



# **Ohio**

# **Compilation of School**

# **Discipline Laws and**

# **Regulations**

Prepared: June 30, 2022

## ***Introduction***

This compilation presents school discipline-related laws and regulations for U.S. states, U.S. territories, and the District of Columbia, and, where available, links to education agency websites or resources related to school discipline and student conduct. The discipline laws and regulations presented in this compilation have been categorized by type of specific discipline issue covered, according to an organizational framework developed by the National Center for Safe and Supportive Learning Environments (NCSSE). For example, one major category encompasses all laws or regulations governing states or territories that mandate specific disciplinary sanctions (such as suspension) for specific offenses (such as drug possession on school grounds). The school discipline laws and regulations were compiled through exhaustive searches of legislative websites that identified all laws and regulations relevant to each specific category. Compiled materials were subsequently reviewed by state education agency (SEA) representatives in the 50 states, Washington D.C., and the U.S. territories.

Discipline categories were not mutually exclusive. Laws and regulations often appeared across multiple categories. For jurisdictions with more extensive laws covering a breadth of topical areas, relevant sections were excerpted from the larger legislative text for inclusion in the appropriate discipline category. Laws, ordered by chapter and section number, appear first within each category followed by regulations. All laws and regulations listed within categories in the compilation also appear in the sources cited section of the document, which lists laws by chapter and section number and title, and where available, includes active hyperlinks to source websites supported or maintained by state legislatures. Additional links to government websites or resources are provided at the end of this document.

## ***Notes & Disclaimers***

To the best of the preparer's knowledge, this Compilation of School Discipline Laws and Regulations is complete and current as of June 2022. Readers should also note that the information in this document was compiled from individual sources that are created by each jurisdiction and which are maintained and updated with varying frequencies. Readers should consult the source information provided directly in order to check for updates to laws and regulations reported in this document or to conduct further research.

For further information, including definitions of the different policy categories, please refer to the [Discipline Laws and Regulations Compendium](#) posted on the Center's website.

*Prepared by:*



**National Center on Safe Supportive  
Learning Environments**

**Engagement • Safety • Environment**

# Table of Contents

- Ohio Codes Cited ..... 1**
- Codes of Conduct ..... 4**
  - Authority to Develop and Establish Codes of Conduct ..... 4
  - Scope ..... 6
  - Communication of Policy ..... 7
- In-School Discipline ..... 9**
  - Discipline Frameworks ..... 9
  - Teacher Authority to Remove Students From Classrooms ..... 9
  - Alternatives to Suspension ..... 9
- Conditions on Use of Certain Forms of Discipline..... 11**
  - Corporal Punishment..... 11
  - Search and Seizure ..... 11
  - Restraint and Seclusion ..... 12
- Exclusionary Discipline: Suspension, Expulsion, and Alternative Placement ..... 17**
  - Grounds for Suspension or Expulsion ..... 17
  - Limitations or Conditions on Exclusionary Discipline ..... 18
  - Due Process ..... 20
  - Return to School Following Removal ..... 27
  - Alternative Placements ..... 28
- Discipline Addressing Specific Code of Conduct Violations ..... 33**
  - Firearms and Other Weapons Violations ..... 33
  - Students with Chronic Disciplinary Issues ..... 34
  - Chronic Absenteeism and Truancy ..... 35
  - Substance Use ..... 45
  - Gang-related Activity ..... 46
  - Bullying, Harassment, or Hazing ..... 46
  - Dating and Relationship Violence..... 49
- Prevention, Behavioral Intervention, and Supports..... 51**
  - State Model Policies and Implementation Support..... 51
  - Multi-tiered Frameworks and Systems of Support..... 52
  - Prevention..... 54
  - Social-emotional Learning (SEL)..... 56
  - Trauma-informed Practices ..... 56
  - Mental Health Literacy Training ..... 57
  - School-based Behavioral Health Programs..... 58
- Monitoring and Accountability ..... 60**
  - Formal Incident Reporting of Conduct Violations ..... 60
  - Parental Notification..... 60
  - Data Collection, Review, and Reporting of Discipline Policies and Actions ..... 64

|   |           |
|---|-----------|
| <b>Partnerships between Schools and Law Enforcement.....</b>                                      | <b>66</b> |
| Referrals to Law Enforcement .....  | 66        |
| School Resource Officer (SRO) or School Security Officer (SSO) Training or Certification .....    | 66        |
| Authorizations, Memoranda of Understanding (MOUs), and/or Funding .....                           | 67        |
| Threat Assessment Protocols.....  | 69        |
| <b>State-Sponsored, Publicly Available Websites or Other Resources on School Discipline .....</b> | <b>71</b> |

## **Ohio State Codes Cited**

### **Ohio Revised Code**

#### **General Provisions**

##### **Chapter 5. State Insignia; Seals; Holidays**

[5.2296.](#) School bullying prevention and awareness act

#### **Title 21. Courts - Probate - Juvenile**

##### **Chapter 2151. Juvenile Court**

[2151.011.](#) Juvenile court definitions

[2151.022.](#) Unruly child defined

#### **Title 29. Crimes - Procedure**

##### **Chapter 2903. Homicide and Assault**

[2903.31.](#) Hazing

#### **Title 33. Education - Libraries**

##### **Chapter 3301. Department of Education**

[3301.0714.](#) Guidelines for statewide education management information system

[3301.121.](#) Adjudication procedure to determine whether to permanently exclude pupil

[3301.22.](#) Model harassment prevention policy

[3301.221.](#) List of approved programs in suicide awareness and prevention and violence prevention

##### **Chapter 3302. Performance Standards**

[3302.03.](#) Submission of preliminary report card data; grading school districts

[3302.031.](#) Annual reports for each district

##### **Chapter 3313. Boards of Education**

[3313.20.](#) Rules - locker search policy - professional meetings

[3313.205.](#) Notification of student's absence from school

[3313.533.](#) Alternative school - plan

[3313.534.](#) Policy of zero tolerance for violent, disruptive or inappropriate behavior

[3313.60.](#) Prescribed curriculum

[3313.609.](#) Grade promotion and retention policy

[3313.6024.](#) Reporting on prevention-focused programs

[3313.66.](#) Suspension, expulsion or permanent exclusion - removal from curricular or extracurricular activities

[3313.661.](#) Policy regarding suspension, expulsion, removal, and permanent exclusion

[3313.662.](#) Adjudication order permanently excluding pupil from public schools

[3313.663.](#) Parental education or training program

[3313.666.](#) District policy prohibiting harassment, intimidation, or bullying required

[3313.667.](#) District bullying prevention initiatives

- [3313.668.](#) Removal from school based on absences; removal of students in grades pre-K through three
- [3313.669.](#) Threat assessment teams
- [3313.6610.](#) Anonymous reporting programs
- [3313.6611.](#) Student-led violence prevention clubs
- [3313.751.](#) Prohibition against tobacco possession or use
- [3313.95.](#) Contract for police officer to assist in working with students concerning use of alcohol and drugs of abuse
- [3313.951.](#) Qualifications for school resource officers
- [3313.97.](#) Alternative school open enrollment policy procedures

### **Chapter 3314. Community Schools**

- [3314.261.](#) Internet- or computer-based school attendance

### **Chapter 3317. Foundation Program**

- [3317.26.](#) Disposition of student wellness and success funds

### **Chapter 3319. Schools - Superintendent; Teachers; Employees**

- [3319.073.](#) In-service training in child abuse prevention programs, school safety and violence prevention, and training on the board's harassment, intimidation, or bullying policy
- [3319.237.](#) Courses to teach in grades pre-k through 5; curriculum; continuing education
- [3319.41.](#) Corporal punishment policy
- [3319.45.](#) Principal to report certain act or violations by pupil to superintendent and law enforcement officer
- [3319.46.](#) Policy and rules regarding positive behavior intervention supports and the use of physical restraint or seclusion on students; duties of board
- [3319.61.](#) Duties of board

### **Chapter 3321. School Attendance**

- [3321.13.](#) Duties of teacher and superintendent upon withdrawal or habitual absence of child from school - forms
- [3321.141.](#) Contacting parent, guardian, or other person having care of any absent student
- [3321.16.](#) Investigation of nonattendance; complaint
- [3321.17.](#) Attendance officer and assistants - powers
- [3321.18.](#) Enforcement proceedings
- [3321.19.](#) Examination into cases of truancy - failure of parent, guardian or responsible person to cause child's attendance at school
- [3321.191.](#) Adoption of policy regarding student absences; intervention strategies
- [3321.20.](#) Warning of legal consequences of truancy - complaint

## **Title 55. Roads-Highways-Bridges**

### **Chapter 5502. Department of Public Safety**

- [5502.262.](#) School emergency management plans

## **Ohio Regulations**

### **Ohio Administrative Code**

#### **3301 Department of Education - Administration and Director**

##### **Chapter 3301-35. Standards for Kindergarten through Twelfth Grade**

- [3301-35-01.](#) Purpose and definitions
- [3301-35-04.](#) Student and other stakeholder focus
- [3301-35-15.](#) Standards for the implementation of positive behavior intervention supports and the use of restraint and seclusion

##### **Chapter 3301-47. Education Program for Parents of Truant Students**

- [3301-47-01.](#) Establishment of an education program for parents of truant students

##### **Chapter 3301-83. Pupil Transportation**

- [3301-83-20.](#) General rules

## ***Codes of Conduct***

### **Authority to Develop and Establish Codes of Conduct**

#### **LAWS**

##### **3313.20. Rules - locker search policy - professional meetings.**

(A) The board of education of a school district or the governing board of an educational service center shall make any rules that are necessary for its government and the government of its employees, pupils of its schools, and all other persons entering upon its school grounds or premises. Rules regarding entry of persons other than students, staff, and faculty upon school grounds or premises shall be posted conspicuously at or near the entrance to the school grounds or premises, or near the perimeter of the school grounds or premises, if there are no formal entrances, and at the main entrance to each school building.

(B)(1) The board of education of each city, local, exempted village, or joint vocational school district may adopt a written policy that authorizes principals of public schools within the district or their designees to do one or both of the following:

(a) Search any pupil's locker and the contents of the locker that is searched if the principal reasonably suspects that the locker or its contents contains evidence of a pupil's violation of a criminal statute or of a school rule;

(b) Search any pupil's locker and the contents of any pupil's locker at any time if the board of education posts in a conspicuous place in each school building that has lockers available for use by pupils a notice that the lockers are the property of the board of education and that the lockers and the contents of all the lockers are subject to random search at any time without regard to whether there is a reasonable suspicion that any locker or its contents contains evidence of a violation of a criminal statute or a school rule.

(2) A board of education's adoption of or failure to adopt a written policy pursuant to division (B)(1) of this section does not prevent the principal of any school from searching at any time the locker of any pupil and the contents of any locker of any pupil in the school if an emergency situation exists or appears to exist that immediately threatens the health or safety of any person, or threatens to damage or destroy any property, under the control of the board of education and if a search of lockers and the contents of the lockers is reasonably necessary to avert that threat or apparent threat.

(C) Any employee may receive compensation and expenses for days on which he is excused, in accordance with the policy statement of the board, by the superintendent of such board or by a responsible administrative official designated by the superintendent for the purpose of attending professional meetings as defined by the board policy, and the board may provide and pay the salary of a substitute for such days. The expenses thus incurred by an employee shall be paid by the board from the appropriate fund of the school district or the educational service center governing board fund provided that statements of expenses are furnished in accordance with the policy statement of the board.

(D) Each city, local, and exempted village school district shall adopt a written policy governing the attendance of employees at professional meetings.

##### **3313.66. Suspension, expulsion or permanent exclusion - removal from curricular or extracurricular activities.**

(A)(1) Except as provided under division (B)(2) of this section, and subject to section 3313.668 of the Revised Code, the superintendent of schools of a city, exempted village, or local school district, or the principal of a public school may suspend a pupil from school for not more than ten school days. The



board of education of a city, exempted village, or local school district may adopt a policy granting assistant principals and other administrators the authority to suspend a pupil from school for a period of time as specified in the policy of the board of education, not to exceed ten school days. If at the time an out-of-school suspension is imposed there are fewer than ten school days remaining in the school year in which the incident that gives rise to the suspension takes place, the superintendent shall not apply any remaining part of the period of the suspension to the following school year. The superintendent may instead require the pupil to participate in a community service program or another alternative consequence for a number of hours equal to the remaining part of the period of the suspension. The pupil shall be required to begin the pupil's community service or alternative consequence during the first full week day of summer break. Each school district, in its discretion, may develop an appropriate list of alternative consequences. In the event that a pupil fails to complete community service or the assigned alternative consequence, the school district may determine the next course of action, which shall not include requiring the pupil to serve the remaining time of the out-of-school suspension at the beginning of the following school year.

**3313.661. Policy regarding suspension, expulsion, removal, and permanent exclusion.**

(A) Subject to the limitations set forth in section 3313.668 of the Revised Code, the board of education of each city, exempted village, and local school district shall adopt a policy regarding suspension, expulsion, removal, and permanent exclusion that specifies the types of misconduct for which a pupil may be suspended, expelled, or removed. The types of misconduct may include misconduct by a pupil that occurs off of property owned or controlled by the district but that is connected to activities or incidents that have occurred on property owned or controlled by that district and misconduct by a pupil that, regardless of where it occurs, is directed at a district official or employee, or the property of such official or employee. The policy shall specify the reasons for which the superintendent of the district may reduce the expulsion requirement in division (B)(2) of section 3313.66 of the Revised Code. If a board of education adopts a resolution pursuant to division (B)(3) of section 3313.66 of the Revised Code, the policy shall define the term "knife capable of causing serious bodily injury" or "firearm," as applicable, for purposes of expulsion under that resolution and shall specify any reasons for which the superintendent of the district may reduce any required expulsion period on a case-by-case basis. If a board of education adopts a resolution pursuant to division (B)(4) or (5) of section 3313.66 of the Revised Code, the policy shall specify any reasons for which the superintendent of the district may reduce any required expulsion period on a case-by-case basis. The policy also shall set forth the acts listed in section 3313.662 of the Revised Code for which a pupil may be permanently excluded.

**3313.666. District policy prohibiting harassment, intimidation, or bullying required.**

(B) The board of education of each city, local, exempted village, and joint vocational school district shall establish a policy prohibiting harassment, intimidation, or bullying. The policy shall be developed in consultation with parents, school employees, school volunteers, students, and community members.

**3313.751. Prohibition against tobacco possession or use.**

(A) As used in this section:

- (1) "School district" means a city, local, exempted village, or joint vocational school district.
- (2) "Smoke" means to burn any substance containing tobacco, including a lighted cigarette, cigar, or pipe, or to burn a clove cigarette.
- (3) "Use tobacco" means to chew or maintain any substance containing tobacco, including smokeless tobacco, in the mouth to derive the effects of tobacco.

(B) No pupil shall smoke or use tobacco or possess any substance containing tobacco in any area under the control of a school district or an educational service center or at any activity supervised by any school operated by a school district or an educational service center.

(C) No pupil shall use or possess any substance containing betel nut in any area under the control of a school district or an educational service center or at any activity supervised by any school operated by a school district or an educational service center.

(D) The board of education of each school district and the governing board of each educational service center shall adopt a policy providing for the enforcement of division (B) of this section and establishing disciplinary measures for a violation of division (B) of this section.

## **REGULATIONS**

### **3301-35-04. Student and other stakeholder focus.**

(A) To ensure that student and other stakeholder needs are understood and addressed, the school district or school shall:

- (1) Establish and communicate clear, high expectations for academic performance, attendance and conduct for all students regardless of gender, race, ethnicity, English proficiency or disability.

### **3301-35-15. Standards for the implementation of positive behavior intervention supports and the use of restraint and seclusion.**

(H) Policies and procedures. A school district shall develop written policies and procedures concerning the use of seclusion and restraint that are consistent with the policy on positive behavior interventions and support, restraint and seclusion, as adopted by the state board of education January 2013 (education.ohio.gov). A district's complaint procedures shall include

- (1) A procedure for a parent to present written complaints to the superintendent of the school district to initiate a complaint investigation by the school district regarding an incident of restraint or seclusion; and
- (2) A requirement that the school district shall respond to the parent in writing within thirty days of the filing of a complaint regarding an incident of restraint or seclusion.

These policies and procedures shall be accessible on the district's website, and each district shall be responsible for notifying all parents annually of its policies and procedures concerning seclusion and restraint.

## **Scope**

## **LAWS**

### **3313.661. Policy regarding suspension, expulsion, removal, and permanent exclusion.**

(A) Subject to the limitations set forth in section 3313.668 of the Revised Code, the board of education of each city, exempted village, and local school district shall adopt a policy regarding suspension, expulsion, removal, and permanent exclusion that specifies the types of misconduct for which a pupil may be suspended, expelled, or removed. The types of misconduct may include misconduct by a pupil that occurs off of property owned or controlled by the district but that is connected to activities or incidents that have occurred on property owned or controlled by that district and misconduct by a pupil that, regardless of where it occurs, is directed at a district official or employee, or the property of such official or employee. The policy shall specify the reasons for which the superintendent of the district may reduce the expulsion requirement in division (B)(2) of section 3313.66 of the Revised Code. If a board of education adopts a resolution pursuant to division (B)(3) of section 3313.66 of the Revised Code, the policy shall define the

term "knife capable of causing serious bodily injury" or "firearm," as applicable, for purposes of expulsion under that resolution and shall specify any reasons for which the superintendent of the district may reduce any required expulsion period on a case-by-case basis. If a board of education adopts a resolution pursuant to division (B)(4) or (5) of section 3313.66 of the Revised Code, the policy shall specify any reasons for which the superintendent of the district may reduce any required expulsion period on a case-by-case basis. The policy also shall set forth the acts listed in section 3313.662 of the Revised Code for which a pupil may be permanently excluded. [...]

