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Substitute Bill Comparative Synopsis

Sub. H.B. 310

133rd General Assembly

House Primary and Secondary Education

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This table summarizes how the latest substitute version of the bill differs from the immediately preceding version. It addresses only the topics on which the two versions differ substantively. It does not list topics on which the two bills are substantively the same.

Previous Version (I_133_0162-3)	Latest Version (I_133_0162-7)
Definition of hazing	
Adds to the current definition of hazing an act, or coercing another to do an act, to continue or reinstate membership in or affiliation with any student or other organization that causes or creates a substantial risk of mental or physical harm (<i>R.C. 2903.31(A)</i>).	Same, but also includes coercing another to consume alcohol or a drug of abuse in the definition of hazing (<i>R.C. 2903.31(A)</i>).
Hazing that does not cause serious physical harm	
Adds teachers, consultants, and volunteers to list of specified officials associated with an organization, including specified educational	Same, but specifies that the prohibition is limited to recklessly permitting the hazing of any person <i>associated with the organization</i> .

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<p>institutions, from recklessly permitting the hazing of any person (<i>R.C. 2903.31(B)</i>).</p> <p>Specifies that recklessly participating in hazing is a second degree misdemeanor, rather than a fourth degree misdemeanor as under current law (<i>R.C. 2903.31(D)</i>).</p>	<p>Specifies that recklessly participating is a fifth degree felony (<i>R.C. 2903.31(D)</i>).</p>
Hazing that causes serious physical harm	
<p>Prohibits all of the following:</p> <ol style="list-style-type: none"> 1. A person from knowingly participating in the hazing of another when the hazing causes serious physical harm. 2. Specified officials associated with an organization, including specified educational institutions, from knowingly permitting the hazing of any person when the hazing causes serious physical harm. 3. A parent or guardian whose child is a student at specified educational institutions from knowingly permitting the hazing of any person when the hazing causes serious physical harm (<i>R.C. 2903.31(C)</i>). <p>Specifies that violating any of those prohibitions is a fourth degree felony (<i>R.C. 2903.31(D)</i>).</p>	<p>Same, but with the following changes:</p> <ol style="list-style-type: none"> 1. Changes the culpable mental state required for the offenses from “knowingly” to “recklessly”; 2. Limits the prohibition against officials permitting hazing to any person associated with the organization; 3. Limits the prohibition against a parent permitting hazing to the hazing of a person associated with the institution (<i>R.C. 2903.31(C)</i>). <p>Specifies that violating any of those prohibitions is a third degree felony (<i>R.C. 2903.31(D)</i>).</p>
Mandatory reporting of hazing	
<p>No provision.</p>	<p>Prohibits specified officials of an organization, including educational institutions, who are acting in an official and professional capacity and know, or have reason to suspect, that a person associated with the organization has suffered or faces the threat of suffering physical or mental harm as a result of hazing from recklessly failing to immediately</p>

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<p>No provision.</p> <p>No provision.</p>	<p>report that knowledge or suspicion to law enforcement (<i>R.C. 2903.311(B)</i>).</p> <p>Prohibits a parent whose child is a student at a specified educational institution and who knows, or has reason to suspect, that a person associated with the institution has suffered or faces the threat of suffering physical or mental harm as a result of hazing from recklessly failing to immediately report that knowledge or suspicion to law enforcement (<i>R.C. 2903.311(C)</i>).</p> <p>Specifies that a violation of those prohibitions is a fourth degree misdemeanor, unless the hazing causes “serious” physical harm, in which case, the violation is a first degree misdemeanor (<i>R.C. 2903.311(D)</i>).</p>
State model policy and best practices on harassment, intimidation, or bullying	
<p>Requires the State Board of Education to do all of the following:</p> <ol style="list-style-type: none"> 1. Develop a model policy to prohibit harassment, intimidation, or bullying to assist school districts in developing their own policies. 2. Provide each school district with evidence-based best practices regarding policies to prohibit harassment, intimidation, or bullying. 3. Review the model policy and best practices at least once every four years and update them as necessary (<i>R.C. 3301.22</i>). 	<p>Same, but with the following changes:</p> <ol style="list-style-type: none"> 1. Requires that the model policy developed by the State Board be “evidenced-based.” 2. Assigns responsibility to the Department of Education to provide the evidenced-based best practices to districts and to review and update the best practices as necessary (<i>R.C. 3301.22</i>).

