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H.B. 123
(1_133_0672-3)
133rd General Assembly

Fiscal Note & Local Impact Statement

[Click here for H.B. 123's Bill Analysis](#)

Version: In House Primary and Secondary Education

Primary Sponsors: Rep. G. Manning

Local Impact Statement Procedure Required: Yes

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Highlights

- Public district and school costs will likely increase to pay \$1,000 to \$1,500 to each faculty advisor to the student-led violence prevention clubs the bill requires for buildings serving grades 6-12. Although, districts may be able to use existing clubs to satisfy this requirement.
- Public districts and schools may also incur some additional administrative costs to carry out various requirements of the bill with respect to threat assessment teams and plans, the anonymous tip-line program, and school curriculum.
- Mandatory school district participation in an anonymous tip-line program of the district's choosing may increase the workload of the Department of Public Safety (DPS), which currently operates such a program for districts free of charge, to administer that program and will likely increase the workload for local law enforcement agencies to respond to tips.
- The bill shifts administrative and rulemaking responsibilities, and potentially some associated costs, related to school emergency management plans from the Ohio Department of Education (ODE) to DPS.
- ODE, DPS, the Attorney General's Office, and the Department of Mental Health and Addiction Services' (OhioMHAS) administrative responsibilities may increase to develop and maintain various lists of approved training programs and, for all but OhioMHAS, a model threat assessment plan for public schools.

Detailed Analysis

The bill makes various changes to the law regarding school security and youth suicide awareness education and training. Provisions with potential fiscal effects are discussed below.

Violence prevention clubs

The bill requires public districts and schools to designate a student-led violence prevention club for each building that serves grades 6-12. These student-led clubs must implement training activities related to social inclusion and suicide and violence prevention and have at least one adult advisor. However, a similarly constituted club may serve as the required violence prevention club, provided it meets the bill's requirements. Typically, faculty members are paid to serve in advisory roles. Subject to collective bargaining agreements, this provision could cost anywhere from \$1,000 to \$1,500 per building to pay the additional amounts to the advisor for new clubs established under the bill.

School threat assessment teams

The bill requires public districts and schools, within two years of the effective date of the bill, to create a threat assessment team for each school building that serves grades 6-12. The team may consist of school administrators, mental health professionals, school resource officers, and other necessary personnel. Each member of the team must complete an approved training program every three years and the district must report on completion of the training through submission of its emergency management plan to the Department of Public Safety (DPS). If a school has an existing, similarly constituted safety team, that team may serve as the threat assessment team required by the bill provided it and the team members meet the bill's requirements. To assist public schools in meeting the threat assessment team requirement, the bill requires DPS, in consultation with the Ohio Department of Education (ODE) and the Attorney General's Office (AGO), to develop, no later than two years after the bill's effective date, and then maintain a list of approved training programs for completion by school threat assessment team members, one of which must be free or of no cost to schools.

Public districts and schools may incur some minimal costs to provide administrative support to the teams if they do not have a similar team currently. Further, the workload of the personnel serving on the teams will increase, which could become a collective bargaining issue. However, there is likely little, if any, cost to obtain the required training, as no-cost training options are currently available. For example, the nonprofit Sandy Hook Promise organization provides an evidence-based Safety Assessment and Intervention program to school districts at no cost.¹ The organization provides a day-long workshop to identify existing gaps in current safety policy and code of conduct and help schools learn how to respond to reported threats, get to the root cause of threatening behavior, and keep the school community safe. Following the training program, the organization provides ongoing support and resources to the teams. The organization is partnering with ODE to scale the program statewide through a recently awarded federal Student, Teachers, and Officers Preventing (STOP) School Violence Act grant from the U.S. Department of Justice.

Oversight of emergency management plans; model threat assessment plan

The bill generally shifts the administrative responsibility for oversight and rulemaking of school emergency management plans from ODE to DPS, which may lead to a decrease in

¹ https://www.sandyhookpromise.org/prevention_programs.

expenses for ODE and an increase in expenses for DPS. However, any fiscal effect resulting from this change may be limited, as the two departments work collaboratively in this area. For example, school districts must continue to submit their plans to ODE. As under current law, ODE must submit the information in the plans to DPS. Under current practice, Ohio Homeland Security officials within DPS review the emergency management plans submitted by schools and provide schools with feedback regarding best practices and plan improvement.

The bill also increases the administrative responsibilities of DPS, ODE, and AGO to develop a model threat assessment plan meeting certain requirements that may be included in each school building's emergency management plan required under continuing law. The model plan must be developed no later than two years after the bill's effective date. There also may be some additional administrative workload for public schools that opt to develop and administer their own threat assessment plans.