(D) Except as described in division (B) of section 3313.668 of the Revised Code, any policy, program, or guideline adopted by a board of education under this section with regard to suspensions or expulsions pursuant to division (A) or (B) of section 3313.66 of the Revised Code shall apply to any student, whether or not the student is enrolled in the district, attending or otherwise participating in any curricular program provided in a school operated by the board or provided on any other property owned or controlled by the board.

**3313.666. District policy prohibiting harassment, intimidation, or bullying required.**

(B) The board of education of each city, local, exempted village, and joint vocational school district shall establish a policy prohibiting harassment, intimidation, or bullying. The policy shall be developed in consultation with parents, school employees, school volunteers, students, and community members. The policy shall include the following:

- (1) A statement prohibiting harassment, intimidation, or bullying of any student on school property, on a school bus, or at school-sponsored events and expressly providing for the possibility of suspension of a student found responsible for harassment, intimidation, or bullying by an electronic act.

**REGULATIONS**

No relevant regulations found.

**Communication of Policy**

**LAWS**

**5.2296. School Bullying Prevention and Awareness Act.**

The month of September shall be designated as "School Bullying Prevention Awareness Month" to highlight the policies prohibiting harassment, intimidation, or bullying adopted by schools in the state and the required notice of those policies sent to parents and guardians annually under section 3313.666 of the Revised Code.

**3313.661. Policy regarding suspension, expulsion, removal, and permanent exclusion.**

A copy of the policy shall be posted in a central location in the school and made available to pupils upon request. No pupil shall be suspended, expelled, or removed except in accordance with the policy adopted by the board of education of the school district in which the pupil attends school, and no pupil shall be permanently excluded except in accordance with sections 3301.121 and 3313.662 of the Revised Code.

[...] (C) The written policy of each board of education that is adopted pursuant to section 3313.20 of the Revised Code shall be posted in a central location in each school that is subject to the policy and shall be made available to pupils upon request.

**3313.666. District policy prohibiting harassment, intimidation, or bullying required.**

(C) Each board's policy shall appear in any student handbooks, and in any of the publications that set forth the comprehensive rules, procedures, and standards of conduct for schools and students in the

district. The policy and an explanation of the seriousness of bullying by electronic means shall be made available to students in the district and to their custodial parents or guardians. Information regarding the policy shall be incorporated into employee training materials.

(D)(1) To the extent that state or federal funds are appropriated for this purpose, each board shall require that all students enrolled in the district annually be provided with age-appropriate instruction, as determined by the board, on the board's policy, including a written or verbal discussion of the consequences for violations of the policy.

(2) Each board shall require that once each school year a written statement describing the policy and the consequences for violations of the policy be sent to each student's custodial parent or guardian. The statement may be sent with regular student report cards or may be delivered electronically.

## **REGULATIONS**

### **3301-35-15. Standards for the implementation of positive behavior intervention supports and the use of restraint and seclusion.**

(H) Policies and procedures. A school district shall develop written policies and procedures concerning the use of seclusion and restraint that are consistent with the policy on positive behavior interventions and support, restraint and seclusion, as adopted by the state board of education January 2013 (education.ohio.gov). A district's complaint procedures shall include

- (1) A procedure for a parent to present written complaints to the superintendent of the school district to initiate a complaint investigation by the school district regarding an incident of restraint or seclusion; and
- (2) A requirement that the school district shall respond to the parent in writing within thirty days of the filing of a complaint regarding an incident of restraint or seclusion.

These policies and procedures shall be accessible on the district's website, and each district shall be responsible for notifying all parents annually of its policies and procedures concerning seclusion and restraint.

## ***In-School Discipline***

### **Discipline Frameworks**

#### **LAWS**

No relevant laws found.

#### **REGULATIONS**

No relevant regulations found.

### **Teacher Authority to Remove Students From Classrooms**

#### **LAWS**

#### **3313.66. Suspension, expulsion or permanent exclusion - removal from curricular or extracurricular activities.**

(C)(1) Subject to division (C)(2) of this section, if a pupil's presence poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process taking place either within a classroom or elsewhere on the school premises, the superintendent or a principal or assistant principal may remove a pupil from curricular activities or from the school premises, and a teacher may remove a pupil from curricular activities under the teacher's supervision, without the notice and hearing requirements of division (A) or (B) of this section. As soon as practicable after making such a removal, the teacher shall submit in writing to the principal the reasons for such removal.

#### **REGULATIONS**

No relevant regulations found.

### **Alternatives to Suspension**

#### **LAWS**

#### **3313.66. Suspension, expulsion or permanent exclusion - removal from curricular or extracurricular activities.**

(A)(1) Except as provided under division (B)(2) of this section, and subject to section 3313.668 of the Revised Code, the superintendent of schools of a city, exempted village, or local school district, or the principal of a public school may suspend a pupil from school for not more than ten school days. The board of education of a city, exempted village, or local school district may adopt a policy granting assistant principals and other administrators the authority to suspend a pupil from school for a period of time as specified in the policy of the board of education, not to exceed ten school days. If at the time an out-of-school suspension is imposed there are fewer than ten school days remaining in the school year in which the incident that gives rise to the suspension takes place, the superintendent shall not apply any remaining part of the period of the suspension to the following school year. The superintendent may instead require the pupil to participate in a community service program or another alternative consequence for a number of hours equal to the remaining part of the period of the suspension. The pupil shall be required to begin the pupil's community service or alternative consequence during the first full week day of summer break. Each school district, in its discretion, may develop an appropriate list of alternative consequences. In the event that a pupil fails to complete community service or the assigned

alternative consequence, the school district may determine the next course of action, which shall not include requiring the pupil to serve the remaining time of the out-of-school suspension at the beginning of the following school year.

(2) If a pupil is issued an in-school suspension, the superintendent or principal shall ensure the pupil is serving the suspension in a supervised learning environment. [...]

(K) As used in this section:

(2) "In-school suspension" means the pupil will serve all of the suspension in a supervised learning environment within a school setting.

**3313.661. Policy regarding suspension, expulsion, removal, and permanent exclusion.**

(B) A board of education may establish a program and adopt guidelines under which a superintendent may require a pupil to perform community service in conjunction with a suspension or expulsion imposed under section 3313.66 of the Revised Code or in place of a suspension or expulsion imposed under section 3313.66 of the Revised Code except for an expulsion imposed pursuant to division (B)(2) of that section. If a board adopts guidelines under this division, they shall permit, except with regard to an expulsion pursuant to division (B)(2) of section 3313.66 of the Revised Code, a superintendent to impose a community service requirement beyond the end of the school year in lieu of applying an expulsion into the following school year. Any guidelines adopted shall be included in the policy adopted under this section.

**3313.668. Removal from school based on absences; removal of students in grades pre-K through three.**

(B)(4) Nothing in division (B) of this section shall be construed to limit the authority of a school district or school to issue an in-school suspension to a student in any of grades pre-kindergarten through three, provided that the in-school suspension is served in a supervised learning environment in accordance with divisions (A)(2) and (K)(2) of section 3313.66 of the Revised Code.

**REGULATIONS**

No relevant regulations found.

## ***Conditions on Use of Certain Forms of Discipline***

### **Corporal Punishment**

#### **LAWS**

##### **3319.41. Corporal punishment policy.**

(A) No person employed or engaged as a teacher, principal, administrator, nonlicensed school employee, or bus driver in a public school may inflict or cause to be inflicted corporal punishment as a means of discipline upon a pupil attending such school.

(B) A person employed or otherwise engaged as a teacher, principal, or administrator by a nonpublic school, except as otherwise provided by the governing authority of the nonpublic school, may inflict or cause to be inflicted reasonable corporal punishment upon a pupil attending the school to which the person is assigned whenever such punishment is reasonably necessary in order to preserve discipline while the student is subject to school authority.

(C) Persons employed or engaged as teachers, principals, or administrators in a school, whether public or private, and nonlicensed school employees and school bus drivers may, within the scope of their employment, use and apply such amount of force and restraint as is reasonable and necessary to quell a disturbance threatening physical injury to others, to obtain possession of weapons or other dangerous objects upon the person or within the control of the pupil, for the purpose of self-defense, or for the protection of persons or property.

#### **REGULATIONS**

##### **3301-35-15. Standards for the implementation of positive behavior intervention supports and the use of restraint and seclusion.**

(C) Prohibition on certain practices. The following practices are prohibited by school personnel under any circumstance:

- (3) Corporal punishment.

### **Search and Seizure**

#### **LAWS**

##### **3313.20. Rules - locker search policy - professional meetings.**

(A) The board of education of a school district or the governing board of an educational service center shall make any rules that are necessary for its government and the government of its employees, pupils of its schools, and all other persons entering upon its school grounds or premises. Rules regarding entry of persons other than students, staff, and faculty upon school grounds or premises shall be posted conspicuously at or near the entrance to the school grounds or premises, or near the perimeter of the school grounds or premises, if there are no formal entrances, and at the main entrance to each school building.

(B)(1) The board of education of each city, local, exempted village, or joint vocational school district may adopt a written policy that authorizes principals of public schools within the district or their designees to do one or both of the following:

(a) Search any pupil's locker and the contents of the locker that is searched if the principal reasonably suspects that the locker or its contents contains evidence of a pupil's violation of a criminal statute or of a school rule;

(b) Search any pupil's locker and the contents of any pupil's locker at any time if the board of education posts in a conspicuous place in each school building that has lockers available for use by pupils a notice that the lockers are the property of the board of education and that the lockers and the contents of all the lockers are subject to random search at any time without regard to whether there is a reasonable suspicion that any locker or its contents contains evidence of a violation of a criminal statute or a school rule.

(2) A board of education's adoption of or failure to adopt a written policy pursuant to division (B)(1) of this section does not prevent the principal of any school from searching at any time the locker of any pupil and the contents of any locker of any pupil in the school if an emergency situation exists or appears to exist that immediately threatens the health or safety of any person, or threatens to damage or destroy any property, under the control of the board of education and if a search of lockers and the contents of the lockers is reasonably necessary to avert that threat or apparent threat.

(C) Any employee may receive compensation and expenses for days on which he is excused, in accordance with the policy statement of the board, by the superintendent of such board or by a responsible administrative official designated by the superintendent for the purpose of attending professional meetings as defined by the board policy, and the board may provide and pay the salary of a substitute for such days. The expenses thus incurred by an employee shall be paid by the board from the appropriate fund of the school district or the educational service center governing board fund provided that statements of expenses are furnished in accordance with the policy statement of the board.

(D) Each city, local, and exempted village school district shall adopt a written policy governing the attendance of employees at professional meetings.

## **REGULATIONS**

No relevant regulations found.

## **Restraint and Seclusion**

### **LAWS**

#### **3319.41. Corporal punishment policy.**

(A) No person employed or engaged as a teacher, principal, administrator, nonlicensed school employee, or bus driver in a public school may inflict or cause to be inflicted corporal punishment as a means of discipline upon a pupil attending such school.

(B) A person employed or otherwise engaged as a teacher, principal, or administrator by a nonpublic school, except as otherwise provided by the governing authority of the nonpublic school, may inflict or cause to be inflicted reasonable corporal punishment upon a pupil attending the school to which the person is assigned whenever such punishment is reasonably necessary in order to preserve discipline while the student is subject to school authority.

(C) Persons employed or engaged as teachers, principals, or administrators in a school, whether public or private, and nonlicensed school employees and school bus drivers may, within the scope of their employment, use and apply such amount of force and restraint as is reasonable and necessary to quell a disturbance threatening physical injury to others, to obtain possession of weapons or other dangerous objects upon the person or within the control of the pupil, for the purpose of self-defense, or for the protection of persons or property.



**3319.46. Policy and rules regarding positive behavior intervention supports and the use of physical restraint or seclusion on students; duties of board.**

(A)(1) The state board of education shall adopt rules under Chapter 119. of the Revised Code that establish both of the following:

(b) A policy and standards for the use of physical restraint or seclusion on students.

**REGULATIONS**

**3301-35-15. Standards for the implementation of positive behavior intervention supports and the use of restraint and seclusion.**

(A) Notwithstanding rule 3301-35-01 of the Administrative Code, the following definitions apply for purposes of this rule:

(1) "Aversive behavioral interventions" means an intervention that is intended to induce pain or discomfort to a student for the purpose of eliminating or reducing maladaptive behaviors, including such interventions as application of noxious, painful and/or intrusive stimuli, including any form of noxious, painful or intrusive spray, inhalant or taste.

(2) "Chemical restraint" means a drug or medication used to control a student's behavior or restrict freedom of movement that is not:

(a) Prescribed by a licensed physician, or other qualified health professional acting under the scope of the professional's authority under Ohio law, for the standard treatment of a student's medical or psychiatric condition; and

(b) Administered as prescribed by the licensed physician or other qualified health professional acting under the scope of the professional's authority under Ohio law.

(3) "Mechanical restraint" means:

(a) Any method of restricting a student's freedom of movement, physical activity, or normal use of the student's body by using an appliance or device manufactured for this purpose; but

(b) Does not mean a device used by trained school personnel, or used by a student, for the specific and approved therapeutic or safety purpose for which the device was designed and, if applicable, prescribed, including:

(i) Restraints for medical immobilization;

(ii) Adaptive devices or mechanical supports used to allow greater freedom of mobility than would be possible without the use of such devices or mechanical supports; or

(iii) Vehicle safety restraints when used as intended during the transport of a student in a moving vehicle.

(4) "Parent" means:

(a) A biological or adoptive parent;

(b) A guardian generally authorized to act as the child's parent, or authorized to make decisions for the child (but not the state if the child is a ward of the state);

(c) An individual acting in the place of a biological or adoptive parent (including a grandparent, stepparent or other relative) with whom the child lives, or an individual who is legally responsible for the child's welfare;

(d) A surrogate parent who has been appointed in accordance with paragraph (E) of rule 3301-51-05 of the Administrative Code; or

(e) Any person identified in a judicial decree or order as the parent of a child or the person with authority to make educational decisions on behalf of a child.

(5) "Physical escort" means the temporary touching or holding of the hand, wrist, arm, shoulder, waist, hip, or back for the purpose of inducing a student to move to a safe location.

(6) "Physical restraint" means the use of physical contact in a way that immobilizes or reduces the ability of an individual to move the individual's arms, legs, body, or head freely. Such term does not include a physical escort, mechanical restraint, or chemical restraint. Physical restraint does not include brief physical contact for the following or similar purposes:

- (a) To break up a fight;
- (b) To knock a weapon away from a student's possession;
- (c) To calm or comfort;
- (d) To assist a student in completing a task/response if the student does not resist the contact; or
- (e) To prevent an impulsive behavior that threatens the student's immediate safety (e.g. running in front of a car).

(7) "Positive behavior intervention and supports" means

- (a) A school-wide systematic approach to embed evidence-based practices and data-driven decision making to improve school climate and culture in order to achieve improved academic and social outcomes, and increase learning for all students, and that
- (b) Encompasses a range of systemic and individualized positive strategies to reinforce desired behaviors, diminish reoccurrences of challenging behaviors, and teach appropriate behaviors to students.

(8) "Prone restraint" means physical or mechanical restraint while the individual is in the face-down position for an extended period of time.

(9) "School district" means a local, exempted village, city, joint vocational or cooperative education school district as defined in Chapter 3311. of the Revised Code; an educational service center that operates a school or educational program; a community school as defined in Chapter 3314. of the Revised Code; a science, technology, engineering, and mathematics school as defined in Chapter 3326. of the Revised Code; or a college-preparatory boarding school as defined in Chapter 3328. of the Revised Code. For purposes of this rule, the term does not include schools operated in facilities under the jurisdiction of the department of rehabilitation and corrections or the department of youth services.

(10) "Seclusion" means the involuntary isolation of a student in a room, enclosure, or space from which the student is prevented from leaving by physical restraint or by a closed door or other physical barrier.

(11) "Student" means a child or adult aged three to twenty-one enrolled in a school district.

(12) "Student personnel" means teacher, principal, counselor, social worker, school resource officer, teacher's aide, psychologist, bus driver, or other school district staff who interact directly with students.

(13) "Timeout" means a behavior intervention in which a student, for a limited and specified time, is separated from the class within the classroom or in a non-locked setting for the purpose of self-regulating and controlling his or her own behavior. In a timeout, the student is not physically restrained or prevented from leaving the area by physical barriers.

(B) Implementation of positive behavior intervention and supports. Each school district shall implement positive behavior intervention and supports on a system-wide basis.

(C) Prohibition on certain practices. The following practices are prohibited by school personnel under any circumstance:

- (1) Prone restraint;
- (2) Any form of physical restraint that involves the intentional, knowing, or reckless use of any technique that:

- (a) Involves the use of pinning down a student by placing knees to the torso, head, or neck of the student;
  - (b) Uses pressure point, pain compliance, or joint manipulation techniques; or
  - (c) Otherwise involves techniques that are used to unnecessarily cause pain.
- (3) Corporal punishment;
- (4) Child endangerment, as defined in section 2919.22 of the Revised Code;
- (5) Deprivation of basic needs;
- (6) Seclusion or restraint of preschool children in violation of paragraph (D) of rule 3301-37-10 of the Administrative Code;
- (7) Chemical restraint;
- (8) Mechanical restraint (that does not include devices used by trained school personnel, or by a student, for the specific and approved therapeutic or safety purposes for which such devices were designed and, if applicable, prescribed);
- (9) Aversive behavioral interventions; or
- (10) Seclusion in a locked room or area.
- (D) Physical restraint.
- (1) Prone restraint is prohibited.
  - (2) Physical restraint may be used only if
    - (a) A student's behavior poses an immediate risk of physical harm to the student or others and no other safe or effective intervention is available;
    - (b) The physical restraint does not obstruct the student's ability to breathe;
    - (c) The physical restraint does not interfere with the student's ability to communicate in the student's primary language or mode of communication; and
    - (d) By school personnel who are trained in safe restraint techniques, except in the case of rare and unavoidable emergency situations when trained personnel are not immediately available.
  - (3) Physical restraint may not be used for punishment or discipline or as a substitute for other less restrictive means of assisting a student in regaining control.
- (E) Seclusion
- (1) Seclusion may be used only
    - (a) If a student's behavior poses an immediate risk of physical harm to the student or others and no other safe or effective intervention is available;
    - (b) As a last resort to provide an opportunity for the student to regain control of his or her actions;
    - (c) For the minimum amount of time necessary for the purpose of protecting the student and others from physical harm;
    - (d) In a room or area that:
      - (i) Is not locked;
      - (ii) Does not prevent the student from exiting the area should staff become incapacitated or leave the area; and
      - (iii) Provides adequate space, lighting, ventilation, and the ability to observe the student; and
    - (e) Under constant supervision by staff who are trained to be able to detect indications of physical or mental distress that require removal and/or immediate medical assistance and who document their observations of the student.

