

As Introduced

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

S. B. No. 416

Senator Patton

To amend sections 3.17 and 3313.11 and to enact 1
section 3313.111 of the Revised Code regarding 2
school district board of education members 3
deployed on active duty in the United States 4
Armed Forces or Ohio National Guard. 5

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

Section 1. That sections 3.17 and 3313.11 be amended and 6
section 3313.111 of the Revised Code be enacted to read as 7
follows: 8

Sec. 3.17. ~~Any~~ Except as provided in section 3313.111 of 9
the Revised Code, any member of a board, commission, council, 10
board of trustees of an institution of higher education, or 11
other public body of the state, except a member of the general 12
assembly or a judge of any court in the state, who fails to 13
attend at least three-fifths of the regular and special meetings 14
held by that board, commission, council, board of trustees, or 15
public body during any two-year period forfeits the member's 16
position on that board, commission, council, board of trustees, 17
or public body. 18

Sec. 3313.11. Notwithstanding division (D) of section 19
3311.19 and division (D) of section 3311.52 of the Revised Code, 20

this section does not apply to any joint vocational or 21
cooperative education school district. 22

A vacancy in any board of education may be caused by 23
death, nonresidence, resignation, removal from office, failure 24
of a person elected or appointed to qualify within ten days 25
after the organization of the board or of appointment or 26
election, removal from the district, or, except as provided in 27
section 3313.111 of the Revised Code, by absence from meetings 28
of the board for a period of ninety days, if such absence is 29
caused by reasons declared insufficient by a two-thirds vote of 30
the remaining members of the board, which vote must be taken and 31
entered upon the records of the board not less than thirty days 32
after such absence. 33

If the board members are selected by appointment pursuant 34
to division (B) or (F) of section 3311.71 of the Revised Code, 35
the appointing authority responsible for the appointment shall 36
fill any such vacancy by appointment of an individual to serve 37
the remainder of the unexpired term from a slate of at least 38
three persons proposed by the municipal school district 39
nominating panel established under that section. If the member 40
creating the vacancy resides in a municipal school district but 41
not in the municipal corporation containing the greatest portion 42
of the district's territory, the individuals included on such 43
slate shall also reside in the municipal school district but not 44
in the municipal corporation containing the greatest portion of 45
the district's territory. 46

If the board members are selected by election, the board 47
shall fill any such vacancy at its next regular or special 48
meeting, not earlier than ten days after such vacancy occurs. A 49
majority vote of all the remaining members of the board may fill 50

any such vacancy. Immediately after such a vote, the treasurer 51
of the board of education shall give written notice to the board 52
of elections responsible for conducting elections for that 53
school district that a vacancy has been filled, and the name of 54
the person appointed to fill the vacancy. Each person selected 55
by the board or probate court to fill a vacancy shall hold 56
office for the shorter of the following periods: until the 57
completion of the unexpired term, or until the first day of 58
January immediately following the next regular board of 59
education election taking place more than ninety days after a 60
person is selected by the board or probate court to fill the 61
vacancy. At that election, a special election to fill the 62
vacancy shall be held in accordance with laws controlling 63
regular elections for board of education members, except that no 64
such special election shall be held if the unexpired term ends 65
on or before the first day of January immediately following that 66
regular board of education election. The term of a person chosen 67
at a special election under this section shall begin on the 68
first day of January immediately following the election, and the 69
person shall serve for the remainder of the unexpired term. 70
Whenever the need for a special election under this section 71
becomes known, the board of education shall immediately give 72
written notice of this fact to the board of elections 73
responsible for conducting the regular board of education 74
election for that school district. 75

The term of a board of education member shall not be 76
lengthened by the member's resignation and subsequent selection 77
by the board or probate court under this section. 78

Sec. 3313.111. (A) As used in this section: 79

(1) "Active duty" means full-time duty in the armed forces 80

of the United States or the Ohio national guard, including full- 81
time training duty, annual training duty, and active state duty 82
for members of the national guard. 83

(2) "Armed forces of the United States" has the same 84
meaning as in section 5907.01 of the Revised Code. 85

(B) No school district board of education member shall be 86
considered absent from a board meeting for the purposes of 87
section 3.17 or 3313.11 of the Revised Code if both of the 88
following apply: 89

(1) The member is an active or reserve member of the armed 90
forces of the United States or the Ohio national guard and does 91
not attend the meeting in person because the member is deployed 92
on active duty. 93

(2) Notwithstanding section 121.22 of the Revised Code, 94
the member attends the meeting through teleconference, video 95
conference, or any other similar synchronous electronic 96
technology. 97

Section 2. That existing sections 3.17 and 3313.11 of the 98
Revised Code are hereby repealed. 99