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135th General Assembly
Regular Session
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Sub. H. B. No. 206

A BILL

To amend sections 3313.66, 3313.661, and 3319.324 1
of the Revised Code with respect to the 2
expulsion of a student from a public school for 3
actions that endanger the health and safety of 4
other students or school employees. 5

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

Section 1. That sections 3313.66, 3313.661, and 3319.324 6
of the Revised Code be amended to read as follows: 7

Sec. 3313.66. (A) (1) Except as provided under division (B) 8
(2) of this section, and subject to section 3313.668 of the 9
Revised Code, the superintendent of schools of a city, exempted 10
village, or local school district, or the principal of a public 11
school may suspend a pupil from school for not more than ten 12
school days. The board of education of a city, exempted village, 13
or local school district may adopt a policy granting assistant 14
principals and other administrators the authority to suspend a 15
pupil from school for a period of time as specified in the 16
policy of the board of education, not to exceed ten school days. 17
If at the time an out-of-school suspension is imposed there are 18



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fewer than ten school days remaining in the school year in which 19
the incident that gives rise to the suspension takes place, the 20
superintendent shall not apply any remaining part of the period 21
of the suspension to the following school year. The 22
superintendent may instead require the pupil to participate in a 23
community service program or another alternative consequence for 24
a number of hours equal to the remaining part of the period of 25
the suspension. The pupil shall be required to begin the pupil's 26
community service or alternative consequence during the first 27
full week day of summer break. Each school district, in its 28
discretion, may develop an appropriate list of alternative 29
consequences. In the event that a pupil fails to complete 30
community service or the assigned alternative consequence, the 31
school district may determine the next course of action, which 32
shall not include requiring the pupil to serve the remaining 33
time of the out-of-school suspension at the beginning of the 34
following school year. 35

No pupil shall be issued an out-of-school suspension 36
unless prior to the suspension the superintendent or principal 37
does both of the following: 38

(a) Gives the pupil written notice of the intention to 39
suspend the pupil and the reasons for the intended suspension 40
and, if the proposed suspension is based on a violation listed 41
in division (A) of section 3313.662 of the Revised Code and if 42
the pupil is sixteen years of age or older, includes in the 43
notice a statement that the superintendent may seek to 44
permanently exclude the pupil if the pupil is convicted of or 45
adjudicated a delinquent child for that violation; 46

(b) Provides the pupil an opportunity to appear at an 47
informal hearing before the principal, assistant principal, 48

superintendent, or superintendent's designee and challenge the 49
reason for the intended suspension or otherwise to explain the 50
pupil's actions. 51

(2) If a pupil is issued an in-school suspension, the 52
superintendent or principal shall ensure the pupil is serving 53
the suspension in a supervised learning environment. 54

(3) Each school district board shall adopt a policy 55
establishing parameters for completing and grading assignments 56
missed because of a pupil's suspension. 57

(a) The policy shall provide the pupil an opportunity to 58
do both of the following: 59

(i) Complete any classroom assignments missed because of 60
the suspension; 61

(ii) Receive at least partial credit for a completed 62
assignment. 63

(b) The policy may permit grade reductions on account of 64
the pupil's suspension. 65

(c) The policy shall prohibit the receipt of a failing 66
grade on a completed assignment solely on account of the pupil's 67
suspension. 68

(B) (1) Except as provided under division (B) (2), (3), ~~or~~ 69
(4), (5), or (6) of this section, and subject to section 70
3313.668 of the Revised Code, the superintendent of schools of a 71
city, exempted village, or local school district may expel a 72
pupil from school for a period not to exceed the greater of 73
eighty school days or the number of school days remaining in the 74
semester or term in which the incident that gives rise to the 75
expulsion takes place, unless the expulsion is extended pursuant 76

to division (F) of this section. If at the time an expulsion is 77
imposed there are fewer than eighty school days remaining in the 78
school year in which the incident that gives rise to the 79
expulsion takes place, the superintendent may apply any 80
remaining part or all of the period of the expulsion to the 81
following school year. 82

(2) (a) Unless a pupil is permanently excluded pursuant to 83
section 3313.662 of the Revised Code, the superintendent of 84
schools of a city, exempted village, or local school district 85
shall expel a pupil from school for a period of one year for 86
bringing a firearm to a school operated by the board of 87
education of the district or onto any other property owned or 88
controlled by the board, except that the superintendent may 89
reduce this requirement on a case-by-case basis in accordance 90
with the policy adopted by the board under section 3313.661 of 91
the Revised Code. If a pupil expelled under this division is 92
enrolled in a district that has established a policy under 93
division (B)(6) of this section, then the pupil's reinstatement 94
may be subject to the district's policy. 95

