

As Introduced

132nd General Assembly

Regular Session

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S. B. No. 276

Senator Hottinger

Cosponsors: Senators Uecker, Gardner, LaRose

A BILL

To amend sections 3313.66 and 3313.661 of the 1
Revised Code with respect to the expulsion of a 2
student from a school district, community 3
school, or STEM school for actions that endanger 4
the health and safety of other students or 5
school employees. 6

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

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

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

If at the time an out-of-school suspension is imposed there are 19
fewer than ten school days remaining in the school year in which 20
the incident that gives rise to the suspension takes place, the 21
superintendent shall not apply any remaining part of the period 22
of the suspension to the following school year. The 23
superintendent may instead require the pupil to participate in a 24
community service program or another alternative consequence for 25
a number of hours equal to the remaining part of the period of 26
the suspension. The pupil shall be required to begin the pupil's 27
community service or alternative consequence during the first 28
full week day of summer break. Each school district, in its 29
discretion, may develop an appropriate list of alternative 30
consequences. In the event that a pupil fails to complete 31
community service or the assigned alternative consequence, the 32
school district may determine the next course of action, which 33
shall not include requiring the pupil to serve the remaining 34
time of the out-of-school suspension at the beginning of the 35
following school year. 36

Except in the case of a pupil given an in-school 37
suspension, no pupil shall be suspended unless prior to the 38
suspension the superintendent or principal does both of the 39
following: 40

(1) Gives the pupil written notice of the intention to 41
suspend the pupil and the reasons for the intended suspension 42
and, if the proposed suspension is based on a violation listed 43
in division (A) of section 3313.662 of the Revised Code and if 44
the pupil is sixteen years of age or older, includes in the 45
notice a statement that the superintendent may seek to 46
permanently exclude the pupil if the pupil is convicted of or 47
adjudicated a delinquent child for that violation; 48

(2) Provides the pupil an opportunity to appear at an 49
informal hearing before the principal, assistant principal, 50
superintendent, or superintendent's designee and challenge the 51
reason for the intended suspension or otherwise to explain the 52
pupil's actions. 53

If a pupil is suspended pursuant to division (A) of this 54
section, the school district board may, in its discretion, 55
permit the pupil to complete any classroom assignments missed 56
because of the suspension. 57

(B) (1) Except as provided under division (B) (2), (3), ~~or~~ 58
(4), (5), or (6) of this section, and subject to section 59
3313.668 of the Revised Code, the superintendent of schools of a 60
city, exempted village, or local school district may expel a 61
pupil from school for a period not to exceed the greater of 62
eighty school days or the number of school days remaining in the 63
semester or term in which the incident that gives rise to the 64
expulsion takes place, unless the expulsion is extended pursuant 65
to division (F) of this section. If at the time an expulsion is 66
imposed there are fewer than eighty school days remaining in the 67
school year in which the incident that gives rise to the 68
expulsion takes place, the superintendent may apply any 69
remaining part or all of the period of the expulsion to the 70
following school year. 71

(2) (a) Unless a pupil is permanently excluded pursuant to 72
section 3313.662 of the Revised Code, the superintendent of 73
schools of a city, exempted village, or local school district 74
shall expel a pupil from school for a period of one year for 75
bringing a firearm to a school operated by the board of 76
education of the district or onto any other property owned or 77
controlled by the board, except that the superintendent may 78

reduce this requirement on a case-by-case basis in accordance 79
with the policy adopted by the board under section 3313.661 of 80
the Revised Code. 81

(b) The superintendent of schools of a city, exempted 82
village, or local school district may expel a pupil from school 83
for a period of one year for bringing a firearm to an 84
interscholastic competition, an extracurricular event, or any 85
other school program or activity that is not located in a school 86
or on property that is owned or controlled by the district. The 87
superintendent may reduce this disciplinary action on a case-by- 88
case basis in accordance with the policy adopted by the board 89
under section 3313.661 of the Revised Code. 90

(c) Any expulsion pursuant to division (B) (2) of this 91
section shall extend, as necessary, into the school year 92
following the school year in which the incident that gives rise 93
to the expulsion takes place. As used in this division, 94
"firearm" has the same meaning as provided pursuant to the "Gun- 95
Free Schools Act," 115 Stat. 1762, 20 U.S.C. 7151. 96

