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### **BILL SUMMARY**

#### SCHOOL SAFETY AND SECURITY

#### School resource officers

- Establishes qualifications and training requirements for school resource officers and permits those officers to provide a specified range of services to school districts and schools.
- Requires a school resource officer to complete 40 hours of specialized training offered by either the National or Ohio Association for School Resource Officers or a peace officer with specialized certification and specifies the requirements for such training, including that it must be certified by the Ohio Peace Officer Training Commission.
- Requires any school district that obtains school resource officer services and the appropriate law enforcement agency to enter into a memorandum of understanding clarifying the purpose of the district's school resource officer program.

<sup>\*</sup> This analysis was prepared before the report of the Senate Finance Committee appeared in the Senate Journal. Note that the list of co-sponsors and the legislative history may be incomplete.

### Other school safety and security provisions

- Makes an appropriation to provide grants to public schools, including certain schools operated by county boards of developmental disabilities, and chartered nonpublic schools for school safety and school climate programs and training.
- Requires the Department of Public Safety, in consultation with the Facilities Construction Commission, to conduct a study of school security in existing public school buildings and chartered nonpublic school buildings and to submit a copy of the study to the Governor and General Assembly by February 1, 2019.
- Transfers unused capital funds remaining from the School Security Grants Program, which were designated for use by March of 2017, to the General Revenue Fund.

#### POSITIVE BEHAVIOR INTERVENTION AND SUPPORTS

### **Positive Behavior Intervention and Supports**

- Clarifies that each school district, community school, STEM or STEAM school, and college-preparatory boarding school must implement a Positive Behavior Intervention and Supports (PBIS) framework and provides a list of potential objectives.
- Requires all teacher preparation programs to include PBIS instruction for all their students pursuing a license to teach in any of grades pre-K through five.
- Requires each school district, within three years, to provide professional development in PBIS to certain prescribed teachers and administrators.
- Requires each district's professional development committee to establish model courses and monitor a district's provision of professional development in PBIS.
- Includes as a nongraded measure on a district's or building's report card a statement of whether the district or school has implemented a PBIS framework.

## Suspension and expulsion

- Specifies that a student may be expelled for one year for bringing or possessing a knife only if that knife is capable of causing serious bodily injury.
- Requires a school district or school to permit suspended students to complete
  missed assignments and specifies that any in-school suspension must be served in a
  supervised learning environment.

- Prohibits out-of-school suspension or expulsion of students in grades pre-K through three for minor offenses but delays full implementation of the prohibition until the 2021-2022 school year.
- During the tiered implementation phase, requires each school district and school to annually report the out-of-school suspensions and expulsions it issues for pre-K through three students, categorized by type of offense.
- Requires the Department, by October 1 of each of school years 2018-2019, 2019-2020, 2020-2021, and 2021-2022 to submit a report containing both a summary of the best practices of implementing a PBIS framework and the total number of out-of-school suspensions and expulsions issued for pre-K through three students.

### **Emergency removal**

- Reduces from three school days to one school day the time within which a hearing
  must be held on a student's emergency removal for posing a continuing danger to
  persons or property or an ongoing threat of disruption.
- Specifies that a student in any of grades pre-K through three may be removed under that provision only for the remainder of the school day unless the student committed an offense warranting suspension or expulsion.

## **Grants to implement PBIS**

 Makes an appropriation and prescribes procedures for competitive grants to school districts, community schools, and STEM or STEAM schools to implement PBIS frameworks, evidence- or research-based social and emotional learning initiatives, or both, in buildings that serve any of grades kindergarten through three.

### **Title**

• Entitles the portion of the bill regarding PBIS implementation and funding supports, suspensions, expulsions, and emergency removal as the "Supporting Alternatives for Education Act," or the "SAFE Act."

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### **CONTENT AND OPERATION**

### SCHOOL SAFETY AND SECURITY

### School resource officers

The bill establishes the qualifications and training requirements for school resource officers. A "school resource officer" under the bill is any peace officer appointed through a memorandum of understanding between a law enforcement agency and a school district to provide prescribed services to a school district or its schools.<sup>1</sup>

<sup>&</sup>lt;sup>1</sup> R.C. 3313.951(A)(3).

