

# AN ACT

To amend sections 3313.25, 3313.31, 3313.66, 3313.951, 3319.36, 4757.22, and 4757.23 and to enact section 3319.2210 of the Revised Code and to amend Section 733.67 of Am. Sub. H.B. 49 of the 132nd General Assembly to require the State Board of Education to issue a substitute license to specified pupil services personnel, to make changes regarding the circumstances in which school treasurers may be held liable for a loss of public funds, to require school districts to adopt a policy for assignments completed in connection with a suspension, to revise school resource officer training course requirements, to permit the Counselor, Social Worker, and Marriage and Family Therapist Board to temporarily approve certain counselor education programs, and to extend alternative high school graduation pathways through the class of 2020.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That sections 3313.25, 3313.31, 3313.66, 3313.951, 3319.36, 4757.22, and 4757.23 be amended and section 3319.2210 of the Revised Code be enacted to read as follows:

Sec. 3313.25. (A) Before entering upon the duties of his office, the treasurer of each board of education shall execute a bond, in an amount and with surety to be approved by the board, payable to the state, conditioned for the faithful performance of all the official duties required of him the treasurer. Such bond must be deposited with the president of the board, and a copy thereof, certified by him the president, shall be filed with the county auditor.

(B)(1) A treasurer shall not be held liable for a loss of public funds when the treasurer has performed all official duties required of the treasurer with reasonable care, but shall be liable only when a loss of public funds results from the treasurer's negligence or other wrongful act.

(2) The department of education shall not consider the loss of public funds not resulting from the treasurer's negligence or other wrongful act a violation of the treasurer's professional duties, provided the treasurer has performed all official duties required of the treasurer with reasonable care.

Sec. 3313.31. (A) All the duties and obligations of the county auditor, county treasurer, or other officer or person relating to the moneys of a school district shall be complied with by dealing with the treasurer of the board of education thereof.

The treasurer shall be the chief fiscal officer of the school district, shall be responsible for the financial affairs of the district, and shall report to and is subject to the direction of the district board of education. Except as otherwise required by law, no treasurer shall be required to verify the accuracy of nonfinancial information or data of the school district.

No treasurer shall be liable for a loss of public funds that results from a treasurer's reliance on the accuracy of nonfinancial information or data of the school district, including reports in the

education management information system under section 3301.0714 of the Revised Code, pupil transportation reports, and licensure or other credentialing information unless the loss results from the treasurer's negligence or other wrongful act.

(B) Notwithstanding any provision of the Revised Code to the contrary, but subject to section 3319.40 of the Revised Code, in all school districts and educational service centers, the treasurer shall direct and assign employees directly engaged in the day-to-day fiscal operations of the district or service center, as those employees are so designated by the board of the district or service center.

Sec. 3313.66. (A)(1) Except as provided under division (B)(2) of this section, and subject to section 3313.668 of the Revised Code, the superintendent of schools of a city, exempted village, or local school district, or the principal of a public school may suspend a pupil from school for not more than ten school days. The board of education of a city, exempted village, or local school district may adopt a policy granting assistant principals and other administrators the authority to suspend a pupil from school for a period of time as specified in the policy of the board of education, not to exceed ten school days. If at the time an out-of-school suspension is imposed there are fewer than ten school days remaining in the school year in which the incident that gives rise to the suspension takes place, the superintendent shall not apply any remaining part of the period of the suspension to the following school year. The superintendent may instead require the pupil to participate in a community service program or another alternative consequence for a number of hours equal to the remaining part of the period of the suspension. The pupil shall be required to begin the pupil's community service or alternative consequence during the first full week day of summer break. Each school district, in its discretion, may develop an appropriate list of alternative consequences. In the event that a pupil fails to complete community service or the assigned alternative consequence, the school district may determine the next course of action, which shall not include requiring the pupil to serve the remaining time of the out-of-school suspension at the beginning of the following school year.

No pupil shall be issued an out-of-school suspension unless prior to the suspension the superintendent or principal does both of the following:

(a) Gives the pupil written notice of the intention to suspend the pupil and the reasons for the intended suspension and, if the proposed suspension is based on a violation listed in division (A) of section 3313.662 of the Revised Code and if the pupil is sixteen years of age or older, includes in the notice a statement that the superintendent may seek to permanently exclude the pupil if the pupil is convicted of or adjudicated a delinquent child for that violation;

(b) Provides the pupil an opportunity to appear at an informal hearing before the principal, assistant principal, superintendent, or superintendent's designee and challenge the reason for the intended suspension or otherwise to explain the pupil's actions.

~~If a pupil is suspended pursuant to division (A) of this section, the school district board shall permit the pupil to complete any classroom assignments missed because of the suspension.~~

~~(2) If a pupil is issued an in-school suspension, the school district board shall permit the pupil to complete any classroom assignments missed because of the suspension. Furthermore, the superintendent or principal shall ensure the pupil is serving the suspension in a supervised learning environment.~~

(3) Each school district board shall adopt a policy establishing parameters for completing and grading assignments missed because of a pupil's suspension.

(a) The policy shall provide the pupil an opportunity to do both of the following:

(i) Complete any classroom assignments missed because of the suspension;

(ii) Receive at least partial credit for a completed assignment.

(b) The policy may permit grade reductions on account of the pupil's suspension.

(c) The policy shall prohibit the receipt of a failing grade on a completed assignment solely on account of the pupil's suspension.

(B)(1) Except as provided under division (B)(2), (3), or (4) of this section, and subject to section 3313.668 of the Revised Code, the superintendent of schools of a city, exempted village, or local school district may expel a pupil from school for a period not to exceed the greater of eighty school days or the number of school days remaining in the semester or term in which the incident that gives rise to the expulsion takes place, unless the expulsion is extended pursuant to division (F) of this section. If at the time an expulsion is imposed there are fewer than eighty school days remaining in the school year in which the incident that gives rise to the expulsion takes place, the superintendent may apply any remaining part or all of the period of the expulsion to the following school year.