(2) Seclusion may not be used for punishment or discipline, for the convenience of staff, or as a substitute for other less restrictive means of assisting a student in regaining control.

(F) Reporting and notification. Any incident of seclusion or restraint shall be immediately reported to building supervision and the parent. Any incident of seclusion or restraint shall be documented in a written report that is made available to the parent within twenty-four hours and that is maintained by the school district.

(G) Training and professional development. A school district shall ensure that an appropriate number of personnel in each building are trained in crisis management and de-escalation techniques. The school district shall maintain written or electronic documentation on training provided and lists of participants in each training. Training on positive behavior intervention and supports is encouraged.

(H) Policies and procedures. A school district shall develop written policies and procedures concerning the use of seclusion and restraint that are consistent with the policy on positive behavior interventions and support, restraint and seclusion, as adopted by the state board of education January 2013 ([education.ohio.gov](http://education.ohio.gov)). A district's complaint procedures shall include

(1) A procedure for a parent to present written complaints to the superintendent of the school district to initiate a complaint investigation by the school district regarding an incident of restraint or seclusion; and

(2) A requirement that the school district shall respond to the parent in writing within thirty days of the filing of a complaint regarding an incident of restraint or seclusion.

These policies and procedures shall be accessible on the district's website, and each district shall be responsible for notifying all parents annually of its policies and procedures concerning seclusion and restraint.

(I) Monitoring. A school district shall establish a procedure to monitor the implementation of this policy and the district's policy on restraint and seclusion. Each school district shall make its records concerning restraint and seclusion available to staff from the Ohio department of education upon request.

(J) Reporting. A school district shall annually report information regarding its use of restraint and seclusion to the Ohio department of education in the form and manner as prescribed by the department.

## ***Exclusionary Discipline: Suspension, Expulsion, and Alternative Placement***

### **Grounds for Suspension or Expulsion**

#### **LAWS**

#### **3313.66. Suspension, expulsion or permanent exclusion - removal from curricular or extracurricular activities.**

(B)(2)(a) Unless a pupil is permanently excluded pursuant to section 3313.662 of the Revised Code, the superintendent of schools of a city, exempted village, or local school district shall expel a pupil from school for a period of one year for bringing a firearm to a school operated by the board of education of the district or onto any other property owned or controlled by the board, except that the superintendent may reduce this requirement on a case-by-case basis in accordance with the policy adopted by the board under section 3313.661 of the Revised Code.

(b) The superintendent of schools of a city, exempted village, or local school district may expel a pupil from school for a period of one year for bringing a firearm to an interscholastic competition, an extracurricular event, or any other school program or activity that is not located in a school or on property that is owned or controlled by the district. The superintendent may reduce this disciplinary action on a case-by-case basis in accordance with the policy adopted by the board under section 3313.661 of the Revised Code.

(c) Any expulsion pursuant to division (B)(2) of this section shall extend, as necessary, into the school year following the school year in which the incident that gives rise to the expulsion takes place. As used in this division, "firearm" has the same meaning as provided pursuant to the "Gun-Free Schools Act," 115 Stat. 1762, 20 U.S.C. 7151.

(3) The board of education of a city, exempted village, or local school district may adopt a resolution authorizing the superintendent of schools to expel a pupil from school for a period not to exceed one year for bringing a knife capable of causing serious bodily injury to a school operated by the board, onto any other property owned or controlled by the board, or to an interscholastic competition, an extracurricular event, or any other program or activity sponsored by the school district or in which the district is a participant, or for possessing a firearm or knife capable of serious bodily injury, at a school, on any other property owned or controlled by the board, or at an interscholastic competition, an extracurricular event, or any other school program or activity, which firearm or knife was initially brought onto school board property by another person. The resolution may authorize the superintendent to extend such an expulsion, as necessary, into the school year following the school year in which the incident that gives rise to the expulsion takes place.

#### **3313.661. Policy regarding suspension, expulsion, removal, and permanent exclusion.**

(A) Subject to the limitations set forth in section 3313.668 of the Revised Code, the board of education of each city, exempted village, and local school district shall adopt a policy regarding suspension, expulsion, removal, and permanent exclusion that specifies the types of misconduct for which a pupil may be suspended, expelled, or removed. The types of misconduct may include misconduct by a pupil that occurs off of property owned or controlled by the district but that is connected to activities or incidents that have occurred on property owned or controlled by that district and misconduct by a pupil that, regardless of where it occurs, is directed at a district official or employee, or the property of such official or employee. The policy shall specify the reasons for which the superintendent of the district may reduce the expulsion requirement in division (B)(2) of section 3313.66 of the Revised Code. If a board of education adopts a

resolution pursuant to division (B)(3) of section 3313.66 of the Revised Code, the policy shall define the term "knife capable of causing serious bodily injury" or "firearm," as applicable, for purposes of expulsion under that resolution and shall specify any reasons for which the superintendent of the district may reduce any required expulsion period on a case-by-case basis. If a board of education adopts a resolution pursuant to division (B)(4) or (5) of section 3313.66 of the Revised Code, the policy shall specify any reasons for which the superintendent of the district may reduce any required expulsion period on a case-by-case basis. The policy also shall set forth the acts listed in section 3313.662 of the Revised Code for which a pupil may be permanently excluded.

**3313.662. Adjudication order permanently excluding pupil from public schools.**

(B) A pupil may be suspended or expelled in accordance with section 3313.66 of the Revised Code prior to being permanently excluded from public school attendance under this section and section 3301.121 of the Revised Code.

**REGULATIONS**

No relevant regulations found.

**Limitations or Conditions on Exclusionary Discipline**

**LAWS**

**3313.66. Suspension, expulsion or permanent exclusion - removal from curricular or extracurricular activities.**

(A)(1) Except as provided under division (B)(2) of this section, and subject to section 3313.668 of the Revised Code, the superintendent of schools of a city, exempted village, or local school district, or the principal of a public school may suspend a pupil from school for not more than ten school days. The board of education of a city, exempted village, or local school district may adopt a policy granting assistant principals and other administrators the authority to suspend a pupil from school for a period of time as specified in the policy of the board of education, not to exceed ten school days. If at the time an out-of-school suspension is imposed there are fewer than ten school days remaining in the school year in which the incident that gives rise to the suspension takes place, the superintendent shall not apply any remaining part of the period of the suspension to the following school year. The superintendent may instead require the pupil to participate in a community service program or another alternative consequence for a number of hours equal to the remaining part of the period of the suspension. The pupil shall be required to begin the pupil's community service or alternative consequence during the first full week day of summer break. Each school district, in its discretion, may develop an appropriate list of alternative consequences. In the event that a pupil fails to complete community service or the assigned alternative consequence, the school district may determine the next course of action, which shall not include requiring the pupil to serve the remaining time of the out-of-school suspension at the beginning of the following school year.

No pupil shall be issued an out-of-school suspension unless prior to the suspension the superintendent or principal does both of the following:

- (a) Gives the pupil written notice of the intention to suspend the pupil and the reasons for the intended suspension and, if the proposed suspension is based on a violation listed in division (A) of section 3313.662 of the Revised Code and if the pupil is sixteen years of age or older, includes in the notice a statement that the superintendent may seek to permanently exclude the pupil if the pupil is convicted of or adjudicated a delinquent child for that violation;

(b) Provides the pupil an opportunity to appear at an informal hearing before the principal, assistant principal, superintendent, or superintendent's designee and challenge the reason for the intended suspension or otherwise to explain the pupil's actions.

(2) If a pupil is issued an in-school suspension, the superintendent or principal shall ensure the pupil is serving the suspension in a supervised learning environment.

**3313.661. Policy regarding suspension, expulsion, removal, and permanent exclusion.**

(A) Subject to the limitations set forth in section 3313.668 of the Revised Code, the board of education of each city, exempted village, and local school district shall adopt a policy regarding suspension, expulsion, removal, and permanent exclusion that specifies the types of misconduct for which a pupil may be suspended, expelled, or removed. The types of misconduct may include misconduct by a pupil that occurs off of property owned or controlled by the district but that is connected to activities or incidents that have occurred on property owned or controlled by that district and misconduct by a pupil that, regardless of where it occurs, is directed at a district official or employee, or the property of such official or employee. The policy shall specify the reasons for which the superintendent of the district may reduce the expulsion requirement in division (B)(2) of section 3313.66 of the Revised Code. If a board of education adopts a resolution pursuant to division (B)(3) of section 3313.66 of the Revised Code, the policy shall define the term "knife capable of causing serious bodily injury" or "firearm," as applicable, for purposes of expulsion under that resolution and shall specify any reasons for which the superintendent of the district may reduce any required expulsion period on a case-by-case basis. If a board of education adopts a resolution pursuant to division (B)(4) or (5) of section 3313.66 of the Revised Code, the policy shall specify any reasons for which the superintendent of the district may reduce any required expulsion period on a case-by-case basis. The policy also shall set forth the acts listed in section 3313.662 of the Revised Code for which a pupil may be permanently excluded.

**3313.668. Removal from school based on absences; removal of students in grades pre-K through three.**

(A) On and after July 1, 2017, no school district or school shall suspend, expel, or remove a student from school under section 3313.66 of the Revised Code solely on the basis of the student's absences from school without legitimate excuse.

(B)(1) Except as described in division (B) of this section, no school district or school shall issue an out-of-school suspension or expulsion to a student in grades pre-kindergarten through three.

(a) A school district or school may issue an out-of-school suspension or expulsion, in accordance with section 3313.66 of the Revised Code, to a student in any of grades pre-kindergarten through three who has engaged in any of the behaviors described in divisions (B)(2) to (5) of section 3313.66 of the Revised Code.

(b) A school district or school may issue an out-of-school suspension not to exceed ten days or an expulsion to a student in any of grades pre-kindergarten through three who has not engaged in any of the behaviors described in divisions (B)(2) to (5) of section 3313.66 of the Revised Code only as necessary to protect the immediate health and safety of the student, the student's fellow classmates, the classroom staff and teachers, or other school employees.

**3321.191. Adoption of policy regarding student absences; intervention strategies.**

(F) Nothing in this section shall be construed to limit the duty or authority of a district board of education or governing body of an educational service center to develop other policies related to truancy or to limit the duty or authority of any employee of the school district or service center to respond to pupil truancy. However, a board shall be subject to the prohibition against suspending, expelling, or otherwise

preventing a student from attending school for excessive absences as prescribed by section 3313.668 of the Revised Code.

## REGULATIONS

No relevant regulations found.

## Due Process

### LAWS

#### **3301.121. Adjudication procedure to determine whether to permanently exclude pupil.**

(A) In addition to the duties and responsibilities of the superintendent of public instruction set forth in section 3301.12 of the Revised Code, the superintendent, in accordance with this section and section 3313.662 of the Revised Code, shall conduct an adjudication procedure to determine whether to permanently exclude from attending any of the public schools of this state any pupil who is the subject of a resolution forwarded to the superintendent by a board of education pursuant to division (D) of section 3313.662 of the Revised Code.

(B)(1) Except as provided in division (B)(3) of this section, within fourteen days after receipt of a resolution forwarded by a board of education pursuant to division (D) of section 3313.662 of the Revised Code, the superintendent of public instruction or the superintendent's designee shall provide the pupil who is the subject of the resolution and that pupil's parent, guardian, or custodian with a notice of an opportunity for an adjudication hearing on the proposed permanent exclusion of the pupil from attending any of the public schools of this state. The notice shall include all of the following:

(a) The date, time, and place of the permanent exclusion adjudication hearing;

(b) A statement informing the pupil and the pupil's parent, guardian, or custodian that the pupil may attend the adjudication hearing at the date, time, and place set forth in the notice, that the failure of the pupil or the pupil's parent, guardian, or custodian to attend the adjudication hearing will result in a waiver of the pupil's right to present evidence, testimony, and factors in mitigation of the pupil's permanent exclusion at an adjudication hearing on the proposed permanent exclusion, and that the pupil shall be accorded all of the following rights:

(i) The right to testify, to present evidence and the testimony of witnesses, and to confront, cross-examine, and compel the attendance of witnesses;

(ii) The right to a record of the hearing;

(iii) The right to written findings.

(c) A statement informing the pupil and the pupil's parent, guardian, or custodian that the pupil has the right to be represented by counsel at the adjudication hearing.

(d) A statement informing the pupil and the pupil's parent, guardian, or custodian that, if the pupil by failing to attend the hearing waives the pupil's right to present evidence, testimony, and factors in mitigation of the pupil's permanent exclusion at an adjudication hearing on the proposed permanent exclusion, the superintendent is required to review the information relevant to the permanent exclusion that is available to the superintendent and is permitted to enter an order requiring the pupil's permanent exclusion from attending any of the public schools of this state at any time within seven days after the conclusion of the adjudication hearing.

(2) The superintendent or the superintendent's designee shall provide the notice required by division (B)(1) of this section to the pupil and to the pupil's parent, guardian, or custodian by certified mail or personal service.



(3)(a) If a pupil who is the subject of a resolution forwarded to the superintendent of public instruction by a board of education pursuant to section 3313.662 of the Revised Code is in the custody of the department of youth services pursuant to a disposition under any provision of Chapter 2152. of the Revised Code, other than division (A)(1)(a) of section 2152.16 of the Revised Code, at the time the resolution is forwarded, the department shall notify in writing the superintendent of public instruction and the board of education that forwarded the resolution of that fact. Upon receipt of the notice, the superintendent shall delay providing the notice required by division (B)(1) of this section and the adjudication of the request for permanent exclusion until the superintendent receives further notice from the department pursuant to division (B)(3)(b) of this section.

(b) At least sixty days before a pupil described in division (B)(3)(a) of this section will be released from institutionalization or institutionalization in a secure facility by the department of youth services, the department shall notify in writing the superintendent of public instruction and the board of education that forwarded the resolution pursuant to section 3313.662 of the Revised Code of the impending release and shall provide in that notice information regarding the extent of the education the pupil received while in the custody of the department, including whether the pupil has obtained a certificate of high school equivalence.

If the pupil has not obtained a certificate of high school equivalence while in the custody of the department of youth services, the superintendent of public instruction shall provide the notice required by division (B)(1) of this section and, at least thirty days before the pupil is to be released from institutionalization or institutionalization in a secure facility, conduct an adjudication procedure to determine whether to permanently exclude the pupil from attending the public schools of this state in accordance with this section. If the pupil has obtained a certificate of high school equivalence while in the custody of the department, the superintendent, in the superintendent's discretion, may conduct the adjudication.

(C)(1) Except as provided in division (B)(3) of this section, the date of the adjudication hearing set forth in the notice required by division (B)(1) of this section shall be a date no less than fourteen days nor more than twenty-one days from the date the superintendent sends the notice by certified mail or initiates personal service of the notice.

(2) The superintendent, for good cause shown on the written request of the pupil or the pupil's parent, guardian, or custodian, or on the superintendent's own motion, may grant reasonable continuances of any adjudication hearing held under this section but shall not grant either party total continuances in excess of ten days.

(3) If a pupil or the pupil's parent, guardian, or custodian does not appear at the adjudication hearing on a proposed permanent exclusion, the superintendent or the referee appointed by the superintendent shall proceed to conduct an adjudication hearing on the proposed permanent exclusion on the date for the adjudication hearing that is set forth in the notice provided pursuant to division (B)(1) of this section or on the date to which the hearing was continued pursuant to division (C)(2) of this section.

(D)(1) The superintendent or a referee appointed by the superintendent may conduct an adjudication hearing to determine whether to permanently exclude a pupil in one of the following counties:

(a) The county in which the superintendent holds the superintendent's office;

(b) Upon the request of the pupil or the pupil's parent, guardian, custodian, or attorney, in the county in which the board of education that forwarded the resolution requesting the permanent exclusion is located if the superintendent, in the superintendent's discretion and upon consideration of evidence of hardship presented on behalf of the requesting pupil, determines that the hearing should be conducted in that county.

(2) The superintendent of public instruction or a referee appointed by the superintendent shall conduct an adjudication hearing on a proposed permanent exclusion of a pupil. The referee may be an attorney

admitted to the practice of law in this state but shall not be an attorney that represents the board of education that forwarded the resolution requesting the permanent exclusion.

(3) The superintendent or referee who conducts an adjudication hearing under this section may administer oaths, issue subpoenas to compel the attendance of witnesses and evidence, and enforce the subpoenas by a contempt proceeding in the court of common pleas as provided by law. The superintendent or referee may require the separation of witnesses and may bar from the proceedings any person whose presence is not essential to the proceedings.

(4) The superintendent of public instruction shall request the department of rehabilitation and correction, the sheriff, the department of youth services, or any publicly funded out-of-home care entity that has legal custody of a pupil who is the subject of an adjudication hearing held pursuant to this section to transport the pupil to the place of the adjudication hearing at the time and date set for the hearing. The department, sheriff, or publicly funded out-of-home care entity that receives the request shall provide transportation for the pupil who is the subject of the adjudication hearing to the place of the hearing at the time and date set for the hearing. The department, sheriff, or entity shall pay the cost of transporting the pupil to and from the hearing.