For purposes of the bill's provisions, the term "peace officer" is limited to "a deputy sheriff, marshal, deputy marshal, member of the organized police department of a township or municipal corporation, member of a township police district or joint police district police force, member of a police force employed by a metropolitan housing authority . . ., or township constable, who is commissioned and employed as a peace officer by a political subdivision of this state or by a metropolitan housing authority, and whose primary duties are to preserve the peace, to protect life and property, and to enforce state laws, municipal ordinances, township resolutions, or regulations of a board of county commissioners or township trustees, or any of those laws, ordinances, resolutions, or regulations."<sup>2</sup>

### Requirement: completion of peace officer basic training

Any school resource officer who provides services to a school district or its schools on or after the bill's effective date must complete a basic peace officer training program approved by the Ohio Peace Officer Training Commission.<sup>3</sup>

### Requirement: completion of specialized training

With one exception described below, the bill also requires each school resource officer, within one year after appointment, to complete at least 40 hours of specialized training through one of the following, as approved by the Ohio Peace Officer Training Commission:<sup>4</sup>

- (1) The National Association of School Resource Officers;
- (2) The Ohio School Resource Officers Association; or
- (3) A peace officer certified to conduct a course that satisfies the conditions enumerated in "**Provision of specialized training program**" below.

#### **Exception to specialized training requirement**

The bill provides an exception from the 40-hour specialized training requirement for any school resource officer appointed prior to the bill's effective date.<sup>5</sup>

<sup>&</sup>lt;sup>5</sup> R.C. 3313.951(B)(2).



<sup>&</sup>lt;sup>2</sup> See R.C. 109.71(A)(1), not in the bill.

<sup>&</sup>lt;sup>3</sup> R.C. 3313.951(B)(1)(a). See also R.C. 109.77, not in the bill.

<sup>&</sup>lt;sup>4</sup> R.C. 3313.951(B)(1)(b).

### **Dual role of Ohio Peace Officer Training Commission**

The bill requires the Ohio Peace Officer Training Commission to do both of the following:

- (1) Develop and conduct a basic school resource officer training course that includes instruction regarding skills, tactics and strategies necessary to address the specific nature of the elements enumerated in "**Provision of specialized training program**" below and establish criteria for what constitutes successful completion of that course; and
- (2) Adopt rules for the approval of the National or Ohio School Resource Officer Association or a peace officer certified to conduct specialized training and select from that list the entity that will actually conduct the specialized training.<sup>7</sup>

### Provision of specialized training program

Under the bill, the National Association of School Resource officers, the Ohio School Resource Officers Association, or a peace officer certified to conduct a basic school resource officer training course developed by the Ohio Peace Officer Training Commission must be approved by the Ohio Peace Officer Training Commission to provide the specialized training.<sup>8</sup> Regardless of which entity conducts the training, the program itself must be certified by the Commission and include instruction regarding skills, tactics, and strategies necessary to address the specific nature of all of the following:

- (1) School campuses;
- (2) School building security needs and characteristics;
- (3) The nuances of law enforcement functions conducted inside a school environment (see below);
- (4) The mechanics of being a positive role model for youth, including appropriate communication techniques which enhance interactions between the school resource officer and students;

<sup>&</sup>lt;sup>8</sup> R.C. 3313.951(B)(3).



<sup>&</sup>lt;sup>6</sup> R.C. 3313.951(B)(4)(a).

<sup>&</sup>lt;sup>7</sup> R.C. 3313.951(B)(4)(b).