(2)(a) Unless a pupil is permanently excluded pursuant to section 3313.662 of the Revised Code, the superintendent of schools of a city, exempted village, or local school district shall expel a pupil from school for a period of one year for bringing a firearm to a school operated by the board of education of the district or onto any other property owned or controlled by the board, except that the superintendent may reduce this requirement on a case-by-case basis in accordance with the policy adopted by the board under section 3313.661 of the Revised Code.

(b) The superintendent of schools of a city, exempted village, or local school district may expel a pupil from school for a period of one year for bringing a firearm to an interscholastic competition, an extracurricular event, or any other school program or activity that is not located in a school or on property that is owned or controlled by the district. The superintendent may reduce this disciplinary action on a case-by-case basis in accordance with the policy adopted by the board under section 3313.661 of the Revised Code.

(c) Any expulsion pursuant to division (B)(2) of this section shall extend, as necessary, into the school year following the school year in which the incident that gives rise to the expulsion takes place. As used in this division, "firearm" has the same meaning as provided pursuant to the "Gun-Free Schools Act," 115 Stat. 1762, 20 U.S.C. 7151.

(3) The board of education of a city, exempted village, or local school district may adopt a resolution authorizing the superintendent of schools to expel a pupil from school for a period not to exceed one year for bringing a knife capable of causing serious bodily injury to a school operated by the board, onto any other property owned or controlled by the board, or to an interscholastic competition, an extracurricular event, or any other program or activity sponsored by the school district or in which the district is a participant, or for possessing a firearm or knife capable of serious bodily injury, at a school, on any other property owned or controlled by the board, or at an interscholastic competition, an extracurricular event, or any other school program or activity, which firearm or knife was initially brought onto school board property by another person. The resolution may authorize the superintendent to extend such an expulsion, as necessary, into the school year following the school year in which the incident that gives rise to the expulsion takes place.

(4) The board of education of a city, exempted village, or local school district may adopt a resolution establishing a policy under section 3313.661 of the Revised Code that authorizes the superintendent of schools to expel a pupil from school for a period not to exceed one year for committing an act that is a criminal offense when committed by an adult and that results in serious physical harm to persons as defined in division (A)(5) of section 2901.01 of the Revised Code or serious physical harm to property as defined in division (A)(6) of section 2901.01 of the Revised Code while the pupil is at school, on any other property owned or controlled by the board, or at an interscholastic competition, an extracurricular event, or any other school program or activity. Any expulsion under this division shall extend, as necessary, into the school year following the school year in which the incident that gives rise to the expulsion takes place.

(5) The board of education of any city, exempted village, or local school district may adopt a resolution establishing a policy under section 3313.661 of the Revised Code that authorizes the superintendent of schools to expel a pupil from school for a period not to exceed one year for making a bomb threat to a school building or to any premises at which a school activity is occurring at the time of the threat. Any expulsion under this division shall extend, as necessary, into the school year following the school year in which the incident that gives rise to the expulsion takes place.

(6) No pupil shall be expelled under division (B)(1), (2), (3), (4), or (5) of this section unless, prior to the pupil's expulsion, the superintendent does both of the following:

(a) Gives the pupil and the pupil's parent, guardian, or custodian written notice of the intention to expel the pupil;

(b) Provides the pupil and the pupil's parent, guardian, custodian, or representative an opportunity to appear in person before the superintendent or the superintendent's designee to challenge the reasons for the intended expulsion or otherwise to explain the pupil's actions.

The notice required in this division shall include the reasons for the intended expulsion, notification of the opportunity of the pupil and the pupil's parent, guardian, custodian, or representative to appear before the superintendent or the superintendent's designee to challenge the reasons for the intended expulsion or otherwise to explain the pupil's action, and notification of the time and place to appear. The time to appear shall not be earlier than three nor later than five school days after the notice is given, unless the superintendent grants an extension of time at the request of the pupil or the pupil's parent, guardian, custodian, or representative. If an extension is granted after giving the original notice, the superintendent shall notify the pupil and the pupil's parent, guardian, custodian, or representative of the new time and place to appear. If the proposed expulsion is based on a violation listed in division (A) of section 3313.662 of the Revised Code and if the pupil is sixteen years of age or older, the notice shall include a statement that the superintendent may seek to permanently exclude the pupil if the pupil is convicted of or adjudicated a delinquent child for that violation.

(7) A superintendent of schools of a city, exempted village, or local school district shall initiate expulsion proceedings pursuant to this section with respect to any pupil who has committed an act warranting expulsion under the district's policy regarding expulsion even if the pupil has withdrawn from school for any reason after the incident that gives rise to the hearing but prior to the hearing or decision to impose the expulsion. If, following the hearing, the pupil would have been expelled for a period of time had the pupil still been enrolled in the school, the expulsion shall be

imposed for the same length of time as on a pupil who has not withdrawn from the school.

(C)(1) Subject to division (C)(2) of this section, if a pupil's presence poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process taking place either within a classroom or elsewhere on the school premises, the superintendent or a principal or assistant principal may remove a pupil from curricular activities or from the school premises, and a teacher may remove a pupil from curricular activities under the teacher's supervision, without the notice and hearing requirements of division (A) or (B) of this section. As soon as practicable after making such a removal, the teacher shall submit in writing to the principal the reasons for such removal.

(2) A pupil in any of grades pre-kindergarten through three may be removed pursuant to division (C)(1) of this section only for the remainder of the school day and shall be permitted to return to curricular and extracurricular activities on the school day following the day in which the student was removed.

(a) A school district or school that returns a student in any of grades pre-kindergarten through three to curricular and extracurricular activities on the next school day shall not be required to follow division (C)(3) of this section with regard to that student.

(b) A school district shall not initiate a suspension or expulsion proceeding against a student in any of grades pre-kindergarten through three who was removed from a curricular or extracurricular activity under division (C) of this section unless the student has committed an act described in division (B)(1)(a) or (b) of section 3313.668 of the Revised Code.