(3) The board of education of a city, exempted village, or 97
local school district may adopt a resolution authorizing the 98
superintendent of schools to expel a pupil from school for a 99
period not to exceed one year for bringing a knife to a school 100
operated by the board, onto any other property owned or 101
controlled by the board, or to an interscholastic competition, 102
an extracurricular event, or any other program or activity 103
sponsored by the school district or in which the district is a 104
participant, or for possessing a firearm or knife at a school, 105
on any other property owned or controlled by the board, or at an 106
interscholastic competition, an extracurricular event, or any 107
other school program or activity, which firearm or knife was 108

initially brought onto school board property by another person. 109
The resolution may authorize the superintendent to extend such 110
an expulsion, as necessary, into the school year following the 111
school year in which the incident that gives rise to the 112
expulsion takes place. 113

(4) The board of education of a city, exempted village, or 114
local school district may adopt a resolution establishing a 115
policy under section 3313.661 of the Revised Code that 116
authorizes the superintendent of schools to expel a pupil from 117
school for a period not to exceed one year for committing an act 118
that is a criminal offense when committed by an adult and that 119
results in serious physical harm to persons as defined in 120
division (A) (5) of section 2901.01 of the Revised Code or 121
serious physical harm to property as defined in division (A) (6) 122
of section 2901.01 of the Revised Code while the pupil is at 123
school, on any other property owned or controlled by the board, 124
or at an interscholastic competition, an extracurricular event, 125
or any other school program or activity. Any expulsion under 126
this division shall extend, as necessary, into the school year 127
following the school year in which the incident that gives rise 128
to the expulsion takes place. 129

(5) The board of education of any city, exempted village, 130
or local school district may adopt a resolution establishing a 131
policy under section 3313.661 of the Revised Code that 132
authorizes the superintendent of schools to expel a pupil from 133
school for a period not to exceed one year for making a bomb 134
threat to a school building or to any premises at which a school 135
activity is occurring at the time of the threat. Any expulsion 136
under this division shall extend, as necessary, into the school 137
year following the school year in which the incident that gives 138
rise to the expulsion takes place. 139

(6) The board of education of any city, exempted village, 140
or local school district may adopt a resolution establishing a 141
policy under section 3313.661 of the Revised Code that 142
authorizes the superintendent of schools to expel a pupil from 143
school for a period not to exceed one hundred eighty school days 144
for actions that the superintendent determines pose imminent and 145
severe endangerment to the health and safety of other pupils or 146
school employees, even though the pupil's actions may not 147
qualify for permanent exclusion under section 3313.662 of the 148
Revised Code. Upon the expulsion of a pupil pursuant to this 149
division, the superintendent shall develop conditions for that 150
pupil to satisfy prior to the pupil's reinstatement. The 151
superintendent shall provide a copy of these conditions in 152
writing to the district board, the pupil, and the pupil's 153
parent, guardian, or custodian at the beginning of the expulsion 154
period. 155

One of the conditions developed by the superintendent 156
shall be an assessment to determine whether the pupil poses a 157
danger to the pupil's self or to other pupils or school 158
employees. The assessment shall be completed by a psychiatrist, 159
psychologist, or school psychologist. The psychiatrist, 160
psychologist, or school psychologist shall be agreed upon by 161
both the district board and the pupil's parent, guardian, or 162
custodian. If the psychiatrist, psychologist, or school 163
psychologist is not employed or contracted by the district, the 164
cost of the assessment shall be referred for payment to the 165
pupil's health insurance. Any costs not covered by the pupil's 166
health insurance shall be split equally between the district and 167
the pupil's parent, guardian, or custodian. The district shall 168
pay in full for an assessment completed by a psychiatrist, 169
psychologist, or school psychologist that is employed or 170

