

**As Introduced**

**130th General Assembly  
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**H. B. No. 441**

**Representatives Winburn, Fedor**

**Cosponsors: Representatives Heard, Hagan, R., O'Brien**

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**A B I L L**

To amend sections 3302.031 and 3313.534 of the 1  
Revised Code with respect to school district 2  
policies and reports on violent, disruptive, or 3  
inappropriate behavior. 4

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

**Section 1.** That sections 3302.031 and 3313.534 of the Revised 5  
Code be amended to read as follows: 6

**Sec. 3302.031.** In addition to the report cards required under 7  
section 3302.03 of the Revised Code, the department of education 8  
shall annually prepare the following reports for each school 9  
district and make a copy of each report available to the 10  
superintendent of each district: 11

(A) A funding and expenditure accountability report which 12  
shall consist of the amount of state aid payments the school 13  
district will receive during the fiscal year under Chapter 3317. 14  
of the Revised Code and any other fiscal data the department 15  
determines is necessary to inform the public about the financial 16  
status of the district; 17

(B) A school safety and discipline report which shall consist 18  
of statistical information regarding student safety and discipline 19

in each school building, including the ~~number of suspensions and~~ 20  
~~expulsions following information~~ disaggregated according to race 21  
~~and, gender, and disability:~~ 22

(1) The number of suspensions and expulsions; 23

(2) The reasons for the suspensions or expulsions; 24

(3) The duration of the suspensions or expulsions, including 25  
the number of days of instruction lost due to suspensions and 26  
expulsions. 27

(C) A student equity report which shall consist of at least a 28  
description of the status of teacher qualifications, library and 29  
media resources, textbooks, classroom materials and supplies, and 30  
technology resources for each district. To the extent possible, 31  
the information included in the report required under this 32  
division shall be disaggregated according to grade level, race, 33  
gender, disability, and scores attained on assessments required 34  
under section 3301.0710 of the Revised Code. 35

(D) A school enrollment report which shall consist of 36  
information about the composition of classes within each district 37  
by grade and subject disaggregated according to race, gender, and 38  
scores attained on assessments required under section 3301.0710 of 39  
the Revised Code; 40

(E) A student retention report which shall consist of the 41  
number of students retained in their respective grade levels in 42  
the district disaggregated by grade level, subject area, race, 43  
gender, and disability; 44

(F) A school district performance report which shall describe 45  
for the district and each building within the district the extent 46  
to which the district or building meets each of the applicable 47  
performance indicators established under section 3302.02 of the 48  
Revised Code, the number of performance indicators that have been 49  
achieved, and the performance index score. In calculating the 50

rates of achievement on the performance indicators and the 51  
performance index scores for each report, the department shall 52  
exclude all students with disabilities. 53

**Sec. 3313.534.** ~~No later than July 1, 1998, the~~ (A) The board 54  
of education of each city, exempted village, and local school 55  
district shall ~~adopt~~ eliminate any policy of zero tolerance for 56  
violent, disruptive, or inappropriate behavior, including 57  
excessive truancy, ~~and~~ adopted under this section as it existed 58  
prior to the effective date of this amendment. Thereafter, no 59  
board shall adopt or re-adopt any policy of zero tolerance for 60  
such behavior. Each board shall instead establish other strategies 61  
to address such behavior that range from prevention to 62  
intervention. 63

(B)(1) Each school district shall provide training to each 64  
teacher employed by the district on the strategies adopted by the 65  
board pursuant to division (A) of this section, including the 66  
proper protocol for incidents involving violent, disruptive, or 67  
inappropriate behavior from a student. Such training may be 68  
offered in conjunction with the in-service training required under 69  
section 3319.073 of the Revised Code. 70

(2) If a teacher employed by the school district is present 71  
during any incident involving violent, disruptive, or 72  
inappropriate behavior from a student, the school building 73  
principal shall evaluate the teacher's actions during the incident 74  
and compare these actions to the training protocol provided by the 75  
district pursuant to division (B)(1) of this section. The 76  
evaluation shall be kept in the teacher's personnel file and may 77  
be considered during that teacher's evaluation under section 78  
3319.112 of the Revised Code. 79

(C) Not later than a date prescribed by the department of 80  
education, the superintendent of each school district shall 81

annually report to the department on the district's progress in 82  
closing the achievement gap between subgroups of students and the 83  
relationship between student achievement and school discipline 84  
within the district. The superintendent may consult the school 85  
safety and discipline report received pursuant to section 3302.031 86  
of the Revised Code to complete this report. The report shall 87  
include both of the following: 88

(1) The effectiveness of the strategies adopted by the board 89  
pursuant to division (A) of this section and of the training 90  
provided by the district under division (B)(1) of this section in 91  
addressing disciplinary issues in schools; 92

(2) The relationship between the findings in division (C)(1) 93  
of this section and the district's progress in closing the 94  
achievement gap between subgroups of students. To the extent 95  
possible, the superintendent shall include in the report each 96  
subgroup of students listed under division (A) of section 3317.40 97  
of the Revised Code, in addition to information disaggregated by 98  
race and gender. 99

The department shall submit each district's report to the 100  
general assembly, in accordance with section 101.68 of the Revised 101  
Code, and to the president of the state board of education. 102

(D) No later than July 1, 1999, each of the big eight school 103  
districts, as defined in section 3314.02 of the Revised Code, 104  
shall establish under section 3313.533 of the Revised Code at 105  
least one alternative school to meet the educational needs of 106  
students with severe discipline problems, including, but not 107  
limited to, excessive truancy, excessive disruption in the 108  
classroom, and multiple suspensions or expulsions. Any other 109  
school district that attains after that date a significantly 110  
substandard graduation rate, as defined by the department of 111  
education, shall also establish such an alternative school under 112  
that section. 113

**Section 2.** That existing sections 3302.031 and 3313.534 of 114  
the Revised Code are hereby repealed. 115