(3) If a pupil is removed under division (C)(1) or (2) of this section from a curricular activity or from the school premises, written notice of the hearing and of the reason for the removal shall be given to the pupil as soon as practicable prior to the hearing, which shall be held on the next school day after the initial removal is ordered. The hearing shall be held in accordance with division (A) of this section unless it is probable that the pupil may be subject to expulsion, in which case a hearing in accordance with division (B) of this section shall be held, except that the hearing shall be held on the next school day after the date of the initial removal. The individual who ordered, caused, or requested the removal to be made shall be present at the hearing.

(4) If the superintendent or the principal reinstates a pupil in a curricular activity under the teacher's supervision prior to the hearing following a removal under this division, the teacher, upon request, shall be given in writing the reasons for such reinstatement.

(D) The superintendent or principal, within one school day after the time of a pupil's expulsion or suspension, shall notify in writing the parent, guardian, or custodian of the pupil of the expulsion or suspension. In the case of an expulsion, the superintendent or principal, within one school day after the time of a pupil's expulsion, also shall notify in writing the treasurer of the board of education. Each notice shall include the reasons for the expulsion or suspension, notification of the right of the pupil or the pupil's parent, guardian, or custodian to appeal the expulsion or suspension to the board of education or to its designee, to be represented in all appeal proceedings, to be granted a hearing before the board or its designee in order to be heard against the suspension or expulsion, and to request that the hearing be held in executive session, notification that the expulsion may be subject to extension pursuant to division (F) of this section if the pupil is sixteen years of age or older, and notification that the superintendent may seek the pupil's permanent exclusion if the suspension or

expulsion was based on a violation listed in division (A) of section 3313.662 of the Revised Code that was committed when the child was sixteen years of age or older and if the pupil is convicted of or adjudicated a delinquent child for that violation.

In accordance with the policy adopted by the board of education under section 3313.661 of the Revised Code, the notice provided under this division shall specify the manner and date by which the pupil or the pupil's parent, guardian, or custodian shall notify the board of the pupil's, parent's, guardian's, or custodian's intent to appeal the expulsion or suspension to the board or its designee.

Any superintendent expelling a pupil under this section for more than twenty school days or for any period of time if the expulsion will extend into the following semester or school year shall, in the notice required under this division, provide the pupil and the pupil's parent, guardian, or custodian with information about services or programs offered by public and private agencies that work toward improving those aspects of the pupil's attitudes and behavior that contributed to the incident that gave rise to the pupil's expulsion. The information shall include the names, addresses, and phone numbers of the appropriate public and private agencies.

(E) A pupil or the pupil's parent, guardian, or custodian may appeal the pupil's expulsion by a superintendent or suspension by a superintendent, principal, assistant principal, or other administrator to the board of education or to its designee. If the pupil or the pupil's parent, guardian, or custodian intends to appeal the expulsion or suspension to the board or its designee, the pupil or the pupil's parent, guardian, or custodian shall notify the board in the manner and by the date specified in the notice provided under division (D) of this section. The pupil or the pupil's parent, guardian, or custodian may be represented in all appeal proceedings and shall be granted a hearing before the board or its designee in order to be heard against the suspension or expulsion. At the request of the pupil or of the pupil's parent, guardian, custodian, or attorney, the board or its designee may hold the hearing in executive session but shall act upon the suspension or expulsion only at a public meeting. The board, by a majority vote of its full membership or by the action of its designee, may affirm the order of suspension or expulsion, reinstate the pupil, or otherwise reverse, vacate, or modify the order of suspension or expulsion.

The board or its designee shall make a verbatim record of hearings held under this division. The decisions of the board or its designee may be appealed under Chapter 2506. of the Revised Code.

This section shall not be construed to require notice and hearing in accordance with division (A), (B), or (C) of this section in the case of normal disciplinary procedures in which a pupil is removed from a curricular activity for a period of less than one school day and is not subject to suspension or expulsion.

(F)(1) If a pupil is expelled pursuant to division (B) of this section for committing any violation listed in division (A) of section 3313.662 of the Revised Code and the pupil was sixteen years of age or older at the time of committing the violation, if a complaint, indictment, or information is filed alleging that the pupil is a delinquent child based upon the commission of the violation or the pupil is prosecuted as an adult for the commission of the violation, and if the resultant juvenile court or criminal proceeding is pending at the time that the expulsion terminates, the superintendent of schools that expelled the pupil may file a motion with the court in which the proceeding is pending requesting an order extending the expulsion for the lesser of an additional eighty days or the number of school days remaining in the school year. Upon the filing of the motion,

the court immediately shall schedule a hearing and give written notice of the time, date, and location of the hearing to the superintendent and to the pupil and the pupil's parent, guardian, or custodian. At the hearing, the court shall determine whether there is reasonable cause to believe that the pupil committed the alleged violation that is the basis of the expulsion and, upon determining that reasonable cause to believe the pupil committed the violation does exist, shall grant the requested extension.

(2) If a pupil has been convicted of or adjudicated a delinquent child for a violation listed in division (A) of section 3313.662 of the Revised Code for an act that was committed when the child was sixteen years of age or older, if the pupil has been expelled pursuant to division (B) of this section for that violation, and if the board of education of the school district of the school from which the pupil was expelled has adopted a resolution seeking the pupil's permanent exclusion, the superintendent may file a motion with the court that convicted the pupil or adjudicated the pupil a delinquent child requesting an order to extend the expulsion until an adjudication order or other determination regarding permanent exclusion is issued by the superintendent of public instruction pursuant to section 3301.121 and division (D) of section 3313.662 of the Revised Code. Upon the filing of the motion, the court immediately shall schedule a hearing and give written notice of the time, date, and location of the hearing to the superintendent of the school district, the pupil, and the pupil's parent, guardian, or custodian. At the hearing, the court shall determine whether there is reasonable cause to believe the pupil's continued attendance in the public school system may endanger the health and safety of other pupils or school employees and, upon making that determination, shall grant the requested extension.

(G) The failure of the superintendent or the board of education to provide the information regarding the possibility of permanent exclusion in the notice required by divisions (A), (B), and (D) of this section is not jurisdictional, and the failure shall not affect the validity of any suspension or expulsion procedure that is conducted in accordance with this section or the validity of a permanent exclusion procedure that is conducted in accordance with sections 3301.121 and 3313.662 of the Revised Code.