(b) The superintendent of schools of a city, exempted 96
village, or local school district may expel a pupil from school 97
for a period of one year for bringing a firearm to an 98
interscholastic competition, an extracurricular event, or any 99
other school program or activity that is not located in a school 100
or on property that is owned or controlled by the district. The 101
superintendent may reduce this disciplinary action on a case-by- 102
case basis in accordance with the policy adopted by the board 103
under section 3313.661 of the Revised Code. 104

(c) Any expulsion pursuant to division (B)(2) of this 105
section shall extend, as necessary, into the school year 106

following the school year in which the incident that gives rise 107
to the expulsion takes place. As used in this division, 108
"firearm" has the same meaning as provided pursuant to the "Gun- 109
Free Schools Act," 115 Stat. 1762, 20 U.S.C. 7151. 110

(3) The board of education of a city, exempted village, or 111
local school district may adopt a resolution authorizing the 112
superintendent of schools to expel a pupil from school for a 113
period not to exceed one year for bringing a knife capable of 114
causing serious bodily injury to a school operated by the board, 115
onto any other property owned or controlled by the board, or to 116
an interscholastic competition, an extracurricular event, or any 117
other program or activity sponsored by the school district or in 118
which the district is a participant, or for possessing a firearm 119
or knife capable of serious bodily injury, at a school, on any 120
other property owned or controlled by the board, or at an 121
interscholastic competition, an extracurricular event, or any 122
other school program or activity, which firearm or knife was 123
initially brought onto school board property by another person. 124
The resolution may authorize the superintendent to extend such 125
an expulsion, as necessary, into the school year following the 126
school year in which the incident that gives rise to the 127
expulsion takes place. 128

(4) The board of education of a city, exempted village, or 129
local school district may adopt a resolution establishing a 130
policy under section 3313.661 of the Revised Code that 131
authorizes the superintendent of schools to expel a pupil from 132
school for a period not to exceed one year for committing an act 133
that is a criminal offense when committed by an adult and that 134
results in serious physical harm to persons as defined in 135
division (A) (5) of section 2901.01 of the Revised Code or 136
serious physical harm to property as defined in division (A) (6) 137

of section 2901.01 of the Revised Code while the pupil is at 138
school, on any other property owned or controlled by the board, 139
or at an interscholastic competition, an extracurricular event, 140
or any other school program or activity. Any expulsion under 141
this division shall extend, as necessary, into the school year 142
following the school year in which the incident that gives rise 143
to the expulsion takes place. 144

(5) The board of education of any city, exempted village, 145
or local school district may adopt a resolution establishing a 146
policy under section 3313.661 of the Revised Code that 147
authorizes the superintendent of schools to expel a pupil from 148
school for a period not to exceed one year for making a bomb 149
threat to a school building or to any premises at which a school 150
activity is occurring at the time of the threat. Any expulsion 151
under this division shall extend, as necessary, into the school 152
year following the school year in which the incident that gives 153
rise to the expulsion takes place. 154

(6) The board of education of any city, exempted village, 155
or local school district may adopt a resolution establishing a 156
policy under section 3313.661 of the Revised Code that 157
authorizes the superintendent of schools to expel a pupil from 158
school for a period not to exceed one hundred eighty school days 159
for actions that the superintendent determines pose imminent and 160
severe endangerment to the health and safety of other pupils or 161
school employees, even though the pupil's actions may not 162
qualify for permanent exclusion under section 3313.662 of the 163
Revised Code. Upon the expulsion of a pupil pursuant to this 164
division, the superintendent shall develop conditions for that 165
pupil to satisfy prior to the pupil's reinstatement. The 166
superintendent shall provide a copy of these conditions in 167
writing to the district board, the pupil, and the pupil's 168

parent, guardian, or custodian at the beginning of the expulsion 169
period. 170

One of the conditions developed by the superintendent 171
shall be an assessment to determine whether the pupil poses a 172
danger to the pupil's self or to other pupils or school 173
employees. The assessment shall be completed by a psychiatrist 174
as defined in section 5122.01 of the Revised Code, licensed 175
psychologist, or licensed school psychologist employed or 176
contracted by the district. The psychiatrist, psychologist, or 177
school psychologist shall be agreed upon by both the district 178
board and the pupil's parent, guardian, or custodian. If the 179
psychiatrist, psychologist, or school psychologist is not 180
employed or contracted by the district, the cost of the 181
assessment shall be referred for payment to the pupil's health 182
insurance. Any costs not covered by the pupil's health insurance 183
shall be paid by the district. The district shall pay in full 184
for an assessment completed by a psychiatrist, psychologist, or 185
school psychologist that is employed or contracted by the 186
district. The assessment shall include a determination from the 187
psychiatrist, psychologist, or school psychologist as to whether 188
the pupil poses a danger to the pupil's self or to other pupils 189
or school employees and may include recommendations for 190
contingent conditions on the pupil's reinstatement. 191