- (5) Providing assistance on topics such as classroom management tools to provide law-related education to students and methods for managing the behaviors sometimes associated with educating children with special needs;
  - (6) The mechanics of Ohio's laws regarding compulsory attendance; and
- (7) Identifying the trends in drug use, eliminating the instance of drug use, and encouraging a drug-free environment in schools.<sup>9</sup>

#### Nuances of law enforcement functions

With respect to the nuances of law enforcement functions component of a certified program, the bill requires instruction on understanding all of the following concepts:

- (1) The psychological and physiological characteristics consistent with the ages of the students;
- (2) The appropriate role of school resource officers regarding discipline and reducing the number of referrals to juvenile court; and
- (3) The use of developmentally appropriate interview, interrogation, deescalation, and behavior management strategies.<sup>10</sup>

## Types of services provided by a school resource officer

A school resource officer who meets the requirements described above may carry out any responsibilities outlined in the officer's employment engagement, contract, or memorandum of understanding with a school or district, such as providing a safe learning environment, providing resources to school staff, fostering positive relationships, or developing problem resolution strategies.<sup>11</sup>

The bill also specifically permits a school resource officer to provide assistance with adoption, implementation, and amendment of comprehensive school emergency management plans. When assisting with the development of an emergency management plan, the bill requires a school resource officer to consult with local law enforcement and first responders.<sup>12</sup>

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<sup>10</sup> R.C. 3313.951(B)(3)(c).

<sup>&</sup>lt;sup>9</sup> R.C. 3313.951(B)(3).

<sup>&</sup>lt;sup>11</sup> R.C. 3313.951(D)(1)(b).

<sup>&</sup>lt;sup>12</sup> R.C. 3313.951(D). See also R.C. 3313.536, not in the bill.

The bill vests the school district or school administrator with final decision-making authority regarding all matters of school discipline.<sup>13</sup>

### Memorandum of understanding

Under the bill, a school district that wishes to obtain school resource officer services must first enter into a memorandum of understanding with the appropriate law enforcement agency clarifying the purpose of the school resource officer program, and roles and expectations between the participating entities. If a school resource officer is already providing services to a district as of the bill's effective date, the memorandum must be entered into within one year after that date.<sup>14</sup>

#### Contents

Each memorandum of understanding entered into in accordance with the bill's provisions must address the following items:

- (1) Goals for the school resource officer program;
- (2) Background requirements or suggested expertise for employing law enforcement in the school setting, including an understanding of child and adolescent development;
- (3) Professional development, including training requirements that focus on ageappropriate practices for conflict resolution and developmentally informed deescalation and crisis intervention methods;
- (4) Roles, responsibilities, and expectations of the parties involved, including school resource officers, law enforcement, school administrators, staff, and teachers;
- (5) A protocol for how suspected criminal activity versus school discipline is to be handled;
- (6) The requirement for coordinated crisis planning and updating of school crisis plans; and
- (7) Any other discretionary items determined by the parties to foster a school resource officer program that builds positive relationships between law enforcement,

<sup>&</sup>lt;sup>14</sup> R.C. 3313.951(C)(1).



<sup>&</sup>lt;sup>13</sup> R.C. 3313.951(E).

school staff, and the students, promotes a safe and positive learning environment, and decreases the number of youth formally referred to the juvenile justice system.<sup>15</sup>

### Student input

The bill permits a school district, through its school administration, to give students an opportunity to provide input during the drafting process of a memorandum of understanding.<sup>16</sup>

### Background on school resource officers

In current practice, school resource officers are peace officers whose duties are to preserve the peace, protect persons and property, and enforce the state criminal laws and municipal ordinances on school premises. They are typically employed as police officers of the municipal corporation, township, or other political subdivision within which jurisdiction they exercise their police authority. Generally, they work under a contract between the school district, community school, or chartered nonpublic school and the political subdivision as authorized under current law. One provision of law limits the officer's duties to assisting guidance counselors and teachers in working with students concerning the use of alcohol or drugs of abuse. Another provision, on the other hand, permits county sheriffs to contract with districts and schools for more comprehensive services.<sup>17</sup>

## Appropriation for school safety and school climate programs and training

The bill appropriates \$12 million in FY 2019 for the Attorney General, in consultation with the Superintendent of Public Instruction and the Director of Mental Health and Addiction Services, to award grants to public and chartered nonpublic schools for school safety and school climate programs and training. The grants may be used for at least the following:

- (1) School resource officer certification training;
- (2) Any type of active shooter and school safety training;
- (3) All grade level type educational resources;
- (4) Training to identify and assist students with mental health issues; and

<sup>16</sup> R.C. 3313.951(C)(4).