(H) With regard to suspensions and expulsions pursuant to divisions (A) and (B) of this section by the board of education of any city, exempted village, or local school district, this section shall apply to any student, whether or not the student is enrolled in the district, attending or otherwise participating in any curricular program provided in a school operated by the board or provided on any other property owned or controlled by the board.

(I) Whenever a student is expelled under this section, the expulsion shall result in removal of the student from the student's regular school setting. However, during the period of the expulsion, the board of education of the school district that expelled the student or any board of education admitting the student during that expulsion period may provide educational services to the student in an alternative setting.

(J)(1) Notwithstanding sections 3109.51 to 3109.80, 3313.64, and 3313.65 of the Revised Code, any school district, after offering an opportunity for a hearing, may temporarily deny admittance to any pupil if one of the following applies:

(a) The pupil has been suspended from the schools of another district under division (A) of this section and the period of suspension, as established under that division, has not expired;

(b) The pupil has been expelled from the schools of another district under division (B) of this section and the period of the expulsion, as established under that division or as extended under division (F) of this section, has not expired.

If a pupil is temporarily denied admission under this division, the pupil shall be admitted to school in accordance with sections 3109.51 to 3109.80, 3313.64, or 3313.65 of the Revised Code no later than upon expiration of the suspension or expulsion period, as applicable.

(2) Notwithstanding sections 3109.51 to 3109.80, 3313.64, and 3313.65 of the Revised Code, any school district, after offering an opportunity for a hearing, may temporarily deny admittance to any pupil if the pupil has been expelled or otherwise removed for disciplinary purposes from a public school in another state and the period of expulsion or removal has not expired. If a pupil is temporarily denied admission under this division, the pupil shall be admitted to school in accordance with sections 3109.51 to 3109.80, 3313.64, or 3313.65 of the Revised Code no later than the earlier of the following:

(a) Upon expiration of the expulsion or removal period imposed by the out-of-state school;

(b) Upon expiration of a period established by the district, beginning with the date of expulsion or removal from the out-of-state school, that is no greater than the period of expulsion that the pupil would have received under the policy adopted by the district under section 3313.661 of the Revised Code had the offense that gave rise to the expulsion or removal by the out-of-state school been committed while the pupil was enrolled in the district.

(K) As used in this section:

(1) "Permanently exclude" and "permanent exclusion" have the same meanings as in section 3313.662 of the Revised Code.

(2) "In-school suspension" means the pupil will serve all of the suspension in a supervised learning environment within a school setting.

Sec. 3313.951. (A) As used in this section:

(1) "Law enforcement agency" has the same meaning as in section 149.435 of the Revised Code.

(2) "Peace officer" has the same meaning as in division (A)(1) of section 109.71 of the Revised Code.

(3) "School resource officer" means a peace officer who is appointed through a memorandum of understanding between a law enforcement agency and a school district to provide services to a school district or school as described in this section.

(B)(1) A school resource officer who provides services to a school district or school on or after ~~the effective date of this section November 2, 2018,~~ shall, except as described in division (B)(2) of this section, satisfy both of the following conditions:

(a) Complete a basic training program approved by the Ohio peace officer training commission, as described in division (B)(1) of section 109.77 of the Revised Code;

(b) Complete at least forty hours of school resource officer training within one year after appointment to provide those services through one of the following entities, as approved by the Ohio peace officer training commission:

(i) The national association of school resource officers;

(ii) The Ohio school resource officer association;

(iii) ~~A The Ohio peace officer certified to conduct a course that satisfies the conditions set forth in division (B)(3) of this section training academy.~~

(2) A school resource officer who is appointed to provide services to a school district or school prior to ~~the effective date of this section November 2, 2018,~~ shall be exempt from compliance with the training requirements prescribed in division (B)(1)(b) of this section.

(3) A certified training program provided by an entity described in division (B)(1)(b)(i) ~~or (ii)~~ of this section shall include instruction regarding skills, tactics, and strategies necessary to address the specific nature of all of the following:

(a) School campuses;

(b) School building security needs and characteristics;

(c) The nuances of law enforcement functions conducted inside a school environment, including:

(i) Understanding the psychological and physiological characteristics consistent with the ages of the students in the assigned building or buildings;

(ii) Understanding the appropriate role of school resource officers regarding discipline and reducing the number of referrals to juvenile court; and

(iii) Understanding the use of developmentally appropriate interview, interrogation, de-escalation, and behavior management strategies.

(d) The mechanics of being a positive role model for youth, including appropriate communication techniques which enhance interactions between the school resource officer and students;

(e) Providing assistance on topics such as classroom management tools to provide law-related education to students and methods for managing the behaviors sometimes associated with educating children with special needs;

(f) The mechanics of the laws regarding compulsory attendance, as set forth in Chapter 3321. of the Revised Code;

(g) Identifying the trends in drug use, eliminating the instance of drug use, and encouraging a drug-free environment in schools.

(4) The Ohio peace officer training commission shall ~~do both of the following:~~

(a) ~~Develop and conduct a basic school resource officer training course that satisfies the conditions set forth in division (B)(3) of this section, and establish criteria for what constitutes successful completion of that course;~~

(b) ~~Adopt adopt~~ rules, in accordance with Chapter 119. of the Revised Code, for the approval of school resource officer training provided by an entity described in division (B)(1)(b)(i) ~~or (ii)~~ of this section ~~that provides certified school resource officer training.~~

(C)(1) If a school district decides to utilize school resource officer services, the school district and the appropriate law enforcement agency shall first enter into a memorandum of understanding that clarifies the purpose of the school resource officer program and roles and expectations between the participating entities. If a school district is already utilizing school resource officer services on ~~the effective date of this section November 2, 2018,~~ the school district and the law enforcement agency shall enter into a memorandum of understanding within one year after ~~the effective date of this section November 2, 2018.~~

(2) Each memorandum of understanding shall address the following items:

- (a) Clearly defined set of goals for the school resource officer program;
- (b) Background requirements or suggested expertise for employing law enforcement in the school setting, including an understanding of child and adolescent development;
- (c) Professional development, including training requirements that focus on age-appropriate practices for conflict resolution and developmentally informed de-escalation and crisis intervention methods;
- (d) Clearly defined roles, responsibilities, and expectations of the parties involved, including school resource officers, law enforcement, school administrators, staff, and teachers;
- (e) A protocol for how suspected criminal activity versus school discipline is to be handled;
- (f) The requirement for coordinated crisis planning and updating of school crisis plans;
- (g) Any other discretionary items determined by the parties to foster a school resource officer program that builds positive relationships between law enforcement, school staff, and the students, promotes a safe and positive learning environment, and decreases the number of youth formally referred to the juvenile justice system.