(a) At the end of the expulsion period, the superintendent 192
shall assess the pupil and determine whether the pupil has shown 193
sufficient rehabilitation to be reinstated. For an expulsion 194
period of one hundred eighty days or an extended expulsion 195
period of ninety days, the superintendent shall make this 196
determination in consultation with a multidisciplinary team 197
selected by the superintendent. The superintendent shall take 198
into consideration both the assessment by the psychiatrist, 199

psychologist, or school psychologist and whether or not the 200
pupil has met the conditions developed by the superintendent at 201
the beginning of the expulsion period. 202

In making any determination under division (B) (6) of this 203
section, the superintendent shall comply with the procedures 204
prescribed by divisions (B) (7) and (D) of this section. 205

(i) Upon the assessment of a pupil as required by division 206
(B) (6) (a) of this section, if the superintendent determines that 207
the pupil has shown sufficient rehabilitation, the 208
superintendent may reinstate that pupil. 209

(ii) Upon the assessment of a pupil as required by 210
division (B) (6) (a) of this section, if the superintendent 211
determines that the pupil has not shown sufficient 212
rehabilitation, the superintendent may extend the expulsion for 213
an additional period not to exceed ninety school days. 214

(b) If the superintendent extends the expulsion period 215
under division (B) (6) (a) (ii) of this section, the superintendent 216
shall develop conditions for that pupil to satisfy prior to that 217
pupil's reinstatement, which may be the same as those developed 218
for the original expulsion period. The superintendent shall 219
provide a copy of these conditions in writing to the district 220
board, the pupil, and the pupil's parent, guardian, or custodian 221
at the beginning of the extended expulsion period. At the end of 222
the extended expulsion period, the superintendent shall reassess 223
the pupil in the manner prescribed by division (B) (6) (a) of this 224
section and may reinstate the pupil or may extend the expulsion 225
for another term, not to exceed ninety school days, in the same 226
manner as provided in divisions (B) (6) (a) (i) and (ii) of this 227
section. There is no limit on the number of times the 228
superintendent may extend an expulsion under division (B) (6) (a) 229

<u>(ii) of this section.</u>	230
<u>(c) Prior to the end of the original expulsion period or</u>	231
<u>of an extended expulsion period, if the pupil has met all of the</u>	232
<u>conditions developed by the superintendent at the beginning of</u>	233
<u>the expulsion period, the superintendent may reduce the</u>	234
<u>expulsion on a case-by-case basis. In making the determination,</u>	235
<u>the superintendent shall comply with the district's policy</u>	236
<u>regarding the reduction of an expulsion period, adopted pursuant</u>	237
<u>to section 3313.661 of the Revised Code.</u>	238
<u>(d) Prior to the end of the original expulsion period or</u>	239
<u>of an extended expulsion period, the pupil or the pupil's</u>	240
<u>parent, guardian, or custodian may request the superintendent to</u>	241
<u>complete an early assessment of the pupil. If requested, the</u>	242
<u>superintendent shall assess the pupil and make a determination</u>	243
<u>in the manner prescribed by division (B) (6) (a) of this section.</u>	244
<u>In making the determination, the superintendent shall comply</u>	245
<u>with the district's policy regarding the reduction of an</u>	246
<u>expulsion period, adopted pursuant to section 3313.661 of the</u>	247
<u>Revised Code. A pupil or pupil's parent, guardian, or custodian</u>	248
<u>may request one early assessment for the original expulsion</u>	249
<u>period and for each extended expulsion period under this</u>	250
<u>division.</u>	251
<u>(e) A superintendent may develop contingent conditions for</u>	252
<u>a pupil's reinstatement under divisions (B) (6) (a) (i), (B) (6) (c),</u>	253
<u>and (B) (6) (d) of this section. The conditions may include the</u>	254
<u>conditions developed for the original expulsion period and</u>	255
<u>recommendations made by a psychiatrist, psychologist, or school</u>	256
<u>psychologist in an assessment conducted under division (B) (6) of</u>	257
<u>this section. The superintendent shall establish a duration</u>	258
<u>under which a student must meet the contingent conditions that</u>	259

may extend to a pupil's graduation date. The superintendent 260
shall provide a copy of these conditions in writing to the 261
district board, the pupil, and the pupil's parent, guardian, or 262
custodian when the superintendent makes a reinstatement 263
determination. If a pupil fails to meet the contingent 264
conditions set under this division, the superintendent may 265
revoke the pupil's reinstatement and establish an extended 266
expulsion period under the same process as in division (B) (6) (b) 267
of this section. 268

