

**As Introduced**

**131st General Assembly**

**Regular Session**

**2015-2016**

**S. B. No. 297**

**Senator Hughes**

**Cosponsors: Senators Manning, Hite**

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**A BILL**

To amend sections 3313.66 and 3313.661 and to enact 1  
section 3313.668 of the Revised Code with 2  
respect to the expulsion of a student from a 3  
school district, community school, or STEM 4  
school for communicating a threat of violence to 5  
occur on school grounds. 6

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That sections 3313.66 and 3313.661 be amended 7  
and section 3313.668 of the Revised Code be enacted to read as 8  
follows: 9

**Sec. 3313.66.** (A) Except as provided under division (B) (2) 10  
of this section, the superintendent of schools of a city, 11  
exempted village, or local school district, or the principal of 12  
a public school may suspend a pupil from school for not more 13  
than ten school days. The board of education of a city, exempted 14  
village, or local school district may adopt a policy granting 15  
assistant principals and other administrators the authority to 16  
suspend a pupil from school for a period of time as specified in 17  
the policy of the board of education, not to exceed ten school 18

days. If at the time a suspension is imposed there are fewer 19  
than ten school days remaining in the school year in which the 20  
incident that gives rise to the suspension takes place, the 21  
superintendent may apply any remaining part or all of the period 22  
of the suspension to the following school year. Except in the 23  
case of a pupil given an in-school suspension, no pupil shall be 24  
suspended unless prior to the suspension such superintendent or 25  
principal does both of the following: 26

(1) Gives the pupil written notice of the intention to 27  
suspend the pupil and the reasons for the intended suspension 28  
and, if the proposed suspension is based on a violation listed 29  
in division (A) of section 3313.662 of the Revised Code and if 30  
the pupil is sixteen years of age or older, includes in the 31  
notice a statement that the superintendent may seek to 32  
permanently exclude the pupil if the pupil is convicted of or 33  
adjudicated a delinquent child for that violation; 34

(2) Provides the pupil an opportunity to appear at an 35  
informal hearing before the principal, assistant principal, 36  
superintendent, or superintendent's designee and challenge the 37  
reason for the intended suspension or otherwise to explain the 38  
pupil's actions. 39

(B) (1) Except as provided under division (B) (2), (3), ~~or~~ 40  
(4), (5), or (6) of this section, the superintendent of schools 41  
of a city, exempted village, or local school district may expel 42  
a pupil from school for a period not to exceed the greater of 43  
eighty school days or the number of school days remaining in the 44  
semester or term in which the incident that gives rise to the 45  
expulsion takes place, unless the expulsion is extended pursuant 46  
to division (F) of this section. If at the time an expulsion is 47  
imposed there are fewer than eighty school days remaining in the 48

school year in which the incident that gives rise to the 49  
expulsion takes place, the superintendent may apply any 50  
remaining part or all of the period of the expulsion to the 51  
following school year. 52

(2) (a) Unless a pupil is permanently excluded pursuant to 53  
section 3313.662 of the Revised Code, the superintendent of 54  
schools of a city, exempted village, or local school district 55  
shall expel a pupil from school for a period of one year for 56  
bringing a firearm to a school operated by the board of 57  
education of the district or onto any other property owned or 58  
controlled by the board, except that the superintendent may 59  
reduce this requirement on a case-by-case basis in accordance 60  
with the policy adopted by the board under section 3313.661 of 61  
the Revised Code. 62

(b) The superintendent of schools of a city, exempted 63  
village, or local school district may expel a pupil from school 64  
for a period of one year for bringing a firearm to an 65  
interscholastic competition, an extracurricular event, or any 66  
other school program or activity that is not located in a school 67  
or on property that is owned or controlled by the district. The 68  
superintendent may reduce this disciplinary action on a case-by- 69  
case basis in accordance with the policy adopted by the board 70  
under section 3313.661 of the Revised Code. 71

(c) Any expulsion pursuant to division (B) (2) of this 72  
section shall extend, as necessary, into the school year 73  
following the school year in which the incident that gives rise 74  
to the expulsion takes place. As used in this division, 75  
"firearm" has the same meaning as provided pursuant to the "Gun- 76  
Free Schools Act," 115 Stat. 1762, 20 U.S.C. 7151. 77