<sup>&</sup>lt;sup>15</sup> R.C. 3313.951(C)(2).

<sup>&</sup>lt;sup>17</sup> R.C. 311.29 and 3313.95, neither in the bill.

(5) Any other training related to school safety.<sup>18</sup>

The bill requires participating schools and county boards to work with or contract with the county sheriff's office or the appropriate local police department to develop these programs and training.<sup>19</sup>

## Study of school security

The bill requires the Department of Public Safety, in consultation with the Ohio Facilities Construction Commission to conduct a study of school security in existing public school buildings and existing buildings of chartered nonpublic schools that elect to participate in the study. The study must include all of the following:

- (1) The types of physical security measures used in school buildings;
- (2) Options for possible security upgrades for school buildings;
- (3) An analysis of the most cost-effective ways to add physical security changes to existing school buildings;
  - (4) The number of school buildings with a school resource officer;
- (5) The number of buildings with school security personnel not reported in (4) above, including school buildings that use retired law enforcement as school security; and
  - (6) Recommendations for improving school security.

The Commission must submit a copy of the study to the Governor and to each member of the General Assembly by February 1, 2019.<sup>20</sup>

Finally, the bill specifies that in the interest of maintaining student and staff safety, any information provided by any school to the Department of Public Safety regarding the study is a security record and is not a public record.<sup>21</sup>

<sup>&</sup>lt;sup>18</sup> Sections 4 and 6.

<sup>&</sup>lt;sup>19</sup> Section 4.

<sup>&</sup>lt;sup>20</sup> Section 8.

<sup>&</sup>lt;sup>21</sup> Section 8. See also R.C. 149.433 of the Revised Code, not in the bill.

### Transfer of remaining School Security Grant Funds

The bill transfers to the General Revenue Fund (GRF) the unused capital funds remaining from the School Security Grants Program, which reimbursed public and chartered nonpublic schools up to certain amounts for an emergency communications system and a security entrance system purchased between January 2013 and March 2017. Specifically, the bill requires the Executive Director of the Facilities Construction Commission to cancel any existing encumbrances against Public School Building Fund (Fund 7021) appropriation item C230V9, School Security Grants, and to certify the total amount canceled to the Director of Budget and Management. The bill then permits the Director to transfer cash, up to the certified amount, from Fund 7021 to the GRF.<sup>22</sup>

## POSITIVE BEHAVIOR INTERVENTION AND SUPPORTS AND RELATED SUSPENTION, EXPULSION, AND REMOVAL ACTIONS

#### Overview

The bill specifies the objectives and contents of the Positive Behavior Intervention and Supports (PBIS) framework that each public school is required to implement under current law and administrative rule. Next, it promotes use of the PBIS framework in lieu of suspending or expelling younger students by gradually prohibiting suspension and expulsion of those students for minor offenses. The bill also makes related changes to the process for emergency removal of students, with specific provisions applying only to younger students. Finally, the bill makes an appropriation for PBIS implementation grants.

## Positive Behavior Intervention and Supports (PBIS)

## Adoption of a PBIS framework

The bill clarifies that each school district, community school, STEM or STEAM school, or college-preparatory boarding school must implement a PBIS framework on a system-wide basis designed to improve academic and social outcomes and increase learning for all students.<sup>23</sup> The bill requires the Department of Education to oversee compliance with framework implementation. Each framework may focus on the following:

<sup>&</sup>lt;sup>22</sup> Section 7.

<sup>&</sup>lt;sup>23</sup> R.C. 3319.46(B)(1)(a) and (C). R.C. 3319.46 applies to community schools, STEM and STEAM schools, and college-preparatory boarding schools through references in R.C. 3314.03(A)(11)(d), 3326.11, and 3328.24, none in bill. Currently, there are no public college-preparatory boarding schools organized under R.C. Chapter 3328. operating anywhere in the state.