(f) Not later than fifteen days after the beginning of the 269
original expulsion period or of any extended expulsion period 270
under division (B) (6) of this section, the superintendent, in 271
consultation with the pupil, the pupil's parent, guardian, or 272
custodian, and the pupil's IEP team, as defined in section 273
3323.01 of the Revised Code, if the pupil has one, shall develop 274
a plan for the continued education of the pupil, which may 275
include education by the district in an alternative setting 276
under division (I) of this section, including instruction at 277
home, enrollment in another district or other type of public or 278
nonpublic school, or any other form of instruction that complies 279
with Chapter 3321. of the Revised Code. 280

(g) The pupil or the pupil's parent, guardian, or 281
custodian may appeal any determination made by the 282
superintendent pursuant to division (B) (6) of this section in 283
the manner prescribed by division (E) of this section. 284

(h) A board shall provide the department of education and 285
workforce records of each expulsion made under division (B) (6) 286
of this section and any changes to a pupil's expulsion status. 287
Such records shall not include a student's name and shall be 288
provided to the department in accordance with sections 3301.0714 289

and 3319.321 of the Revised Code. A district or school to which 290
a pupil with an expulsion record under division (B) (6) of this 291
section transfers may request such records from the district in 292
which the pupil was enrolled prior to the transfer or from the 293
department. The district or department shall provide the 294
requested records to the requesting district or school as 295
authorized under section 3319.321 of the Revised Code. 296

(7) No pupil shall be expelled under division (B) (1), (2), 297
(3), (4), ~~or~~ (5), or (6) of this section unless, prior to the 298
pupil's expulsion, the superintendent does both of the 299
following: 300

(a) Gives the pupil and the pupil's parent, guardian, or 301
custodian written notice of the intention to expel the pupil; 302

(b) Provides the pupil and the pupil's parent, guardian, 303
custodian, or representative an opportunity to appear in person 304
before the superintendent or the superintendent's designee to 305
challenge the reasons for the intended expulsion or otherwise to 306
explain the pupil's actions. 307

The notice required in this division shall include the 308
reasons for the intended expulsion, notification of the 309
opportunity of the pupil and the pupil's parent, guardian, 310
custodian, or representative to appear before the superintendent 311
or the superintendent's designee to challenge the reasons for 312
the intended expulsion or otherwise to explain the pupil's 313
action, and notification of the time and place to appear. The 314
time to appear shall not be earlier than three nor later than 315
five school days after the notice is given, unless the 316
superintendent grants an extension of time at the request of the 317
pupil or the pupil's parent, guardian, custodian, or 318
representative. If an extension is granted after giving the 319

original notice, the superintendent shall notify the pupil and 320
the pupil's parent, guardian, custodian, or representative of 321
the new time and place to appear. If the proposed expulsion is 322
based on a violation listed in division (A) of section 3313.662 323
of the Revised Code and if the pupil is sixteen years of age or 324
older, the notice shall include a statement that the 325
superintendent may seek to permanently exclude the pupil if the 326
pupil is convicted of or adjudicated a delinquent child for that 327
violation. 328

~~(7)~~(8) A superintendent of schools of a city, exempted 329
village, or local school district shall initiate expulsion 330
proceedings pursuant to this section with respect to any pupil 331
who has committed an act warranting expulsion under the 332
district's policy regarding expulsion even if the pupil has 333
withdrawn from school for any reason after the incident that 334
gives rise to the hearing but prior to the hearing or decision 335
to impose the expulsion. If, following the hearing, the pupil 336
would have been expelled for a period of time had the pupil 337
still been enrolled in the school, the expulsion shall be 338
imposed for the same length of time as on a pupil who has not 339
withdrawn from the school. 340

(C) (1) Subject to division (C) (2) of this section, if a 341
pupil's presence poses a continuing danger to persons or 342
property or an ongoing threat of disrupting the academic process 343
taking place either within a classroom or elsewhere on the 344
school premises, the superintendent or a principal or assistant 345
principal may remove a pupil from curricular activities or from 346
the school premises, and a teacher may remove a pupil from 347
curricular activities under the teacher's supervision, without 348
the notice and hearing requirements of division (A) or (B) of 349
this section. As soon as practicable after making such a 350

removal, the teacher shall submit in writing to the principal 351
the reasons for such removal. 352

(2) A pupil in any of grades pre-kindergarten through 353
three may be removed pursuant to division (C)(1) of this section 354
only for the remainder of the school day and shall be permitted 355
to return to curricular and extracurricular activities on the 356
school day following the day in which the student was removed. 357

