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OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research
and Drafting

Legislative Budget
Office

S.B. 253
133rd General Assembly

Bill Analysis

Version: As Introduced

Primary Sponsor: Sen. Kunze

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SUMMARY

- Requires the Director of Public Safety to establish the Ohio School Safety Center within the Division of Homeland Security.
- Requires the Ohio School Safety Center to develop a mechanism by which public and chartered nonpublic schools may make certain required reports to the Center.
- Permits each a school district, community school, or STEM school to expel a student for up to one year for communicating a threat to kill or do physical harm to persons or property under prescribed conditions.
- Specifies that the deadline for the notice parents and students must give to the district or school of their intent to appeal an expulsion, must be not less than 14 “calendar” days, rather than 14 days as under current law.
- Requires each school district, community school, STEM school and chartered nonpublic school to report to the Ohio School Safety Center each time a student enrolled in the district or school makes a threat to kill or do physical harm to persons or property.
- Requires each school district, community school, STEM school, and chartered nonpublic school to conspicuously post the SaferOH Tip Line phone number throughout each of its school buildings.

DETAILED ANALYSIS

Ohio School Safety Center

The bill requires the Director of Public Safety to establish the Ohio School Safety Center within the Division of Homeland Security. The Ohio School Safety Center must develop a

mechanism by which public and chartered nonpublic schools must report certain threats (see below) to the Center. Additionally, the bill states that the Ohio School Safety Center may be required or authorized to perform other duties prescribed by law or executive order.¹ The bill, in effect, codifies the establishment of the center that was established under an executive order issued by the Governor in 2019. The center’s website describes its current mission as supporting “all Ohio schools and first responders in preventing, preparing for, and responding to threats and acts of violence, including self-harm, through a holistic, solutions-based approach to improving school safety.”²

Student expulsion for communicating certain threats

The bill permits each school district, community school, and STEM school to adopt a resolution authorizing the expulsion of a student for up to one year for communicating a threat to kill or do physical harm to persons or property if:

1. The threat is communicated verbally or in writing in person or by telephone, cellular phone, computer, pager, personal communication device, or other electronic communication device (regardless of whether the threat is actually received by its intended recipient);
2. The threat is made against persons or property at a district school or other public school, on a school bus, at any other district- or school-owned or controlled property, at an interscholastic competition, an extracurricular event, or another program sponsored by the district or school or in which the district or school is a participant; and
3. The student who made the threat engaged in conduct that constitutes a substantial step in a course intended to culminate in the commission of the threatened act.

The district board or governing authority may require a student who is expelled for making the threat, as a condition of reinstatement, to undergo an assessment to determine whether the student is a danger to self or others.³

The bill requires that an expulsion may extend, as necessary, into the next school year.

Any expulsion for communicating such threats still must comply with due process requirements and other statutory procedures already established in current law. Those provisions generally require prior notice and chance to be heard on the matter. An expulsion may be appealed to a school district board of education, community school governing

¹ R.C. 5502.03(E).

² See <https://saferschools.ohio.gov/center-p20-safety-security> and <https://www.cleveland.com/open/2019/08/gov-mike-dewine-announces-ohio-school-safety-center-to-combat-violence-mass-shootings.html>.

³ R.C. 3313.66(B)(6). R.C. 3313.66 applies to community schools and STEM schools due to references in current law in R.C. 3314.03(A)(11)(d) and 3326.11.

authority, or STEM school governing body. Ultimately, the district’s or school’s decision may be appealed to the appropriate court of common pleas.⁴

Notice of intent to appeal an expulsion

For all types of expulsions (not just the bill’s new expulsion provisions), the bill specifies that the deadline for parents and students to notify the district or school of their intent to appeal an expulsion, must be not less than 14 “calendar” days, rather than 14 days as under current law.⁵

Reporting threats to the Ohio School Safety Center

The bill requires the superintendent of each school district and the chief administrative officer of a community school, STEM school or chartered nonpublic school to report to the Ohio School Safety Center each time a student enrolled in the district or school makes the specific threat to kill or do physical harm to persons or property as described above. The requirement to report applies regardless of whether the district or school has taken disciplinary action against the student. All reports must comply with state and federal student data privacy laws.⁶

SaferOH Tip Line

The bill requires that each school district, community school, STEM school, and chartered nonpublic school to conspicuously post the SaferOH Tip Line phone number throughout each of its school buildings.⁷

The tip line is operated by the Ohio School Safety Center as an anonymous reporting system. Further information about it can be found at: https://saferschools.ohio.gov/content/tip_line_information.

HISTORY

Action	Date
Introduced	12-11-19

S0253-I-133/ts

⁴ R.C. 3313.66(B)(6)(c), (B)(7), and (D).

⁵ R.C. 3313.661.

⁶ R.C. 3313.206, 3314.03(A)(11)(d), and 3326.11.

⁷ R.C. 3313.754, 3314.03(A)(11)(d), and 3326.11.