(E)(1) An adjudication hearing held pursuant to this section shall be adversary in nature, shall be conducted fairly and impartially, and may be conducted without the formalities of a criminal proceeding. A pupil whose permanent exclusion is being adjudicated has the right to be represented by counsel at the adjudication hearing. If the pupil has the financial capacity to retain counsel, the superintendent or the referee is not required to provide counsel for the pupil. At the adjudication hearing, the pupil also has the right to cross-examine witnesses against the pupil, to testify, to present evidence and the testimony of witnesses on the pupil's behalf, and to raise factors in mitigation of the pupil's being permanently excluded.

(2) In an adjudication hearing held pursuant to this section and section 3313.662 of the Revised Code, a representative of the school district of the board of education that adopted and forwarded the resolution requesting the permanent exclusion of the pupil shall present the case for permanent exclusion to the superintendent or the referee. The representative of the school district may be an attorney admitted to the practice of law in this state. At the adjudication hearing, the representative of the school district shall present evidence in support of the requested permanent exclusion. The superintendent or the superintendent's designee shall consider the entire school record of the pupil who is the subject of the adjudication and shall consider any of the following information that is available:

- (a) The academic record of the pupil and a record of any extracurricular activities in which the pupil previously was involved;
- (b) The disciplinary record of the pupil and any available records of the pupil's prior behavioral problems other than the behavioral problems contained in the disciplinary record;
- (c) The social history of the pupil;
- (d) The pupil's response to the imposition of prior discipline and sanctions imposed for behavioral problems;
- (e) Evidence regarding the seriousness of and any aggravating factors related to the offense that is the basis of the resolution seeking permanent exclusion;
- (f) Any mitigating circumstances surrounding the offense that gave rise to the request for permanent exclusion;
- (g) Evidence regarding the probable danger posed to the health and safety of other pupils or of school employees by the continued presence of the pupil in a public school setting;
- (h) Evidence regarding the probable disruption of the teaching of any school district's graded course of study by the continued presence of the pupil in a public school setting;

(i) Evidence regarding the availability of alternative sanctions of a less serious nature than permanent exclusion that would enable the pupil to remain in a public school setting without posing a significant danger to the health and safety of other pupils or of school employees and without posing a threat of the disruption of the teaching of any district's graded course of study.

(3) In any adjudication hearing conducted pursuant to this section and section 3313.662 of the Revised Code, a court order that proves the adjudication or conviction that is the basis for the resolution of the board of education seeking permanent exclusion is sufficient evidence to prove that the pupil committed a violation as specified in division (F)(1) of this section.

(4) The superintendent or the referee shall make or cause to be made a record of any adjudication hearing conducted pursuant to this section.

(5) A referee who conducts an adjudication hearing pursuant to this section shall promptly report the referee's findings in writing to the superintendent at the conclusion of the adjudication hearing.

(F) If an adjudication hearing is conducted or a determination is made pursuant to this section and section 3313.662 of the Revised Code, the superintendent shall review and consider the evidence presented, the entire school record of the pupil, and any available information described in divisions (E)(2)(a) to (i) of this section and shall not enter an order of permanent exclusion unless the superintendent or the superintendent's appointed referee finds, by a preponderance of the evidence, both of the following:

(1) That the pupil was convicted of or adjudicated a delinquent child for committing a violation listed in division (A) of section 3313.662 of the Revised Code and that the violation was committed when the child was sixteen years of age or older;

(2) That the pupil's continued attendance in the public school system may endanger the health and safety of other pupils or school employees.

(G)(1) Within seven days after the conclusion of an adjudication hearing that is conducted pursuant to this section, the superintendent of public instruction shall enter an order in relation to the permanent exclusion of the pupil who is the subject of the hearing or determination.

(2) If the superintendent or a referee makes the findings described in divisions (F)(1) and (2) of this section, the superintendent shall issue a written order that permanently excludes the pupil from attending any of the public schools of this state and immediately shall send a written notice of the order to the board of education that forwarded the resolution, to the pupil who was the subject of the resolution, to that pupil's parent, guardian, or custodian, and to that pupil's attorney, that includes all of the following:

(a) A copy of the order of permanent exclusion;

(b) A statement informing the pupil and the pupil's parent, guardian, or custodian of the pupil's right to appeal the order of permanent exclusion pursuant to division (H) of this section and of the possible revocation of the permanent exclusion pursuant to division (I) of this section if a final judicial determination reverses the conviction or adjudication that was the basis for the permanent exclusion;

(c) A statement informing the pupil and the pupil's parent, guardian, or custodian of the provisions of divisions (F), (G), and (H) of section 3313.662 of the Revised Code.

(3) If the superintendent or a referee does not make the findings described in divisions (F)(1) and (2) of this section, the superintendent shall issue a written order that rejects the resolution of the board of education and immediately shall send written notice of that fact to the board of education that forwarded the resolution, to the pupil who was the subject of the proposed resolution, and to that pupil's parent, guardian, or custodian.

(H) A pupil may appeal an order of permanent exclusion made by the superintendent of public instruction pursuant to this section and section 3313.662 of the Revised Code to the court of common pleas of the

county in which the board of education that forwarded the resolution requesting the permanent exclusion is located. The appeal shall be conducted in accordance with Chapter 2505. of the Revised Code.

(I) If a final judicial determination reverses the conviction or adjudication that is the basis of a permanent exclusion ordered under this section, the superintendent of public instruction, upon receipt of a certified copy of an order reflecting that final determination from the pupil or that pupil's parent, guardian, custodian, or attorney, shall revoke the order of permanent exclusion.

(J) As used in this section:

(1) "Permanently exclude" and "permanent exclusion" have the same meanings as in section 3313.662 of the Revised Code.

**3313.66. Suspension, expulsion or permanent exclusion - removal from curricular or extracurricular activities.**

(A)(1) No pupil shall be issued an out-of-school suspension unless prior to the suspension the superintendent or principal does both of the following:

(a) Gives the pupil written notice of the intention to suspend the pupil and the reasons for the intended suspension and, if the proposed suspension is based on a violation listed in division (A) of section 3313.662 of the Revised Code and if the pupil is sixteen years of age or older, includes in the notice a statement that the superintendent may seek to permanently exclude the pupil if the pupil is convicted of or adjudicated a delinquent child for that violation;

(b) Provides the pupil an opportunity to appear at an informal hearing before the principal, assistant principal, superintendent, or superintendent's designee and challenge the reason for the intended suspension or otherwise to explain the pupil's actions. [...]

(B)(6) No pupil shall be expelled under division (B)(1), (2), (3), (4), or (5) of this section unless, prior to the pupil's expulsion, the superintendent does both of the following:

(a) Gives the pupil and the pupil's parent, guardian, or custodian written notice of the intention to expel the pupil;

(b) Provides the pupil and the pupil's parent, guardian, custodian, or representative an opportunity to appear in person before the superintendent or the superintendent's designee to challenge the reasons for the intended expulsion or otherwise to explain the pupil's actions.

The notice required in this division shall include the reasons for the intended expulsion, notification of the opportunity of the pupil and the pupil's parent, guardian, custodian, or representative to appear before the superintendent or the superintendent's designee to challenge the reasons for the intended expulsion or otherwise to explain the pupil's action, and notification of the time and place to appear. The time to appear shall not be earlier than three nor later than five school days after the notice is given, unless the superintendent grants an extension of time at the request of the pupil or the pupil's parent, guardian, custodian, or representative. If an extension is granted after giving the original notice, the superintendent shall notify the pupil and the pupil's parent, guardian, custodian, or representative of the new time and place to appear. If the proposed expulsion is based on a violation listed in division (A) of section 3313.662 of the Revised Code and if the pupil is sixteen years of age or older, the notice shall include a statement that the superintendent may seek to permanently exclude the pupil if the pupil is convicted of or adjudicated a delinquent child for that violation.

(7) A superintendent of schools of a city, exempted village, or local school district shall initiate expulsion proceedings pursuant to this section with respect to any pupil who has committed an act warranting expulsion under the district's policy regarding expulsion even if the pupil has withdrawn from school for any reason after the incident that gives rise to the hearing but prior to the hearing or decision to impose the expulsion. If, following the hearing, the pupil would have been expelled for a period of time had the

pupil still been enrolled in the school, the expulsion shall be imposed for the same length of time as on a pupil who has not withdrawn from the school. [...]

(C)(3) If a pupil is removed under division (C)(1) or (2) of this section from a curricular activity or from the school premises, written notice of the hearing and of the reason for the removal shall be given to the pupil as soon as practicable prior to the hearing, which shall be held on the next school day after the initial removal is ordered. The hearing shall be held in accordance with division (A) of this section unless it is probable that the pupil may be subject to expulsion, in which case a hearing in accordance with division (B) of this section shall be held, except that the hearing shall be held on the next school day after the date of the initial removal. The individual who ordered, caused, or requested the removal to be made shall be present at the hearing. [...]

(D) The superintendent or principal, within one school day after the time of a pupil's expulsion or suspension, shall notify in writing the parent, guardian, or custodian of the pupil of the expulsion or suspension. In the case of an expulsion, the superintendent or principal, within one school day after the time of a pupil's expulsion, also shall notify in writing the treasurer of the board of education. Each notice shall include the reasons for the expulsion or suspension, notification of the right of the pupil or the pupil's parent, guardian, or custodian to appeal the expulsion or suspension to the board of education or to its designee, to be represented in all appeal proceedings, to be granted a hearing before the board or its designee in order to be heard against the suspension or expulsion, and to request that the hearing be held in executive session, notification that the expulsion may be subject to extension pursuant to division (F) of this section if the pupil is sixteen years of age or older, and notification that the superintendent may seek the pupil's permanent exclusion if the suspension or expulsion was based on a violation listed in division (A) of section 3313.662 of the Revised Code that was committed when the child was sixteen years of age or older and if the pupil is convicted of or adjudicated a delinquent child for that violation.

In accordance with the policy adopted by the board of education under section 3313.661 of the Revised Code, the notice provided under this division shall specify the manner and date by which the pupil or the pupil's parent, guardian, or custodian shall notify the board of the pupil's, parent's, guardian's, or custodian's intent to appeal the expulsion or suspension to the board or its designee. [...]

(E) A pupil or the pupil's parent, guardian, or custodian may appeal the pupil's expulsion by a superintendent or suspension by a superintendent, principal, assistant principal, or other administrator to the board of education or to its designee. If the pupil or the pupil's parent, guardian, or custodian intends to appeal the expulsion or suspension to the board or its designee, the pupil or the pupil's parent, guardian, or custodian shall notify the board in the manner and by the date specified in the notice provided under division (D) of this section. The pupil or the pupil's parent, guardian, or custodian may be represented in all appeal proceedings and shall be granted a hearing before the board or its designee in order to be heard against the suspension or expulsion. At the request of the pupil or of the pupil's parent, guardian, custodian, or attorney, the board or its designee may hold the hearing in executive session but shall act upon the suspension or expulsion only at a public meeting. The board, by a majority vote of its full membership or by the action of its designee, may affirm the order of suspension or expulsion, reinstate the pupil, or otherwise reverse, vacate, or modify the order of suspension or expulsion.

The board or its designee shall make a verbatim record of hearings held under this division. The decisions of the board or its designee may be appealed under Chapter 2506. of the Revised Code.

This section shall not be construed to require notice and hearing in accordance with division (A), (B), or (C) of this section in the case of normal disciplinary procedures in which a pupil is removed from a curricular activity for a period of less than one school day and is not subject to suspension or expulsion.

(F)(1) If a pupil is expelled pursuant to division (B) of this section for committing any violation listed in division (A) of section 3313.662 of the Revised Code and the pupil was sixteen years of age or older at the time of committing the violation, if a complaint, indictment, or information is filed alleging that the pupil

is a delinquent child based upon the commission of the violation or the pupil is prosecuted as an adult for the commission of the violation, and if the resultant juvenile court or criminal proceeding is pending at the time that the expulsion terminates, the superintendent of schools that expelled the pupil may file a motion with the court in which the proceeding is pending requesting an order extending the expulsion for the lesser of an additional eighty days or the number of school days remaining in the school year. Upon the filing of the motion, the court immediately shall schedule a hearing and give written notice of the time, date, and location of the hearing to the superintendent and to the pupil and the pupil's parent, guardian, or custodian. At the hearing, the court shall determine whether there is reasonable cause to believe that the pupil committed the alleged violation that is the basis of the expulsion and, upon determining that reasonable cause to believe the pupil committed the violation does exist, shall grant the requested extension.

(2) If a pupil has been convicted of or adjudicated a delinquent child for a violation listed in division (A) of section 3313.662 of the Revised Code for an act that was committed when the child was sixteen years of age or older, if the pupil has been expelled pursuant to division (B) of this section for that violation, and if the board of education of the school district of the school from which the pupil was expelled has adopted a resolution seeking the pupil's permanent exclusion, the superintendent may file a motion with the court that convicted the pupil or adjudicated the pupil a delinquent child requesting an order to extend the expulsion until an adjudication order or other determination regarding permanent exclusion is issued by the superintendent of public instruction pursuant to section 3301.121 and division (D) of section 3313.662 of the Revised Code. Upon the filing of the motion, the court immediately shall schedule a hearing and give written notice of the time, date, and location of the hearing to the superintendent of the school district, the pupil, and the pupil's parent, guardian, or custodian. At the hearing, the court shall determine whether there is reasonable cause to believe the pupil's continued attendance in the public school system may endanger the health and safety of other pupils or school employees and, upon making that determination, shall grant the requested extension.

### **3313.661. Policy regarding suspension, expulsion, removal, and permanent exclusion.**

The policy adopted under this division shall specify the date and manner by which a pupil or a pupil's parent, guardian, or custodian may notify the board of the pupil's, parent's, guardian's, or custodian's intent to appeal an expulsion or suspension to the board or its designee pursuant to division (E) of section 3313.66 of the Revised Code. In the case of any expulsion, the policy shall not specify a date that is less than fourteen days after the date of the notice provided to the pupil or the pupil's parent, guardian, or custodian under division (D) of that section.

### **3313.668. Removal from school based on absences; removal of students in grades pre-K through three.**

(B)(3) A student in any of grades pre-kindergarten through three who is suspended or expelled shall be afforded the same notice and hearing, procedural, and educational opportunities as prescribed for a suspension or expulsion pursuant to section 3313.66 of the Revised Code.

### **3321.13. Duties of teacher and superintendent upon withdrawal or habitual absence of child from school - forms.**

(B)[...] The notification to the child and the child's parent, guardian, or custodian required by division (B)(2) of this section shall set forth the information received by the superintendent and shall inform the child and the child's parent, guardian, or custodian of the scheduled date, time, and place of the appearance that they may have before the superintendent or a designee. The date scheduled for the appearance shall be no earlier than three and no later than five days after the notification is given, provided that an extension may be granted upon request of the child or the child's parent, guardian, or

custodian. If an extension is granted, the superintendent shall schedule a new date, time, and place for the appearance and shall inform the child and the child's parent, guardian, or custodian of the new date, time, and place.

If the child and the child's parent, guardian, or custodian do not appear before the superintendent or a designee on the scheduled date and at the scheduled time and place, or if the child and the child's parent, guardian, or custodian appear before the superintendent or a designee on the scheduled date and at the scheduled time and place but the superintendent or a designee determines that the information the superintendent received indicating that, during the semester or term, the child had been absent without legitimate excuse from the school the child was supposed to attend for more than sixty consecutive hours or for at least ninety total hours, the superintendent shall notify the registrar of motor vehicles and the juvenile judge of the county in which the district is located that the child has been absent for that period of time and that the child does not have any legitimate excuse for the habitual absence. A notification to the registrar required by this division shall be given in the manner the registrar by rule requires and a notification to the juvenile judge required by this division shall be given in writing. Each notification shall be given within two weeks after the receipt of the information of the habitual absence from school without legitimate excuse, or, if the child and the child's parent, guardian, or custodian appear before the superintendent or a designee to challenge the information, within two weeks after the appearance.

## **REGULATIONS**

No relevant regulations found.

## **Return to School Following Removal**

### **LAWS**

#### **3313.66. Suspension, expulsion or permanent exclusion - removal from curricular or extracurricular activities.**

(C)(2) A pupil in any of grades pre-kindergarten through three may be removed pursuant to division (C)(1) of this section only for the remainder of the school day and shall be permitted to return to curricular and extracurricular activities on the school day following the day in which the student was removed.

(a) A school district or school that returns a student in any of grades pre-kindergarten through three to curricular and extracurricular activities on the next school day shall not be required to follow division (C)(3) of this section with regard to that student.

(b) A school district shall not initiate a suspension or expulsion proceeding against a student in any of grades pre-kindergarten through three who was removed from a curricular or extracurricular activity under division (C) of this section unless the student has committed an act described in division (B)(1)(a) or (b) of section 3313.668 of the Revised Code. [...]

(4) If the superintendent or the principal reinstates a pupil in a curricular activity under the teacher's supervision prior to the hearing following a removal under this division, the teacher, upon request, shall be given in writing the reasons for such reinstatement.

#### **3313.662. Adjudication order permanently excluding pupil from public schools.**

(F)(1)(a) Upon determining that the school attendance of a pupil who has been permanently excluded from public school attendance no longer will endanger the health and safety of other students or school employees, the superintendent of any city, local, exempted village, or joint vocational school district in which the pupil desires to attend school may issue to the board of education of the school district a

recommendation, including the reasons for the recommendation, that the permanent exclusion of a pupil be revoked and the pupil be allowed to return to the public schools of the state.

## REGULATIONS

No relevant regulations found.

