

SB 1 DEI Prohibitions Decision Framework

SB 1 includes broad prohibitions on DEI based on protected class.

SB 1 defines “protected class” as race, ethnicity, national origin, sex, sexual orientation, gender identity, gender expression, or religion.

Anything that is “for” or “intended to benefit” or “especially appropriate for” one or more protected class groups is prohibited by SB 1, specifically: any orientation or training course regarding diversity, equity, and inclusion; diversity, equity, and inclusion offices or departments; using diversity, equity, and inclusion in job descriptions; titles/positions; contracting with anyone whose role is or would be to promote admissions, hiring, or promotion based on the specified protected classes; new scholarships that use diversity, equity, and inclusion in any manner; and merely changing the name of any DEI office, department, orientation, training, or position while continuing to “serve the same or similar purposes,” or use “the same or similar means.”

Guidance on Conferences

The Implementation Committee has issued the following guidance for participation in conferences.

- Faculty and students whose academic research or teaching covers a DEI subject matter may attend academic conferences and use university funds to attend.
- Faculty, staff and students may attend, and use university funds to pay for, professional conferences with a non-DEI primary purpose. If the conference includes a session that may constitute a DEI training, individuals may participate.
- Ohio State will not promote or pay for faculty, staff or students to attend conferences for which the primary purpose is DEI training or professional development; however, Ohio State employees may attend these development opportunities using their own funds, technology and personal time. The same applies to external affiliations with professional groups or affinity groups – employees may attend these opportunities using their own funds, technology and personal time.
- Full details about conference guidance and other DEI prohibitions are available on the SB 1 [Implementation guide page](#).

Considerations

When evaluating if a conference or activity is allowable in a faculty or staff member’s university capacity, these considerations may be helpful:

- (1) Whether or not the conference, event or activity is open to all without regard to protected class status (if not, that’s a Title VI/Title IX issue and university funds cannot be used); If the conference material states it is open to all, but the majority of materials or sessions are specifically for or targeted to a SB 1 defined protected class or classes, the conference is not likely allowable in a faculty or staff member’s university capacity.
- (2) Alignment with a faculty member’s area of study (if their academic research or area of academic study or scholarship covers a DEI subject matter, it is okay to attend with university funding);
- (3) Topic, theme and purpose of the conference, event or activity (for faculty, does it align with their teaching duties at the college, does it align with their area of expertise? For staff, does it align with the purpose or goals of the department, does it align with their job duties?);
- (4) Whether or not the purpose of the conference, event or activity is to promote admission, hiring or promotion — based on or targeted to — a specific protected class or classes (if so, it is prohibited).