- (1) Comprehensive, school-wide data systems that enable monitoring of academic progress, behavioral incidents, attendance, and other critical indicators across classrooms;
- (2) School-wide investment in evidence-based curriculum and effective instructional strategies, matched to students' needs, and data to support teachers' academic instruction;
- (3) An expectation by school administrators that classroom practices be linked to and aligned with the school-wide system; and
- (4) Improving staff climate and culture regarding the role of discipline in the classroom, established through the use of positive and proactive communication and staff recognition.<sup>24</sup>

The bill specifies that each school district's policy of zero tolerance for violent, disruptive, or inappropriate behavior (required under continuing law) must comply with the PBIS provisions.<sup>25</sup> Because community schools, STEM and STEAM schools, and college-preparatory boarding schools are not required to adopt zero tolerance policies, they are not included in this specification.

### Teacher training on PBIS required

#### **Teacher preparation programs**

The bill requires that each teacher preparation program include a course for all students pursuing a license to teach in any of grades pre-K to five that provides instruction on all of the following:

- (1) PBIS and social-emotional development;
- (2) Classroom systems for establishing the foundation for positive behavior, such as supervision, acknowledgment, prompts, and precorrection;
- (3) Classroom systems for responding to unwanted behavior, including error correction and other strategies;
  - (4) Classroom data collection systems;
  - (5) Effective instructional strategies and how to implement them with fidelity;

<sup>&</sup>lt;sup>24</sup> R.C. 3319.46(B)(2).

<sup>&</sup>lt;sup>25</sup> R.C. 3313.534.

- (6) Matching curriculum to student needs and data; and
- (7) The impact of trauma, toxic stress, and other environmental variables on learning behavior.<sup>26</sup>

### **Continuing education**

As part of the school-wide implementation of a PBIS framework, each school district must, within three years after the bill's effective date, provide professional development or continuing education in PBIS to all of the district's (1) teachers in buildings that serve students in any of grades pre-K through three and who completed a teacher preparation program prior to the bill's effective date and (2) administrators who serve students in any of grades pre-K through three who have not already completed a course, professional development, or continuing education in PBIS. Each district's local professional development committee must monitor compliance with this requirement and establish model professional development courses to assist in that compliance.<sup>27</sup>

## State Board policy regarding PBIS

Within 90 days after the bill's effective date, the State Board of Education must amend its current policy and standards for the implementation of a PBIS framework to reflect the changes made by the bill.<sup>28</sup> The current policy requires each school district to adopt PBIS, and encourages, but does not require, training on PBIS.<sup>29</sup> The bill makes no changes that affect the State Board's policy and standards for the use of physical restraint or seclusion.

## Compliance with PBIS as a report card measure

The bill requires the Department to include on a school district's or building's state report card without an assigned letter grade an answer of "yes" or "no" to the question of whether the district or building has implemented a PBIS framework in compliance with the bill.<sup>30</sup>

<sup>&</sup>lt;sup>26</sup> R.C. 3319.237(A).

<sup>&</sup>lt;sup>27</sup> R.C. 3319.237(B).

<sup>&</sup>lt;sup>28</sup> R.C. 3319.46(A).

<sup>&</sup>lt;sup>29</sup> Ohio Administrative Code 3301-35-15.

<sup>&</sup>lt;sup>30</sup> R.C. 3302.03(C)(2)(h).

### Suspension and expulsion

### Provisions applicable to all students regardless of grade level

### Specific violations warranting suspension or expulsion

Subject to procedural due process requirements applicable to all students, current law authorizes (but does not require) the suspension of any student from school for up to ten days for minor infractions and expulsion for up to 80 days for serious violations of the student code of conduct.<sup>31</sup> The law also specifies a number of serious offenses for which expulsions of a year are required or may be authorized, such as: (1) bringing a firearm or knife to school, (2) possessing a firearm or knife at school, (3) making a bomb threat, or (4) causing serious physical harm to persons or property.<sup>32</sup> The bill specifies that a student may be expelled on the basis of bringing or possessing a knife at school only if that knife is capable of causing serious bodily injury.<sup>33</sup>

#### Ability to make up work required

The bill requires, rather than permits as under current law enacted in 2016, a school district board to permit a student to complete classroom assignments missed during both in-school and out-of-school suspensions.<sup>34</sup>

### Supervised learning environment

The bill specifies that the entirety of an "in-school suspension" must be served in a supervised learning environment within a school setting.<sup>35</sup>

#### Notice to the treasurer of the board

The bill requires a district superintendent or school principal to notify the district treasurer within one school day after an expulsion. Currently, they must notify the treasurer within one school day after either a suspension or an expulsion.<sup>36</sup>

<sup>&</sup>lt;sup>36</sup> R.C. 3313.66(D).