(a) A school district or school that returns a student in 358
any of grades pre-kindergarten through three to curricular and 359
extracurricular activities on the next school day shall not be 360
required to follow division (C)(3) of this section with regard 361
to that student. 362

(b) A school district shall not initiate a suspension or 363
expulsion proceeding against a student in any of grades pre- 364
kindergarten through three who was removed from a curricular or 365
extracurricular activity under division (C) of this section 366
unless the student has committed an act described in division 367
(B)(1)(a) or (b) of section 3313.668 of the Revised Code. 368

(3) If a pupil is removed under division (C)(1) or (2) of 369
this section from a curricular activity or from the school 370
premises, written notice of the hearing and of the reason for 371
the removal shall be given to the pupil as soon as practicable 372
prior to the hearing, which shall be held on the next school day 373
after the initial removal is ordered. The hearing shall be held 374
in accordance with division (A) of this section unless it is 375
probable that the pupil may be subject to expulsion, in which 376
case a hearing in accordance with division (B) of this section 377
shall be held, except that the hearing shall be held on the next 378
school day after the date of the initial removal. The individual 379
who ordered, caused, or requested the removal to be made shall 380

be present at the hearing. 381

(4) If the superintendent or the principal reinstates a 382
pupil in a curricular activity under the teacher's supervision 383
prior to the hearing following a removal under this division, 384
the teacher, upon request, shall be given in writing the reasons 385
for such reinstatement. 386

(D) The superintendent or principal, within one school day 387
after the time of a pupil's expulsion or suspension, shall 388
notify in writing the parent, guardian, or custodian of the 389
pupil of the expulsion or suspension. In the case of an 390
expulsion, the superintendent or principal, within one school 391
day after the time of a pupil's expulsion, also shall notify in 392
writing the treasurer of the board of education. Each notice 393
shall include the reasons for the expulsion or suspension, 394
notification of the right of the pupil or the pupil's parent, 395
guardian, or custodian to appeal the expulsion or suspension to 396
the board of education or to its designee, to be represented in 397
all appeal proceedings, to be granted a hearing before the board 398
or its designee in order to be heard against the suspension or 399
expulsion, and to request that the hearing be held in executive 400
session, notification that the expulsion may be subject to 401
extension pursuant to division (F) of this section if the pupil 402
is sixteen years of age or older, and notification that the 403
superintendent may seek the pupil's permanent exclusion if the 404
suspension or expulsion was based on a violation listed in 405
division (A) of section 3313.662 of the Revised Code that was 406
committed when the child was sixteen years of age or older and 407
if the pupil is convicted of or adjudicated a delinquent child 408
for that violation. 409

In accordance with the policy adopted by the board of 410

education under section 3313.661 of the Revised Code, the notice 411
provided under this division shall specify the manner and date 412
by which the pupil or the pupil's parent, guardian, or custodian 413
shall notify the board of the pupil's, parent's, guardian's, or 414
custodian's intent to appeal the expulsion or suspension to the 415
board or its designee. 416

Any superintendent expelling a pupil under this section 417
for more than twenty school days or for any period of time if 418
the expulsion will extend into the following semester or school 419
year shall, in the notice required under this division, provide 420
the pupil and the pupil's parent, guardian, or custodian with 421
information about services or programs offered by public and 422
private agencies that work toward improving those aspects of the 423
pupil's attitudes and behavior that contributed to the incident 424
that gave rise to the pupil's expulsion. The information shall 425
include the names, addresses, and phone numbers of the 426
appropriate public and private agencies. 427

(E) A pupil or the pupil's parent, guardian, or custodian 428
may appeal the pupil's expulsion by a superintendent or 429
suspension by a superintendent, principal, assistant principal, 430
or other administrator to the board of education or to its 431
designee. If the pupil or the pupil's parent, guardian, or 432
custodian intends to appeal the expulsion or suspension to the 433
board or its designee, the pupil or the pupil's parent, 434
guardian, or custodian shall notify the board in the manner and 435
by the date specified in the notice provided under division (D) 436
of this section. The pupil or the pupil's parent, guardian, or 437
custodian may be represented in all appeal proceedings and shall 438
be granted a hearing before the board or its designee in order 439
to be heard against the suspension or expulsion. At the request 440
of the pupil or of the pupil's parent, guardian, custodian, or 441

attorney, the board or its designee may hold the hearing in 442
executive session but shall act upon the suspension or expulsion 443
only at a public meeting. The board, by a majority vote of its 444
full membership or by the action of its designee, may affirm the 445
order of suspension or expulsion, reinstate the pupil, or 446
otherwise reverse, vacate, or modify the order of suspension or 447
expulsion. 448