contracted by the district. 171

(a) At the end of the expulsion period, the superintendent shall assess the pupil and determine whether the pupil has shown sufficient rehabilitation to be reinstated. The superintendent shall take into consideration both the assessment by the psychiatrist, psychologist, or school psychologist and whether or not the pupil has met the conditions developed by the superintendent at the beginning of the expulsion period. 172
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In making any determination under division (B) (6) of this section, the superintendent shall comply with the procedures prescribed by divisions (B) (7) and (D) of this section. 179
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(i) Upon the assessment of a pupil as required by division (B) (6) (a) of this section, if the superintendent determines that the pupil has shown sufficient rehabilitation, the superintendent may reinstate that pupil. 182
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(ii) Upon the assessment of a pupil as required by division (B) (6) (a) of this section, if the superintendent determines that the pupil has not shown sufficient rehabilitation, the superintendent may extend the expulsion for an additional period not to exceed ninety school days. 186
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(b) If the superintendent extends the expulsion period under division (B) (6) (a) (ii) of this section, the superintendent shall develop conditions for that pupil to satisfy prior to that pupil's reinstatement, which may be the same as those developed for the original expulsion period. The superintendent shall provide a copy of these conditions in writing to the district board, the pupil, and the pupil's parent, guardian, or custodian at the beginning of the extended expulsion period. At the end of the extended expulsion period, the superintendent shall reassess 191
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the pupil in the manner prescribed by division (B) (6) (a) of this 200
section and may reinstate the pupil or may extend the expulsion 201
for another term, not to exceed ninety school days, in the same 202
manner as provided in divisions (B) (6) (a) (i) and (ii) of this 203
section. There is no limit on the number of times the 204
superintendent may extend an expulsion under division (B) (6) (a) 205
(ii) of this section. 206

(c) Prior to the end of the original expulsion period or 207
of an extended expulsion period, if the pupil has met all of the 208
conditions developed by the superintendent at the beginning of 209
the expulsion period, the superintendent may reduce the 210
expulsion on a case-by-case basis. In making the determination, 211
the superintendent shall comply with the district's policy 212
regarding the reduction of an expulsion period, adopted pursuant 213
to section 3313.661 of the Revised Code. 214

(d) Prior to the end of the original expulsion period or 215
of an extended expulsion period, the pupil or the pupil's 216
parent, guardian, or custodian may request the superintendent to 217
complete an early assessment of the pupil. If requested, the 218
superintendent shall assess the pupil and make a determination 219
in the manner prescribed by division (B) (6) (a) of this section. 220
In making the determination, the superintendent shall comply 221
with the district's policy regarding the reduction of an 222
expulsion period, adopted pursuant to section 3313.661 of the 223
Revised Code. A pupil or pupil's parent, guardian, or custodian 224
may request one early assessment for the original expulsion 225
period and for each extended expulsion period under this 226
division. 227

(e) Not later than five days after the beginning of the 228
original expulsion period or of any extended expulsion period 229

under division (B)(6) of this section, the superintendent, in 230
consultation with the pupil, and the pupil's parent, guardian, 231
or custodian, shall develop a plan for the continued education 232
of the pupil, which may include education by the district in an 233
alternative setting under division (I) of this section, 234
including instruction at home, enrollment in another district or 235
other type of public or nonpublic school, or any other form of 236
instruction that complies with Chapter 3321. of the Revised 237
Code. 238

(f) The pupil or the pupil's parent, guardian, or 239
custodian may appeal any determination made by the 240
superintendent pursuant to division (B)(6) of this section in 241
the manner prescribed by division (E) of this section. 242

(7) No pupil shall be expelled under division (B)(1), (2), 243
(3), (4), ~~or~~ (5), or (6) of this section unless, prior to the 244
pupil's expulsion, the superintendent does both of the 245
following: 246

(a) Gives the pupil and the pupil's parent, guardian, or 247
custodian written notice of the intention to expel the pupil; 248

(b) Provides the pupil and the pupil's parent, guardian, 249
custodian, or representative an opportunity to appear in person 250
before the superintendent or the superintendent's designee to 251
challenge the reasons for the intended expulsion or otherwise to 252
explain the pupil's actions. 253