(3) The board of education of a city, exempted village, or 78

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 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 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. 110

(5) The board of education of any city, exempted village, 111  
or local school district may adopt a resolution establishing a 112  
policy under section 3313.661 of the Revised Code that 113  
authorizes the superintendent of schools to expel a pupil from 114  
school for a period not to exceed one year for making a bomb 115  
threat to a school building or to any premises at which a school 116  
activity is occurring at the time of the threat. Any expulsion 117  
under this division shall extend, as necessary, into the school 118  
year following the school year in which the incident that gives 119  
rise to the expulsion takes place. 120

(6) The board of education of any city, exempted village, 121  
or local school district may adopt a resolution that authorizes 122  
the superintendent of schools to expel a pupil from school for a 123  
period not to exceed sixty school days for communicating a 124  
threat to kill or do physical harm to persons or property, as 125  
defined in division (A)(3) or (4) of section 2901.01 of the 126  
Revised Code, if all of the following conditions are met: 127

(a) The threat is communicated verbally or in writing in 128  
person or via telephone, cellular telephone, computer, pager, 129  
personal communication device, or other electronic communication 130  
device. 131

(b) The threat is made against persons or property at a 132  
school operated by the district board, on a school bus, at any 133  
other property owned or controlled by the district board, or at 134  
an interscholastic competition, an extracurricular event, or any 135  
other program or activity sponsored by the school district or in 136  
which the district is a participant. 137

(c) The pupil who made the threat engaged in conduct that 138

constitutes a substantial step in a course intended to culminate 139  
in the commission of the threatened act, as determined by the 140  
superintendent in consultation with the law enforcement agency 141  
of the appropriate municipal corporation, township, or county. 142

Division (B) (6) of this section applies regardless of 143  
whether the person or property that is the object of the threat 144  
actually receives the communication of the threat. 145

The board of education of any city, exempted village, or 146  
local school district may require the pupil, as a condition of 147  
reinstatement from an expulsion under division (B) (6) of this 148  
section to undergo an assessment to determine whether the pupil 149  
poses a danger to the pupil's self or to other pupils or school 150  
employees. The superintendent may extend the expulsion of a 151  
student, for not more than one calendar year, if the student 152  
fails to undergo an assessment required by division (B) (6) of 153  
this section. If at the end of the expulsion period or the 154  
extended period the superintendent determines that the pupil has 155  
shown sufficient rehabilitation, the superintendent may 156  
reinstate the pupil. 157

The district shall develop a plan for the continued 158  
education of the pupil expelled under division (B) (6) of this 159  
section, which may include education by the district in an 160  
alternative setting under division (I) of this section. 161

In making any determination under division (B) (6) of this 162  
section, the superintendent shall comply with the procedures 163  
prescribed by divisions (B) (7) and (D) of this section. 164

Nothing in division (B) (6) of this section shall affect a 165  
district's obligation to provide a free and appropriate 166  
education to children with disabilities under 20 U.S.C. 1400, et 167

seg. and Chapter 3323. of the Revised Code. 168

Nothing in division (B) (6) of this section shall be 169  
construed to limit or prohibit bringing a juvenile or criminal 170  
action against a student who is expelled under that division. 171

Any expulsion under division (B) (6) of this section shall 172  
extend, as necessary, into the school year following the school 173  
year in which the incident that gives rise to the expulsion 174  
takes place. 175

(7) No pupil shall be expelled under division (B) (1), (2), 176  
(3), (4), ~~or~~ (5), or (6) of this section unless, prior to the 177  
pupil's expulsion, the superintendent does both of the 178  
following: 179

(a) Gives the pupil and the pupil's parent, guardian, or 180  
custodian written notice of the intention to expel the pupil; 181

(b) Provides the pupil and the pupil's parent, guardian, 182  
custodian, or representative an opportunity to appear in person 183  
before the superintendent or the superintendent's designee to 184  
challenge the reasons for the intended expulsion or otherwise to 185  
explain the pupil's actions. 186