The board or its designee shall make a verbatim record of 449
hearings held under this division. The decisions of the board or 450
its designee may be appealed under Chapter 2506. of the Revised 451
Code. 452

This section shall not be construed to require notice and 453
hearing in accordance with division (A), (B), or (C) of this 454
section in the case of normal disciplinary procedures in which a 455
pupil is removed from a curricular activity for a period of less 456
than one school day and is not subject to suspension or 457
expulsion. 458

(F) (1) If a pupil is expelled pursuant to division (B) of 459
this section for committing any violation listed in division (A) 460
of section 3313.662 of the Revised Code and the pupil was 461
sixteen years of age or older at the time of committing the 462
violation, if a complaint, indictment, or information is filed 463
alleging that the pupil is a delinquent child based upon the 464
commission of the violation or the pupil is prosecuted as an 465
adult for the commission of the violation, and if the resultant 466
juvenile court or criminal proceeding is pending at the time 467
that the expulsion terminates, the superintendent of schools 468
that expelled the pupil may file a motion with the court in 469
which the proceeding is pending requesting an order extending 470
the expulsion for the lesser of an additional eighty days or the 471

number of school days remaining in the school year. Upon the 472
filing of the motion, the court immediately shall schedule a 473
hearing and give written notice of the time, date, and location 474
of the hearing to the superintendent and to the pupil and the 475
pupil's parent, guardian, or custodian. At the hearing, the 476
court shall determine whether there is reasonable cause to 477
believe that the pupil committed the alleged violation that is 478
the basis of the expulsion and, upon determining that reasonable 479
cause to believe the pupil committed the violation does exist, 480
shall grant the requested extension. 481

(2) If a pupil has been convicted of or adjudicated a 482
delinquent child for a violation listed in division (A) of 483
section 3313.662 of the Revised Code for an act that was 484
committed when the child was sixteen years of age or older, if 485
the pupil has been expelled pursuant to division (B) of this 486
section for that violation, and if the board of education of the 487
school district of the school from which the pupil was expelled 488
has adopted a resolution seeking the pupil's permanent 489
exclusion, the superintendent may file a motion with the court 490
that convicted the pupil or adjudicated the pupil a delinquent 491
child requesting an order to extend the expulsion until an 492
adjudication order or other determination regarding permanent 493
exclusion is issued by the director of education and workforce 494
pursuant to section 3301.121 and division (D) of section 495
3313.662 of the Revised Code. Upon the filing of the motion, the 496
court immediately shall schedule a hearing and give written 497
notice of the time, date, and location of the hearing to the 498
superintendent of the school district, the pupil, and the 499
pupil's parent, guardian, or custodian. At the hearing, the 500
court shall determine whether there is reasonable cause to 501
believe the pupil's continued attendance in the public school 502

system may endanger the health and safety of other pupils or 503
school employees and, upon making that determination, shall 504
grant the requested extension. 505

(G) The failure of the superintendent or the board of 506
education to provide the information regarding the possibility 507
of permanent exclusion in the notice required by divisions (A), 508
(B), and (D) of this section is not jurisdictional, and the 509
failure shall not affect the validity of any suspension or 510
expulsion procedure that is conducted in accordance with this 511
section or the validity of a permanent exclusion procedure that 512
is conducted in accordance with sections 3301.121 and 3313.662 513
of the Revised Code. 514

(H) With regard to suspensions and expulsions pursuant to 515
divisions (A) and (B) of this section by the board of education 516
of any city, exempted village, or local school district, this 517
section shall apply to any student, whether or not the student 518
is enrolled in the district, attending or otherwise 519
participating in any curricular program provided in a school 520
operated by the board or provided on any other property owned or 521
controlled by the board. 522

(I) Whenever a student is expelled under this section, the 523
expulsion shall result in removal of the student from the 524
student's regular school setting. However, during the period of 525
the expulsion, the board of education of the school district 526
that expelled the student or any board of education admitting 527
the student during that expulsion period may provide educational 528
services to the student in an alternative setting. 529

(J) (1) Notwithstanding sections 3109.51 to 3109.80, 530
3313.64, and 3313.65 of the Revised Code, any school district, 531
after offering an opportunity for a hearing, may temporarily 532

deny admittance to any pupil if one of the following applies: 533

(a) The pupil has been suspended from the schools of 534
another district under division (A) of this section and the 535
period of suspension, as established under that division, has 536
not expired; 537

(b) The pupil has been expelled from the schools of 538
another district under division (B) of this section and the 539
period of the expulsion, as established under that division or 540
as extended under division (F) of this section, has not expired. 541