The notice required in this division shall include the 254
reasons for the intended expulsion, notification of the 255
opportunity of the pupil and the pupil's parent, guardian, 256
custodian, or representative to appear before the superintendent 257
or the superintendent's designee to challenge the reasons for 258

the intended expulsion or otherwise to explain the pupil's 259
action, and notification of the time and place to appear. The 260
time to appear shall not be earlier than three nor later than 261
five school days after the notice is given, unless the 262
superintendent grants an extension of time at the request of the 263
pupil or the pupil's parent, guardian, custodian, or 264
representative. If an extension is granted after giving the 265
original notice, the superintendent shall notify the pupil and 266
the pupil's parent, guardian, custodian, or representative of 267
the new time and place to appear. If the proposed expulsion is 268
based on a violation listed in division (A) of section 3313.662 269
of the Revised Code and if the pupil is sixteen years of age or 270
older, the notice shall include a statement that the 271
superintendent may seek to permanently exclude the pupil if the 272
pupil is convicted of or adjudicated a delinquent child for that 273
violation. 274

~~(7)~~(8) A superintendent of schools of a city, exempted 275
village, or local school district shall initiate expulsion 276
proceedings pursuant to this section with respect to any pupil 277
who has committed an act warranting expulsion under the 278
district's policy regarding expulsion even if the pupil has 279
withdrawn from school for any reason after the incident that 280
gives rise to the hearing but prior to the hearing or decision 281
to impose the expulsion. If, following the hearing, the pupil 282
would have been expelled for a period of time had the pupil 283
still been enrolled in the school, the expulsion shall be 284
imposed for the same length of time as on a pupil who has not 285
withdrawn from the school. 286

(C) If a pupil's presence poses a continuing danger to 287
persons or property or an ongoing threat of disrupting the 288
academic process taking place either within a classroom or 289

elsewhere on the school premises, the superintendent or a 290
principal or assistant principal may remove a pupil from 291
curricular activities or from the school premises, and a teacher 292
may remove a pupil from curricular activities under the 293
teacher's supervision, without the notice and hearing 294
requirements of division (A) or (B) of this section. As soon as 295
practicable after making such a removal, the teacher shall 296
submit in writing to the principal the reasons for such removal. 297

If a pupil is removed under this division from a 298
curricular activity or from the school premises, written notice 299
of the hearing and of the reason for the removal shall be given 300
to the pupil as soon as practicable prior to the hearing, which 301
shall be held within three school days from the time the initial 302
removal is ordered. The hearing shall be held in accordance with 303
division (A) of this section unless it is probable that the 304
pupil may be subject to expulsion, in which case a hearing in 305
accordance with division (B) of this section shall be held, 306
except that the hearing shall be held within three school days 307
of the initial removal. The individual who ordered, caused, or 308
requested the removal to be made shall be present at the 309
hearing. 310

If the superintendent or the principal reinstates a pupil 311
in a curricular activity under the teacher's supervision prior 312
to the hearing following a removal under this division, the 313
teacher, upon request, shall be given in writing the reasons for 314
such reinstatement. 315

(D) The superintendent or principal, within one school day 316
after the time of a pupil's expulsion or suspension, shall 317
notify in writing the parent, guardian, or custodian of the 318
pupil and the treasurer of the board of education of the 319

expulsion or suspension. The notice shall include the reasons 320
for the expulsion or suspension, notification of the right of 321
the pupil or the pupil's parent, guardian, or custodian to 322
appeal the expulsion or suspension to the board of education or 323
to its designee, to be represented in all appeal proceedings, to 324
be granted a hearing before the board or its designee in order 325
to be heard against the suspension or expulsion, and to request 326
that the hearing be held in executive session, notification that 327
the expulsion may be subject to extension pursuant to division 328
(F) of this section if the pupil is sixteen years of age or 329
older, and notification that the superintendent may seek the 330
pupil's permanent exclusion if the suspension or expulsion was 331
based on a violation listed in division (A) of section 3313.662 332
of the Revised Code that was committed when the child was 333
sixteen years of age or older and if the pupil is convicted of 334
or adjudicated a delinquent child for that violation. 335

In accordance with the policy adopted by the board of 336
education under section 3313.661 of the Revised Code, the notice 337
provided under this division shall specify the manner and date 338
by which the pupil or the pupil's parent, guardian, or custodian 339
shall notify the board of the pupil's, parent's, guardian's, or 340
custodian's intent to appeal the expulsion or suspension to the 341
board or its designee. 342

