

As Introduced

**130th General Assembly
Regular Session
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H. B. No. 334

Representatives Hayes, Hottinger

Cosponsors: Representatives Brenner, Becker, Butler, Amstutz

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A B I L L

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

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

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

Sec. 3313.66. (A) Except as provided under division (B)(2) of 9
this section, 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 policy 16
of the board of education, not to exceed ten school days. If at 17
the time a suspension is imposed there are fewer than ten school 18
days remaining in the school year in which the incident that gives 19

rise to the suspension takes place, the superintendent may apply 20
any remaining part or all of the period of the suspension to the 21
following school year. Except in the case of a pupil given an 22
in-school suspension, no pupil shall be suspended unless prior to 23
the suspension such superintendent or principal does both of the 24
following: 25

(1) Gives the pupil written notice of the intention to 26
suspend the pupil and the reasons for the intended suspension and, 27
if the proposed suspension is based on a violation listed in 28
division (A) of section 3313.662 of the Revised Code and if the 29
pupil is sixteen years of age or older, includes in the notice a 30
statement that the superintendent may seek to permanently exclude 31
the pupil if the pupil is convicted of or adjudicated a delinquent 32
child for that violation; 33

(2) Provides the pupil an opportunity to appear at an 34
informal hearing before the principal, assistant principal, 35
superintendent, or superintendent's designee and challenge the 36
reason for the intended suspension or otherwise to explain the 37
pupil's actions. 38

(B)(1) Except as provided under division (B)(2), (3), ~~or (4)~~ 39
(5), or (6) of this section, the superintendent of schools of a 40
city, exempted village, or local school district may expel a pupil 41
from school for a period not to exceed the greater of eighty 42
school days or the number of school days remaining in the semester 43
or term in which the incident that gives rise to the expulsion 44
takes place, unless the expulsion is extended pursuant to division 45
(F) of this section. If at the time an expulsion is imposed there 46
are fewer than eighty school days remaining in the school year in 47
which the incident that gives rise to the expulsion takes place, 48
the superintendent may apply any remaining part or all of the 49
period of the expulsion to the following school year. 50

(2)(a) Unless a pupil is permanently excluded pursuant to 51

section 3313.662 of the Revised Code, the superintendent of 52
schools of a city, exempted village, or local school district 53
shall expel a pupil from school for a period of one year for 54
bringing a firearm to a school operated by the board of education 55
of the district or onto any other property owned or controlled by 56
the board, except that the superintendent may reduce this 57
requirement on a case-by-case basis in accordance with the policy 58
adopted by the board under section 3313.661 of the Revised Code. 59

(b) The superintendent of schools of a city, exempted 60
village, or local school district may expel a pupil from school 61
for a period of one year for bringing a firearm to an 62
interscholastic competition, an extracurricular event, or any 63
other school program or activity that is not located in a school 64
or on property that is owned or controlled by the district. The 65
superintendent may reduce this disciplinary action on a 66
case-by-case basis in accordance with the policy adopted by the 67
board under section 3313.661 of the Revised Code. 68

(c) Any expulsion pursuant to division (B)(2) of this section 69
shall extend, as necessary, into the school year following the 70
school year in which the incident that gives rise to the expulsion 71
takes place. As used in this division, "firearm" has the same 72
meaning as provided pursuant to the "Gun-Free Schools Act," 115 73
Stat. 1762, 20 U.S.C. 7151. 74

(3) The board of education of a city, exempted village, or 75
local school district may adopt a resolution authorizing the 76
superintendent of schools to expel a pupil from school for a 77
period not to exceed one year for bringing a knife to a school 78
operated by the board, onto any other property owned or controlled 79
by the board, or to an interscholastic competition, an 80
extracurricular event, or any other program or activity sponsored 81
by the school district or in which the district is a participant, 82
or for possessing a firearm or knife at a school, on any other 83

property owned or controlled by the board, or at an 84
interscholastic competition, an extracurricular event, or any 85
other school program or activity, which firearm or knife was 86
initially brought onto school board property by another person. 87
The resolution may authorize the superintendent to extend such an 88
expulsion, as necessary, into the school year following the school 89
year in which the incident that gives rise to the expulsion takes 90
place. 91