If a pupil is temporarily denied admission under this 542
division, the pupil shall be admitted to school in accordance 543
with sections 3109.51 to 3109.80, 3313.64, or 3313.65 of the 544
Revised Code no later than upon expiration of the suspension or 545
expulsion period, as applicable. 546

(2) Notwithstanding sections 3109.51 to 3109.80, 3313.64, 547
and 3313.65 of the Revised Code, any school district, after 548
offering an opportunity for a hearing, may temporarily deny 549
admittance to any pupil if the pupil has been expelled or 550
otherwise removed for disciplinary purposes from a public school 551
in another state and the period of expulsion or removal has not 552
expired. If a pupil is temporarily denied admission under this 553
division, the pupil shall be admitted to school in accordance 554
with sections 3109.51 to 3109.80, 3313.64, or 3313.65 of the 555
Revised Code no later than the earlier of the following: 556

(a) Upon expiration of the expulsion or removal period 557
imposed by the out-of-state school; 558

(b) Upon expiration of a period established by the 559
district, beginning with the date of expulsion or removal from 560
the out-of-state school, that is no greater than the period of 561

expulsion that the pupil would have received under the policy 562
adopted by the district under section 3313.661 of the Revised 563
Code had the offense that gave rise to the expulsion or removal 564
by the out-of-state school been committed while the pupil was 565
enrolled in the district. 566

(K) As used in this section: 567

(1) "Permanently exclude" and "permanent exclusion" have 568
the same meanings as in section 3313.662 of the Revised Code. 569

(2) "In-school suspension" means the pupil will serve all 570
of the suspension in a supervised learning environment within a 571
school setting. 572

(3) "School day" has the same meaning as in section 573
3313.481 of the Revised Code. 574

(4) "Imminent and severe endangerment" means any of the 575
following actions taken by a pupil: 576

(a) Bringing a firearm to a school operated by the board 577
or any other property owned or controlled by the board, as 578
described in division (B) (2) (a) of this section; 579

(b) Bringing a firearm to an interscholastic competition, 580
extracurricular event, or any other program or activity 581
sponsored by the school district or in which the district is a 582
participant; 583

(c) Bringing a knife capable of causing serious bodily 584
injury to a school operated by the board, any other property 585
owned or controlled by the board, or to an interscholastic 586
competition, extracurricular event, or any other program or 587
activity sponsored by the school district or in which the 588
district is a participant; 589

(d) Committing an act that is a criminal offense when 590
committed by an adult and that results in serious physical harm 591
to persons as defined in division (A) (5) of section 2901.01 of 592
the Revised Code or serious physical harm to property as defined 593
in division (A) (6) of section 2901.01 of the Revised Code while 594
the pupil is at a school operated by the board, any other 595
property owned or controlled by the board, or an interscholastic 596
competition, extracurricular event, or any other program or 597
activity sponsored by the school district or in which the 598
district is a participant; 599

(e) Making a bomb threat to a school building or to any 600
premises at which a school activity is occurring at the time of 601
the threat; 602

(f) Making an articulated or verbalized threat, including 603
a hit list, threatening manifesto, or social media post, that 604
would lead a reasonable person to conclude that the pupil poses 605
a serious threat. 606

(5) "Sufficient rehabilitation" means that a pupil has met 607
all conditions for reinstatement set by the pupil's 608
superintendent under division (B) (6) of this section and has 609
been determined by the superintendent to no longer pose a danger 610
to the pupil's self or to other pupils or school employees. 611

Sec. 3313.661. (A) Subject to the limitations set forth in 612
section 3313.668 of the Revised Code, the board of education of 613
each city, exempted village, and local school district shall 614
adopt a policy regarding suspension, expulsion, removal, and 615
permanent exclusion that specifies the types of misconduct for 616
which a pupil may be suspended, expelled, or removed. The types 617
of misconduct may include misconduct by a pupil that occurs off 618
of property owned or controlled by the district but that is 619

connected to activities or incidents that have occurred on 620
property owned or controlled by that district and misconduct by 621
a pupil that, regardless of where it occurs, is directed at a 622
district official or employee, or the property of such official 623
or employee. The policy shall specify the reasons for which the 624
superintendent of the district may reduce the expulsion 625
requirement in division (B) (2) of section 3313.66 of the Revised 626
Code. If a board of education adopts a resolution pursuant to 627
division (B) (3) of section 3313.66 of the Revised Code, the 628
policy shall define the term "knife capable of causing serious 629
bodily injury" or "firearm," as applicable, for purposes of 630
expulsion under that resolution and shall specify any reasons 631
for which the superintendent of the district may reduce any 632
required expulsion period on a case-by-case basis. If a board of 633
education adopts a resolution pursuant to division (B) (4) ~~or~~ 634
(5), or (6) of section 3313.66 of the Revised Code, the policy 635
shall specify any reasons for which the superintendent of the 636
district may reduce any ~~required~~ expulsion period on a case-by- 637
case basis. The policy also shall set forth the acts listed in 638
section 3313.662 of the Revised Code for which a pupil may be 639
permanently excluded. 640