Any superintendent expelling a pupil under this section 343
for more than twenty school days or for any period of time if 344
the expulsion will extend into the following semester or school 345
year shall, in the notice required under this division, provide 346
the pupil and the pupil's parent, guardian, or custodian with 347
information about services or programs offered by public and 348
private agencies that work toward improving those aspects of the 349
pupil's attitudes and behavior that contributed to the incident 350

that gave rise to the pupil's expulsion. The information shall 351
include the names, addresses, and phone numbers of the 352
appropriate public and private agencies. 353

(E) A pupil or the pupil's parent, guardian, or custodian 354
may appeal the pupil's expulsion by a superintendent or 355
suspension by a superintendent, principal, assistant principal, 356
or other administrator to the board of education or to its 357
designee. If the pupil or the pupil's parent, guardian, or 358
custodian intends to appeal the expulsion or suspension to the 359
board or its designee, the pupil or the pupil's parent, 360
guardian, or custodian shall notify the board in the manner and 361
by the date specified in the notice provided under division (D) 362
of this section. The pupil or the pupil's parent, guardian, or 363
custodian may be represented in all appeal proceedings and shall 364
be granted a hearing before the board or its designee in order 365
to be heard against the suspension or expulsion. At the request 366
of the pupil or of the pupil's parent, guardian, custodian, or 367
attorney, the board or its designee may hold the hearing in 368
executive session but shall act upon the suspension or expulsion 369
only at a public meeting. The board, by a majority vote of its 370
full membership or by the action of its designee, may affirm the 371
order of suspension or expulsion, reinstate the pupil, or 372
otherwise reverse, vacate, or modify the order of suspension or 373
expulsion. 374

The board or its designee shall make a verbatim record of 375
hearings held under this division. The decisions of the board or 376
its designee may be appealed under Chapter 2506. of the Revised 377
Code. 378

This section shall not be construed to require notice and 379
hearing in accordance with division (A), (B), or (C) of this 380

section in the case of normal disciplinary procedures in which a 381
pupil is removed from a curricular activity for a period of less 382
than one school day and is not subject to suspension or 383
expulsion. 384

(F) (1) If a pupil is expelled pursuant to division (B) of 385
this section for committing any violation listed in division (A) 386
of section 3313.662 of the Revised Code and the pupil was 387
sixteen years of age or older at the time of committing the 388
violation, if a complaint, indictment, or information is filed 389
alleging that the pupil is a delinquent child based upon the 390
commission of the violation or the pupil is prosecuted as an 391
adult for the commission of the violation, and if the resultant 392
juvenile court or criminal proceeding is pending at the time 393
that the expulsion terminates, the superintendent of schools 394
that expelled the pupil may file a motion with the court in 395
which the proceeding is pending requesting an order extending 396
the expulsion for the lesser of an additional eighty days or the 397
number of school days remaining in the school year. Upon the 398
filing of the motion, the court immediately shall schedule a 399
hearing and give written notice of the time, date, and location 400
of the hearing to the superintendent and to the pupil and the 401
pupil's parent, guardian, or custodian. At the hearing, the 402
court shall determine whether there is reasonable cause to 403
believe that the pupil committed the alleged violation that is 404
the basis of the expulsion and, upon determining that reasonable 405
cause to believe the pupil committed the violation does exist, 406
shall grant the requested extension. 407

(2) If a pupil has been convicted of or adjudicated a 408
delinquent child for a violation listed in division (A) of 409
section 3313.662 of the Revised Code for an act that was 410
committed when the child was sixteen years of age or older, if 411

the pupil has been expelled pursuant to division (B) of this 412
section for that violation, and if the board of education of the 413
school district of the school from which the pupil was expelled 414
has adopted a resolution seeking the pupil's permanent 415
exclusion, the superintendent may file a motion with the court 416
that convicted the pupil or adjudicated the pupil a delinquent 417
child requesting an order to extend the expulsion until an 418
adjudication order or other determination regarding permanent 419
exclusion is issued by the superintendent of public instruction 420
pursuant to section 3301.121 and division (D) of section 421
3313.662 of the Revised Code. Upon the filing of the motion, the 422
court immediately shall schedule a hearing and give written 423
notice of the time, date, and location of the hearing to the 424
superintendent of the school district, the pupil, and the 425
pupil's parent, guardian, or custodian. At the hearing, the 426
court shall determine whether there is reasonable cause to 427
believe the pupil's continued attendance in the public school 428
system may endanger the health and safety of other pupils or 429
school employees and, upon making that determination, shall 430
grant the requested extension. 431

