

Requiring Same Price for Cash and Online Ticket Sales; Requiring a Student Ticket Price; Additional Participation Opportunities for Bullied Students and Other Legislative Updates

What are the Implications for OHSAA Member Schools?

This document will serve as a summary of the recent legislative action taken by the Ohio General Assembly that the Ohio High School Athletic Association has been tracking for potential athletic-related impact on its member schools for the upcoming 2024-25 school year.

Requiring Same Price for Cash and Online Tickets; Requiring Student Ticket Price

Timeline: Effective October 24, 2024

Summary: Beginning last fall, ORC 3313.5319 required all OHSAA member schools to accept cash as a form of payment for entry into any “school affiliated event,” including athletic contests. Since that time, there have been practices of offering a discounted price for those individuals who opted to purchase a ticket online. In response to these differing prices, the General Assembly proposed House Bill (HB) 311 and Senate Bill (SB) 181, both which would require schools, and now the OHSAA, to have the same online and cash prices for tickets, as well as require that a student enrolled in any school participating in a school-affiliated event a ticket price that is less than the ticket price the school charges for an adult for the same event. Each of these bills only received one hearing, but on June 27 the House and the Senate inserted the language of SB 181 into House Bill 147, an unrelated bill addressing changes to the education law regarding teacher licensure, hiring, and conduct. Both chambers ultimately concurred with the changes and passed the bill along to Governor DeWine, who signed it into law on July 24, 2024. The effective date of this law is 90 days after his signature, October 24, 2024.

Key Highlights from the Updated Law Include:

- A school cannot establish different prices for tickets for a school-affiliated event based on whether those tickets are purchased using cash or any other payment method, except that the school may charge a processing fee for any ticket purchased online or by credit card.
- A school must offer a student enrolled in any school participating in a school-affiliated event a ticket price that is less than the ticket price the school charges for an adult for the same event.
 - This includes middle school events, though a mandated difference in the price amount is not specified in the bill.
- Neither requirement within this law applies to any “school-affiliated event” held in a privately-owned facility.

Requiring AED's in Schools

Timeline: Effective October 24, 2024

Summary: House Bill (HB) 47, initially introduced in February 2023, was finally passed out of the General Assembly on June 27, 2024, and signed by Governor DeWine on July 25, 2024. This new law requires the placement of automatic external defibrillators (AEDs) in a) each public and chartered nonpublic school and b) each municipal sports and recreation location, except in townships and villages with populations of less than 5,000. It also requires schools to train teachers, administrators, coaches, athletic trainers, and anyone else supervising student-athletes on how and when to use AEDs, and requires the Department of Health to develop a model emergency action plan for the use of AEDs by public and chartered nonpublic schools, youth sports organizations, and municipal sports and recreation locations. All public and chartered nonpublic schools will be required to adopt their own emergency action plans and practice them at least quarterly. The Ohio Department

of Education and Workforce will also develop a system for violations to be reported if schools do not properly place AEDs in their facilities or fail to adopt and practice an emergency action plan.

Additional Participation Opportunities

Timeline: Effective October 24, 2024

Summary: Senate Bill (SB) 259 was introduced in May 2024 but due to the short amount of time available before the Summer Recess, the General Assembly opted to insert the language of the bill into HB 147 which, as outlined above, will become law on October 24, 2024. This timeline made lobbying/collaboration efforts on the bill minimal. This new law will allow any student (*home educated, or those attending a non-public, charter or traditional public school*) to petition a different district/school's superintendent or chief administrative officer to play sports for that school while continuing to maintain enrollment in their original school placement (*or maintain their home education status*) **as long as certain criteria are met**. The criteria include that the student must have been subject to include:

- Harassment, intimidation or bullying, as defined under ORC 3313.666, by another student or;
- "A qualifying offense," as defined in ORC § 3313.5313, by which the school official, employee or volunteer, has been charged with, indicted for, convicted of, or pled guilty to committing; or a delinquent child is alleged to be or is adjudicated for committing or;
- Conduct by a school official, employee or volunteer that violates the licensure code of professional conduct of Ohio educators developed by the state board of education.

The only permission needed to allow this participation would be a review of the situation by the superintendent or chief administrative officer at the school in which the student has petitioned to play, but there is nothing which would require a superintendent or chief administrative officer to allow such a student to play. The OHSAA has been in communication with BASA and OSBA and understands each organization is developing best practices and safeguards for administrative authorities to consider when making such a determination under this new law.

Religious Accommodations

Timeline: Effective October 24, 2024

Summary: Starting Oct. 24, all Ohio public schools will be required to grant students at least three excused absences for "religious expression days," each year. The religious accommodation mandate originally had bipartisan support when it was in the Senate (through SB 49), but it made its way into law by being attached to House Bill 214, which originally was meant to prohibit Ohio schools from requiring or asking students, faculty or prospective employees to commit to specific principles concerning political movements. Though the OHSAA does not have any daily attendance policy rules, we know that many school districts do. Under this law, it would be illegal to hold a student out of athletic competition if they missed school that day for a "religious expression day."

Transgender Female Athlete Participation

Timeline: Effective August 6, 2024

Summary: In the spring of 2024, the general assembly passed a bill, House Bill (HB) 68, which addressed the ability for children to receive gender affirming care, and also restricted the ability for transgender females to play on girls sports teams. Before the bill's expected implementation date (4-24-24), the ACLU of Ohio filed for a temporary restraining order which was granted, temporarily blocking the bill from becoming law. The judge recently conducted a full trial and issued a ruling which determined that the law was constitutional, and that it would be permitted to go into effect.

Therefore, for the 2024-25 school year, the OHSAA is required to follow state law and we will not be permitted to approve any transgender females to participate on girls sports teams. The law does not address their continued participation in practices, so that would be a local policy decision. Additionally, this law does not do anything to impact the ability for transgender males (FTM) to play on boys teams. Page 3 of our Transgender Policy reflects this update:

<https://ohsaaweb.blob.core.windows.net/files/Eligibility/OtherEligibilityDocs/TransgenderPolicy.pdf>

OLD REMINDER: Changes to Home Education Notification Requirements that Impact Verifying Athletic Eligibility

Timeline: Effective October 3, 2023

Summary: Within House Bill 33 (“the budget bill”), language was added within Sec. 3321.042 which made significant changes to the “*Notification of Intent to Home Educate*” application parents must provide to their local residential district. Previously, the “*Notification for Intent to Home Educate*” collected information about the student’s age, grade level, etc. Per the new law, this information is no longer required for the approval of a student’s home instruction. However, per 3313.5312 (C), which gives athletic participation opportunities to home educated students, it is still required that these students “*be the appropriate age and grade level, as determined by the superintendent of the district,*” and requires that they “fulfill the same nonacademic and financial requirements as any other participant.” Therefore, it is advised to let parents know that any home educated child participating in extracurricular sports must file a birth certificate and transcript with the school (to verify age and semester regulations) and give the ages and grade levels of kids when supplying the district with the Notification of Intent to Home Educate their children.

[Note: Although 3313.5312 (C) refers to the same “nonacademic” requirements, because 3313.535 requires minimum GPA and pass/fail policies be adopted by BOE’s, the OHSAA has always maintained that home educated students must also meet the academic requirements of a school district insofar as minimum GPA and pass/fail is concerned. Please discuss this with your legal counsel and contact the OHSAA Office with any questions.]

This completes the summer 2024 legislative update for OHSAA member school administrators. Please contact a member of the eligibility staff if you have any questions.