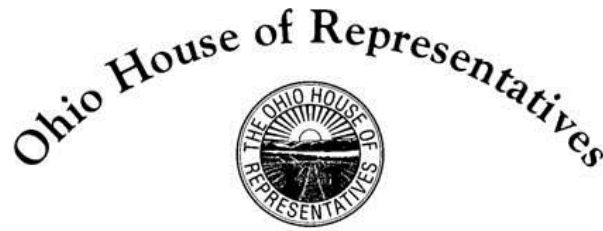


CAPITAL OFFICE:  
77 SOUTH HIGH STREET  
11TH FLOOR  
COLUMBUS, OHIO 43215  
PHONE: (614) 466-8012  
REP24@OHIOHOUSE.GOV



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**STEPHANIE KUNZE**  
STATE REPRESENTATIVE  
DISTRICT 24

**Representative Stephanie Kunze**  
**24<sup>th</sup> House District**

**House Bill 498 Sponsor Testimony**  
**Education Committee**  
**May 24, 2016**

Chair Brenner, Vice Chair Derickson, Ranking Member Fedor, and members of the House Education Committee, thank you for allowing me us to provide sponsor testimony on House Bill 498.

Keeping our school districts and students safe is a priority for all of us in the Ohio House. Though I worked closely with the City of Hilliard Police Department and Hilliard City School District on this legislative proposal, this is not just a Hilliard problem but is also a problem that is plaguing school districts and communities across Ohio.

What this proposal would do, if enacted into law, is provide local school districts another tool in the box to deal with these situations, but more importantly, to help students obtain mental health evaluations if that is the underlying root cause of these threats of violence. I want to point out that this legislation is permissive in nature and is not mandated. Specifically, House Bill 498 specifies:

1. The board of education of any city, exempted village, or local school district may adopt a resolution that authorizes the superintendent of schools to expel a pupil from school for a period not to exceed sixty school days for communicating a threat to kill or do physical harm to persons or property;
2. Defines the threat to the school district as being communicated verbally or in writing in person or via telephone, cellular telephone, computer, pager, personal communication device, or other electronic communication device;
3. The threat is made against persons or property at a school operated by the district board, on a school bus, at any other property owned or controlled by the district board, or at 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;

4. The pupil who made the threat engaged in conduct that constitutes a substantial step in a course intended to culminate in the commission of the threatened act. The definition of “substantial step” will be determined by the local superintendent and law enforcement to determine what this means-this will give every local district the flexibility to determine what is substantial and will not mandate a one-size fits all approach;
5. The board of education of any city, exempted village, or local school district may require the pupil, as a condition of reinstatement from an expulsion to undergo an assessment to determine whether the pupil poses a danger to the pupil's self or to other pupils or school employees;
6. The district shall develop a plan for the continued education of the pupil expelled under the enactment of this legislation, which may include education by the district in an alternative setting;
7. The superintendent may extend the expulsion up to one year if the student fails to undergo the required assessment;
8. If at the end of the expulsion period or the extended period the superintendent determines that the pupil has shown sufficient rehabilitation, the superintendent may reinstate the pupil;
9. The board of education of any school district or any law enforcement agency of a municipal corporation, township, or county may file a civil action in the appropriate court of common pleas to seek recovery for restitution from the parent, guardian, or custodian of a pupil who is expelled under the provisions of House Bill 498 for the costs to the district or agency associated with the pupil's conduct that gave rise to the expulsion.

This legislative proposal also has specified language included that no provisions of this legislation shall affect a district's obligation to provide a free and appropriate education to children with disabilities under federal law or nothing shall be construed to limit or prohibit bringing a juvenile or criminal action against a student who is expelled.

Chair Brenner, thank you again for giving us the opportunity to provide sponsor testimony on HB 498. I would be happy to answer any questions that members of the committee may have at this time.