(4) The board of education of a city, exempted village, or 92
local school district may adopt a resolution establishing a policy 93
under section 3313.661 of the Revised Code that authorizes the 94
superintendent of schools to expel a pupil from school for a 95
period not to exceed one year for committing an act that is a 96
criminal offense when committed by an adult and that results in 97
serious physical harm to persons as defined in division (A)(5) of 98
section 2901.01 of the Revised Code or serious physical harm to 99
property as defined in division (A)(6) of section 2901.01 of the 100
Revised Code while the pupil is at school, on any other property 101
owned or controlled by the board, or at an interscholastic 102
competition, an extracurricular event, or any other school program 103
or activity. Any expulsion under this division shall extend, as 104
necessary, into the school year following the school year in which 105
the incident that gives rise to the expulsion takes place. 106

(5) The board of education of any city, exempted village, or 107
local school district may adopt a resolution establishing a policy 108
under section 3313.661 of the Revised Code that authorizes the 109
superintendent of schools to expel a pupil from school for a 110
period not to exceed one year for making a bomb threat to a school 111
building or to any premises at which a school activity is 112
occurring at the time of the threat. Any expulsion under this 113
division shall extend, as necessary, into the school year 114
following the school year in which the incident that gives rise to 115

the expulsion takes place. 116

(6) The board of education of any city, exempted village, or 117
local school district may adopt a resolution establishing a policy 118
under section 3313.661 of the Revised Code that authorizes the 119
superintendent of schools to expel a pupil from school for a 120
period not to exceed one hundred eighty school days for actions 121
that the superintendent determines pose imminent and severe 122
endangerment to the health and safety of other pupils or school 123
employees, even though the pupil's actions may not qualify for 124
permanent exclusion under section 3313.662 of the Revised Code. 125
Upon the expulsion of a pupil pursuant to this division, the 126
superintendent shall develop conditions for that pupil to satisfy 127
prior to the pupil's reinstatement, one of which shall be an 128
assessment completed by a psychiatrist, psychologist, or school 129
psychologist employed or contracted by the district. The 130
psychiatrist, psychologist, or school psychologist shall be agreed 131
upon by both the district board and the pupil's parent, guardian, 132
or custodian. The superintendent shall provide a copy of these 133
conditions in writing to the district board, the pupil, and the 134
pupil's parent, guardian, or custodian at the beginning of the 135
expulsion period. 136

(a) At the end of the expulsion period, the superintendent 137
shall assess the pupil and determine whether the pupil has shown 138
sufficient rehabilitation to be reinstated. The superintendent 139
shall take into consideration both the assessment by the 140
psychiatrist, psychologist, or school psychologist and whether or 141
not the student has met the conditions developed by the 142
superintendent at the beginning of the expulsion period. 143

In making any determination under division (B)(6) of this 144
section, the superintendent shall comply with the procedures 145
prescribed by divisions (B)(7) and (D) of this section. 146

(i) Upon the assessment of a pupil as required by division 147

(B)(6)(a) of this section, if the superintendent determines that 148
the pupil has shown sufficient rehabilitation, the superintendent 149
may reinstate that pupil. 150

(ii) Upon the assessment of a pupil as required by division 151
(B)(6)(a) of this section, if the superintendent determines that 152
the pupil has not shown sufficient rehabilitation, the 153
superintendent may extend the expulsion for an additional period 154
not to exceed ninety school days. 155

(b) If the superintendent extends the expulsion period under 156
division (B)(6)(a)(ii) of this section, the superintendent shall 157
develop conditions for that pupil to satisfy prior to that pupil's 158
reinstatement, which may be the same as those developed for the 159
original expulsion period. The superintendent shall provide a copy 160
of these conditions in writing to the district board, the pupil, 161
and the pupil's parent, guardian, or custodian at the beginning of 162
the extended expulsion period. At the end of the extended 163
expulsion period, the superintendent shall reassess the pupil in 164
the manner prescribed by division (B)(6)(a) of this section and 165
may reinstate the pupil or may extend the expulsion for another 166
term, not to exceed ninety school days, in the same manner as 167
provided in divisions (B)(6)(a)(i) and (ii) of this section. There 168
is no limit on the number of times the superintendent may extend 169
an expulsion under division (B)(6)(a)(ii) of this section. 170