## Alternative Placements

### LAWS

#### **3313.66. Suspension, expulsion or permanent exclusion - removal from curricular or extracurricular activities.**

(I) Whenever a student is expelled under this section, the expulsion shall result in removal of the student from the student's regular school setting. However, during the period of the expulsion, the board of education of the school district that expelled the student or any board of education admitting the student during that expulsion period may provide educational services to the student in an alternative setting.

#### **3313.97. Alternative school open enrollment policy procedures.**

Notwithstanding division (D) of section 3311.19 and division (D) of section 3311.52 of the Revised Code, this section does not apply to any joint vocational or cooperative education school district.

(A) As used in this section:

(2) "Alternative school" means a school building other than the one to which a student is assigned by the district superintendent. [...]

(B) The board of education of each city, local, and exempted village school district shall adopt an open enrollment policy allowing students entitled to attend school in the district pursuant to section 3313.64 or 3313.65 of the Revised Code to enroll in an alternative school. Each policy shall provide for the following:

- (1) Application procedures, including deadlines for application and for notification of students and principals of alternative schools whenever a student's application is accepted. The policy shall require a student to apply only if the student wishes to attend an alternative school.
- (2) The establishment of district capacity limits by grade level, school building, and education program;
- (3) A requirement that students enrolled in a school building or living in any attendance area of the school building established by the superintendent or board be given preference over applicants;
- (4) Procedures to ensure that an appropriate racial balance is maintained in the district schools.

Each policy may permit a student to permanently transfer to an alternative school so that the student need not reapply annually for permission to attend the alternative school.

(C) Except as provided in section 3313.982 of the Revised Code, the procedures for admitting applicants to alternative schools shall not include:

- (1) Any requirement of academic ability, or any level of athletic, artistic, or other extracurricular skills;
- (2) Limitations on admitting applicants because of disabling conditions, except that a board may require a student receiving services under Chapter 3323. of the Revised Code to attend school where the services described in the student's IEP are available;
- (3) A requirement that the student be proficient in the English language;
- (4) Rejection of any applicant because the student has been subject to disciplinary proceedings, except that if an applicant has been suspended or expelled for ten consecutive days or more in the term for



which admission is sought or in the term immediately preceding the term for which admission is sought, the procedures may include a provision denying admission of such applicant to an alternative school.

**3313.533. Alternative school - plan.**

(A) The board of education of a city, exempted village, or local school district may adopt a resolution to establish and maintain an alternative school in accordance with this section. The resolution shall specify, but not necessarily be limited to, all of the following:

(1) The purpose of the school, which purpose shall be to serve students who are on suspension, who are having truancy problems, who are experiencing academic failure, who have a history of class disruption, who are exhibiting other academic or behavioral problems specified in the resolution, or who have been discharged or released from the custody of the department of youth services under section 5139.51 of the Revised Code;

(2) The grades served by the school, which may include any of grades kindergarten through twelve;

(3) A requirement that the school be operated in accordance with this section. The board of education adopting the resolution under division (A) of this section shall be the governing board of the alternative school. The board shall develop and implement a plan for the school in accordance with the resolution establishing the school and in accordance with this section. Each plan shall include, but not necessarily be limited to, all of the following:

(a) Specification of the reasons for which students will be accepted for assignment to the school and any criteria for admission that are to be used by the board to approve or disapprove the assignment of students to the school;

(b) Specification of the criteria and procedures that will be used for returning students who have been assigned to the school back to the regular education program of the district;

(c) An evaluation plan for assessing the effectiveness of the school and its educational program and reporting the results of the evaluation to the public.

(B) Notwithstanding any provision of Title XXXIII of the Revised Code to the contrary, the alternative school plan may include any of the following:

(1) A requirement that on each school day students must attend school or participate in other programs specified in the plan or by the chief administrative officer of the school for a period equal to the minimum school day set by the board of education under section 3313.48 of the Revised Code plus any additional time required in the plan or by the chief administrative officer;

(2) Restrictions on student participation in extracurricular or interscholastic activities;

(3) A requirement that students wear uniforms prescribed by the district board of education.

(C) In accordance with the alternative school plan, the district board of education may employ teachers and nonteaching employees necessary to carry out its duties and fulfill its responsibilities or may contract with a nonprofit or for profit entity to operate the alternative school, including the provision of personnel, supplies, equipment, or facilities.

(D) An alternative school may be established in all or part of a school building.

(E) If a district board of education elects under this section, or is required by section 3313.534 of the Revised Code, to establish an alternative school, the district board may join with the board of education of one or more other districts to form a joint alternative school by forming a cooperative education school district under section 3311.52 or 3311.521 of the Revised Code, or a joint educational program under section 3313.842 of the Revised Code. The authority to employ personnel or to contract with a nonprofit or for profit entity under division (C) of this section applies to any alternative school program established under this division.

(F) Any individual employed as a teacher at an alternative school operated by a nonprofit or for profit entity under this section shall be licensed and shall be subject to background checks, as described in section 3319.39 of the Revised Code, in the same manner as an individual employed by a school district.

(G) Division (G) of this section applies only to any alternative school that is operated by a nonprofit or for profit entity under contract with the school district.

(1) In addition to the specifications authorized under division (B) of this section, any plan adopted under that division for an alternative school to which division (G) of this section also applies shall include the following:

(a) A description of the educational program provided at the alternative school, which shall include:

- (i) Provisions for the school to be configured in clusters or small learning communities;
- (ii) Provisions for the incorporation of education technology into the curriculum;
- (iii) Provisions for accelerated learning programs in reading and mathematics.

(b) A method to determine the reading and mathematics level of each student assigned to the alternative school and a method to continuously monitor each student's progress in those areas. The methods employed under this division shall be aligned with the curriculum adopted by the school district board of education under section 3313.60 of the Revised Code.

(c) A plan for social services to be provided at the alternative school, such as, but not limited to, counseling services, psychological support services, and enrichment programs;

(d) A plan for a student's transition from the alternative school back to a school operated by the school district;

(e) A requirement that the alternative school maintain financial records in a manner that is compatible with the form prescribed for school districts by the auditor of state to enable the district to comply with any rules adopted by the auditor of state.

(2) Notwithstanding division (A)(2) of this section, any alternative school to which division (G) of this section applies shall include only grades six through twelve.

(3) Notwithstanding anything in division (A)(3)(a) of this section to the contrary, the characteristics of students who may be assigned to an alternative school to which division (G) of this section applies shall include only disruptive and low-performing students.

(H) When any district board of education determines to contract with a nonprofit or for profit entity to operate an alternative school under this section, the board shall use the procedure set forth in this division.

(1) The board shall publish notice of a request for proposals in a newspaper of general circulation in the district once each week for a period of two consecutive weeks, or as provided in section 7.16 of the Revised Code, prior to the date specified by the board for receiving proposals. Notices of requests for proposals shall contain a general description of the subject of the proposed contract and the location where the request for proposals may be obtained. The request for proposals shall include all of the following information:

(a) Instructions and information to respondents concerning the submission of proposals, including the name and address of the office where proposals are to be submitted;

(b) Instructions regarding communications, including at least the names, titles, and telephone numbers of persons to whom questions concerning a proposal may be directed;

(c) A description of the performance criteria that will be used to evaluate whether a respondent to which a contract is awarded is meeting the district's educational standards or the method by which such performance criteria will be determined;

- (d) Factors and criteria to be considered in evaluating proposals, the relative importance of each factor or criterion, and a description of the evaluation procedures to be followed;
- (e) Any terms or conditions of the proposed contract, including any requirement for a bond and the amount of such bond;
- (f) Documents that may be incorporated by reference into the request for proposals, provided that the request for proposals specifies where such documents may be obtained and that such documents are readily available to all interested parties.

(2) After the date specified for receiving proposals, the board shall evaluate the submitted proposals and may hold discussions with any respondent to ensure a complete understanding of the proposal and the qualifications of such respondent to execute the proposed contract. Such qualifications shall include, but are not limited to, all of the following:

- (a) Demonstrated competence in performance of the required services as indicated by effective implementation of educational programs in reading and mathematics and at least three years of experience successfully serving a student population similar to the student population assigned to the alternative school;
- (b) Demonstrated performance in the areas of cost containment, the provision of educational services of a high quality, and any other areas determined by the board;
- (c) Whether the respondent has the resources to undertake the operation of the alternative school and to provide qualified personnel to staff the school;
- (d) Financial responsibility.

(3) The board shall select for further review at least three proposals from respondents the board considers qualified to operate the alternative school in the best interests of the students and the district. If fewer than three proposals are submitted, the board shall select each proposal submitted. The board may cancel a request for proposals or reject all proposals at any time prior to the execution of a contract.

The board may hold discussions with any of the three selected respondents to clarify or revise the provisions of a proposal or the proposed contract to ensure complete understanding between the board and the respondent of the terms under which a contract will be entered. Respondents shall be accorded fair and equal treatment with respect to any opportunity for discussion regarding clarifications or revisions. The board may terminate or discontinue any further discussion with a respondent upon written notice.

(4) Upon further review of the three proposals selected by the board, the board shall award a contract to the respondent the board considers to have the most merit, taking into consideration the scope, complexity, and nature of the services to be performed by the respondent under the contract.

(5) Except as provided in division (H)(6) of this section, the request for proposals, submitted proposals, and related documents shall become public records under section 149.43 of the Revised Code after the award of the contract.

(6) Any respondent may request in writing that the board not disclose confidential or proprietary information or trade secrets contained in the proposal submitted by the respondent to the board. Any such request shall be accompanied by an offer of indemnification from the respondent to the board. The board shall determine whether to agree to the request and shall inform the respondent in writing of its decision. If the board agrees to nondisclosure of specified information in a proposal, such information shall not become a public record under section 149.43 of the Revised Code. If the respondent withdraws its proposal at any time prior to the execution of a contract, the proposal shall not be a public record under section 149.43 of the Revised Code.

(I) Upon a recommendation from the department and in accordance with section 3301.16 of the Revised Code, the state board of education may revoke the charter of any alternative school operated by a school district that violates this section.

**3313.534. Policy of zero tolerance for violent, disruptive or inappropriate behavior.**

(B) Each of the big eight school districts, as defined in section 3314.02 of the Revised Code, shall establish under section 3313.533 of the Revised Code at least one alternative school to meet the educational needs of students with severe discipline problems, including, but not limited to, excessive disruption in the classroom and multiple suspensions or expulsions. Any other school district that attains after that date a significantly substandard graduation rate, as defined by the department of education, shall also establish such an alternative school under that section.

**3313.668. Removal from school based on absences; removal of students in grades pre-K through three.**

(B)(3) A student in any of grades pre-kindergarten through three who is suspended or expelled shall be afforded the same notice and hearing, procedural, and educational opportunities as prescribed for a suspension or expulsion pursuant to section 3313.66 of the Revised Code.

**3314.261. Internet- or computer-based school attendance.**

This section shall not apply to an internet-or computer-based community school in which a majority of the students are enrolled in a dropout prevention and recovery program.

(E) If an internet- or computer-based community school disenrolls a student pursuant to a policy adopted under division (C) of this section, the school shall do both of the following:

- (1) Provide the student's parent, guardian, or custodian with a list of alternative educational options available to the student;
- (2) Within forty-eight hours of the student's disenrollment, notify the student's resident school district in writing.

**REGULATIONS**

No relevant regulations found.

## ***Discipline Addressing Specific Code of Conduct Violations***

### **Firearms and Other Weapons Violations**

#### **LAWS**

#### **3313.66. Suspension, expulsion or permanent exclusion - removal from curricular or extracurricular activities.**

(B)(2)(a) Unless a pupil is permanently excluded pursuant to section 3313.662 of the Revised Code, the superintendent of schools of a city, exempted village, or local school district shall expel a pupil from school for a period of one year for bringing a firearm to a school operated by the board of education of the district or onto any other property owned or controlled by the board, except that the superintendent may reduce this requirement on a case-by-case basis in accordance with the policy adopted by the board under section 3313.661 of the Revised Code.

(b) The superintendent of schools of a city, exempted village, or local school district may expel a pupil from school for a period of one year for bringing a firearm to an interscholastic competition, an extracurricular event, or any other school program or activity that is not located in a school or on property that is owned or controlled by the district. The superintendent may reduce this disciplinary action on a case-by-case basis in accordance with the policy adopted by the board under section 3313.661 of the Revised Code.

(c) Any expulsion pursuant to division (B)(2) of this section shall extend, as necessary, into the school year following the school year in which the incident that gives rise to the expulsion takes place. As used in this division, "firearm" has the same meaning as provided pursuant to the "Gun-Free Schools Act," 115 Stat. 1762, 20 U.S.C. 7151.

(3) The board of education of a city, exempted village, or local school district may adopt a resolution authorizing the superintendent of schools to expel a pupil from school for a period not to exceed one year for bringing a knife capable of causing serious bodily injury to a school operated by the board, onto any other property owned or controlled by the board, or to an interscholastic competition, an extracurricular event, or any other program or activity sponsored by the school district or in which the district is a participant, or for possessing a firearm or knife capable of serious bodily injury, at a school, on any other property owned or controlled by the board, or at an interscholastic competition, an extracurricular event, or any other school program or activity, which firearm or knife was initially brought onto school board property by another person. The resolution may authorize the superintendent to extend such an expulsion, as necessary, into the school year following the school year in which the incident that gives rise to the expulsion takes place.

#### **3313.661. Policy regarding suspension, expulsion, removal, and permanent exclusion.**

(A) Subject to the limitations set forth in section 3313.668 of the Revised Code, the board of education of each city, exempted village, and local school district shall adopt a policy regarding suspension, expulsion, removal, and permanent exclusion that specifies the types of misconduct for which a pupil may be suspended, expelled, or removed. The types of misconduct may include misconduct by a pupil that occurs off of property owned or controlled by the district but that is connected to activities or incidents that have occurred on property owned or controlled by that district and misconduct by a pupil that, regardless of where it occurs, is directed at a district official or employee, or the property of such official or employee. The policy shall specify the reasons for which the superintendent of the district may reduce the expulsion requirement in division (B)(2) of section 3313.66 of the Revised Code. If a board of education adopts a resolution pursuant to division (B)(3) of section 3313.66 of the Revised Code, the policy shall define the

term "knife capable of causing serious bodily injury" or "firearm," as applicable, for purposes of expulsion under that resolution and shall specify any reasons for which the superintendent of the district may reduce any required expulsion period on a case-by-case basis. If a board of education adopts a resolution pursuant to division (B)(4) or (5) of section 3313.66 of the Revised Code, the policy shall specify any reasons for which the superintendent of the district may reduce any required expulsion period on a case-by-case basis. The policy also shall set forth the acts listed in section 3313.662 of the Revised Code for which a pupil may be permanently excluded.

**3313.662. Adjudication order permanently excluding pupil from public schools.**

(F)(2)(a)[...] If any violation which in whole or in part gave rise to the permanent exclusion of the pupil involved the pupil's bringing a firearm to a school operated by the board of education of any school district or onto any other property owned or operated by such a board, no plan developed under this division for the pupil shall include an effective date for the probationary admission of the pupil that is less than one year after the date on which the last such firearm incident occurred except that on a case-by-case basis, a plan may include an earlier effective date for such an admission for any of the reasons for which the superintendent of the district may reduce the one-year expulsion requirement in division (B)(2) of section 3313.66 of the Revised Code.

**3321.13. Duties of teacher and superintendent upon withdrawal or habitual absence of child from school - forms.**

(B)(4) Whenever a pupil is suspended, expelled, removed, or permanently excluded from a school for misconduct included in a policy that the board of education of a city, exempted village, or local school district has adopted under division (A) of section 3313.661 of the Revised Code, and the misconduct involves a firearm or a knife or other weapon as defined in that policy, the superintendent of schools of that district shall notify the registrar and the juvenile judge of the county in which the district is located of the suspension, expulsion, removal, or permanent exclusion. The notification shall be given to the registrar in the manner the registrar, by rule, requires and shall be given to the juvenile judge in writing. The notifications shall be given within two weeks after the suspension, expulsion, removal, or permanent exclusion.

**REGULATIONS**

**3301-83-20. General rules.**

(B) Firearms, ammunition, weapons, explosives or other dangerous materials or objects are prohibited on school buses.

## **Students with Chronic Disciplinary Issues**

**LAWS**

**3313.66. Suspension, expulsion or permanent exclusion - removal from curricular or extracurricular activities.**

(C)(1) Subject to division (C)(2) of this section, if a pupil's presence poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process taking place either within a classroom or elsewhere on the school premises, the superintendent or a principal or assistant principal may remove a pupil from curricular activities or from the school premises, and a teacher may remove a pupil from curricular activities under the teacher's supervision, without the notice and hearing requirements of division (A) or (B) of this section. As soon as practicable after making such a removal, the teacher shall submit in writing to the principal the reasons for such removal.

**3313.534. Policy of zero tolerance for violent, disruptive or inappropriate behavior.**

(B) Each of the big eight school districts, as defined in section 3314.02 of the Revised Code, shall establish under section 3313.533 of the Revised Code at least one alternative school to meet the educational needs of students with severe discipline problems, including, but not limited to, excessive disruption in the classroom and multiple suspensions or expulsions. Any other school district that attains after that date a significantly substandard graduation rate, as defined by the department of education, shall also establish such an alternative school under that section.

**REGULATIONS**

No relevant regulations found.

## **Chronic Absenteeism and Truancy**

**LAWS**

**2151.011. Juvenile court definitions.**

(B) As used in this chapter:

(18) "Habitual truant" means any child of compulsory school age who is absent without legitimate excuse for absence from the public school the child is supposed to attend for thirty or more consecutive hours, forty-two or more hours in one school month, or seventy-two or more hours in a school year.