The notice required in this division shall include the 187  
reasons for the intended expulsion, notification of the 188  
opportunity of the pupil and the pupil's parent, guardian, 189  
custodian, or representative to appear before the superintendent 190  
or the superintendent's designee to challenge the reasons for 191  
the intended expulsion or otherwise to explain the pupil's 192  
action, and notification of the time and place to appear. The 193  
time to appear shall not be earlier than three nor later than 194  
five school days after the notice is given, unless the 195  
superintendent grants an extension of time at the request of the 196

pupil or the pupil's parent, guardian, custodian, or 197  
representative. If an extension is granted after giving the 198  
original notice, the superintendent shall notify the pupil and 199  
the pupil's parent, guardian, custodian, or representative of 200  
the new time and place to appear. If the proposed expulsion is 201  
based on a violation listed in division (A) of section 3313.662 202  
of the Revised Code and if the pupil is sixteen years of age or 203  
older, the notice shall include a statement that the 204  
superintendent may seek to permanently exclude the pupil if the 205  
pupil is convicted of or adjudicated a delinquent child for that 206  
violation. 207

~~(7)~~(8) A superintendent of schools of a city, exempted 208  
village, or local school district shall initiate expulsion 209  
proceedings pursuant to this section with respect to any pupil 210  
who has committed an act warranting expulsion under the 211  
district's policy regarding expulsion even if the pupil has 212  
withdrawn from school for any reason after the incident that 213  
gives rise to the hearing but prior to the hearing or decision 214  
to impose the expulsion. If, following the hearing, the pupil 215  
would have been expelled for a period of time had the pupil 216  
still been enrolled in the school, the expulsion shall be 217  
imposed for the same length of time as on a pupil who has not 218  
withdrawn from the school. 219

(C) If a pupil's presence poses a continuing danger to 220  
persons or property or an ongoing threat of disrupting the 221  
academic process taking place either within a classroom or 222  
elsewhere on the school premises, the superintendent or a 223  
principal or assistant principal may remove a pupil from 224  
curricular activities or from the school premises, and a teacher 225  
may remove a pupil from curricular activities under the 226  
teacher's supervision, without the notice and hearing 227

requirements of division (A) or (B) of this section. As soon as 228  
practicable after making such a removal, the teacher shall 229  
submit in writing to the principal the reasons for such removal. 230

If a pupil is removed under this division from a 231  
curricular activity or from the school premises, written notice 232  
of the hearing and of the reason for the removal shall be given 233  
to the pupil as soon as practicable prior to the hearing, which 234  
shall be held within three school days from the time the initial 235  
removal is ordered. The hearing shall be held in accordance with 236  
division (A) of this section unless it is probable that the 237  
pupil may be subject to expulsion, in which case a hearing in 238  
accordance with division (B) of this section shall be held, 239  
except that the hearing shall be held within three school days 240  
of the initial removal. The individual who ordered, caused, or 241  
requested the removal to be made shall be present at the 242  
hearing. 243

If the superintendent or the principal reinstates a pupil 244  
in a curricular activity under the teacher's supervision prior 245  
to the hearing following a removal under this division, the 246  
teacher, upon request, shall be given in writing the reasons for 247  
such reinstatement. 248

(D) The superintendent or principal, within one school day 249  
after the time of a pupil's expulsion or suspension, shall 250  
notify in writing the parent, guardian, or custodian of the 251  
pupil and the treasurer of the board of education of the 252  
expulsion or suspension. The notice shall include the reasons 253  
for the expulsion or suspension, notification of the right of 254  
the pupil or the pupil's parent, guardian, or custodian to 255  
appeal the expulsion or suspension to the board of education or 256  
to its designee, to be represented in all appeal proceedings, to 257

be granted a hearing before the board or its designee in order 258  
to be heard against the suspension or expulsion, and to request 259  
that the hearing be held in executive session, notification that 260  
the expulsion may be subject to extension pursuant to division 261  
(F) of this section if the pupil is sixteen years of age or 262  
older, and notification that the superintendent may seek the 263  
pupil's permanent exclusion if the suspension or expulsion was 264  
based on a violation listed in division (A) of section 3313.662 265  
of the Revised Code that was committed when the child was 266  
sixteen years of age or older and if the pupil is convicted of 267  
or adjudicated a delinquent child for that violation. 268

In accordance with the policy adopted by the board of 269  
education under section 3313.661 of the Revised Code, the notice 270  
provided under this division shall specify the manner and date 271  
by which the pupil or the pupil's parent, guardian, or custodian 272  
shall notify the board of the pupil's, parent's, guardian's, or 273  
custodian's intent to appeal the expulsion or suspension to the 274  
board or its designee. 275

