

**As Introduced**

**130th General Assembly  
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**S. B. No. 239**

**Senator Schaffer**

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**A B I L L**

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

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

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

**Sec. 3313.66.** (A) Except as provided under division (B)(2) of this section, the superintendent of schools of a city, exempted village, or local school district, or the principal of a public school may suspend a pupil from school for not more than ten school days. The board of education of a city, exempted village, or local school district may adopt a policy granting assistant principals and other administrators the authority to suspend a pupil from school for a period of time as specified in the policy of the board of education, not to exceed ten school days. If at the time a suspension is imposed there are fewer than ten school days remaining in the school year in which the incident that gives rise to the suspension takes place, the superintendent may apply

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 local school district may adopt a resolution establishing a policy under section 3313.661 of the Revised Code that authorizes the superintendent of schools to expel a pupil from school for a period not to exceed one hundred eighty school days 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 exclusion under section 3313.662 of the Revised Code. Upon the expulsion of a pupil pursuant to this division, the superintendent shall develop conditions for that pupil to satisfy prior to the pupil's reinstatement, one of which shall be an assessment completed by a psychiatrist, psychologist, or school psychologist employed or contracted by the district. The psychiatrist, psychologist, or school psychologist shall be agreed upon by both the district board and the pupil's parent, guardian, or custodian. 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 expulsion period.

(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 student has met the conditions developed by the superintendent at the beginning of the expulsion period.

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.

(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 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 supervision, without the notice and hearing requirements of division (A) or (B) of this section. As soon as practicable after making such a removal, the teacher shall submit in writing to the principal the reasons for such removal.

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

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

(D) The superintendent or principal, within one school day after the time of a pupil's expulsion or suspension, shall notify in writing the parent, guardian, or custodian of the pupil and the treasurer of the board of education of the expulsion or suspension. The notice shall include the reasons for the expulsion or suspension, notification of the right of the pupil or the pupil's parent, guardian, or custodian to appeal the expulsion or suspension to the board of education or to its designee, to be represented in all appeal proceedings, to be granted a hearing before the board or its designee in order to be heard against the

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 district under division (A) of this section and the period of suspension, as established under that division, has not expired;

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

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

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

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

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

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 466

Code for which a pupil may be permanently excluded. 467

The policy adopted under this division shall specify the date 468  
and manner by which a pupil or a pupil's parent, guardian, or 469  
custodian may notify the board of the pupil's, parent's, 470  
guardian's, or custodian's intent to appeal an expulsion or 471  
suspension to the board or its designee pursuant to division (E) 472  
of section 3313.66 of the Revised Code. In the case of any 473  
expulsion, the policy shall not specify a date that is less than 474  
fourteen days after the date of the notice provided to the pupil 475  
or the pupil's parent, guardian, or custodian under division (D) 476  
of that section. 477

A copy of the policy shall be posted in a central location in 478  
the school and made available to pupils upon request. No pupil 479  
shall be suspended, expelled, or removed except in accordance with 480  
the policy adopted by the board of education of the school 481  
district in which the pupil attends school, and no pupil shall be 482  
permanently excluded except in accordance with sections 3301.121 483  
and 3313.662 of the Revised Code. 484

(B) A board of education may establish a program and adopt 485  
guidelines under which a superintendent may require a pupil to 486  
perform community service in conjunction with a suspension or 487  
expulsion imposed under section 3313.66 of the Revised Code or in 488  
place of a suspension or expulsion imposed under section 3313.66 489  
of the Revised Code except for an expulsion imposed pursuant to 490  
division (B)(2) of that section. If a board adopts guidelines 491  
under this division, they shall permit, except with regard to an 492  
expulsion pursuant to division (B)(2) of section 3313.66 of the 493  
Revised Code, a superintendent to impose a community service 494  
requirement beyond the end of the school year in lieu of applying 495  
the suspension or expulsion into the following school year. Any 496  
guidelines adopted shall be included in the policy adopted under 497  
this section. 498



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

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

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

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

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

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

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

**Section 3.** This act is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety. The reason for such necessity is to timely provide public school officials with the discretion to

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