



Ohio Revised Code

Section 3313.5313 Interscholastic athletic participation by nonresident victims of harassment.

Effective: October 24, 2024

Legislation: House Bill 147 - 135th General Assembly

(A) As used in this section:

(1) "Harassment, intimidation, or bullying" has the same meaning as in section 3313.666 of the Revised Code.

(2) "Home-educated student" means a student who is receiving home education in accordance with section 3321.042 of the Revised Code.

(3) "Qualifying offense" means any of the following:

(a) An offense of violence;

(b) A violation of section 2907.07 of the Revised Code;

(c) An attempt to commit an offense of violence or a violation of section 2907.07 of the Revised Code.

(4) "Qualifying school" means a community school established under Chapter 3314. of the Revised Code, a STEM school established under Chapter 3326. of the Revised Code, a chartered nonpublic school, or a nonchartered nonpublic school.

(5) "Resident district" means the school district in which a student is entitled to attend school under section 3313.64 or 3313.65 of the Revised Code.

(B) The superintendent of any school district may afford any home-educated student or any student enrolled in a qualifying school or a different school district, regardless of whether the superintendent's district is the student's resident district, the opportunity to participate in



interscholastic athletics at a school of the superintendent's district, if the student was subject to any of the following by a school official, employee, or volunteer or another student from the district or school in which the student is enrolled or the district in which the student is participating in interscholastic athletics under section 3313.537, 3313.5311, or 3313.5312 of the Revised Code:

(1) Harassment, intimidation, or bullying;

(2) A qualifying offense, for which the school official, employee, or volunteer or another student has been either of the following:

(a) Charged with, indicted for, convicted of, or pled guilty to committing;

(b) Alleged to be or is adjudicated a delinquent child for committing.

(3) Conduct by a school official, employee, or volunteer that violates the licensure code of professional conduct for Ohio educators developed by the state board of education.

(C) The chief administrative officer of any qualifying school may afford any student enrolled in a school district, any student enrolled in a different qualifying school, or any home-educated student the opportunity to participate in interscholastic athletics at the chief administrative officer's school, if the student was subject to any of the following by a school official, employee, or volunteer or another student from the district or school in which the student is enrolled or the district in which the student is participating in interscholastic athletics under section 3313.537, 3313.5311, or 3313.5312 of the Revised Code:

(1) Harassment, intimidation, or bullying;

(2) A qualifying offense, for which the school official, employee, or volunteer or another student has been either of the following:

(a) Charged with, indicted for, convicted of, or pled guilty to committing;

(b) Alleged to be or is adjudicated a delinquent child for committing.



(3) Conduct by a school official, employee, or volunteer that violates the licensure code of professional conduct for Ohio educators developed by the state board of education.

(D) To participate in interscholastic athletics under this section, a student who is not a home-educated student shall be of the appropriate age and grade level, as determined by the superintendent of the district or the chief administrative officer of the qualifying school, for the school at which the student participates in interscholastic athletics and shall fulfill the same academic, nonacademic, and financial requirements as any other participant.

(E) Divisions (C) to (E) of section 3313.5312 of the Revised Code apply to a home-educated student who participates in interscholastic athletics at school under this section.

(F) No district or school shall impose additional rules on a student to participate under this section that do not apply to other students participating in the same interscholastic athletics activity. No district or school shall impose fees for a student to participate under this section that exceed any fees charged to other students participating in the same interscholastic athletics activity.

(G) No school district board of education, STEM school governing body, or governing authority of a community school, chartered nonpublic school, or nonchartered nonpublic school shall take any action contrary to the provisions of this section.

(H) No school district, interscholastic conference, or organization that regulates interscholastic conferences or events shall do either of the following:

(1) Require a student who is eligible to participate in interscholastic athletics under this section to meet eligibility requirements that conflict with this section;

(2) Penalize or restrict the eligibility to participate in interscholastic athletics of a student who, during a school year, ceases to participate in interscholastic athletics at one district or school and then begins to participate in interscholastic athletics at a different district or school under this section.