Anonymous tip-line program

The bill requires school districts and community and STEM schools to enter into a contract with an anonymous tip-line program of the district or school's choosing. The program must operate 24 hours per day, seven days per week ("24/7"), forward reported tips to and coordinate with school threat assessment teams and law enforcement agencies, and submit annual reports to ODE and DPS regarding the number of reports made through the tip line and the method by which they were received, disaggregated by school. The bill requires districts and schools to annually submit to ODE and DPS the following data resulting from anonymous reports: the number and type of disciplinary actions, the number and type of mental health referrals, and the race and gender of the students subject to disciplinary actions and mental wellness referrals.

Currently, DPS operates a statewide, anonymous, "24/7" school safety tip line.² SaferOH, launched by ODE and DPS, is free of charge to every school in the state. Schools need only to register online to allow individuals to anonymously share information with school officials and law enforcement about threats to student safety. DPS' Ohio Homeland Security Threat Assessment and Prevention Unit processes any tips, when necessary, forwards them to local school and law enforcement officials, and tracks their disposition. Presumably, participation in SaferOH would satisfy the requirements in the bill. However, there may be some additional administrative costs for districts and schools and DPS, if chosen, to enter into formal contracts and to compile the required annual reports. Greater participation in the DPS or other tip lines will likely increase the workload of all involved entities to administer the system and respond to tips.

Curriculum-related provisions

ODE's administrative costs may increase to develop and maintain a list of approved training programs for instruction in each of the following topics: (1) suicide awareness and prevention and violence prevention and (2) social inclusion. Each list of training programs must include at least three approved options, at least one of which must be free or no cost for schools. In addition, there may be some additional administrative costs for the Ohio

² https://saferschools.ohio.gov/content/tip_line_information.

Department of Mental Health and Addiction Services (OhioMHAS) and DPS to consult with ODE on the training programs.

The bill may minimally increase costs for school districts to update their curriculum to add at least one hour, or one standard class period, each of evidence-based suicide awareness and prevention, safety training and violence prevention, and social inclusion instruction. Some districts may already offer such instruction. However, the bill requires districts to use one of the training programs approved by ODE.

Synopsis of Fiscal Effect Changes

The substitute bill (I_133_0672-3) may reduce potential costs in the As Introduced (previous) bill for some school districts and community and STEM schools with respect to the bill's required violence prevention clubs and school threat assessment teams by permitting an existing student club to serve as the bill's required club and an existing, similarly constituted safety team to serve as the bill's required threat assessment team, provided the club and team meet the bill's applicable requirements. As a result, a district or school with such a club or team may not incur the potential expense of compensating additional faculty advisors for the clubs or providing administrative support to the teams.

The substitute bill generally shifts administrative responsibility from ODE to DPS for both oversight of the school emergency management plans required under continuing law and the development and maintenance of the previous bill's required list of approved threat assessment team training programs, though ODE would continue to receive information about the plans and (along with AGO) operate in conjunction with DPS to develop and maintain the list of training programs.

The substitute bill increases the administrative workload of DPS, ODE, and AGO to develop a model threat assessment plan and, accordingly, decreases or eliminates the workload of school districts and schools associated with those plans by permitting districts and schools to incorporate the model plan into each building's emergency management plan required under continuing law, rather than developing a standalone plan as under the previous bill.

The substitute bill decreases the administrative costs of ODE by eliminating the previous bill's requirement to develop and adopt a model curriculum and materials for instruction in suicide awareness and prevention and violence prevention and social inclusion. However, the substitute bill may increase the administrative costs of OhioMHAS and DPS by requiring the two departments to consult with ODE on the various training programs the bill requires ODE to approve.

The substitute bill shifts the administrative responsibility and potential cost of procuring anonymous reporting system services from ODE to school districts and community and STEM schools, allowing a district or school to choose the tip-line provider, rather than requiring participation in a statewide system developed by ODE as under the previous bill. This change may have little fiscal effect, as presumably, the existing SaferOH tip line provided by DPS and ODE at no cost to schools will continue to be an option that meets the bill's requirements. However, the substitute bill may further increase district and school administrative costs by requiring a formal contract with a tip-line provider (under current practice, schools may use the existing SaferOH tip line through a simple online registration process).

The substitute bill eliminates the previous bill's fiscal effects on local criminal justice expenditures and revenues by removing the previous bill's new offense for recklessly making a false report against a minor through the anonymous reporting system and its associated penalty of a third degree misdemeanor (which carries a fine of up to \$500, a jail stay of up to 60 days, or both).