**2151.022. Unruly child defined.**

As used in this chapter, "unruly child" includes any of the following:

(A) Any child who does not submit to the reasonable control of the child's parents, teachers, guardian, or custodian, by reason of being wayward or habitually disobedient;

(B) Any child who is an habitual truant from school;

(C) Any child who behaves in a manner as to injure or endanger the child's own health or morals or the health or morals of others;

(D) Any child who violates a law, other than division (C) of section 2907.39, division (A) of section 2923.211, division (C)(1) or (D) of section 2925.55, or section 2151.87 of the Revised Code, that is applicable only to a child.

**3313.205. Notification of student's absence from school.**

Subject to section 3321.141 of the Revised Code, the board of education of each school district shall adopt a written policy with respect to the notification of a student's parents, parent who is the residential parent and legal custodian, guardian, or legal custodian or any other person responsible for the student within a reasonable time after the determination that the student is absent from school. The student's parents, parent who is the residential parent and legal custodian, guardian, or legal custodian or any other person responsible for the student shall provide the school that the student attends a current address and a telephone number at which the student's parents, parent who is the residential parent and legal custodian, guardian, or legal custodian or any other person that is responsible for the student can receive notice that the student is absent from school.

**3313.533. Alternative school - plan.**

(A) The board of education of a city, exempted village, or local school district may adopt a resolution to establish and maintain an alternative school in accordance with this section. The resolution shall specify, but not necessarily be limited to, all of the following:

(1) The purpose of the school, which purpose shall be to serve students who are on suspension, who are having truancy problems, who are experiencing academic failure, who have a history of class disruption, who are exhibiting other academic or behavioral problems specified in the resolution, or who have been discharged or released from the custody of the department of youth services under section 5139.51 of the Revised Code.

**3313.609. Grade promotion and retention policy.**

(A) As used in this section:

(1) "Truant" means absent without excuse.

(2) "Academically prepared" means whatever educational standard the board of education of each city, exempted village, local, and joint vocational school district establishes as necessary for the promotion of a student to the next grade level pursuant to the policy adopted under division (B) of this section.

(B) The board of education of each city, exempted village, local, and joint vocational school district shall adopt a grade promotion and retention policy for students that complies with this section and section 3313.608 of the Revised Code. The policy shall prohibit the promotion of a student to the next grade level if the student has been truant for more than ten per cent of the required attendance days of the current school year and has failed two or more of the required curriculum subject areas in the current grade unless the student's principal and the teachers of any failed subject areas agree that the student is academically prepared to be promoted to the next grade level.

**3313.663. Parental education or training program.**

(A) The board of education of a city, exempted village, local, joint vocational, or cooperative education school district may adopt a policy requiring the parent or guardian of any student who is suspended or expelled by the district under section 3313.66 of the Revised Code to attend a parental education or training program provided by the district.

(B) The board of education of a city, exempted village, local, joint vocational, or cooperative education school district may adopt a policy requiring the parent or guardian of any student of the district who is truant or habitually absent from school to attend a parental education or training program provided by the district. The policy shall specify what constitutes truancy and habitual absence for purposes of the policy.

(C) If a board of education adopts a policy under this section, the board shall post the policy in a central location in each school building of the district and make it available to students and their parents or guardians upon request.

**3313.668. Removal from school based on absences; removal of students in grades pre-K through three.**

(A) On and after July 1, 2017, no school district or school shall suspend, expel, or remove a student from school under section 3313.66 of the Revised Code solely on the basis of the student's absences from school without legitimate excuse.

**3314.261. Internet- or computer-based school attendance.**

This section shall not apply to an internet- or computer-based community school in which a majority of the students are enrolled in a dropout prevention and recovery program.

(C) Notwithstanding section 3321.191 of the Revised Code, each internet- or computer-based community school shall develop and adopt a policy regarding failure to participate in instructional activities. The policy shall state that a student shall become subject to certain consequences, including disenrollment from the school, if both of the following conditions are satisfied:



- (1) After the student's parent, guardian, or custodian receives a written report under division (B)(2) of this section, the student fails to comply with the policy adopted under division (C) of this section within a reasonable period of time specified by the school;
- (2) Other intervention strategies contained in the policy adopted under division (C) of this section fail to cause a student's attendance to comply with the policy.

**3321.13. Duties of teacher and superintendent upon withdrawal or habitual absence of child from school - forms.**

(A) Whenever any child of compulsory school age withdraws from school the teacher of that child shall ascertain the reason for withdrawal. The fact of the withdrawal and the reason for it shall be immediately transmitted by the teacher to the superintendent of the city, local, or exempted village school district. If the child who has withdrawn from school has done so because of change of residence, the next residence shall be ascertained and shall be included in the notice thus transmitted. The superintendent shall thereupon forward a card showing the essential facts regarding the child and stating the place of the child's new residence to the superintendent of schools of the district to which the child has moved.

The superintendent of public instruction may prescribe the forms to be used in the operation of this division.

(B)(1) Upon receipt of information that a child of compulsory school age has withdrawn from school for a reason other than because of change of residence and is not enrolled in and attending in accordance with school policy an approved program to obtain a diploma or its equivalent, the superintendent shall notify the registrar of motor vehicles and the juvenile judge of the county in which the district is located of the withdrawal and failure to enroll in and attend an approved program to obtain a diploma or its equivalent. A notification to the registrar required by this division shall be given in the manner the registrar by rule requires and a notification to the juvenile judge required by this division shall be given in writing. Each notification shall be given within two weeks after the withdrawal and failure to enroll in and attend an approved program or its equivalent.

(2) The board of education of a school district may adopt a resolution providing that the provisions of division (B)(2) of this section apply within the district. The provisions of division (B)(2) of this section do not apply within any school district, and no superintendent of a school district shall send a notification of the type described in division (B)(2) of this section to the registrar of motor vehicles or the juvenile judge of the county in which the district is located, unless the board of education of the district has adopted such a resolution. If the board of education of a school district adopts a resolution providing that the provisions of division (B)(2) of this section apply within the district, and if the superintendent of schools of that district receives information that, during any semester or term, a child of compulsory school age has been absent without legitimate excuse from the school the child is supposed to attend for more than sixty consecutive hours in a single month or for at least ninety hours in a school year, the superintendent shall notify the child and the child's parent, guardian, or custodian, in writing, that the information has been provided to the superintendent, that as a result of that information the child's temporary instruction permit or driver's license will be suspended or the opportunity to obtain such a permit or license will be denied, and that the child and the child's parent, guardian, or custodian may appear in person at a scheduled date, time, and place before the superintendent or a designee to challenge the information provided to the superintendent.

The notification to the child and the child's parent, guardian, or custodian required by division (B)(2) of this section shall set forth the information received by the superintendent and shall inform the child and the child's parent, guardian, or custodian of the scheduled date, time, and place of the appearance that they may have before the superintendent or a designee. The date scheduled for the appearance shall be no earlier than three and no later than five days after the notification is given, provided that an extension may be granted upon request of the child or the child's parent, guardian, or custodian. If an

extension is granted, the superintendent shall schedule a new date, time, and place for the appearance and shall inform the child and the child's parent, guardian, or custodian of the new date, time, and place.

If the child and the child's parent, guardian, or custodian do not appear before the superintendent or a designee on the scheduled date and at the scheduled time and place, or if the child and the child's parent, guardian, or custodian appear before the superintendent or a designee on the scheduled date and at the scheduled time and place but the superintendent or a designee determines that the information the superintendent received indicating that, during the semester or term, the child had been absent without legitimate excuse from the school the child was supposed to attend for more than sixty consecutive hours or for at least ninety total hours, the superintendent shall notify the registrar of motor vehicles and the juvenile judge of the county in which the district is located that the child has been absent for that period of time and that the child does not have any legitimate excuse for the habitual absence. A notification to the registrar required by this division shall be given in the manner the registrar by rule requires and a notification to the juvenile judge required by this division shall be given in writing. Each notification shall be given within two weeks after the receipt of the information of the habitual absence from school without legitimate excuse, or, if the child and the child's parent, guardian, or custodian appear before the superintendent or a designee to challenge the information, within two weeks after the appearance.

For purposes of division (B)(2) of this section, a legitimate excuse for absence from school includes, but is not limited to, the fact that the child in question has enrolled in another school or school district in this or another state, the fact that the child in question was excused from attendance for any of the reasons specified in section 3321.04 of the Revised Code, or the fact that the child in question has received an age and schooling certificate in accordance with section 3331.01 of the Revised Code.

(3) Whenever a pupil is suspended or expelled from school pursuant to section 3313.66 of the Revised Code and the reason for the suspension or expulsion is the use or possession of alcohol, a drug of abuse, or alcohol and a drug of abuse, the superintendent of schools of that district may notify the registrar and the juvenile judge of the county in which the district is located of such suspension or expulsion. Any such notification of suspension or expulsion shall be given to the registrar, in the manner the registrar by rule requires and shall be given to the juvenile judge in writing. The notifications shall be given within two weeks after the suspension or expulsion.

(4) Whenever a pupil is suspended, expelled, removed, or permanently excluded from a school for misconduct included in a policy that the board of education of a city, exempted village, or local school district has adopted under division (A) of section 3313.661 of the Revised Code, and the misconduct involves a firearm or a knife or other weapon as defined in that policy, the superintendent of schools of that district shall notify the registrar and the juvenile judge of the county in which the district is located of the suspension, expulsion, removal, or permanent exclusion. The notification shall be given to the registrar in the manner the registrar, by rule, requires and shall be given to the juvenile judge in writing. The notifications shall be given within two weeks after the suspension, expulsion, removal, or permanent exclusion.

(C) A notification of withdrawal, habitual absence without legitimate excuse, suspension, or expulsion given to the registrar or a juvenile judge under division (B)(1), (2), (3), or (4) of this section shall contain the name, address, date of birth, school, and school district of the child. If the superintendent finds, after giving a notification of withdrawal, habitual absence without legitimate excuse, suspension, or expulsion to the registrar and the juvenile judge under division (B)(1), (2), (3), or (4) of this section, that the notification was given in error, the superintendent immediately shall notify the registrar and the juvenile judge of that fact.

### **3321.16. Investigation of nonattendance; complaint.**

(A) An attendance officer or assistant provided for by section 3321.14 or 3321.15 of the Revised Code may investigate any case of nonattendance at school or part-time school of a child under eighteen years of age or supposed to be under eighteen years of age resident in the district for which such attendance officer or assistant is employed, or of any such child found in the district or enrolled in any school within the district and of any child above eighteen years of age if enrolled in any school within the district, and may take such action as the superintendent of schools directs or as such attendance officer or assistant deems proper in the absence of specific direction.

(B)(1) Subject to divisions (B)(2) and (3) of this section, the attendance officer shall file a complaint in the juvenile court against a student on the sixty-first day after the implementation of an absence intervention plan or other intervention strategies, provided that all of the following apply:

(a) The student was absent without legitimate excuse from the public school the child is supposed to attend for thirty or more consecutive hours, forty-two or more hours in one school month, or seventy-two or more hours in a school year.

(b) The school district or school has made meaningful attempts to re-engage the student through the absence intervention plan, other intervention strategies, and any offered alternatives to adjudication described under division (C)(2)(b) of section 3321.191 of the Revised Code.

(c) The student has refused to participate in or failed to make satisfactory progress on the plan, as determined by the absence intervention team, or any offered intervention strategies or alternative to adjudication.

(2) If the student, at any time during the implementation phase of the absence intervention plan or other intervention strategies, is absent without legitimate excuse for thirty or more consecutive hours or forty-two or more hours in one school month, the attendance officer shall file a complaint in juvenile court against that student, unless the absence intervention team has determined that the student has made substantial progress on the absence intervention plan.

(3) In the event that the sixty-first day after the implementation of the absence intervention plan or other intervention strategies falls on a day during the summer months, in the school district's discretion, the absence intervention team or the attendance officer may extend the implementation of the plan and delay the filing of the complaint for an additional thirty days from the first day of instruction of the next school year.

### **3321.17. Attendance officer and assistants - powers.**

The attendance officer and assistants provided for by section 3321.14 or 3321.15 of the Revised Code shall be vested with police powers, may serve warrants, and may enter workshops, factories, stores, and all other places where children are employed and do whatever is necessary in the way of investigation or otherwise to enforce the laws relating to compulsory education and the employment of minors. The attendance officer or assistant may also take into custody any youth of compulsory school age not legally employed on an age and schooling certificate who is not attending school and shall conduct such youth to the school he has been attending or should rightfully attend.

### **3321.18. Enforcement proceedings.**

The attendance officer provided for by section 3321.14 or 3321.15 of the Revised Code shall institute proceedings against any officer, parent, guardian, or other person violating laws relating to compulsory education and the employment of minors, and otherwise discharge the duties described in sections 3321.14 to 3321.21 of the Revised Code, and perform any other service that the superintendent of schools or board of education of the district by which the attendance officer is employed considers

necessary to preserve the morals and secure the good conduct of school children, and to enforce those laws.

The attendance officer shall be furnished with copies of the enumeration in each school district in which the attendance officer serves and of the lists of pupils enrolled in the schools and shall report to the superintendent discrepancies between these lists and the enumeration.

The attendance officer and assistants shall cooperate with the director of commerce in enforcing the laws relating to the employment of minors. The attendance officer shall furnish upon request any data that the attendance officer and the attendance officer's assistants have collected in their reports of children from six to eighteen years of age and also concerning employers to the director and upon request to the state board of education. The attendance officer shall keep a record of the attendance officer's transactions for the inspection and information of the superintendent of schools and the board of education; and shall make reports to the superintendent of schools as often as required by the superintendent. The state board of education may prescribe forms for the use of attendance officers in the performance of their duties. The blank forms and record books or indexes shall be furnished to the attendance officers by the boards of education by which they are employed.

**3321.19. Examination into cases of truancy - failure of parent, guardian or responsible person to cause child's attendance at school.**

(A) As used in this section and section 3321.191 of the Revised Code, "habitual truant" has the same meaning as in section 2151.011 of the Revised Code.

(B) When a board of education of any city, exempted village, local, joint vocational, or cooperative education school district or the governing board of any educational service center determines that a student in its district has been truant and the parent, guardian, or other person having care of the child has failed to cause the student's attendance at school, the board may require the parent, guardian, or other person having care of the child pursuant to division (B) of this section to attend an educational program established pursuant to rules adopted by the state board of education for the purpose of encouraging parental involvement in compelling the attendance of the child at school.

No parent, guardian, or other person having care of a child shall fail without good cause to attend an educational program described in this division if the parent, guardian, or other person has been served notice pursuant to division (C) of this section.

(C) On the request of the superintendent of schools, the superintendent of any educational service center, the board of education of any city, exempted village, local, joint vocational, or cooperative education school district, or the governing board of any educational service center or when it otherwise comes to the notice of the attendance officer or other appropriate officer of the school district, the attendance officer or other appropriate officer shall examine into any case of supposed truancy within the district and shall warn the child, if found truant, and the child's parent, guardian, or other person having care of the child, in writing, of the legal consequences of being truant. When any child of compulsory school age, in violation of law, is not attending school, the attendance or other appropriate officer shall notify the parent, guardian, or other person having care of that child of the fact, and require the parent, guardian, or other person to cause the child to attend school immediately. The parent, guardian, or other person having care of the child shall cause the child's attendance at school. Upon the failure of the parent, guardian, or other person having care of the child to do so, the attendance officer or other appropriate officer, if so directed by the superintendent, the district board, or the educational service center governing board, shall send notice requiring the attendance of that parent, guardian, or other person at a parental education program established pursuant to division (B) of this section and, subject to divisions (D) and (E) of this section, may file a complaint against the parent, guardian, or other person having care of the child in any court of competent jurisdiction.

(D)(1) Upon the failure of the parent, guardian, or other person having care of the child to cause the child's attendance at school, if the child is considered an habitual truant, the board of education of the school district or the governing board of the educational service center, within ten days, subject to division (E) of this section, shall assign the student to an absence intervention team as described in division (C) of section 3321.191 of the Revised Code.

(2) The attendance officer shall file a complaint in the juvenile court of the county in which the child has a residence or legal settlement or in which the child is supposed to attend school jointly against the child and the parent, guardian, or other person having care of the child, in accordance with the timelines and conditions set forth in division (B) of section 3321.16 of the Revised Code. A complaint filed in the juvenile court under this division shall allege that the child is an unruly child for being an habitual truant and that the parent, guardian, or other person having care of the child has violated section 3321.38 of the Revised Code.

(E) A school district with a chronic absenteeism percentage that is less than five per cent, as displayed on the district's most recent report card issued under section 3302.03 of the Revised Code, and the school buildings within that district, shall be exempt from the requirement to assign habitually truant students to an absence intervention team for the following school year and shall instead take any appropriate action as an intervention strategy contained in the policy developed by the district board pursuant to divisions (A) and (B) of section 3321.191 of the Revised Code. In the event that those intervention strategies fail, within sixty-one days after their implementation, the attendance officer shall file a complaint, provided that the conditions described in division (B) of section 3321.16 of the Revised Code are satisfied.

#### **3321.20. Warning of legal consequences of truancy - complaint.**

When any child, in violation of section 3321.08 or 3321.09 of the Revised Code, is not attending a part-time school or class, the attendance officer shall warn the child and the child's parent, guardian, or other person in charge of the child in writing of the legal consequences of the child's failure to attend the part-time school or class. If the parent, guardian, or other person in charge of that child fails to cause the child's attendance at the part-time school or class, the attendance officer shall make complaint against the parent, guardian, or other person in charge of the child in the juvenile court of the county in which the child has a residence or legal settlement or in which the child is supposed to attend the part-time school or class.

#### **3321.141. Contacting parent, guardian, or other person having care of any absent student.**

(A)(1) Within one hundred twenty minutes after the beginning of each school day, the attendance officer, attendance officer's assistant for each individual school building, or other person the attendance officer designates to take attendance for each school building shall make at least one attempt to contact, in accordance with division (A)(2) of this section, the parent, guardian, or other person having care of any student who was absent without legitimate excuse from the school the student is required to attend as of the beginning of that school day.