(3) A school district, through its school administration, may give students an opportunity to provide input during the drafting process of any memorandum of understanding being entered into pursuant to division (C) of this section.

(D)(1) In accordance with the requirements prescribed in this section, a school resource officer may work in one or more school districts or schools providing the following services:

- (a) Assistance with adoption, implementation, and amendment of the comprehensive emergency management plan required under section 3313.536 of the Revised Code;
- (b) Carrying out any additional responsibilities assigned to the school resource officer under the employment engagement, contract, or memorandum of understanding, including but not limited to:
  - (i) Providing a safe learning environment;
  - (ii) Providing valuable resources to school staff members;
  - (iii) Fostering positive relationships with students and staff;
  - (iv) Developing strategies to resolve problems affecting youth and protecting all students.

(2) A school resource officer shall consult with local law enforcement officials and first responders when assisting a school district's administrator in the development of a comprehensive emergency management plan.

(E) The school district or school administrator shall have final decision-making authority regarding all matters of school discipline.

Sec. 3319.2210. (A) The state board of education, upon submission of the documentation specified in division (C) of this section, shall issue a license to any of the following persons to be employed to work in a substitute capacity by a school district or school:

- (1) A speech-language pathologist who holds a currently valid license issued under Chapter 4753. of the Revised Code and wishes to be employed as a substitute speech-language pathologist;
- (2) An audiologist who holds a currently valid license issued under Chapter 4753. of the Revised Code and wishes to be employed as a substitute audiologist;
- (3) A registered nurse who holds a bachelor's degree in nursing and a currently valid license

issued under Chapter 4723. of the Revised Code and wishes to be employed as a substitute nurse;

(4) A physical therapist who holds a currently valid license issued under Chapter 4755. of the Revised Code and wishes to be employed as a substitute physical therapist;

(5) An occupational therapist who holds a currently valid license issued under Chapter 4755. of the Revised Code and wishes to be employed as a substitute occupational therapist;

(6) A physical therapy assistant who holds a currently valid license issued under Chapter 4755. of the Revised Code and wishes to be employed as a substitute physical therapy assistant;

(7) An occupational therapy assistant who holds a currently valid license issued under Chapter 4755. of the Revised Code and wishes to be employed as a substitute occupational therapy assistant;

(8) A social worker who holds a currently valid license issued under Chapter 4757. of the Revised Code and wishes to be employed as a substitute social worker.

(B) A license may be issued upon the request and recommendation of the superintendent of a school district, the superintendent of an educational service center, the governing authority of a community school established under Chapter 3314. of the Revised Code, the governing body of a science, technology, engineering, and mathematics school established under Chapter 3326. of the Revised Code, the board of trustees of a college-preparatory boarding school established under Chapter 3328. of the Revised Code, or the governing body of a chartered nonpublic school. The term of the license shall be in accordance with section 3319.226 of the Revised Code.

(C) A person who wishes to be employed to work in a substitute capacity under this section shall submit both of the following to the state board:

(1) A copy of the currently valid occupational license the person holds;

(2) All materials required to complete a criminal records check in accordance with section 3319.291 of the Revised Code, including, if necessary, all materials required to enroll the person in the retained applicant fingerprint database pursuant to division (G) of that section.

(D) The state board shall not adopt a rule establishing any additional qualifications for a license issued under this section.

(E) A person that is employed to work in a substitute capacity by a school district or school under this section shall not be employed by a district or school in a non-substitute capacity without satisfying any licensure or permit requirements established in rules adopted by the state board that are applicable to the person's prospective position of employment.

Sec. 3319.36. (A) No treasurer of a board of education or educational service center shall draw a check for the payment of a teacher for services until ~~the teacher files with the treasurer~~ both of the following conditions are satisfied:

(1) ~~Such~~ The treasurer receives a written statement from the district or service center superintendent, or superintendent's designee, that the teacher has filed with the superintendent or designee such reports as are required by the state board of education, the school district board of education, or the district or service center superintendent of schools;

(2) Except ~~for~~ in the case of a teacher who is engaged pursuant to section 3319.301 of the Revised Code, the treasurer receives a written statement from the ~~city, exempted village, or local school district~~ or service center superintendent or the educational service center superintendent superintendent's designee that the teacher has filed with the ~~treasurer~~ superintendent or designee a

legal educator license, or true copy of it, to teach the subjects or grades taught, with the dates of its validity. The state board of education shall prescribe the record and administration for such filing of educator licenses in educational service centers.

Prior to filing the written statements prescribed by divisions (A)(1) and (2) of this section, each teacher shall file the required reports and license with the district or service center superintendent or superintendent's designee.

(B) Notwithstanding division (A) of this section, the treasurer may pay any of the following:

(1) Any teacher for services rendered during the first two months of the teacher's initial employment with the school district or educational service center, provided such teacher is the holder of a bachelor's degree or higher and has filed with the state board of education an application for the issuance of an educator license described in division (A)(1) of section 3319.22 of the Revised Code. The requirement for a bachelor's degree shall not apply to career-technical education teachers licensed under sections 3319.226 and 3319.229 of the Revised Code.

(2) Any substitute teacher for services rendered while conditionally employed under section 3319.101 of the Revised Code.

(3) Any employee for services rendered under division (F) of section 3319.088 of the Revised Code.