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Community service plans	
Specifies that a school district board of education or other public school governing body may develop a community service plan for a student subject to disciplinary action for an offense of harassment, intimidation, or bullying (<i>R.C. 3313.661(B)(2) and 3313.669(B)(1)</i>).	Same, but additionally specifies that the community service plan must be “age-appropriate” (<i>R.C. 3313.661(B)(2) and 3313.669(B)(1)</i>).
Disciplinary action for an offense of harassment, intimidation, or bullying	
<p>Requires the district board or school governing body to adopt a policy that requires disciplinary action against any student who commits an offense of harassment, intimidation, or bullying (<i>R.C. 3313.669(A)</i>).</p> <p>Specifies the policy must authorize the district superintendent, or equivalent official, to impose the following disciplinary actions for each offense by a student as determined appropriate:</p> <ol style="list-style-type: none"> 1. A detention outside the normal school day for up to the number of hours equivalent to ten school days; 2. An in-school suspension of up to ten school days; 3. An out-of-school suspension of up to ten school days; 4. An expulsion (<i>R.C. 3313.669(A)</i>). 	<p>Same, but specifies the policy must be “evidence-based” or “evidence-informed” (<i>R.C. 3313.669(A)</i>).</p> <p>Same, but with the following changes:</p> <ol style="list-style-type: none"> 1. Specifies that the district or school, rather than the district superintendent or equivalent official, must impose the disciplinary action; 2. Excludes expulsion as an expressly authorized disciplinary action; and 3. Authorizes the district or school to impose an alternative form of discipline aligned with guidelines developed by the district board or school governing body (<i>R.C. 3313.669(A), with conforming changes in R.C. 3313.669(B), (C), and (D)</i>).
Alternative form of discipline for harassment, intimidation, or bullying	
Prescribes a procedure by which a school may petition the district board or school governing body for an alternative form of discipline, if the administrator believes all of the following apply to the student:	Permits a district board or school governing body to adopt guidelines regarding the issuance of an alternative form of discipline (<i>R.C. 3313.669(F)</i>).

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<ol style="list-style-type: none"> 1. The student has specific extenuating circumstances. 2. The student has a high chance of successful reintegration into the school using the alternative form of discipline. 3. The student does not pose a risk to the safety of the school and victim (<i>R.C. 3313.669(A), (E)(2) and (F)</i>). 	<p>Requires the guidelines to include one or more alternative forms of discipline approved by the board and that each approved alternative form of discipline must have a high chance of successfully reintegrating the student into the school (<i>R.C. 3313.669(F)(1)</i>).</p> <p>Specifies that the guidelines also must include criteria for determining whether a student qualifies for an alternative form of discipline, including at least all of the following:</p> <ol style="list-style-type: none"> 1. Extenuating circumstances that qualify a student. 2. A requirement that the student have a high chance of successful reintegration into the school. 3. A requirement that the student does not pose a risk to the safety of the school and the victim (<i>R.C. 3313.669(F)(2)</i>).
Due process procedures	
<p>Prescribes specific due process procedures for a student who receives a detention, suspension, or expulsion for an offense of harassment, intimidation, or bullying (<i>R.C. 3313.669(E)(2) and (3), (G), and (H)</i>). The due process procedures are similar to the procedures prescribed under continuing law for an expulsion for any other disciplinary offense.</p> <p>No provision.</p>	<p>No provision.</p> <p>Stipulates that, subject to the requirement that a student must make up missed school work, a suspension issued for an offense of harassment, intimidation, or bullying must be in accordance with continuing law and that the student must have the same due process procedures as are prescribed for a suspension under continuing law (<i>R.C. 3313.669(A)(4), second paragraph and (G)</i>).</p>

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No provision.	Specifies that a student who is issued a detention for an offense of harassment, intimidation, or bullying must have due process procedures that are similar to the due process procedures for a suspension under continuing law (<i>R.C. 3313.669(G)</i>).
Missed schoolwork	
Specifies that, as a condition of returning to school, a student suspended or expelled for an offense of harassment, intimidation, or bullying must complete all missed school work or have made sufficient progress toward that requirement, as determined by the district superintendent or equivalent official (<i>R.C. 3313.669(D)</i>).	Same, but assigns responsibility for that determination to the district or school and eliminates the reference to expulsion (<i>R.C. 3313.669(D)</i>).