(2) An attempt to contact a student's parent, guardian, or other person having care of the student shall be made through one of the following methods:

- (a) A telephone call placed in person;
- (b) An automated telephone call via a system that includes verification that each call was actually placed, and either the call was answered by its intended recipient or a voice mail message was left by the automated system relaying the required information;
- (c) A notification sent through the school's automated student information system;
- (d) A text-based communication sent to the parent's, guardian's, or other person's electronic wireless communications device, as defined in division (G)(1) of section 4511.204 of the Revised Code;

- (e) A notification sent to the electronic mail address of the parent, guardian, or other person;
- (f) A visit, in person, to the student's residence of record;
- (g) Any other notification procedure that has been adopted by resolution of the board of education of a school district.

(B) If the parent, guardian, or other person having care of a student initiates a telephone call or other communication notifying the school or building administration of the student's excused or unexcused absence within one hundred twenty minutes after the beginning of the school day, the school is under no further obligation with respect to the requirement prescribed in division (A) of this section.

**3321.191. Adoption of policy regarding student absences; intervention strategies.**

(A) Effective beginning with the 2017-2018 school year, the board of education of each city, exempted village, local, joint vocational, and cooperative education school district and the governing board of each educational service center shall adopt a new or amended policy to guide employees of the school district or service center in addressing and ameliorating student absences. In developing the policy, the appropriate board shall consult with the judge of the juvenile court of the county or counties in which the district or service center is located, with the parents, guardians, or other persons having care of the pupils attending school in the district, and with appropriate state and local agencies.

(B) The policy developed under division (A) of this section shall include as an intervention strategy all of the following actions, if applicable:

- (1) Providing a truancy intervention plan for any student who is excessively absent from school, as described in the first paragraph of division (C) of this section;
- (2) Providing counseling for an habitual truant;
- (3) Requesting or requiring a parent, guardian, or other person having care of an habitual truant to attend parental involvement programs, including programs adopted under section 3313.472 or 3313.663 of the Revised Code;
- (4) Requesting or requiring a parent, guardian, or other person having care of an habitual truant to attend truancy prevention mediation programs;
- (5) Notification of the registrar of motor vehicles under section 3321.13 of the Revised Code;
- (6) Taking legal action under section 2919.222, 3321.20, or 3321.38 of the Revised Code.

(C)(1) In the event that a child of compulsory school age is absent with a nonmedical excuse or without legitimate excuse from the public school the child is supposed to attend for thirty-eight or more hours in one school month, or sixty-five or more hours in a school year, the attendance officer of that school shall notify the child's parent, guardian, or custodian of the child's absences, in writing, within seven days after the date after the absence that triggered the notice requirement. At the time notice is given, the school also may take any appropriate action as an intervention strategy contained in the policy developed by the board pursuant to division (A) of this section.

- (2)(a) If the absences of a student surpass the threshold for an habitual truant as set forth in section 2151.011 of the Revised Code, the principal or chief administrator of the school or the superintendent of the school district shall assign the student to an absence intervention team. Within fourteen school days after the assignment of a student to an absence intervention team, the team shall develop an intervention plan for that student in an effort to reduce or eliminate further absences. Each intervention plan shall vary based on the individual needs of the student, but the plan shall state that the attendance officer shall file a complaint not later than sixty-one days after the date the plan was implemented, if the child has refused to participate in, or failed to make satisfactory progress on, the intervention plan or an alternative to adjudication under division (C)(2)(b) of section 3321.191 of the Revised Code. Within seven days after the development of the plan, the school district or school shall make reasonable efforts

to provide the student's parent, guardian, custodian, guardian ad litem, or temporary custodian with written notice of the plan.

(b) As part of the absence intervention plan described in division (C)(2) of this section, the school district or school, in its discretion, may contact the appropriate juvenile court and ask to have a student informally enrolled in any alternative to adjudication described in division (G) of section 2151.27 of the Revised Code. If the school district or school chooses to have students informally enrolled in an alternative to adjudication, the school district or school shall develop a written policy regarding the use of, and selection process for, offering alternatives to adjudication to ensure fairness.

(c) The superintendent of each school district, or the superintendent's designee, shall establish an absence intervention team for the district to be used by any schools of the district that do not establish their own absence intervention team as permitted under division (C)(2)(d) of this section. Membership of each absence intervention team may vary based on the needs of each individual student but shall include a representative from the child's school district or school, another representative from the child's school district or school who knows the child, and the child's parent or parent's designee, or the child's guardian, custodian, guardian ad litem, or temporary custodian. The team also may include a school psychologist, counselor, social worker, or representative of a public or nonprofit agency designed to assist students and their families in reducing absences.

(d) The principal or chief administrator of each school may establish an absence intervention team or series of teams to be used in lieu of the district team established pursuant to division (C)(2)(c) of this section. Membership of each absence intervention team may vary based on the needs of each individual student but shall include a representative from the child's school district or school, another representative from the child's school district or school who knows the child, and the child's parent or parent's designee, or the child's guardian, custodian, guardian ad litem, or temporary custodian. The team also may include a school psychologist, counselor, social worker, or representative of a public or nonprofit agency designed to assist students and their families in reducing absences.

(e) A superintendent, as described in division (C)(2)(c) of this section, or principal or chief administrator, as described in division (C)(2)(d) of this section, shall select the members of an absence intervention team within seven school days of the triggering event described in division (C)(2)(a) of this section. The superintendent, principal, or chief administrator, within the same period of seven school days, shall make at least three meaningful, good faith attempts to secure the participation of the student's parent, guardian, custodian, guardian ad litem, or temporary custodian on that team. If the student's parent responds to any of those attempts, but is unable to participate for any reason, the representative of the school district shall inform the parent of the parent's right to appear by designee. If seven school days elapse and the student's parent, guardian, custodian, guardian ad litem, or temporary custodian fails to respond to the attempts to secure participation, the school district or school shall do both of the following:

- (i) Investigate whether the failure to respond triggers mandatory reporting to the public children services agency for the county in which the child resides in the manner described in section 2151.421 of the Revised Code;
- (ii) Instruct the absence intervention team to develop an intervention plan for the child notwithstanding the absence of the child's parent, guardian, custodian, guardian ad litem, or temporary custodian.

(f) In the event that a student becomes habitually truant within twenty-one school days prior to the last day of instruction of a school year, the school district or school may, in its discretion, assign one school official to work with the child's parent, guardian, custodian, guardian ad litem, or temporary custodian to develop an absence intervention plan during the summer. If the school district or school

selects this method, the plan shall be implemented not later than seven days prior to the first day of instruction of the next school year. In the alternative, the school district or school may toll the time periods to accommodate for the summer months and reconvene the absence intervention process upon the first day of instruction of the next school year.

(3) For purposes of divisions (C)(2)(c) and (d) of this section, the state board of education shall develop a format for parental permission to ensure compliance with the "Family Educational Rights and Privacy Act of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended, and any regulations promulgated under that act, and section 3319.321 of the Revised Code.

(D) Each school district or school may consult or partner with public and nonprofit agencies to provide assistance as appropriate to students and their families in reducing absences.

(E) Beginning with the 2017-2018 school year, each school district shall report to the department of education, as soon as practicable, and in a format and manner determined by the department, any of the following occurrences:

(1) When a notice required by division (C)(1) of this section is submitted to a parent, guardian, or custodian;

(2) When a child of compulsory school age has been absent without legitimate excuse from the public school the child is supposed to attend for thirty or more consecutive hours, forty-two or more hours in one school month, or seventy-two or more hours in a school year;

(3) When a child of compulsory school age who has been adjudicated an unruly child for being an habitual truant violates the court order regarding that adjudication;

(4) When an absence intervention plan has been implemented for a child under this section.

(F) Nothing in this section shall be construed to limit the duty or authority of a district board of education or governing body of an educational service center to develop other policies related to truancy or to limit the duty or authority of any employee of the school district or service center to respond to pupil truancy. However, a board shall be subject to the prohibition against suspending, expelling, or otherwise preventing a student from attending school for excessive absences as prescribed by section 3313.668 of the Revised Code.

## **REGULATIONS**

### **3301-35-04. Student and other stakeholder focus.**

(A) To ensure that student and other stakeholder needs are understood and addressed, the school district or school shall:

(1) Establish and communicate clear, high expectations for academic performance, attendance and conduct for all students regardless of gender, race, ethnicity, English proficiency or disability.

### **3301-47-01. Establishment of an education program for parents of truant students.**

(A) For purposes of this rule "Parent" means "parent", "guardian," or "other person having charge or care of a child" as defined in section 3321.01 of the Revised Code.

(B) When an educational program has been established under division (B) of section 3321.19 of the Revised Code, the program shall address the following topics:

(1) Compulsory school laws, including sections 3321.01, 3321.02, 3321.03, and 3321.04 of the Revised Code;

(2) Overview of school opportunities and options including positive approaches for addressing the identified social, emotional, and academic needs of the student;

(3) Impacts of frequent absences on college and workforce readiness; and,



- (4) Other topics determined necessary by the district in collaboration with community partners.
- (C) If the local board of education adopts an education program, it shall be reviewed at least every five years by such body.
- (D) For the sole purpose of developing the education program, the local board of education shall establish an education program committee. Committee members may include, but are not limited to, a parent, a member of the board of education, a member of the local juvenile judicial system, a guidance counselor, a school psychologist, an attendance officer, a teacher, a principal, or a superintendent.
- (E) When determining whether a parent of a student who is habitually truant, as that term is defined in section 2151.011 of the Revised Code, should be referred to an education program, consideration shall be given to the student's academic record, discipline record, and cooperation of the parent.

## Substance Use

### LAWS

#### **3313.95. Contract for police officer to assist in working with students concerning use of alcohol and drugs of abuse.**

The contract shall specify the police officer's duties, which shall be limited to assisting guidance counselors and teachers in working with students concerning the use of alcohol and drugs of abuse, and which shall not include any duties for which an educator license issued under sections 3319.22 to 3319.30 of the Revised Code is required. The contract shall also specify the amount to be paid to the township, municipal corporation, or county by the board of education as compensation for all or part of the salary and benefits of any police officer assigned to its schools in accordance with such contract.

#### **3313.662. Adjudication order permanently excluding pupil from public schools.**

(A) The superintendent of public instruction, pursuant to this section and the adjudication procedures of section 3301.121 of the Revised Code, may issue an adjudication order that permanently excludes a pupil from attending any of the public schools of this state if the pupil is convicted of, or adjudicated a delinquent child for, committing, when the pupil was sixteen years of age or older, an act that would be a criminal offense if committed by an adult and if the act is any of the following:

- (3) A violation of section 2925.11 of the Revised Code, other than a violation of that section that would be a minor drug possession offense, that was committed on property owned or controlled by, or at an activity held under the auspices of, the board of education of a city, local, exempted village, or joint vocational school district.

#### **3313.751. Prohibition against tobacco possession or use.**

(A) As used in this section:

- (1) "School district" means a city, local, exempted village, or joint vocational school district.
- (2) "Smoke" means to burn any substance containing tobacco, including a lighted cigarette, cigar, or pipe, or to burn a clove cigarette.
- (3) "Use tobacco" means to chew or maintain any substance containing tobacco, including smokeless tobacco, in the mouth to derive the effects of tobacco.

(B) No pupil shall smoke or use tobacco or possess any substance containing tobacco in any area under the control of a school district or an educational service center or at any activity supervised by any school operated by a school district or an educational service center.

(C) No pupil shall use or possess any substance containing betel nut in any area under the control of a school district or an educational service center or at any activity supervised by any school operated by a school district or an educational service center.

(D) The board of education of each school district and the governing board of each educational service center shall adopt a policy providing for the enforcement of division (B) of this section and establishing disciplinary measures for a violation of division (B) of this section.

**3321.13. Duties of teacher and superintendent upon withdrawal or habitual absence of child from school - forms.**

(B)(3) Whenever a pupil is suspended or expelled from school pursuant to section 3313.66 of the Revised Code and the reason for the suspension or expulsion is the use or possession of alcohol, a drug of abuse, or alcohol and a drug of abuse, the superintendent of schools of that district may notify the registrar and the juvenile judge of the county in which the district is located of such suspension or expulsion. Any such notification of suspension or expulsion shall be given to the registrar, in the manner the registrar by rule requires and shall be given to the juvenile judge in writing. The notifications shall be given within two weeks after the suspension or expulsion.

**REGULATIONS**

**3301-83-20. General rules.**

(A) The use of alcohol, nicotine products, and non-prescribed drugs is prohibited on the school bus.

## **Gang-related Activity**

**LAWS**

No relevant laws found.

**REGULATIONS**

No relevant regulations found.

## **Bullying, Harassment, or Hazing**

**LAWS**

**5.2296. School Bullying Prevention and Awareness Act.**

The month of September shall be designated as "School Bullying Prevention Awareness Month" to highlight the policies prohibiting harassment, intimidation, or bullying adopted by schools in the state and the required notice of those policies sent to parents and guardians annually under section 3313.666 of the Revised Code.

**2903.31. Hazing.**

(A) As used in this section, "hazing" means doing any act or coercing another, including the victim, to do any act of initiation into any student or other organization that causes or creates a substantial risk of causing mental or physical harm to any person.

(B)(1) No person shall recklessly participate in the hazing of another.

(2) No administrator, employee, or faculty member of any primary, secondary, or post-secondary school or of any other educational institution, public or private, shall recklessly permit the hazing of any person.

(C) Whoever violates this section is guilty of hazing, a misdemeanor of the fourth degree.

**3301.22. Model harassment prevention policy.**

The state board of education shall develop a model policy to prohibit harassment, intimidation, or bullying in order to assist school districts in developing their own policies under section 3313.666 of the Revised Code. The board shall issue the model policy within six months after the effective date of this section.

**3313.6024. Reporting on prevention-focused programs.**

(A) Annually, beginning in the 2019-2020 school year, each school district shall report to the department of education, in the manner prescribed by the department, the types of prevention-focused programs, services, and supports used to assist students in developing the knowledge and skills to engage in healthy behaviors and decision-making and to increase their awareness of the dangers and consequences of risky behaviors, including substance abuse, suicide, bullying, and other harmful behaviors. The district shall report the following information regarding such programs, services, and supports for each building operated by the district and for each of grades kindergarten through twelve served by the building:

- (1) Curriculum and instruction provided during the school day;
- (2) Programs and supports provided outside of the classroom or outside of the school day;
- (3) Professional development for teachers, administrators, and other staff;
- (4) Partnerships with community coalitions and organizations to provide prevention services and resources to students and their families;
- (5) School efforts to engage parents and the community;
- (6) Activities designed to communicate with and learn from other schools or professionals with expertise in prevention education.

(B) The department may use information reported under this section, and any other information collected by the department pursuant to law, as a factor in the distribution of any funding available for prevention-focused programs, services, and supports.

**3313.666. District policy prohibiting harassment, intimidation, or bullying required.**

(A) As used in this section:

- (1) "Electronic act" means an act committed through the use of a cellular telephone, computer, pager, personal communication device, or other electronic communication device.
- (2) "Harassment, intimidation, or bullying" means either of the following:
  - (a) Any intentional written, verbal, electronic, or physical act that a student has exhibited toward another particular student more than once and the behavior both:
    - (i) Causes mental or physical harm to the other student;
    - (ii) Is sufficiently severe, persistent, or pervasive that it creates an intimidating, threatening, or abusive educational environment for the other student.
  - (b) Violence within a dating relationship.

(B) The board of education of each city, local, exempted village, and joint vocational school district shall establish a policy prohibiting harassment, intimidation, or bullying. The policy shall be developed in consultation with parents, school employees, school volunteers, students, and community members. The policy shall include the following:

- (1) A statement prohibiting harassment, intimidation, or bullying of any student on school property, on a school bus, or at school-sponsored events and expressly providing for the possibility of suspension of a student found responsible for harassment, intimidation, or bullying by an electronic act;
  - (2) A definition of harassment, intimidation, or bullying that includes the definition in division (A) of this section;
  - (3) A procedure for reporting prohibited incidents;
  - (4) A requirement that school personnel report prohibited incidents of which they are aware to the school principal or other administrator designated by the principal;
  - (5) A requirement that the custodial parent or guardian of any student involved in a prohibited incident be notified and, to the extent permitted by section 3319.321 of the Revised Code and the "Family Educational Rights and Privacy Act of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended, have access to any written reports pertaining to the prohibited incident;
  - (6) A procedure for documenting any prohibited incident that is reported;
  - (7) A procedure for responding to and investigating any reported incident;
  - (8) A strategy for protecting a victim or other person from new or additional harassment, intimidation, or bullying, and from retaliation following a report, including a means by which a person may report an incident anonymously;
  - (9) A disciplinary procedure for any student guilty of harassment, intimidation, or bullying, which shall not infringe on any student's rights under the first amendment to the Constitution of the United States;
  - (10) A statement prohibiting students from deliberately making false reports of harassment, intimidation, or bullying and a disciplinary procedure for any student responsible for deliberately making a false report of that nature;
  - (11) A requirement that the district administration semiannually provide the president of the district board a written summary of all reported incidents and post the summary on its web site, if the district has a web site, to the extent permitted by section 3319.321 of the Revised Code and the "Family Educational Rights and Privacy Act of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended.
- (C) Each board's policy shall appear in any student handbooks, and in any of the publications that set forth the comprehensive rules, procedures, and standards of conduct for schools and students in the district. The policy and an explanation of the seriousness of bullying by electronic means shall be made available to students in the district and to their custodial parents or guardians. Information regarding the policy shall be incorporated into employee training materials.
- (D)(1) To the extent that state or federal funds are appropriated for this purpose, each board shall require that all students enrolled in the district annually be provided with age-appropriate instruction, as determined by the board, on the board's policy, including a written or verbal discussion of the consequences for violations of the policy.
- (2) Each board shall require that once each school year a written statement describing the policy and the consequences for violations of the policy be sent to each student's custodial parent or guardian. The statement may be sent with regular student report cards or may be delivered electronically.
- (E) A school district employee, student, or volunteer shall be individually immune from liability in a civil action for damages arising from reporting an incident in accordance with a policy adopted pursuant to this section if that person reports an incident of harassment, intimidation, or bullying promptly in good faith and in compliance with the procedures as specified in the policy.
- (F) Except as provided in division (E) of this section, nothing in this section prohibits a victim from seeking redress under any other provision of the Revised Code or common law that may apply.
- (G) This section does not create a new cause of action or a substantive legal right for any person.