(c) Prior to the end of the original expulsion period or of 171
an extended expulsion period, the pupil or the pupil's parent, 172
guardian, or custodian may request the superintendent to complete 173
an early assessment of the pupil. If requested, the superintendent 174
shall assess the pupil and make a determination in the manner 175
prescribed by division (B)(6)(a) of this section. In making the 176
determination, the superintendent shall comply with the district's 177
policy regarding the reduction of an expulsion period, adopted 178
pursuant to section 3313.661 of the Revised Code. A pupil or 179

pupil's parent, guardian, or custodian may request one early 180
assessment for the original expulsion period and for each extended 181
expulsion period under this division. 182

(d) Not later than five days after the beginning of the 183
original expulsion period or of any extended expulsion period 184
under division (B)(6) of this section, the superintendent, in 185
consultation with the pupil, and the pupil's parent, guardian, or 186
custodian, shall develop a plan for the continued education of the 187
pupil, which may include education by the district in an 188
alternative setting under division (I) of this section, including 189
instruction at home, enrollment in another district or other type 190
of public or nonpublic school, or any other form of instruction 191
that complies with Chapter 3321. of the Revised Code. 192

(e) The pupil or the pupil's parent, guardian, or custodian 193
may appeal any determination made by the superintendent pursuant 194
to division (B)(6) of this section in the manner prescribed by 195
division (E) of this section.. 196

(7) No pupil shall be expelled under division (B)(1), (2), 197
(3), (4), ~~or~~ (5), or (6) of this section unless, prior to the 198
pupil's expulsion, the superintendent does both of the following: 199

(a) Gives the pupil and the pupil's parent, guardian, or 200
custodian written notice of the intention to expel the pupil; 201

(b) Provides the pupil and the pupil's parent, guardian, 202
custodian, or representative an opportunity to appear in person 203
before the superintendent or the superintendent's designee to 204
challenge the reasons for the intended expulsion or otherwise to 205
explain the pupil's actions. 206

The notice required in this division shall include the 207
reasons for the intended expulsion, notification of the 208
opportunity of the pupil and the pupil's parent, guardian, 209
custodian, or representative to appear before the superintendent 210

or the superintendent's designee to challenge the reasons for the 211
intended expulsion or otherwise to explain the pupil's action, and 212
notification of the time and place to appear. The time to appear 213
shall not be earlier than three nor later than five school days 214
after the notice is given, unless the superintendent grants an 215
extension of time at the request of the pupil or the pupil's 216
parent, guardian, custodian, or representative. If an extension is 217
granted after giving the original notice, the superintendent shall 218
notify the pupil and the pupil's parent, guardian, custodian, or 219
representative of the new time and place to appear. If the 220
proposed expulsion is based on a violation listed in division (A) 221
of section 3313.662 of the Revised Code and if the pupil is 222
sixteen years of age or older, the notice shall include a 223
statement that the superintendent may seek to permanently exclude 224
the pupil if the pupil is convicted of or adjudicated a delinquent 225
child for that violation. 226

~~(7)~~(8) A superintendent of schools of a city, exempted 227
village, or local school district shall initiate expulsion 228
proceedings pursuant to this section with respect to any pupil who 229
has committed an act warranting expulsion under the district's 230
policy regarding expulsion even if the pupil has withdrawn from 231
school for any reason after the incident that gives rise to the 232
hearing but prior to the hearing or decision to impose the 233
expulsion. If, following the hearing, the pupil would have been 234
expelled for a period of time had the pupil still been enrolled in 235
the school, the expulsion shall be imposed for the same length of 236
time as on a pupil who has not withdrawn from the school. 237

(C) If a pupil's presence poses a continuing danger to 238
persons or property or an ongoing threat of disrupting the 239
academic process taking place either within a classroom or 240
elsewhere on the school premises, the superintendent or a 241
principal or assistant principal may remove a pupil from 242

curricular activities or from the school premises, and a teacher 243
may remove a pupil from curricular activities under the teacher's 244
supervision, without the notice and hearing requirements of 245
division (A) or (B) of this section. As soon as practicable after 246
making such a removal, the teacher shall submit in writing to the 247
principal the reasons for such removal. 248

If a pupil is removed under this division from a curricular 249
activity or from the school premises, written notice of the 250
hearing and of the reason for the removal shall be given to the 251
pupil as soon as practicable prior to the hearing, which shall be 252
held within three school days from the time the initial removal is 253
ordered. The hearing shall be held in accordance with division (A) 254
of this section unless it is probable that the pupil may be 255
subject to expulsion, in which case a hearing in accordance with 256
division (B) of this section shall be held, except that the 257
hearing shall be held within three school days of the initial 258
removal. The individual who ordered, caused, or requested the 259
removal to be made shall be present at the hearing. 260