(C) Upon notice to the treasurer given by the state board of education or any superintendent having jurisdiction that reports required of a teacher have not been made, the treasurer shall withhold the salary of the teacher until the required reports are completed and furnished.

(D) No treasurer of a board of education or educational service center shall be liable for a loss of public funds for any payments to a teacher that are made by the treasurer in compliance with this section, unless the loss results from the treasurer's negligence or other wrongful act.

(E) No superintendent of a school district or educational service center or the superintendent's designee shall be liable for a loss of public funds for any payments to a teacher that are made by the district or service center treasurer in compliance with this section, unless the loss results from the superintendent's negligence or other wrongful act.

Sec. 4757.22. (A) The counselors professional standards committee of the counselor, social worker, and marriage and family therapist board shall issue a license to practice as a licensed professional clinical counselor to each applicant who submits a properly completed application, pays the fee established under section 4757.31 of the Revised Code, and meets the requirements specified in division (B) of this section.

(B)(1) To be eligible for a licensed professional clinical counselor license, an individual must meet the following requirements:

(a) The individual must be of good moral character.

(b) The individual must hold ~~from an accredited educational institution~~ a graduate degree in counseling as described in division (B)(2) of this section.

(c) The individual must complete a minimum of ninety quarter hours or sixty semester hours of graduate credit in counselor training acceptable to the committee, including instruction in the following areas:

(i) Clinical psychopathology, personality, and abnormal behavior;

(ii) Evaluation of mental and emotional disorders;

(iii) Diagnosis of mental and emotional disorders;

(iv) Methods of prevention, intervention, and treatment of mental and emotional disorders.

(d) The individual must complete, in either a private or clinical counseling setting, supervised experience in counseling that is of a type approved by the committee, is supervised by a licensed professional clinical counselor or other qualified professional approved by the committee, and is in the following amounts:

(i) In the case of an individual holding only a master's degree, not less than two years of experience, which must be completed after the award of the master's degree;

(ii) In the case of an individual holding a doctorate, not less than one year of experience, which must be completed after the award of the doctorate.

(e) The individual must pass a field evaluation that meets the following requirements:

(i) Has been completed by the applicant's instructors, employers, supervisors, or other persons determined by the committee to be competent to evaluate an individual's professional competence;

(ii) Includes documented evidence of the quality, scope, and nature of the applicant's experience and competence in diagnosing and treating mental and emotional disorders.

(f) The individual must pass an examination administered by the board for the purpose of determining ability to practice as a licensed professional clinical counselor.

(2) To meet the requirement of division (B)(1)(b) of this section, a graduate degree in counseling obtained from a mental health counseling program in this state after January 1, 2018, must be from ~~a one of the following:~~

(a) A clinical mental health counseling program, a clinical rehabilitation counseling program, or an addiction counseling program accredited by the council for accreditation of counseling and related educational programs;

(b) A counseling education program approved by the board in accordance with rules adopted by the board under division (G) of this section.

(3) All of the following meet the educational requirements of division (B)(1)(c) of this section:

(a) A clinical mental health counseling program accredited by the council for accreditation of counseling and related educational programs;

(b) Until January 1, 2018, a mental health counseling program accredited by the council for accreditation of counseling and related educational programs;

(c) A graduate degree in counseling issued by another state from a clinical mental health counseling program, a clinical rehabilitation counseling program, or an addiction counseling program that is accredited by the council for accreditation of counseling and related educational programs;

~~(d) Any other accredited~~ A counseling programs accepted education program approved by the board in accordance with rules adopted under division (F)(3)-(G) of this section.

(C) To be accepted by the committee for purposes of division (B) of this section, counselor training must include at least the following:

(1) Instruction in human growth and development; counseling theory; counseling techniques; group dynamics, processing, and counseling; appraisal of individuals; research and evaluation; professional, legal, and ethical responsibilities; social and cultural foundations; and lifestyle and

career development;

(2) Participation in a supervised practicum and internship in counseling.

(D) The committee may issue a temporary license to an applicant who meets all of the requirements to be licensed under this section, pending the receipt of transcripts or action by the committee to issue a license to practice as a licensed professional clinical counselor.

(E) An individual may not sit for the licensing examination unless the individual meets the educational requirements to be licensed under this section. An individual who is denied admission to the licensing examination may appeal the denial in accordance with Chapter 119. of the Revised Code.

(F) The board shall adopt any rules necessary for the committee to implement this section. The rules shall do ~~all~~both of the following:

(1) Establish criteria for the committee to use in determining whether an applicant's training should be accepted and supervised experience approved;

(2) Establish course content requirements for qualifying counseling degrees issued by institutions in other states from clinical mental health counseling programs, clinical rehabilitation counseling programs, and addiction counseling programs that are not accredited by the council for accreditation of counseling and related educational programs ~~and for graduate degrees from other accredited counseling programs approved by the board in accordance with rules adopted under division (F)(3) of this section;~~

~~(3) For purposes of divisions (B)(2)(b) and (3) of this section, establish requirements for acceptance by the committee of accredited counseling programs.~~

Rules adopted under this division shall be adopted in accordance with Chapter 119. of the Revised Code.

(G)(1) The board may adopt rules to temporarily approve a counseling education program created after January 1, 2018, that has not been accredited by the council for accreditation of counseling and related educational programs. If the board adopts rules under this division, the board shall do all of the following in the rules:

(a) Create an application process under which a program administrator may apply to the board for approval of the program;

(b) Identify the educational requirements that an individual must satisfy to receive a graduate degree in counseling from the approved program;

(c) Establish a time period during which an individual may use an unaccredited degree granted under the program to satisfy the requirements of divisions (B)(1)(b) and (c) of this section;

(d) Specify that, if the program is denied accreditation, a student enrolled in the program before the accreditation is denied may apply for licensure before completing the program and, on receiving a degree from the program, is considered to satisfy divisions (B)(1)(b) and (c) of this section.

(2) A degree from a counseling education program approved by the board pursuant to the rules adopted under division (G)(1) of this section satisfies the requirements of divisions (B)(1)(b) and (c) of this section for the time period approved by the board.