Any superintendent expelling a pupil under this section 276  
for more than twenty school days or for any period of time if 277  
the expulsion will extend into the following semester or school 278  
year shall, in the notice required under this division, provide 279  
the pupil and the pupil's parent, guardian, or custodian with 280  
information about services or programs offered by public and 281  
private agencies that work toward improving those aspects of the 282  
pupil's attitudes and behavior that contributed to the incident 283  
that gave rise to the pupil's expulsion. The information shall 284  
include the names, addresses, and phone numbers of the 285  
appropriate public and private agencies. 286

(E) A pupil or the pupil's parent, guardian, or custodian 287

may appeal the pupil's expulsion by a superintendent or 288  
suspension by a superintendent, principal, assistant principal, 289  
or other administrator to the board of education or to its 290  
designee. If the pupil or the pupil's parent, guardian, or 291  
custodian intends to appeal the expulsion or suspension to the 292  
board or its designee, the pupil or the pupil's parent, 293  
guardian, or custodian shall notify the board in the manner and 294  
by the date specified in the notice provided under division (D) 295  
of this section. The pupil or the pupil's parent, guardian, or 296  
custodian may be represented in all appeal proceedings and shall 297  
be granted a hearing before the board or its designee in order 298  
to be heard against the suspension or expulsion. At the request 299  
of the pupil or of the pupil's parent, guardian, custodian, or 300  
attorney, the board or its designee may hold the hearing in 301  
executive session but shall act upon the suspension or expulsion 302  
only at a public meeting. The board, by a majority vote of its 303  
full membership or by the action of its designee, may affirm the 304  
order of suspension or expulsion, reinstate the pupil, or 305  
otherwise reverse, vacate, or modify the order of suspension or 306  
expulsion. 307

The board or its designee shall make a verbatim record of 308  
hearings held under this division. The decisions of the board or 309  
its designee may be appealed under Chapter 2506. of the Revised 310  
Code. 311

This section shall not be construed to require notice and 312  
hearing in accordance with division (A), (B), or (C) of this 313  
section in the case of normal disciplinary procedures in which a 314  
pupil is removed from a curricular activity for a period of less 315  
than one school day and is not subject to suspension or 316  
expulsion. 317

(F) (1) If a pupil is expelled pursuant to division (B) of 318  
this section for committing any violation listed in division (A) 319  
of section 3313.662 of the Revised Code and the pupil was 320  
sixteen years of age or older at the time of committing the 321  
violation, if a complaint, indictment, or information is filed 322  
alleging that the pupil is a delinquent child based upon the 323  
commission of the violation or the pupil is prosecuted as an 324  
adult for the commission of the violation, and if the resultant 325  
juvenile court or criminal proceeding is pending at the time 326  
that the expulsion terminates, the superintendent of schools 327  
that expelled the pupil may file a motion with the court in 328  
which the proceeding is pending requesting an order extending 329  
the expulsion for the lesser of an additional eighty days or the 330  
number of school days remaining in the school year. Upon the 331  
filing of the motion, the court immediately shall schedule a 332  
hearing and give written notice of the time, date, and location 333  
of the hearing to the superintendent and to the pupil and the 334  
pupil's parent, guardian, or custodian. At the hearing, the 335  
court shall determine whether there is reasonable cause to 336  
believe that the pupil committed the alleged violation that is 337  
the basis of the expulsion and, upon determining that reasonable 338  
cause to believe the pupil committed the violation does exist, 339  
shall grant the requested extension. 340

(2) If a pupil has been convicted of or adjudicated a 341  
delinquent child for a violation listed in division (A) of 342  
section 3313.662 of the Revised Code for an act that was 343  
committed when the child was sixteen years of age or older, if 344  
the pupil has been expelled pursuant to division (B) of this 345  
section for that violation, and if the board of education of the 346  
school district of the school from which the pupil was expelled 347  
has adopted a resolution seeking the pupil's permanent 348

exclusion, the superintendent may file a motion with the court 349  
that convicted the pupil or adjudicated the pupil a delinquent 350  
child requesting an order to extend the expulsion until an 351  
adjudication order or other determination regarding permanent 352  
exclusion is issued by the superintendent of public instruction 353  
pursuant to section 3301.121 and division (D) of section 354  
3313.662 of the Revised Code. Upon the filing of the motion, the 355  
court immediately shall schedule a hearing and give written 356  
notice of the time, date, and location of the hearing to the 357  
superintendent of the school district, the pupil, and the 358  
pupil's parent, guardian, or custodian. At the hearing, the 359  
court shall determine whether there is reasonable cause to 360  
believe the pupil's continued attendance in the public school 361  
system may endanger the health and safety of other pupils or 362  
school employees and, upon making that determination, shall 363  
grant the requested extension. 364