<sup>&</sup>lt;sup>31</sup> R.C. 3313.66(A) and (B)(1).

<sup>&</sup>lt;sup>32</sup> R.C. 3313.66(B)(2) through (5).

<sup>&</sup>lt;sup>33</sup> R.C. 3313.66(B)(3) and 3313.661(A).

<sup>&</sup>lt;sup>34</sup> R.C. 3313.66(A).

<sup>&</sup>lt;sup>35</sup> R.C. 3313.66(A)(2) and (K)(2).

### Provisions applicable only to students in grades pre-K through three

### Out-of-school suspension or expulsion for "minor offenses" prohibited

The bill prohibits a public school from issuing an out-of-school suspension or expulsion for a student in any of grades pre-K through three except, as provided by continuing law, for serious offenses or only as necessary to protect the immediate health and safety of the student, fellow classmates, classroom staff and teachers, or other school employees.<sup>37</sup>

A school district or school's authority to issue an in-school suspension to a student in any of grades pre-K through three is expressly not affected by the bill, as long as the suspension is served in a supervised learning environment.<sup>38</sup>

### **Delayed implementation**

The bill delays full implementation of this prohibition. To that end, for each of school years 2018-2019, 2019-2020, 2020-2021, and 2021-2022 each school district or school must report to the Department the number of out-of-school suspensions and expulsions issued for any of its students in any of grades pre-K through three, placing each suspension or expulsion in one of three categories:

- Category 1: A serious and specific offense for which suspension or expulsion is statutorily required (e.g., bringing a firearm to school) or statutorily authorized (e.g., possessing a firearm, bringing a knife capable of bodily injury, making a bomb threat, or causing serious harm to persons or property).
- Category 2: An offense not listed in Category 1 but for which the school district or school determined suspension was necessary to protect the immediate health and safety of the student, the student's fellow classmates, or the classroom staff or teachers.
- Category 3: A "minor offense" that neither belongs in Category 1 or Category 2.

Using the numbers reported for the 2018-2019 school year as a base line, each district or school must reduce the number of Category 3 suspensions according to the following schedule:<sup>39</sup>

<sup>&</sup>lt;sup>38</sup> R.C. 3313.668(B)(4).



<sup>&</sup>lt;sup>37</sup> R.C. 3313.668(B)(1).

Percentage of Reduction in Category 3 suspensions					
2017-2018	2018-2019	2019-2020	2020-2021	2021-2022	
0%	0%	25%	50%	100%	

Accordingly, for the 2020-2021 school year, and each year thereafter, all suspensions and expulsions for students in any of grades pre-K through three must be for either Category 1 or Category 2 offenses. After that school year, a district is required to report the number of out-of-school suspensions and expulsions only if the Department determines that continued reporting is necessary to carry out any of the requirements of the bill.<sup>40</sup>

### Consultation with a mental health professional

The bill requires the principal of a school, beginning with the 2018-2019 school year, to consult with a mental health professional under contract with the district or school prior to issuing an out-of-school suspension or expulsion for a student in any of grades pre-K through three. If the events leading up to suspension or expulsion indicate a need for additional mental health services, the principal or mental health professional must, without a financial burden to the district or school, assist the student's parent or guardian with locating providers or obtaining those services. That assistance might include referral to an independent mental health professional. This and all other provisions of the bill expressly do not limit a district's responsibility to provide special education and support services in the manner required by state and federal law.<sup>41</sup>

### Reporting requirements

Under the bill, each school district, community school, STEM or STEAM school, and college-preparatory boarding school must submit any reports required by the Department of Education or the General Assembly with respect to (1) implementation of a PBIS framework or (2) suspension or expulsion of students in any of grades pre-K through three.<sup>42</sup> As discussed above, for each of school years 2018-2019 through 2021-2022, each board or governing authority must report to the Department data evidencing a reduction in Category 3 suspensions in compliance with the tiered implementation schedule.