(G) The failure of the superintendent or the board of 432
education to provide the information regarding the possibility 433
of permanent exclusion in the notice required by divisions (A), 434
(B), and (D) of this section is not jurisdictional, and the 435
failure shall not affect the validity of any suspension or 436
expulsion procedure that is conducted in accordance with this 437
section or the validity of a permanent exclusion procedure that 438
is conducted in accordance with sections 3301.121 and 3313.662 439
of the Revised Code. 440

(H) With regard to suspensions and expulsions pursuant to 441
divisions (A) and (B) of this section by the board of education 442

of any city, exempted village, or local school district, this 443
section shall apply to any student, whether or not the student 444
is enrolled in the district, attending or otherwise 445
participating in any curricular program provided in a school 446
operated by the board or provided on any other property owned or 447
controlled by the board. 448

(I) Whenever a student is expelled under this section, the 449
expulsion shall result in removal of the student from the 450
student's regular school setting. However, during the period of 451
the expulsion, the board of education of the school district 452
that expelled the student or any board of education admitting 453
the student during that expulsion period may provide educational 454
services to the student in an alternative setting. 455

(J) (1) Notwithstanding sections 3109.51 to 3109.80, 456
3313.64, and 3313.65 of the Revised Code, any school district, 457
after offering an opportunity for a hearing, may temporarily 458
deny admittance to any pupil if one of the following applies: 459

(a) The pupil has been suspended from the schools of 460
another district under division (A) of this section and the 461
period of suspension, as established under that division, has 462
not expired; 463

(b) The pupil has been expelled from the schools of 464
another district under division (B) of this section and the 465
period of the expulsion, as established under that division or 466
as extended under division (F) of this section, has not expired. 467

If a pupil is temporarily denied admission under this 468
division, the pupil shall be admitted to school in accordance 469
with sections 3109.51 to 3109.80, 3313.64, or 3313.65 of the 470
Revised Code no later than upon expiration of the suspension or 471

expulsion period, as applicable. 472

(2) Notwithstanding sections 3109.51 to 3109.80, 3313.64, 473
and 3313.65 of the Revised Code, any school district, after 474
offering an opportunity for a hearing, may temporarily deny 475
admittance to any pupil if the pupil has been expelled or 476
otherwise removed for disciplinary purposes from a public school 477
in another state and the period of expulsion or removal has not 478
expired. If a pupil is temporarily denied admission under this 479
division, the pupil shall be admitted to school in accordance 480
with sections 3109.51 to 3109.80, 3313.64, or 3313.65 of the 481
Revised Code no later than the earlier of the following: 482

(a) Upon expiration of the expulsion or removal period 483
imposed by the out-of-state school; 484

(b) Upon expiration of a period established by the 485
district, beginning with the date of expulsion or removal from 486
the out-of-state school, that is no greater than the period of 487
expulsion that the pupil would have received under the policy 488
adopted by the district under section 3313.661 of the Revised 489
Code had the offense that gave rise to the expulsion or removal 490
by the out-of-state school been committed while the pupil was 491
enrolled in the district. 492

(K) As used in this section: 493

(1) "Permanently exclude" and "permanent exclusion" have 494
the same meanings as in section 3313.662 of the Revised Code. 495

(2) "In-school suspension" means the pupil will serve all 496
of the suspension in a school setting. 497

(3) The meaning of the term "school day" shall be 498
construed in the manner prescribed by section 3313.481 of the 499
Revised Code. 500