If the superintendent or the principal reinstates a pupil in 261
a curricular activity under the teacher's supervision prior to the 262
hearing following a removal under this division, the teacher, upon 263
request, shall be given in writing the reasons for such 264
reinstatement. 265

(D) The superintendent or principal, within one school day 266
after the time of a pupil's expulsion or suspension, shall notify 267
in writing the parent, guardian, or custodian of the pupil and the 268
treasurer of the board of education of the expulsion or 269
suspension. The notice shall include the reasons for the expulsion 270
or suspension, notification of the right of the pupil or the 271
pupil's parent, guardian, or custodian to appeal the expulsion or 272
suspension to the board of education or to its designee, to be 273
represented in all appeal proceedings, to be granted a hearing 274

before the board or its designee in order to be heard against the 275
suspension or expulsion, and to request that the hearing be held 276
in executive session, notification that the expulsion may be 277
subject to extension pursuant to division (F) of this section if 278
the pupil is sixteen years of age or older, and notification that 279
the superintendent may seek the pupil's permanent exclusion if the 280
suspension or expulsion was based on a violation listed in 281
division (A) of section 3313.662 of the Revised Code that was 282
committed when the child was sixteen years of age or older and if 283
the pupil is convicted of or adjudicated a delinquent child for 284
that violation. 285

In accordance with the policy adopted by the board of 286
education under section 3313.661 of the Revised Code, the notice 287
provided under this division shall specify the manner and date by 288
which the pupil or the pupil's parent, guardian, or custodian 289
shall notify the board of the pupil's, parent's, guardian's, or 290
custodian's intent to appeal the expulsion or suspension to the 291
board or its designee. 292

Any superintendent expelling a pupil under this section for 293
more than twenty school days or for any period of time if the 294
expulsion will extend into the following semester or school year 295
shall, in the notice required under this division, provide the 296
pupil and the pupil's parent, guardian, or custodian with 297
information about services or programs offered by public and 298
private agencies that work toward improving those aspects of the 299
pupil's attitudes and behavior that contributed to the incident 300
that gave rise to the pupil's expulsion. The information shall 301
include the names, addresses, and phone numbers of the appropriate 302
public and private agencies. 303

(E) A pupil or the pupil's parent, guardian, or custodian may 304
appeal the pupil's expulsion by a superintendent or suspension by 305
a superintendent, principal, assistant principal, or other 306

administrator to the board of education or to its designee. If the 307
pupil or the pupil's parent, guardian, or custodian intends to 308
appeal the expulsion or suspension to the board or its designee, 309
the pupil or the pupil's parent, guardian, or custodian shall 310
notify the board in the manner and by the date specified in the 311
notice provided under division (D) of this section. The pupil or 312
the pupil's parent, guardian, or custodian may be represented in 313
all appeal proceedings and shall be granted a hearing before the 314
board or its designee in order to be heard against the suspension 315
or expulsion. At the request of the pupil or of the pupil's 316
parent, guardian, custodian, or attorney, the board or its 317
designee may hold the hearing in executive session but shall act 318
upon the suspension or expulsion only at a public meeting. The 319
board, by a majority vote of its full membership or by the action 320
of its designee, may affirm the order of suspension or expulsion, 321
reinstate the pupil, or otherwise reverse, vacate, or modify the 322
order of suspension or expulsion. 323

The board or its designee shall make a verbatim record of 324
hearings held under this division. The decisions of the board or 325
its designee may be appealed under Chapter 2506. of the Revised 326
Code. 327

This section shall not be construed to require notice and 328
hearing in accordance with division (A), (B), or (C) of this 329
section in the case of normal disciplinary procedures in which a 330
pupil is removed from a curricular activity for a period of less 331
than one school day and is not subject to suspension or expulsion. 332