Sec. 4757.23. (A) The counselors professional standards committee of the counselor, social worker, and marriage and family therapist board shall issue a license as a licensed professional

counselor to each applicant who submits a properly completed application, pays the fee established under section 4757.31 of the Revised Code, and meets the requirements established under division (B) of this section.

(B)(1) To be eligible for a license as a licensed professional counselor, an individual must meet the following requirements:

(a) The individual must be of good moral character.

(b) The individual must hold ~~from an accredited educational institution~~ a graduate degree in counseling as described in division (B)(2) of this section.

(c) The individual must complete a minimum of ninety quarter hours or sixty semester hours of graduate credit in counselor training acceptable to the committee, which the individual may complete while working toward receiving a graduate degree in counseling, or subsequent to receiving the degree, and which shall include training in the following areas:

(i) Clinical psychopathology, personality, and abnormal behavior;

(ii) Evaluation of mental and emotional disorders;

(iii) Diagnosis of mental and emotional disorders;

(iv) Methods of prevention, intervention, and treatment of mental and emotional disorders.

(d) The individual must pass an examination administered by the board for the purpose of determining ability to practice as a licensed professional counselor.

(2) To meet the requirement of division (B)(1)(b) of this section, a graduate degree in counseling obtained from a mental health counseling program in this state after January 1, 2018, must be from ~~a one of the following:~~

(a) A clinical mental health counseling program, clinical rehabilitation counseling program, or addiction counseling program accredited by the council for accreditation of counseling and related educational programs;

(b) A counseling education program approved by the board in accordance with rules adopted by the board under division (G) of this section.

(3) All of the following meet the educational requirements of division (B)(1)(c) of this section:

(a) A clinical mental health counseling program accredited by the council for accreditation of counseling and related educational programs;

(b) Until January 1, 2018, a mental health counseling program accredited by the council for accreditation of counseling and related educational programs;

(c) A graduate degree in counseling issued by an institution in another state from a clinical mental health counseling program, a clinical rehabilitation counseling program, or an addiction counseling program that is accredited by the council for accreditation of counseling and related educational programs;

(d) ~~Any other accredited~~ A counseling programs accepted education program approved by the board in accordance with rules adopted under division (F)(3)-(G) of this section.

(C) To be accepted by the committee for purposes of division (B) of this section, counselor training must include at least the following:

(1) Instruction in human growth and development; counseling theory; counseling techniques; group dynamics, processing, and counseling; appraisal of individuals; research and evaluation;

professional, legal, and ethical responsibilities; social and cultural foundations; and lifestyle and career development;

(2) Participation in a supervised practicum and internship in counseling.

(D) The committee may issue a temporary license to practice as a licensed professional counselor to an applicant who meets all of the requirements to be licensed under this section as follows:

(1) Pending the receipt of transcripts or action by the committee to issue a license as a licensed professional counselor;

(2) For a period not to exceed ninety days, to an applicant who provides the board with a statement from the applicant's academic institution indicating that the applicant has met the academic requirements for the applicant's degree and the projected date the applicant will receive the applicant's transcript showing a conferred degree.

On application to the committee, a temporary license issued under division (D)(2) of this section may be renewed for good cause shown.

(E) An individual may not sit for the licensing examination unless the individual meets the educational requirements to be licensed under this section. An individual who is denied admission to the licensing examination may appeal the denial in accordance with Chapter 119. of the Revised Code.

(F) The board shall adopt any rules necessary for the committee to implement this section. The rules shall do ~~all~~ both of the following:

(1) Establish criteria for the committee to use in determining whether an applicant's training should be accepted and supervised experience approved;

(2) Establish course content requirements for qualifying counseling degrees issued by institutions in other states from clinical mental health counseling programs, clinical rehabilitation counseling programs, and addiction counseling programs that are not accredited by the council for accreditation of counseling and related educational programs ~~and for graduate degrees from other accredited counseling programs accepted by the board in accordance with rules adopted under division (F)(3) of this section;~~

~~(3) For purposes of divisions (B)(2)(b) and (3) of this section, establish requirements for acceptance by the committee of accredited counseling programs.~~

Rules adopted under this division shall be adopted in accordance with Chapter 119. of the Revised Code.

(G)(1) The board may adopt rules to temporarily approve a counseling education program created after January 1, 2018, that has not been accredited by the council for accreditation of counseling and related educational programs. If the board adopts rules under this division, the board shall do all of the following in the rules:

(a) Create an application process under which a program administrator may apply to the board for approval of the program;

(b) Identify the educational requirements that an individual must satisfy to receive a graduate degree in counseling from the approved program;

(c) Establish a time period during which an individual may use an unaccredited degree granted under the program to satisfy the requirements of divisions (B)(1)(b) and (c) of this section;

(d) Specify that, if the program is denied accreditation, a student enrolled in the program before the accreditation is denied may apply for licensure before completing the program and, on receiving a degree from the program, is considered to satisfy divisions (B)(1)(b) and (c) of this section.

(2) A degree from a counseling education program approved by the board pursuant to the rules adopted under division (G)(1) of this section satisfies the requirements of divisions (B)(1)(b) and (c) of this section for the time period approved by the board.

SECTION 2. That existing sections 3313.25, 3313.31, 3313.66, 3313.951, 3319.36, 4757.22, and 4757.23 of the Revised Code are hereby repealed.

SECTION 3. That Section 733.67 of Am. Sub. H.B. 49 of the 132nd General Assembly be amended to read as follows:

Sec. 733.67. Notwithstanding anything in the Revised Code to the contrary, this section shall apply only to students who are enrolled in a school district, community school, STEM school, or chartered nonpublic school and who entered ninth grade for the first time on or after July 1, 2014, but prior to July 1, ~~2015~~ 2017. This section does not apply to any student who entered ninth grade for the first time prior to July 1, 2014, or to any student who entered ninth grade for the first time on or after July 1, ~~2015~~ 2017.