(G) The failure of the superintendent or the board of 365  
education to provide the information regarding the possibility 366  
of permanent exclusion in the notice required by divisions (A), 367  
(B), and (D) of this section is not jurisdictional, and the 368  
failure shall not affect the validity of any suspension or 369  
expulsion procedure that is conducted in accordance with this 370  
section or the validity of a permanent exclusion procedure that 371  
is conducted in accordance with sections 3301.121 and 3313.662 372  
of the Revised Code. 373

(H) With regard to suspensions and expulsions pursuant to 374  
divisions (A) and (B) of this section by the board of education 375  
of any city, exempted village, or local school district, this 376  
section shall apply to any student, whether or not the student 377  
is enrolled in the district, attending or otherwise 378  
participating in any curricular program provided in a school 379

operated by the board or provided on any other property owned or 380  
controlled by the board. 381

(I) Whenever a student is expelled under this section, the 382  
expulsion shall result in removal of the student from the 383  
student's regular school setting. However, during the period of 384  
the expulsion, the board of education of the school district 385  
that expelled the student or any board of education admitting 386  
the student during that expulsion period may provide educational 387  
services to the student in an alternative setting. 388

(J) (1) Notwithstanding sections 3109.51 to 3109.80, 389  
3313.64, and 3313.65 of the Revised Code, any school district, 390  
after offering an opportunity for a hearing, may temporarily 391  
deny admittance to any pupil if one of the following applies: 392

(a) The pupil has been suspended from the schools of 393  
another district under division (A) of this section and the 394  
period of suspension, as established under that division, has 395  
not expired; 396

(b) The pupil has been expelled from the schools of 397  
another district under division (B) of this section and the 398  
period of the expulsion, as established under that division or 399  
as extended under division (F) of this section, has not expired. 400

If a pupil is temporarily denied admission under this 401  
division, the pupil shall be admitted to school in accordance 402  
with sections 3109.51 to 3109.80, 3313.64, or 3313.65 of the 403  
Revised Code no later than upon expiration of the suspension or 404  
expulsion period, as applicable. 405

(2) Notwithstanding sections 3109.51 to 3109.80, 3313.64, 406  
and 3313.65 of the Revised Code, any school district, after 407  
offering an opportunity for a hearing, may temporarily deny 408

admittance to any pupil if the pupil has been expelled or 409  
otherwise removed for disciplinary purposes from a public school 410  
in another state and the period of expulsion or removal has not 411  
expired. If a pupil is temporarily denied admission under this 412  
division, the pupil shall be admitted to school in accordance 413  
with sections 3109.51 to 3109.80, 3313.64, or 3313.65 of the 414  
Revised Code no later than the earlier of the following: 415

(a) Upon expiration of the expulsion or removal period 416  
imposed by the out-of-state school; 417

(b) Upon expiration of a period established by the 418  
district, beginning with the date of expulsion or removal from 419  
the out-of-state school, that is no greater than the period of 420  
expulsion that the pupil would have received under the policy 421  
adopted by the district under section 3313.661 of the Revised 422  
Code had the offense that gave rise to the expulsion or removal 423  
by the out-of-state school been committed while the pupil was 424  
enrolled in the district. 425

(K) As used in this section: 426

(1) "Permanently exclude" and "permanent exclusion" have 427  
the same meanings as in section 3313.662 of the Revised Code. 428

(2) "In-school suspension" means the pupil will serve all 429  
of the suspension in a school setting. 430

