



# Ohio Legislative Service Commission

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## Fiscal Note & Local Impact Statement

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**Bill:** [Am. H.B. 334 of the 130th G.A.](#)

**Date:** March 24, 2014

**Status:** As Passed by the House

**Sponsor:** Reps. Hayes and Hottinger

**Local Impact Statement Procedure Required:** No

**Contents:** Student expulsion policy for imminent and severe endangerment

### State Fiscal Highlights

- No direct fiscal effect on the state.

### Local Fiscal Highlights

- School districts, community schools, and STEM schools that choose to expel students as permitted under the bill may experience a minimal increase in administrative costs.

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### Detailed Fiscal Analysis

Under continuing law, student expulsions generally are limited to about 80 days. Longer expulsions are required if a student brings a firearm to school, and permitted if a student commits certain other acts. The bill adds to these acts actions that the superintendent determines pose imminent and severe endangerment to the health and safety of other students and school employees. Under the bill, expulsion for such actions may be for up to 180 days, and may be extended under certain circumstances. Expulsions are rare in Ohio. According to the Department of Education's interactive local report card, there were 3,863 expulsions in FY 2013, which is only 1% of total discipline occurrences, and a rate of two per 1,000 students. Given the relatively low number of expulsions currently, it is assumed that the number of expulsions under the bill will also be low.

Students subject to expulsion under the bill are entitled to the same due process procedures as students subject to other types of expulsion. In addition, the bill requires the school to develop conditions for the student to satisfy before the student may be reinstated, assess whether those conditions have been met before reinstating the student, and formulate a plan for the continued education of the student during the expulsion period. The bill specifies that one of the conditions for reinstatement be an

assessment by a psychiatrist, psychologist, or school psychologist employed or contracted by the school. The district is responsible for covering the costs of this assessment. If, however, the assessment is completed by a psychiatrist, psychologist, or school psychologist not employed or contracted by the district, the cost is to be referred for payment to the pupil's health insurance. Any amount not covered by insurance is to be split equally between the district and the pupil's parent, guardian, or custodian. The bill also permits the student or student's parent to request an early assessment for reinstatement once during the original and each extended expulsion period. The additional procedural requirements for expulsions under the bill may increase the administrative costs of schools. However, since the number of expulsions under the bill will likely be low, this increase in costs will be minimal.

In order to expel students under the bill, a school district board, community school, or STEM school must adopt a resolution. In addition to the resolution, the district board or school is required to specify the reasons for which an expulsion period may be reduced, establish guidelines regarding appropriate conditions for student reinstatement, and develop a list of alternative educational options for expelled students. These administrative requirements will result in no more than a minimal increase in administrative burden for districts and schools that choose to adopt a resolution.