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Ohio Revised Code

Section 3345.88 Affirmations on equal opportunity and prohibitions on training for certain concepts and segregation policies.

Effective: June 27, 2025
Legislation: Senate Bill 1 - 136th General Assembly

(A) As used in this section:

(1) "Position, policy, program, and activity" includes all of the following:

(a) All forms of employment, including staff positions, internships, and work studies;

(b) All policies, including mission statements, hiring policies, promotion policies, and tenure policies;

(c) All programs and positions, including deanships, provostships, offices, programs, programs presented by residence halls, and committees;

(d) All activities, including those conducted by the administrative units of orientation, first-year experience, student life, and residential life.

(2) "State institution of higher education" has the same meaning as in section 3345.011 of the Revised Code.

(B) With respect to every position, policy, program, and activity, each state institution of higher education shall do both of the following:

(1) Treat all faculty, staff, and students as individuals, hold every individual to equal standards, and provide those individuals with equality of opportunity, with regard to those individuals' race, ethnicity, religion, sex, sexual orientation, gender identity, or gender expression;

(2) Provide no advantage or disadvantage to faculty, staff, or students on the basis of race, ethnicity, religion, sex, sexual orientation, gender identity, or gender expression in admissions, hiring, promotion, tenuring, or workplace conditions.

(C) No state institution of higher education shall provide or require training for any administrator, teacher, staff member, or employee that advocates or promotes any of the following concepts:

(1) One race or sex is inherently superior to another race or sex.

(2) An individual, by virtue of his or her race or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously.

(3) An individual should be discriminated against or receive adverse treatment solely or partly because of the individual's race.

(4) Members of one race cannot nor should not attempt to treat others without respect to race.

(5) An individual's moral standing or worth is necessarily determined by the individual's race or sex.

(6) An individual, by virtue of the individual's race or sex, bears responsibility for actions committed in the past by other members of the same race or sex.

(7) An individual should feel discomfort, guilt, anguish, or any other form of psychological distress on account of his or her race or sex.

(8) Meritocracy or traits such as hard work ethic are racist or sexist, or were created by members of a particular race to oppress members of another race.

(9) Fault, blame, or bias should be assigned to a race or sex, or to members of a race or sex because of their race or sex.

Division (C) of this section shall not be construed to preclude a state institution of higher education from providing or facilitating continuing education that complies with this division's requirements to public safety officers.

(D) Each state institution of higher education shall implement a range of disciplinary sanctions for any administrator, teacher, staff member, or employee who authorizes or engages in a training prohibited in division (C) of this section.

(E) Each state institution of higher education shall issue a report in accordance with guidelines established under section 3345.0219 of the Revised Code regarding each of the following:

(1) All violations of division (D) of this section committed by anyone under the institution's jurisdiction and of all consequent disciplinary sanctions;

(2) Statistics on the academic qualifications of accepted and matriculating students, disaggregated by race and sex. The statistics shall include information correlating students' academic qualifications and retention rates, disaggregated by race and sex.

(F) Each state institution of higher education shall prohibit all policies designed explicitly to segregate faculty, staff, or students based on those individuals' race, ethnicity, religion, sex,

sexual orientation, gender identity, or gender expression in credit-earning classroom settings, formal orientation ceremonies, and formal graduation ceremonies.

(G) Each state institution of higher education shall respond to complaints from any student, student group, or faculty member about an alleged violation of the prohibitions and requirements under this section by an employee of the state institution of higher education using the process established under division (C) of section 3345.0215 of the Revised Code.