(F)(1) If a pupil is expelled pursuant to division (B) of 333
this section for committing any violation listed in division (A) 334
of section 3313.662 of the Revised Code and the pupil was sixteen 335
years of age or older at the time of committing the violation, if 336
a complaint, indictment, or information is filed alleging that the 337
pupil is a delinquent child based upon the commission of the 338

violation or the pupil is prosecuted as an adult for the 339
commission of the violation, and if the resultant juvenile court 340
or criminal proceeding is pending at the time that the expulsion 341
terminates, the superintendent of schools that expelled the pupil 342
may file a motion with the court in which the proceeding is 343
pending requesting an order extending the expulsion for the lesser 344
of an additional eighty days or the number of school days 345
remaining in the school year. Upon the filing of the motion, the 346
court immediately shall schedule a hearing and give written notice 347
of the time, date, and location of the hearing to the 348
superintendent and to the pupil and the pupil's parent, guardian, 349
or custodian. At the hearing, the court shall determine whether 350
there is reasonable cause to believe that the pupil committed the 351
alleged violation that is the basis of the expulsion and, upon 352
determining that reasonable cause to believe the pupil committed 353
the violation does exist, shall grant the requested extension. 354

(2) If a pupil has been convicted of or adjudicated a 355
delinquent child for a violation listed in division (A) of section 356
3313.662 of the Revised Code for an act that was committed when 357
the child was sixteen years of age or older, if the pupil has been 358
expelled pursuant to division (B) of this section for that 359
violation, and if the board of education of the school district of 360
the school from which the pupil was expelled has adopted a 361
resolution seeking the pupil's permanent exclusion, the 362
superintendent may file a motion with the court that convicted the 363
pupil or adjudicated the pupil a delinquent child requesting an 364
order to extend the expulsion until an adjudication order or other 365
determination regarding permanent exclusion is issued by the 366
superintendent of public instruction pursuant to section 3301.121 367
and division (D) of section 3313.662 of the Revised Code. Upon the 368
filing of the motion, the court immediately shall schedule a 369
hearing and give written notice of the time, date, and location of 370
the hearing to the superintendent of the school district, the 371

pupil, and the pupil's parent, guardian, or custodian. At the 372
hearing, the court shall determine whether there is reasonable 373
cause to believe the pupil's continued attendance in the public 374
school system may endanger the health and safety of other pupils 375
or school employees and, upon making that determination, shall 376
grant the requested extension. 377

(G) The failure of the superintendent or the board of 378
education to provide the information regarding the possibility of 379
permanent exclusion in the notice required by divisions (A), (B), 380
and (D) of this section is not jurisdictional, and the failure 381
shall not affect the validity of any suspension or expulsion 382
procedure that is conducted in accordance with this section or the 383
validity of a permanent exclusion procedure that is conducted in 384
accordance with sections 3301.121 and 3313.662 of the Revised 385
Code. 386

(H) With regard to suspensions and expulsions pursuant to 387
divisions (A) and (B) of this section by the board of education of 388
any city, exempted village, or local school district, this section 389
shall apply to any student, whether or not the student is enrolled 390
in the district, attending or otherwise participating in any 391
curricular program provided in a school operated by the board or 392
provided on any other property owned or controlled by the board. 393

(I) Whenever a student is expelled under this section, the 394
expulsion shall result in removal of the student from the 395
student's regular school setting. However, during the period of 396
the expulsion, the board of education of the school district that 397
expelled the student or any board of education admitting the 398
student during that expulsion period may provide educational 399
services to the student in an alternative setting. 400

(J)(1) Notwithstanding sections 3109.51 to 3109.80, 3313.64, 401
and 3313.65 of the Revised Code, any school district, after 402
offering an opportunity for a hearing, may temporarily deny 403

admittance to any pupil if one of the following applies: 404

(a) The pupil has been suspended from the schools of another 405
district under division (A) of this section and the period of 406
suspension, as established under that division, has not expired; 407

(b) The pupil has been expelled from the schools of another 408
district under division (B) of this section and the period of the 409
expulsion, as established under that division or as extended under 410
division (F) of this section, has not expired. 411

If a pupil is temporarily denied admission under this 412
division, the pupil shall be admitted to school in accordance with 413
sections 3109.51 to 3109.80, 3313.64, or 3313.65 of the Revised 414
Code no later than upon expiration of the suspension or expulsion 415
period, as applicable. 416