(A) In lieu of qualifying for high school graduation under section 3313.61 of the Revised Code, a student shall be eligible to receive a high school diploma if:

(1) The student takes all of the end-of-course examinations prescribed under division (B)(2) of section 3301.0712 of the Revised Code required for the student or takes the assessment prescribed under section 3313.619 of the Revised Code, as applicable;

(2) Retakes, at least once, any end-of-course examination in the area of English language arts or mathematics for which a student received an equivalent score of lower than "3";

(3) Completes the required units of instruction prescribed by the school district or school;

(4) Meets at least two of the following conditions:

(a) For a student who entered ninth grade for the first time on or after July 1, 2014, but prior to July 1, 2016, the student has an attendance rate of at least ninety-three per cent during the twelfth grade year.

(b) The student takes at least four full-year or equivalent courses during the twelfth grade year and has at least a the following grade point average of:

(i) For a student who entered ninth grade for the first time on or after July 1, 2014, but prior to July 1, 2016, a 2.5 on a 4.0 scale for the courses completed during the twelfth grade year;

(ii) For a student who entered ninth grade for the first time on or after July 1, 2016, but prior to July 1, 2017, a cumulative 2.5 on a 4.0 scale for the courses completed during the eleventh and twelfth grade years.

(c) During the twelfth grade, the student completed a capstone project as defined by the district or school. However, in the case of a student who entered ninth grade for the first time on or after July 1, 2016, but prior to July 1, 2017, the capstone project shall comply with guidance

developed by the Department of Education describing the components of a successful capstone project and the process for evaluating each component. The guidance shall ensure that each capstone project is designed as a culmination of the student's high school experience.

(d) During the twelfth grade, the student completed one hundred twenty hours of work in a community service role or in a position of employment, including internships, work study, co-ops, and apprenticeships as defined by the district or school. However, in the case of a student who entered ninth grade for the first time on or after July 1, 2016, but prior to July 1, 2017, the student's completion of such work shall comply with guidance developed by the Department, in consultation with the Governor's Office of Workforce Transformation, describing the requirements for district or school approval and verification of the work. The guidance shall indicate that it is preferable that students complete the work with a business or nonprofit organization registered in this state.

(e) The student earned three or more transcribed credit hours under the College Credit Plus program, established under Chapter 3365. of the Revised Code, at any time during high school.

(f) The student passed an Advanced Placement or International Baccalaureate course, and received a score of three or higher on the corresponding Advanced Placement examination or a score of four or higher on the corresponding International Baccalaureate examination, at any time during high school.

(g) The student earned at least a level three score on each of the "reading for information," "applied mathematics," and "locating information" components of the job skills assessment selected by the State Board of Education under division (G) of section 3301.0712 of the Revised Code, or a comparable score on similar components of ~~an~~ a successor version of that assessment.

(h) The student obtained an industry-recognized credential, as described under division (B) (2)(d) of section 3302.03 of the Revised Code, or a group of credentials equal to at least three total points.

(i) The student satisfies the conditions required to receive an OhioMeansJobs-readiness seal under section 3313.6112 of the Revised Code.

(B) In lieu of qualifying for high school graduation under section 3313.61 of the Revised Code, a student shall be eligible to receive a high school diploma if:

(1) The student takes all of the end-of-course examinations prescribed under division (B)(2) of section 3301.0712 of the Revised Code required for the student or takes the assessment prescribed under section 3313.619 of the Revised Code, as applicable;

(2) Completes the required units of instruction prescribed by the school district or school;

(3) Completes a career-technical training program approved by the Department of Education that includes at least four career-technical courses;

(4) Meets one of the following conditions:

(a) Attains a cumulative score of at least proficient on career-technical education assessments, or test modules, that are required for a career-technical education program;

(b) Obtains an industry-recognized credential, as described under division (B)(2)(d) of section 3302.03 of the Revised Code, or a group of credentials equal to at least twelve points;

(c) Demonstrates successful workplace participation, as evidenced by documented completion of two hundred fifty hours of workplace experience and evidence of regular, written, positive evaluations from the workplace employer or supervisor and a representative of the school

district or school. The workplace participation shall be based on a written agreement signed by the student, a representative of the district or school, and an employer or supervisor.

(C) As used in this section, "community school" means any community school established under Chapter 3314. and "STEM school" means any science, technology, engineering, and mathematics school established under Chapter 3326. of the Revised Code.

(D) The Department shall develop and issue the guidance required by divisions (A)(4)(c) and (d) of this section not later than May 31, 2019.

SECTION 4. That existing Section 733.67 of Am. Sub. H.B. 49 of the 132nd General Assembly is hereby repealed.

SECTION 5. It is the intent of the General Assembly to engage in ongoing discussions to modify high school graduation requirements for students in the classes of 2020 and later. For this purpose, the Department of Education, in consultation with the business community, shall make recommendations, as confirmed by resolution of the State Board of Education, to the General Assembly for revisions to the requirements for a diploma from a public or chartered nonpublic high school under section 3313.618 of the Revised Code. The recommendations shall include a long-term proposal for diploma requirements that reduces reliance on state testing, encourages local innovation, and supports student readiness for a career, college, and life. The recommendations also shall include a transition plan to allow time for implementation of the new requirements. The Department shall present the recommendations to the education committees of the House of Representatives and Senate not later than April 1, 2019, for consideration for inclusion in the budget appropriations act for the 2020 and 2021 fiscal years.

SECTION 6. The amendments by this act of sections 3313.25, 3313.31, and 3319.36 of the Revised Code are remedial in nature and apply to any proceeding, investigation, or citation involving a school treasurer that, as of the effective date of this act, have not reached final adjudication, including all available appeals.

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*Speaker* \_\_\_\_\_ *of the House of Representatives.*

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*President* \_\_\_\_\_ *of the Senate.*

Passed \_\_\_\_\_, 20\_\_\_\_

Approved \_\_\_\_\_, 20\_\_\_\_

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*Governor.*

The section numbering of law of a general and permanent nature is complete and in conformity with the Revised Code.

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*Director, Legislative Service Commission.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the \_\_\_\_ day of \_\_\_\_\_, A. D. 20 \_\_\_\_.

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*Secretary of State.*

File No. \_\_\_\_\_ Effective Date \_\_\_\_\_