<sup>&</sup>lt;sup>42</sup> R.C. 3319.46(B)(1)(c).



<sup>&</sup>lt;sup>39</sup> Section 9.

 $<sup>^{40}</sup>$  Section 9(A)(2).

<sup>&</sup>lt;sup>41</sup> R.C. 3313.668(B)(2) and Sections 9(C)(1) and 10.

Using that data, and not later than October 1 of each of school years 2018-2019 through 2021-2022, the Department must submit to the General Assembly and the Superintendent of Public Instruction a report containing the following:

- (1) A summary of the best practices of implementing a PBIS framework by school districts throughout Ohio; and
- (2) The total number of out-of-school suspensions and expulsions issued by a district or building to students in any of grades pre-K through three, disaggregated by category of offense and disaggregated within each category of offense according to sex, race, whether the student is economically disadvantaged, and whether the student has a disability.<sup>43</sup>

### **Emergency removal**

### Provisions applicable to all students regardless of grade level

Under continuing law, a building principal or teacher without prior notice and hearing may remove a student whose presence poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process taking place. That law requires written notice as soon as practicable, prior to the post-removal hearing, which must be held within three school days from the time the initial removal was ordered.

The bill reduces the time limit for the post removal hearing to one school day.44

### Provisions applicable only to students in grades pre-k through three

The bill also specifies that a student in any of grades pre-K through three may be removed only for the remainder of the school day and must be permitted to return to curricular and extracurricular activities on the school day following the day the student was removed. If the student is returned to activities in accordance with this requirement, the district or school does not have to satisfy the written notice and one-day post-removal hearing requirements. However, a school district may not initiate a suspension or expulsion proceeding against a young student who was removed unless (1) the student committed a serious offense or (2) it is necessary to protect the

<sup>&</sup>lt;sup>45</sup> R.C. 3313.66(C)(2).



<sup>&</sup>lt;sup>43</sup> Section 9(F).

<sup>&</sup>lt;sup>44</sup> R.C. 3313.66(C)(1) and (3).

immediate health and safety of the student, the student's fellow classmates, or the classroom staff and teachers.<sup>46</sup>

## **Grants to implement PBIS**

The bill appropriates \$2 million in fiscal year 2019 to provide competitive grants to school districts, community schools, and STEM or STEAM schools to implement PBIS frameworks, evidence- or research-based social and emotional learning initiatives, or both. The grants are limited to school buildings that serve any of grades kindergarten through three. The amount of any grant awarded must not exceed \$5,000 per eligible building, up to a maximum of \$50,000. The Superintendent of Public Instruction must administer and award the grants in accordance to prescribed priorities.

Highest priority must be given to districts and schools whose grant proposal serves at least one school building in which the percentage of economically disadvantaged students is greater than the statewide average. Next, secondary priority must be given to districts and schools whose grant proposal serves at least one building that has a high suspension rate, as determined by the state Superintendent. Finally, the remaining funds must be awarded to other applicants in the order in which applications are received.

The bill authorizes the state Superintendent to enter into a written agreement with each award recipient establishing the terms and conditions governing use award funds. The state Superintendent may also monitor and ensure the district's compliance with those conditions.

All grant funds must be used within two years from the date of an award.<sup>47</sup>

DATE

# HISTORY

ACTION

ACTION	DATE
Introduced	08-09-17
Reported, H. Education & Career Readiness	02-28-18
Re-referred by H. Rules & Reference	03-06-18
Reported, H. Finance	04-10-18
Passed House (92-2)	04-11-18
Reported, S. Finance	

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<sup>&</sup>lt;sup>47</sup> Sections 5 and 6.



<sup>&</sup>lt;sup>46</sup> R.C. 3313.66(C)(2).