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Bill Analysis

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Primary Sponsors: Reps. T. Hall and Ghanbari

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SUMMARY

- Requires the Department of Public Safety (DPS), in consultation with the Department of Education and Workforce, to develop a (1) statewide behavioral threat management operational process, (2) behavioral threat assessment document, and (3) threat management portal to be used by public and chartered nonpublic schools.
- Requires DPS to adopt rules regarding who may access the portal and develop a quarterly access review audit process with which public and chartered nonpublic schools must comply.
- Requires unauthorized individuals who access the portal to pay up to a \$2,000 fine.
- Requires DPS to annually (1) provide role-based training to all public and chartered nonpublic school personnel, (2) evaluate each school's use of the operational process, behavioral threat assessment document, and the portal for compliance with the bill, and (3) notify each school if it is out of compliance.
- Requires DPS to adopt an identification and reporting process for violent, disruptive, or inappropriate behavior which public and chartered nonpublic schools must use.
- Requires threat assessment teams to include at least one member who is personally familiar with the individual who is the subject of the threat assessment *or*, if no member of the team is personally familiar with the individual, consult with an administrator or school employee who is.

DETAILED ANALYSIS

Statewide behavioral threat management operational process

Behavioral threat assessment document

The bill requires the Department of Public Safety (DPS), in consultation with the Department of Education and Workforce (DEW), to develop a statewide behavioral threat management operational process to identify, assess, manage, and monitor potential and real threats to schools. The departments must use the operational process to create a behavioral threat assessment document to be used to (1) evaluate the behavior of students who may pose a threat to the school, school staff, or other students, and (2) coordinate intervention and services for those students.¹

Threat management portal

By August 1, 2025, DPS, in consultation with DEW must develop, host, maintain, and administer a threat management portal that digitizes the behavioral threat assessment document. Each school district, other public school, and chartered nonpublic school must use the portal.² The bill requires the DPS, through use of the portal, to facilitate electronic threat assessment reporting and documentation (1) to evaluate the behavior of students who may pose a threat to a school, school staff, or other students, and (2) to coordinate intervention services for those students. Other public schools include community schools, STEM schools, and college-preparatory boarding schools.

The threat management portal also must:

- Include workflow processes that align with the statewide behavioral threat management operational process developed under the bill;
- Allow direct data entry and file uploading;
- Allow for the creation of threat assessment reports;
- Allow authorized personnel to add to or update a threat assessment report, corresponding documentation, or any other information required by the behavioral threat assessment document;
- Retain, maintain, and allow the transfer of education records in the portal in accordance with rules adopted by the departments; and
- Notify both departments and public and chartered nonpublic school administrators of attempts to access any education records by unauthorized personnel.

For the purposes of the bill, “education records” include a threat assessment report, corresponding documentation, and any other information required by the behavioral threat

¹ R.C. 5502.264(B).

² R.C. 5502.264(C) and (J), 3314.03(A)(11)(d), 3326.11, and 3328.24.

assessment document. The bill requires that the transfer of education records in the portal be completed within three days of a student transferring schools. Any education records maintained in the threat management portal are subject to state and federal privacy laws in the same manner as other student personally identifiable information.³

Portal access

DPS must adopt rules regarding which personnel are authorized to access the threat management portal. The bill prohibits a student's parent or guardian from accessing the portal but permits a parent or guardian to request copies of a student's education records maintained in the portal. Under the bill, any person who accesses the portal without authorization under the Department's rules must pay up to a \$2,000 fine.⁴

The bill also requires DPS, in consultation with DEW, to develop and implement a quarterly portal access review audit process. Each school district, other public school, and chartered nonpublic school must comply with that process.⁵

Training and evaluation

By August 1, 2025, and annually after, the bill requires DPS to:

- Provide role-based training to all public and chartered nonpublic school personnel;
- Evaluate whether each public and chartered nonpublic school's use of the statewide behavioral threat management operational process, the behavioral threat assessment document, and the threat management portal complies with the requirements under the bill; and
- Notify each public and chartered nonpublic school that is not in compliance with the requirements under the bill and report to the school any issues of ongoing noncompliance.⁶

Reporting process

The bill requires DPS to adopt a process to ensure the identification and reporting of violent, disruptive, or inappropriate behavior. Each public and chartered nonpublic school must identify and report such behavior in the manner determined by the Department.⁷

Threat assessment team members

The bill also modifies the required members of a threat assessment team, which each school building serving grades 6-12 and operated by a school district or other public school must

³ R.C. 5502.264(A), (C), (D), (E), and (H). Also see R.C. 3319.321, not in the bill, and the "Family Educational Rights and Privacy Act of 1974," 20 United States Code 1232g.

⁴ R.C. 5502.264(F) and (G) and 5502.99(D).

⁵ R.C. 5502.264(I) and (J).

⁶ R.C. 5502.264(K).

⁷ R.C. 5502.264(L).

have under continuing law. Continuing law requires threat assessment teams to be multidisciplinary, when possible, which may include school administrators, mental health professionals, school resource officers, and other necessary personnel.

Under the bill, each team must also include at least one member who has personal familiarity with the individual who is the subject of the threat assessment. If there is no such member, the team must, for the purposes of assessing the threat, consult with an administrator or school employee who is personally familiar with the student. However, that administrator or employee may not participate in the decision-making process.⁸

HISTORY

Action	Date
Introduced	03-19-25

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⁸ R.C. 3313.669(A) and (D).