**Sec. 3313.661.** (A) The board of education of each city, 431  
exempted village, and local school district shall adopt a policy 432  
regarding suspension, expulsion, removal, and permanent 433  
exclusion that specifies the types of misconduct for which a 434  
pupil may be suspended, expelled, or removed. The types of 435  
misconduct may include misconduct by a pupil that occurs off of 436  
property owned or controlled by the district but that is 437

connected to activities or incidents that have occurred on 438  
property owned or controlled by that district and misconduct by 439  
a pupil that, regardless of where it occurs, is directed at a 440  
district official or employee, or the property of such official 441  
or employee. The policy shall specify the reasons for which the 442  
superintendent of the district may reduce the expulsion 443  
requirement in division (B) (2) of section 3313.66 of the Revised 444  
Code. If a board of education adopts a resolution pursuant to 445  
division (B) (3) of section 3313.66 of the Revised Code, the 446  
policy shall define the term "knife" or "firearm," as 447  
applicable, for purposes of expulsion under that resolution and 448  
shall specify any reasons for which the superintendent of the 449  
district may reduce any required expulsion period on a case-by- 450  
case basis. If a board of education adopts a resolution pursuant 451  
to division (B) (4) ~~or~~, (5), ~~or~~ (6) of section 3313.66 of the 452  
Revised Code, the policy shall specify any reasons for which the 453  
superintendent of the district may reduce any ~~required~~ expulsion 454  
period on a case-by-case basis. The policy also shall set forth 455  
the acts listed in section 3313.662 of the Revised Code for 456  
which a pupil may be permanently excluded. 457

The policy adopted under this division shall specify the 458  
date and manner by which a pupil or a pupil's parent, guardian, 459  
or custodian may notify the board of the pupil's, parent's, 460  
guardian's, or custodian's intent to appeal an expulsion or 461  
suspension to the board or its designee pursuant to division (E) 462  
of section 3313.66 of the Revised Code. In the case of any 463  
expulsion, the policy shall not specify a date that is less than 464  
fourteen calendar days after the date of the notice provided to 465  
the pupil or the pupil's parent, guardian, or custodian under 466  
division (D) of that section. 467

A copy of the policy shall be posted in a central location 468

in the school and made available to pupils upon request. No 469  
pupil shall be suspended, expelled, or removed except in 470  
accordance with the policy adopted by the board of education of 471  
the school district in which the pupil attends school, and no 472  
pupil shall be permanently excluded except in accordance with 473  
sections 3301.121 and 3313.662 of the Revised Code. 474

(B) A board of education may establish a program and adopt 475  
guidelines under which a superintendent may require a pupil to 476  
perform community service in conjunction with a suspension or 477  
expulsion imposed under section 3313.66 of the Revised Code or 478  
in place of a suspension or expulsion imposed under section 479  
3313.66 of the Revised Code except for an expulsion imposed 480  
pursuant to division (B) (2) of that section. If a board adopts 481  
guidelines under this division, they shall permit, except with 482  
regard to an expulsion pursuant to division (B) (2) of section 483  
3313.66 of the Revised Code, a superintendent to impose a 484  
community service requirement beyond the end of the school year 485  
in lieu of applying the suspension or expulsion into the 486  
following school year. Any guidelines adopted shall be included 487  
in the policy adopted under this section. 488

(C) The written policy of each board of education that is 489  
adopted pursuant to section 3313.20 of the Revised Code shall be 490  
posted in a central location in each school that is subject to 491  
the policy and shall be made available to pupils upon request. 492

(D) Any policy, program, or guideline adopted by a board 493  
of education under this section with regard to suspensions or 494  
expulsions pursuant to division (A) or (B) of section 3313.66 of 495  
the Revised Code shall apply to any student, whether or not the 496  
student is enrolled in the district, attending or otherwise 497  
participating in any curricular program provided in a school 498

operated by the board or provided on any other property owned or 499  
controlled by the board. 500

(E) As used in this section, "permanently exclude" and 501  
"permanent exclusion" have the same meanings as in section 502  
3313.662 of the Revised Code. 503

Sec. 3313.668. The board of education of any school 504  
district or any law enforcement agency of a municipal 505  
corporation, township, or county may file a civil action in the 506  
appropriate court of common pleas to seek recovery for 507  
restitution from the parent, guardian, or custodian of a pupil 508  
who is expelled under division (B)(6) of section 3313.66 of the 509  
Revised Code for the costs to the district or agency associated 510  
with the pupil's conduct that gave rise to the expulsion. 511

**Section 2.** That existing sections 3313.66 and 3313.661 of 512  
the Revised Code are hereby repealed. 513