Sec. 3313.661. (A) The board of education of each city, 501
exempted village, and local school district shall adopt a policy 502
regarding suspension, expulsion, removal, and permanent 503
exclusion that specifies the types of misconduct for which a 504
pupil may be suspended, expelled, or removed. The types of 505
misconduct may include misconduct by a pupil that occurs off of 506
property owned or controlled by the district but that is 507
connected to activities or incidents that have occurred on 508
property owned or controlled by that district and misconduct by 509
a pupil that, regardless of where it occurs, is directed at a 510
district official or employee, or the property of such official 511
or employee. The policy shall specify the reasons for which the 512
superintendent of the district may reduce the expulsion 513
requirement in division (B) (2) of section 3313.66 of the Revised 514
Code. If a board of education adopts a resolution pursuant to 515
division (B) (3) of section 3313.66 of the Revised Code, the 516
policy shall define the term "knife" or "firearm," as 517
applicable, for purposes of expulsion under that resolution and 518
shall specify any reasons for which the superintendent of the 519
district may reduce any required expulsion period on a case-by- 520
case basis. If a board of education adopts a resolution pursuant 521
to division (B) (4) ~~or~~, (5), or (6) of section 3313.66 of the 522
Revised Code, the policy shall specify any reasons for which the 523
superintendent of the district may reduce any ~~required~~ expulsion 524
period on a case-by-case basis. The policy also shall set forth 525
the acts listed in section 3313.662 of the Revised Code for 526
which a pupil may be permanently excluded. 527

The policy adopted under this division shall specify the 528
date and manner by which a pupil or a pupil's parent, guardian, 529
or custodian may notify the board of the pupil's, parent's, 530
guardian's, or custodian's intent to appeal an expulsion or 531

suspension to the board or its designee pursuant to division (E) 532
of section 3313.66 of the Revised Code. In the case of any 533
expulsion, the policy shall not specify a date that is less than 534
fourteen days after the date of the notice provided to the pupil 535
or the pupil's parent, guardian, or custodian under division (D) 536
of that section. 537

A copy of the policy shall be posted in a central location 538
in the school and made available to pupils upon request. No 539
pupil shall be suspended, expelled, or removed except in 540
accordance with the policy adopted by the board of education of 541
the school district in which the pupil attends school, and no 542
pupil shall be permanently excluded except in accordance with 543
sections 3301.121 and 3313.662 of the Revised Code. 544

(B) A board of education may establish a program and adopt 545
guidelines under which a superintendent may require a pupil to 546
perform community service in conjunction with a suspension or 547
expulsion imposed under section 3313.66 of the Revised Code or 548
in place of a suspension or expulsion imposed under section 549
3313.66 of the Revised Code except for an expulsion imposed 550
pursuant to division (B)(2) of that section. If a board adopts 551
guidelines under this division, they shall permit, except with 552
regard to an expulsion pursuant to division (B)(2) of section 553
3313.66 of the Revised Code, a superintendent to impose a 554
community service requirement beyond the end of the school year 555
in lieu of applying an expulsion into the following school year. 556
Any guidelines adopted shall be included in the policy adopted 557
under this section. 558

(C) The written policy of each board of education that is 559
adopted pursuant to section 3313.20 of the Revised Code shall be 560
posted in a central location in each school that is subject to 561

the policy and shall be made available to pupils upon request. 562

(D) Any policy, program, or guideline adopted by a board 563
of education under this section with regard to suspensions or 564
expulsions pursuant to division (A) or (B) of section 3313.66 of 565
the Revised Code shall apply to any student, whether or not the 566
student is enrolled in the district, attending or otherwise 567
participating in any curricular program provided in a school 568
operated by the board or provided on any other property owned or 569
controlled by the board. 570

(E) If a board of education adopts a resolution pursuant 571
to division (B)(6) of section 3313.66 of the Revised Code, the 572
board shall do both of the following: 573

(1) Establish guidelines for appropriate conditions that 574
the superintendent may develop pursuant to division (B)(6) of 575
section 3313.66 of the Revised Code; 576

(2) Develop a list of alternative educational options of 577
pupils who are expelled under division (B)(6) of section 3313.66 578
of the Revised Code. 579

(F) As used in this section, "permanently exclude" and 580
"permanent exclusion" have the same meanings as in section 581
3313.662 of the Revised Code. 582

Section 2. That existing sections 3313.66 and 3313.661 of 583
the Revised Code are hereby repealed. 584