The policy adopted under this division shall specify the 641
date and manner by which a pupil or a pupil's parent, guardian, 642
or custodian may notify the board of the pupil's, parent's, 643
guardian's, or custodian's intent to appeal an expulsion or 644
suspension to the board or its designee pursuant to division (E) 645
of section 3313.66 of the Revised Code. In the case of any 646
expulsion, the policy shall not specify a date that is less than 647
fourteen days after the date of the notice provided to the pupil 648
or the pupil's parent, guardian, or custodian under division (D) 649
of that section. 650

A copy of the policy shall be posted in a central location 651
in the school and made available to pupils upon request. No 652
pupil shall be suspended, expelled, or removed except in 653
accordance with the policy adopted by the board of education of 654
the school district in which the pupil attends school, and no 655
pupil shall be permanently excluded except in accordance with 656
sections 3301.121 and 3313.662 of the Revised Code. 657

(B) A board of education may establish a program and adopt 658
guidelines under which a superintendent may require a pupil to 659
perform community service in conjunction with a suspension or 660
expulsion imposed under section 3313.66 of the Revised Code or 661
in place of a suspension or expulsion imposed under section 662
3313.66 of the Revised Code except for an expulsion imposed 663
pursuant to division (B) (2) of that section. If a board adopts 664
guidelines under this division, they shall permit, except with 665
regard to an expulsion pursuant to division (B) (2) of section 666
3313.66 of the Revised Code, a superintendent to impose a 667
community service requirement beyond the end of the school year 668
in lieu of applying an expulsion into the following school year. 669
Any guidelines adopted shall be included in the policy adopted 670
under this section. 671

(C) The written policy of each board of education that is 672
adopted pursuant to section 3313.20 of the Revised Code shall be 673
posted in a central location in each school that is subject to 674
the policy and shall be made available to pupils upon request. 675

(D) Except as described in division (B) of section 676
3313.668 of the Revised Code, any policy, program, or guideline 677
adopted by a board of education under this section with regard 678
to suspensions or expulsions pursuant to division (A) or (B) of 679
section 3313.66 of the Revised Code shall apply to any student, 680

whether or not the student is enrolled in the district, 681
attending or otherwise participating in any curricular program 682
provided in a school operated by the board or provided on any 683
other property owned or controlled by the board. 684

(E) If a board of education adopts a resolution pursuant 685
to division (B)(6) of section 3313.66 of the Revised Code, the 686
board shall do both of the following: 687

(1) Establish guidelines for appropriate conditions that 688
the superintendent may develop pursuant to division (B)(6) of 689
section 3313.66 of the Revised Code; 690

(2) Develop a list of alternative educational options for 691
pupils who are expelled under division (B)(6) of section 3313.66 692
of the Revised Code. 693

(F) As used in this section, "permanently exclude" and 694
"permanent exclusion" have the same meanings as in section 695
3313.662 of the Revised Code. 696

Sec. 3319.324. (A) As used in this section, "school 697
records" includes any academic records, student assessment data, 698
or other information for which there is a legitimate educational 699
interest. 700

(B) Except as provided for in division (C) of this 701
section, when any school district or chartered nonpublic school 702
receives a request from another district or school to which a 703
student has transferred for that student's school records, the 704
district or school receiving the request shall respond, within 705
five school days after receiving the request, by transmitting to 706
the requesting district or school either the student's school 707
records as authorized under section 3319.321 of the Revised Code 708
or, if the district or school has no record of the student's 709

attendance, a statement of that fact. 710

(C) ~~A~~ Except as provided for in division (E) of this 711
section, a district or school may withhold a student's school 712
records if there is two thousand five hundred dollars or more of 713
outstanding debt attributed to the student. The district or 714
school shall transmit the student's school records in the manner 715
specified under division (A) of this section once the debt is 716
paid. 717

(D) The provisions of this section are in addition to, and 718
do not affect the obligations of a school district or school to 719
comply with, the requirements of division (D) of section 720
3313.642 and section 3313.672 of the Revised Code. 721

(E) A district or school shall not withhold records 722
related to a student's expulsion under division (B)(6) of 723
section 3313.66 of the Revised Code due to outstanding debt 724
attributed to the student. 725

Section 2. That existing sections 3313.66, 3313.661, and 726
3319.324 of the Revised Code are hereby repealed. 727