(2) Notwithstanding sections 3109.51 to 3109.80, 3313.64, and 417
3313.65 of the Revised Code, any school district, after offering 418
an opportunity for a hearing, may temporarily deny admittance to 419
any pupil if the pupil has been expelled or otherwise removed for 420
disciplinary purposes from a public school in another state and 421
the period of expulsion or removal has not expired. If a pupil is 422
temporarily denied admission under this division, the pupil shall 423
be admitted to school in accordance with sections 3109.51 to 424
3109.80, 3313.64, or 3313.65 of the Revised Code no later than the 425
earlier of the following: 426

(a) Upon expiration of the expulsion or removal period 427
imposed by the out-of-state school; 428

(b) Upon expiration of a period established by the district, 429
beginning with the date of expulsion or removal from the 430
out-of-state school, that is no greater than the period of 431
expulsion that the pupil would have received under the policy 432
adopted by the district under section 3313.661 of the Revised Code 433
had the offense that gave rise to the expulsion or removal by the 434

out-of-state school been committed while the pupil was enrolled in 435
the district. 436

(K) As used in this section: 437

(1) "Permanently exclude" and "permanent exclusion" have the 438
same meanings as in section 3313.662 of the Revised Code. 439

(2) "In-school suspension" means the pupil will serve all of 440
the suspension in a school setting. 441

Sec. 3313.661. (A) The board of education of each city, 442
exempted village, and local school district shall adopt a policy 443
regarding suspension, expulsion, removal, and permanent exclusion 444
that specifies the types of misconduct for which a pupil may be 445
suspended, expelled, or removed. The types of misconduct may 446
include misconduct by a pupil that occurs off of property owned or 447
controlled by the district but that is connected to activities or 448
incidents that have occurred on property owned or controlled by 449
that district and misconduct by a pupil that, regardless of where 450
it occurs, is directed at a district official or employee, or the 451
property of such official or employee. The policy shall specify 452
the reasons for which the superintendent of the district may 453
reduce the expulsion requirement in division (B)(2) of section 454
3313.66 of the Revised Code. If a board of education adopts a 455
resolution pursuant to division (B)(3) of section 3313.66 of the 456
Revised Code, the policy shall define the term "knife" or 457
"firearm," as applicable, for purposes of expulsion under that 458
resolution and shall specify any reasons for which the 459
superintendent of the district may reduce any required expulsion 460
period on a case-by-case basis. If a board of education adopts a 461
resolution pursuant to division (B)(4) ~~or~~, (5), or (6) of section 462
3313.66 of the Revised Code, the policy shall specify any reasons 463
for which the superintendent of the district may reduce any 464
~~required~~ expulsion period on a case-by-case basis. The policy also 465

shall set forth the acts listed in section 3313.662 of the Revised Code for which a pupil may be permanently excluded.

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

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

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

this section. 498

(C) The written policy of each board of education that is 499
adopted pursuant to section 3313.20 of the Revised Code shall be 500
posted in a central location in each school that is subject to the 501
policy and shall be made available to pupils upon request. 502

(D) Any policy, program, or guideline adopted by a board of 503
education under this section with regard to suspensions or 504
expulsions pursuant to division (A) or (B) of section 3313.66 of 505
the Revised Code shall apply to any student, whether or not the 506
student is enrolled in the district, attending or otherwise 507
participating in any curricular program provided in a school 508
operated by the board or provided on any other property owned or 509
controlled by the board. 510

(E) If a board of education adopts a resolution pursuant to 511
division (B)(6) of section 3313.66 of the Revised Code, the board 512
shall do both of the following: 513

(1) Establish guidelines for appropriate conditions that the 514
superintendent may develop pursuant to division (B)(6) of section 515
3313.66 of the Revised Code; 516

(2) Develop a list of alternative educational options for 517
pupils who are expelled under division (B)(6) of section 3313.66 518
of the Revised Code. 519

(F) As used in this section, "permanently exclude" and 520
"permanent exclusion" have the same meanings as in section 521
3313.662 of the Revised Code. 522

Section 2. That existing sections 3313.66 and 3313.661 of the 523
Revised Code are hereby repealed. 524

Section 3. This act is hereby declared to be an emergency 525
measure necessary for the immediate preservation of the public 526
peace, health, and safety. The reason for such necessity is to 527

timely provide public school officials with the discretion to 528
expel a student for an extended period of time, if that student 529
poses imminent and severe endangerment to the health and safety of 530
other students or school employees. Therefore, this act shall go 531
into immediate effect. 532