



www.lsc.ohio.gov

# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
and Drafting

Legislative Budget  
Office

## Substitute Bill Comparative Synopsis

### Sub. H.B. 310

### 133rd General Assembly

House Primary and Secondary Education

Mike Niemi, Research Associate

This table summarizes how the latest substitute version of the bill differs from the immediately preceding version. It addresses only the topics on which the two versions differ substantively. It does not list topics on which the two bills are substantively the same.

Previous Version (As Introduced)	Latest Version (I_133_0162-3)
<b>Prohibit parent or guardian from knowingly permitting hazing</b>	
No provision.	Prohibits a parent or guardian whose child is a student at a public or private primary, secondary, or post-secondary school or institution from knowingly permitting the hazing of any person when the hazing causes serious physical harm to any person. <i>(R.C. 2903.31(C)(3).)</i>
No provision.	Specifies that violating the prohibition is a fourth degree felony. <i>(R.C. 2903.31(D).)</i>

Previous Version (As Introduced)	Latest Version (I_133_0162-3)
<b>Private school policy on harassment, intimidation, or bullying</b>	
<p>Requires each chartered nonpublic school to adopt a policy that requires the school to take disciplinary action against any pupil who commits an offense of harassment, intimidation, or bullying. <i>(R.C. 3301.165.)</i></p> <p>Specifies the policy must address issues such as disciplinary actions and due process in a manner similar to a public school. <i>(R.C. 3301.165.)</i></p> <p>Requires the school to post its policy on its website, if it has a website. <i>(R.C. 3301.165.)</i></p>	<p>Requires each chartered nonpublic school to adopt a policy that addresses harassment, intimidation, or bullying. <i>(R.C. 3301.165.)</i></p> <p>No provision.</p> <p>Same, but additionally specifies the school is only required to post its policy if it has publicly posted its code of conduct on the website. <i>(R.C. 3301.165.)</i></p>
<b>Public school policy on harassment, intimidation, or bullying – application</b>	
<p>Requires that a policy on harassment, intimidation, or bullying adopted by a public school under continuing law must specifically apply to students enrolled in kindergarten through twelfth grade. <i>(R.C. 3313.666(B).)</i></p>	<p>Limits application of a public school’s policy to only students enrolled in fourth through twelfth grade. <i>(R.C. 3313.666(B).)</i></p>
<b>Parental notification of an investigation</b>	
<p>No provision.</p>	<p>Specifies that a public school principal or another administrator must notify the parent, guardian, or custodian of any student involved in a potential incident of harassment, intimidation, or bullying of an investigation of the incident. <i>(R.C. 3313.669(E)(1).)</i></p>

Previous Version (As Introduced)	Latest Version (I_133_0162-3)
<b>Due process for detention, suspension, or expulsion</b>	
<p>Specifies that any suspension or expulsion for an offense of harassment, intimidation, or bullying issued by a public school must be in accordance with continuing law. <i>(R.C. 3313.669(A)(4), second paragraph.)</i></p> <p>Prohibit the issuance of a detention for an offense of harassment, intimidation, or bullying unless the student and the student’s parent, guardian, or custodian is first given written notice of the disciplinary action and the right to appear, or have a representative appear, before the superintendent, or designee, to challenge the reasons for the action or otherwise explain the student’s actions. <i>(R.C. 3313.669(G).)</i></p> <p>Requires that a suspension or expulsion for an offense of harassment, intimidation, or bullying is subject to continuing law regarding due process procedures. <i>(R.C. 3313.669(H).)</i></p>	<p>No provision.</p> <p>No provision. Rather, detentions have the same due process procedures as suspensions or expulsions. Please see below.</p> <p>Prescribes due process procedures for a detention, suspension, or expulsion for an offense of harassment, intimidation, or bullying that largely mirrors the due process procedures for an expulsion for any other disciplinary offense under continuing law. The due process procedures do all of the following:</p> <ol style="list-style-type: none"> <li>1. Prohibit the issuance of a detention, suspension, or expulsion unless the student and the student’s parent, guardian, or custodian is first given written notice of the disciplinary action and the right to appear, or have a representative appear, before the superintendent, or designee, to challenge the reasons for the action or otherwise explain the student’s actions.</li> <li>2. Provide the student and the student’s parent, guardian, or custodian with written notice of a disciplinary action within one school day after the action. The notice must include the reasons for the action, notification of the right to appeal to</li> </ol>

Previous Version (As Introduced)	Latest Version (I_133_0162-3)
	<p>the board of education or designee, the right to be represented in all proceedings, to be granted a hearing before the district board or designee, and the right to have a hearing in executive session.</p> <ol style="list-style-type: none"> <li>3. Permit the student or the student’s parent, guardian, or custodian to appeal the disciplinary action to the district board or designee. The student may be represented in all appeal proceedings, granted a hearing, including in executive session, before the district board or designee.</li> <li>4. Require the district board, by a majority vote of its full membership, to act upon the appeal in a public meeting and to affirm, vacate, or modify a disciplinary action and to keep a verbatim record of any hearings.</li> <li>5. Permit an appeal of the district board’s decision to the local Court of Common Pleas. <i>(R.C. 3313.669(E)(3), (G), and (H).)</i></li> </ol>
Exempt pre-kindergarten to third grade	
No provision.	Specifies that the bill’s provision requiring public schools to take disciplinary action against a student who commits an offense of harassment, intimidation, or bullying does not apply to students enrolled in pre-kindergarten through third grade. <i>(R.C. 3313.669(L).)</i> See also “ <b>Public school policy on harassment, intimidation, or bullying – application</b> ” above.