, 3313.615, 3313.617, 3313.618, 3313.6114, 3313.643, 415  
3313.648, 3313.6411, 3313.6413, 3313.66, 3313.661, 3313.662, 416  
3313.666, 3313.667, 3313.668, 3313.669, 3313.6610, 3313.67, 417  
3313.671, 3313.672, 3313.673, 3313.69, 3313.71, 3313.716, 418  
3313.717, 3313.718, 3313.719, 3313.7112, 3313.7117, 3313.721, 419  
3313.753, 3313.80, 3313.801, 3313.814, 3313.816, 3313.817, 420  
3313.818, 3313.819, 3313.86, 3313.89, 3313.96, 3319.073, 421  
3319.077, 3319.078, 3319.0812, 3319.21, 3319.238, 3319.318, 422  
3319.32, 3319.321, 3319.324, 3319.35, 3319.39, 3319.391, 423

3319.393, 3319.41, 3319.45, 3319.46, 3319.614, 3320.01, 3320.02, 424  
3320.03, 3320.04, 3321.01, 3321.041, 3321.05, 3321.13, 3321.14, 425  
3321.141, 3321.17, 3321.18, 3321.19, 3321.191, 3322.20, 3322.24, 426  
3323.251, 3327.10, 4111.17, 4113.52, 5502.262, 5502.703, and 427  
5705.391 and Chapters 102., 117., 1347., 2744., 3307., 3309., 428  
3365., 3742., 4112., 4123., 4141., and 4167. of the Revised Code 429  
as if it were a school district. 430

**Sec. 3328.24.** A college-preparatory boarding school 431  
established under this chapter and its board of trustees shall 432  
comply with sections 102.02, 3301.0710, 3301.0711, 3301.0712, 433  
3301.0714, 3301.0729, 3301.948, 3302.037, 3313.475, 3313.5318, 434  
3313.5319, 3313.6013, 3313.6021, 3313.6023, 3313.6024, 435  
3313.6025, 3313.6026, 3313.6029, 3313.617, 3313.618, 3313.6114, 436  
3313.6411, 3313.6413, 3313.668, 3313.669, 3313.6610, 3313.717, 437  
3313.7112, 3313.7117, 3313.721, 3313.753, 3313.89, 3319.073, 438  
3319.077, 3319.078, 3319.318, 3319.324, 3319.39, 3319.391, 439  
3319.393, 3319.46, 3320.01, 3320.02, 3320.03, 3320.04, 3323.251, 440  
and 5502.262, and Chapter 3365. of the Revised Code as if the 441  
school were a school district and the school's board of trustees 442  
were a district board of education. 443

**Section 2.** That existing sections 3314.03, 3326.11, and 444  
3328.24 of the Revised Code are hereby repealed. 445

**Section 3.** The General Assembly, applying the principle 446  
stated in division (B) of section 1.52 of the Revised Code that 447  
amendments are to be harmonized if reasonably capable of 448  
simultaneous operation, finds that the following sections, 449  
presented in this act as composites of the sections as amended 450  
by the acts indicated, are the resulting versions of the 451  
sections in effect prior to the effective date of the sections 452  
as presented in this act: 453

Section 3314.03 of the Revised Code as amended by H.B.	454
214, H.B. 250, and S.B. 168, all of the 135th General Assembly.	455
Section 3326.11 of the Revised Code as amended by H.B. 47,	456
H.B. 214, and S.B. 168, all of the 135th General Assembly.	457
Section 3328.24 of the Revised Code as amended by H.B. 47	458
and H.B. 214 of the 135th General Assembly.	459