



**House Bill 206 Testimony to the Ohio House of Representatives**  
**Primary and Secondary Education Committee**  
**Gabriella Celeste, Policy Director, Schubert Center for Child Studies, CWRU**  
**December, 10 2024 – Submitted Electronically**

Thank you Chair Brenner, Vice Chair O'Brien, Ranking Member Ingram, and members of the Senate Education Committee. My name is Gabriella Celeste, and I am the Policy Director of the Schubert Center for Child Studies at Case Western Reserve University and an Interested Party on House Bill 206.

The Schubert Center for Child Studies at Case Western Reserve University works to bridge research, education, policy, and practice for the well-being of children and youth. It is in this capacity – recognizing the importance of student and school safety as a protective factor for healthy child and adolescent development – that we offer this testimony. I understand that the bill sponsors, Representatives Click and Robb Blasdel, offered this bill, essentially as a reintroduction of HB 334 from the 130<sup>th</sup> GA (see Sponsor testimony) out of real concern for student safety. However, this bill goes much further than the concerns initially raised in the Sponsors' testimony concerning the need for **readmission** criteria once a student has been suspended or expelled, and may inadvertently undermine overall student safety and wellness.

Importantly, in the time since HB 334, the precursor to HB 206, was introduced in 2014, the Safety and Violence Education Students (SAVE Students) Act (HB 123) was passed and enacted in 2021. The SAVE Students Act required by March of 2023 that school districts create a threat assessment team for each school building, as well as receive training every three years (See, ORC 5502.263 "Model threat assessment plan, approved threat assessment team training for schools). Moreover, the Ohio School Safety Center with the Ohio Department of Public Safety recently developed and released the "[Ohio School Behavioral Threat Assessment Model Policy and Protocol](#)" to provide critical guidance to school personnel and law enforcement for these very kinds of situations. Indeed, school superintendents should already have such teams and policies in place to help make these difficult determinations. For these and other reasons noted below, we urge restraint in proceeding until more information is gathered to help make a fully informed decision to best support student and school safety.

**I. Student Removal from School Can Undermine Goal of School Safety**

Research on school safety has consistently demonstrated that exclusionary discipline policies do not make schools safer.<sup>1</sup> Data indicate that school suspensions predict higher future rates of misbehavior and suspensions rather than making schools safer.<sup>2</sup> Extended school removal by itself does nothing to

<sup>1</sup> Skiba, R. J. (2014). The failure of zero tolerance. *Reclaiming children and youth*, 22(4), 27.

<sup>2</sup> American Psychological Association Zero Tolerance Task Force. (2008). Are zero tolerance policies effective in the schools?: An evidentiary review and recommendations. *The American Psychologist*, 63(9); Lamont, J. H., Devore, C. D.,

address the larger issues that led to the violent threat or other actions that suggest “imminent and severe endangerment.” Indeed, as the U.S. Department of Homeland Security noted in their 2021 [Averting Targeted School Violence](#) report, removing a student from school does not eliminate the risk they might pose to themselves or others; school should seek to intervene with students *before* their behavior warrants removal (emphasis added).<sup>3</sup> Additionally, evidence overwhelmingly shows that the implementation of Positive Behavior Intervention and Support (PBIS) correlates with safer schools.<sup>4</sup>

In addition to not necessarily increasing safety, HB 206 may also undermine the likelihood of success of struggling students as well. Both the American Psychological Association and the American Academy of Pediatrics have advocated against harsh exclusion policies based on research that shows that extended removal from school has adverse affects on students.<sup>5</sup> Students who are expelled experience increased academic problems, are more likely to be retained, and are more likely to drop out of school. There are also concerns for students who have mental health issues and may experience further isolation when being expelled from school. Evidence suggests that exclusionary school discipline policies may lead to feelings of alienation, anxiety, and rejection which can exacerbate negative mental health outcomes.<sup>6</sup>

## **II. School Removal Decisions Should Be Informed by Trained School Threat Assessment Teams (per ORC 5502.263) Not by Unilateral Superintendent Discretion**

HB 206 enables to school boards to authorize a superintendent unfettered discretion to decide which students to expel, what conditions must be met for re-enrollment, whether or not a student has met those conditions, and even whether to indefinitely expel a student. Specifically, the superintendent may expel a student “for actions that the superintendent determines pose imminent and severe endangerment to the health and safety of other pupils or school employees, *even though the pupil’s actions may not qualify for permanent expulsion* under [current law]” (emphasis added). (Lines 157-161) This expulsion for 180 school days can not only last a full academic year (Line 156), but the bill further permits an unconditional number of 90-day extensions without any meaningful review (Lines 201-202, 216-218). While HB 206 requires an assessment to determine if the pupil poses a danger (Lines 169-170), the assessment is only used as one of the conditions for a student’s possible reinstatement and only requires the superintendent to take this assessment “into consideration”, in addition to whether the student has met all of any of the other conditions set by the superintendent (Lines 187-190). Without guidance for establishing what sufficient rehabilitation entails or how a superintendent should make the determination of sufficient rehabilitation for reinstatement, HB 206 could lead to overreach and potentially significant long term negative impacts on the students involved.

It is unclear whether the risks of HB 206 outweigh the benefits, but at a minimum, for matters of this significance, the superintendent should engage with and incorporate guidance from the district’s threat assessment team. Moreover, without any specific requirements by the district to address the

---

Allison, M., Ancona, R., Barnett, S. E., Gunther, R., et al. (2013). Out-of-school suspension and expulsion. *Pediatrics*, 131(3). <https://doi.org/10.1542/peds.2012-3932>

<sup>3</sup> National Threat Assessment Center. (2021). Averting Targeted School Violence: A U.S. Secret Service Analysis of Plots Against Schools. U.S. Secret Service, Department of Homeland Security.

<sup>4</sup> Skiba, R. J. (2014)

<sup>5</sup> American Psychological Association Zero Tolerance Task Force. (2008). Are zero tolerance policies effective in the schools?: An evidentiary review and recommendations. *The American Psychologist*, 63(9); Lamont, J. H., Devore, C. D., Allison, M., Ancona, R., Barnett, S. E., Gunther, R., et al. (2013). Out-of-school suspension and expulsion. *Pediatrics*, 131(3).

<sup>6</sup> Ibid.

behaviors and possible mental health needs of a student removed from school, there is no attempt to mitigate the potential harm that may come from removing a student with no supports in place. This does little to help the affected student succeed and return to the classroom safely, nor to better ensure the broader health and safety of other students.

Thank you for your consideration of these comments and for your leadership on these important matters. Please contact me at [mgc36@case.edu](mailto:mgc36@case.edu) should you have any questions.