(H) Each board shall update the policy adopted under this section to include violence within a dating relationship and harassment, intimidation, or bullying by electronic means.

**3313.667. District bullying prevention initiatives.**

(A) Any school district may form bullying prevention task forces, programs, and other initiatives involving volunteers, parents, law enforcement, and community members.

(B) To the extent that state or federal funds are appropriated for these purposes, each school district shall provide training, workshops, or courses on the district's harassment, intimidation, or bullying policy adopted pursuant to section 3313.666 of the Revised Code to school employees and volunteers who have direct contact with students and are not subject to section 3319.073 of the Revised Code. Time spent by school employees in the training, workshops, or courses shall apply towards any state- or district-mandated continuing education requirements.

(C) This section does not create a new cause of action or a substantive legal right for any person.

**3319.073. In-service training in child abuse prevention programs, school safety and violence prevention, and training on the board's harassment, intimidation, or bullying policy.**

(C) Each board shall incorporate training on the board's harassment, intimidation, or bullying policy adopted under section 3313.666 of the Revised Code into the in-service training required by division (A) of this section. Each board also shall incorporate training in the prevention of dating violence into the in-service training required by that division for middle and high school employees. The board shall develop its own curricula for these purposes.

**REGULATIONS**

No relevant regulations found.

## Dating and Relationship Violence

**LAWS**

**3313.666. District policy prohibiting harassment, intimidation, or bullying required.**

(A) As used in this section:

(2) "Harassment, intimidation, or bullying" means either of the following:

(a) Any intentional written, verbal, electronic, or physical act that a student has exhibited toward another particular student more than once and the behavior both:

(i) Causes mental or physical harm to the other student;

(ii) Is sufficiently severe, persistent, or pervasive that it creates an intimidating, threatening, or abusive educational environment for the other student.

(b) Violence within a dating relationship.

(H) Each board shall update the policy adopted under this section to include violence within a dating relationship and harassment, intimidation, or bullying by electronic means.

**3319.073. In-service training in child abuse prevention programs, school safety and violence prevention, and training on the board's harassment, intimidation, or bullying policy.**

(C) Each board shall incorporate training on the board's harassment, intimidation, or bullying policy adopted under section 3313.666 of the Revised Code into the in-service training required by division (A) of this section. Each board also shall incorporate training in the prevention of dating violence into the in-

service training required by that division for middle and high school employees. The board shall develop its own curricula for these purposes.

**REGULATIONS**

No relevant regulations found.

## ***Prevention, Behavioral Intervention, and Supports***

### **State Model Policies and Implementation Support**

#### **LAWS**

##### **3301.22. Model harassment prevention policy.**

The state board of education shall develop a model policy to prohibit harassment, intimidation, or bullying in order to assist school districts in developing their own policies under section 3313.666 of the Revised Code. The board shall issue the model policy within six months after the effective date of this section.

##### **3301.221. List of approved programs in suicide awareness and prevention and violence prevention.**

(B) The department of education, in consultation with the department of public safety and the department of mental health and addiction services, shall maintain a list of approved training programs, to be posted on the department of education's web site, for instruction in suicide awareness and prevention and violence prevention as prescribed under division (A)(5)(h) of section 3313.60 and division (D) of section 3319.073 of the Revised Code. The list of approved training programs shall include at least one option that is free or of no cost to schools. The approved training programs shall be evidence-based and include the following:

- (1) How to instruct school personnel to identify the signs and symptoms of depression, suicide, and self-harm in students;
- (2) How to instruct students to identify the signs and symptoms of depression, suicide, and self-harm in their peers;
- (3) How to identify appropriate mental health services within schools and within larger communities, and when and how to refer youth and their families to those services;
- (4) How to teach students about mental health and depression, warning signs of suicide, and the importance of and processes for seeking help on behalf of self and peers and reporting of these behaviors;
- (5) How to identify observable warning signs and signals of individuals who may be a threat to themselves or others;
- (6) The importance of taking threats seriously and seeking help;
- (7) How students can report dangerous, violent, threatening, harmful, or potentially harmful activity, including the use of the district's chosen anonymous reporting program.

##### **5502.262. School emergency management plans.**

(B)(c) A threat assessment plan developed as prescribed in section 5502.263 of the Revised Code. A building may use the model plan developed by the department of public safety under that section;

- (d) A protocol for school threat assessment teams established under section 3313.669 of the Revised Code.

#### **REGULATIONS**

No relevant regulations found.

# Multi-tiered Frameworks and Systems of Support

## LAWS

### **3302.03. Submission of preliminary report card data; grading school districts.**

(C)(2) In addition to the graded measures in division (C)(1) of this section, the department shall include on a school district's or building's report card all of the following without an assigned letter grade:

- (h) Whether the school district or building has implemented a positive behavior intervention and supports framework in compliance with the requirements of section 3319.46 of the Revised Code, notated as a "yes" or "no" answer.

### **3319.237. Courses to teach in grades pre-k through 5; curriculum; continuing education.**

(A) The standards for the preparation of teachers adopted under section 3333.048 of the Revised Code shall require each institution that provides a teacher preparation program to include a semester course, or the equivalent, for all students pursuing a license to teach in any of grades pre-kindergarten through five that includes instruction on all of the following:

- (1) Positive behavior intervention and supports 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;
- (6) Matching curriculum to student needs and data;
- (7) The impact of trauma, toxic stress, and other environmental variables on learning behavior.

(B) Within three years after the effective date of this section, each school district shall provide professional development or continuing education in positive behavior intervention and supports, as part of the school-wide implementation of the positive behavior intervention and supports framework required under section 3319.46 of the Revised Code, to all of the following:

- (1) Any of the district's teachers who teach in buildings that serve students in any of grades pre-kindergarten through three and who completed a teacher preparation program prior to the effective date of this section;
- (2) All of the district's administrators who serve students in any of grades pre-kindergarten through three, including the school district superintendent, building principals, and assistant principals, who have not already completed a course of instruction, professional development, or continuing education in positive behavior intervention and supports.

Each district's local professional development committee, established under section 3319.22 of the Revised Code, shall monitor compliance with division (B) of this section and shall establish model professional development courses to assist in that compliance.

### **3319.46. Policy and rules regarding positive behavior intervention supports and the use of physical restraint or seclusion on students; duties of board.**

(A)(1) The state board of education shall adopt rules under Chapter 119. of the Revised Code that establish both of the following:



(a) A policy and standards for the implementation of positive behavior intervention and supports framework [...]

(B)(1) Each school district board of education shall do all of the following:

(a) Implement a positive behavior intervention and supports framework on a system-wide basis that complies with this section;

(b) Comply with any policy and standards adopted, amended, or updated by the state board under this section;

(c) Submit any reports required by the department of education or the general assembly with respect to the implementation of a positive behavior intervention and supports framework or suspension and expulsion of students in any of grades pre-kindergarten through three.

(2) Each school district's positive behavior intervention and supports framework may focus on the following:

(a) Comprehensive, school-wide data systems that enable monitoring of academic progress, behavioral incidents, attendance, and other critical indicators across classrooms;

(b) School-wide investment in evidence-based curricula and effective instructional strategies, matched to students' needs, and data to support teachers' academic instruction;

(c) An expectation by school administrators that classroom practices be linked to and aligned with the school-wide system;

(d) 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.

(C) For purposes of this section, "positive behavior intervention and supports framework" or "positive behavior intervention and supports" means a multi-tiered, school-wide, behavioral framework developed and implemented for the purpose of improving academic and social outcomes and increasing learning for all students.

## **REGULATIONS**

### **3301-35-15. Standards for the implementation of positive behavior intervention supports and the use of restraint and seclusion.**

(A) Notwithstanding rule 3301-35-01 of the Administrative Code, the following definitions apply for purposes of this rule:

(7) "Positive behavior intervention and supports" means

(a) A school-wide systematic approach to embed evidence-based practices and data-driven decision making to improve school climate and culture in order to achieve improved academic and social outcomes, and increase learning for all students, and that

(b) Encompasses a range of systemic and individualized positive strategies to reinforce desired behaviors, diminish reoccurrences of challenging behaviors, and teach appropriate behaviors to students. [...]

(B) Implementation of positive behavior intervention and supports. Each school district shall implement positive behavior intervention and supports on a system-wide basis. [...]

(H) Policies and procedures. A school district shall develop written policies and procedures concerning the use of seclusion and restraint that are consistent with the policy on positive behavior interventions and support, restraint and seclusion, as adopted by the state board of education January 2013 (education.ohio.gov). A district's complaint procedures shall include

- (1) A procedure for a parent to present written complaints to the superintendent of the school district to initiate a complaint investigation by the school district regarding an incident of restraint or seclusion; and
- (2) A requirement that the school district shall respond to the parent in writing within thirty days of the filing of a complaint regarding an incident of restraint or seclusion.

These policies and procedures shall be accessible on the district's website, and each district shall be responsible for notifying all parents annually of its policies and procedures concerning seclusion and restraint.

## Prevention

### LAWS

#### **3301.221. List of approved programs in suicide awareness and prevention and violence prevention.**

(B) The department of education, in consultation with the department of public safety and the department of mental health and addiction services, shall maintain a list of approved training programs, to be posted on the department of education's web site, for instruction in suicide awareness and prevention and violence prevention as prescribed under division (A)(5)(h) of section 3313.60 and division (D) of section 3319.073 of the Revised Code. The list of approved training programs shall include at least one option that is free or of no cost to schools. The approved training programs shall be evidence-based and include the following:

- (1) How to instruct school personnel to identify the signs and symptoms of depression, suicide, and self-harm in students;
- (2) How to instruct students to identify the signs and symptoms of depression, suicide, and self-harm in their peers;
- (3) How to identify appropriate mental health services within schools and within larger communities, and when and how to refer youth and their families to those services;
- (4) How to teach students about mental health and depression, warning signs of suicide, and the importance of and processes for seeking help on behalf of self and peers and reporting of these behaviors;
- (5) How to identify observable warning signs and signals of individuals who may be a threat to themselves or others;
- (6) The importance of taking threats seriously and seeking help;
- (7) How students can report dangerous, violent, threatening, harmful, or potentially harmful activity, including the use of the district's chosen anonymous reporting program.

#### **3313.60. Prescribed curriculum.**

(A) The board of education of each city, exempted village, and local school district and the board of each cooperative education school district established, pursuant to section 3311.521 of the Revised Code, shall prescribe a curriculum for all schools under its control. Except as provided in division (E) of this section, in any such curriculum there shall be included the study of the following subjects:

- (e) In grades seven through twelve, age-appropriate instruction in dating violence prevention education, which shall include instruction in recognizing dating violence warning signs and characteristics of healthy relationships.

In order to assist school districts in developing a dating violence prevention education curriculum, the department of education shall provide on its web site links to free curricula addressing dating violence prevention.

If the parent or legal guardian of a student less than eighteen years of age submits to the principal of the student's school a written request to examine the dating violence prevention instruction materials used at that school, the principal, within a reasonable period of time after the request is made, shall allow the parent or guardian to examine those materials at that school.

(f) Prescription opioid abuse prevention, with an emphasis on the prescription drug epidemic and the connection between prescription opioid abuse and addiction to other drugs, such as heroin;

(g) The process of making an anatomical gift under Chapter 2108. of the Revised Code, with an emphasis on the life-saving and life-enhancing effects of organ and tissue donation;

(h) Beginning with the first day of the next school year that begins at least two years after the effective date of this amendment, in grades six through twelve, at least one hour or one standard class period per school year of evidence-based suicide awareness and prevention and at least one hour or one standard class period per school year of safety training and violence prevention, except that upon written request of the student's parent or guardian, a student shall be excused from taking instruction in suicide awareness and prevention or safety training and violence prevention.

### **3313.6611. Student-led violence prevention clubs.**

Student-led violence prevention clubs.

Student-led violence prevention clubs.

Each local, city, exempted village, joint vocational school district, community school established under Chapter 3314., STEM school established under Chapter 3326., and college-preparatory boarding school established under Chapter 3328. of the Revised Code may designate a student-led violence prevention club for each school building in the district or school serving grades six through twelve. If created, each club shall do the following:

(A) Be open to all members of the student body;

(B) Have at least one identified adult advisor;

(C) Implement and sustain suicide and violence prevention and social inclusion training and awareness activities in a manner consistent with section 3301.221 of the Revised Code;

(D) Foster opportunities for student leadership development.

### **3319.073. In-service training in child abuse prevention programs, school safety and violence prevention, and training on the board's harassment, intimidation, or bullying policy.**

(A) The board of education of each city and exempted village school district and the governing board of each educational service center shall adopt or adapt the curriculum developed by the department of education for, or shall develop in consultation with public or private agencies or persons involved in child abuse prevention or intervention programs, a program of in-service training in the prevention of child abuse, violence, and substance abuse and the promotion of positive youth development. Each person employed by any school district or service center to work in a school as a nurse, teacher, counselor, school psychologist, or administrator shall complete at least four hours of the in-service training within two years of commencing employment with the district or center, and every five years thereafter. A person who is employed by any school district or service center to work in an elementary school as a nurse, teacher, counselor, school psychologist, or administrator on March 30, 2007, shall complete at least four hours of the in-service training not later than March 30, 2009, and every five years thereafter. A person who is employed by any school district or service center to work in a middle or high school as a nurse,

teacher, counselor, school psychologist, or administrator on October 16, 2009, shall complete at least four hours of the in-service training not later than October 16, 2011, and every five years thereafter.

(B) Each board shall incorporate training in school safety and violence prevention, including human trafficking content, into the in-service training required by division (A) of this section. For this purpose, the board shall adopt or adapt the curriculum developed by the department or shall develop its own curriculum in consultation with public or private agencies or persons involved in school safety and violence prevention programs.

(C) Each board shall incorporate training on the board's harassment, intimidation, or bullying policy adopted under section 3313.666 of the Revised Code into the in-service training required by division (A) of this section. Each board also shall incorporate training in the prevention of dating violence into the in-service training required by that division for middle and high school employees. The board shall develop its own curricula for these purposes.

(D) Each board shall incorporate training in youth suicide awareness and prevention into the in-service training required by division (A) of this section for each person employed by a school district or service center to work in a school as a nurse, teacher, counselor, school psychologist, or administrator, and any other personnel that the board determines appropriate. The board shall require each such person to undergo training in youth suicide awareness and prevention programs once every two years. For this purpose, the board shall adopt or adapt the curriculum developed by the department under section 3301.221 of the Revised Code or shall develop its own curriculum in consultation with public or private agencies or persons involved in youth suicide awareness and prevention programs.

The training completed under this division shall count toward the satisfaction of requirements for professional development required by the school district or service center board, and the training may be accomplished through self-review of suitable suicide prevention materials approved by the board.

## **REGULATIONS**

No relevant regulations found.

## **Social-emotional Learning (SEL)**

### **LAWS**

No relevant laws found.

### **REGULATIONS**

No relevant regulations found.

## **Trauma-informed Practices**

### **LAWS**

#### **3317.26. Disposition of student wellness and success funds.**

(B) In any fiscal year, a city, local, exempted village, or joint vocational school district, community school, or STEM school shall spend the student wellness and success funds it receives for any of the following initiatives or a combination of any of the following initiatives:

- (9) Professional development regarding the provision of trauma informed care.

**3319.237. Courses to teach in grades pre-k through 5; curriculum; continuing education.**

(A) The standards for the preparation of teachers adopted under section 3333.048 of the Revised Code shall require each institution that provides a teacher preparation program to include a semester course, or the equivalent, for all students pursuing a license to teach in any of grades pre-kindergarten through five that includes instruction on all of the following:

- (1) Positive behavior intervention and supports 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;
- (6) Matching curriculum to student needs and data;
- (7) The impact of trauma, toxic stress, and other environmental variables on learning behavior.

(B) Within three years after the effective date of this section, each school district shall provide professional development or continuing education in positive behavior intervention and supports, as part of the school-wide implementation of the positive behavior intervention and supports framework required under section 3319.46 of the Revised Code, to all of the following:

- (1) Any of the district's teachers who teach in buildings that serve students in any of grades pre-kindergarten through three and who completed a teacher preparation program prior to the effective date of this section;
- (2) All of the district's administrators who serve students in any of grades pre-kindergarten through three, including the school district superintendent, building principals, and assistant principals, who have not already completed a course of instruction, professional development, or continuing education in positive behavior intervention and supports.

Each district's local professional development committee, established under section 3319.22 of the Revised Code, shall monitor compliance with division (B) of this section and shall establish model professional development courses to assist in that compliance.

**REGULATIONS**

No relevant regulations found.

## **Mental Health Literacy Training**

**LAWS**

**3301.221. List of approved programs in suicide awareness and prevention and violence prevention.**

(B) The department of education, in consultation with the department of public safety and the department of mental health and addiction services, shall maintain a list of approved training programs, to be posted on the department of education's web site, for instruction in suicide awareness and prevention and violence prevention as prescribed under division (A)(5)(h) of section 3313.60 and division (D) of section 3319.073 of the Revised Code. The list of approved training programs shall include at least one option that is free or of no cost to schools. The approved training programs shall be evidence-based and include the following:

- (1) How to instruct school personnel to identify the signs and symptoms of depression, suicide, and self-harm in students;
- (2) How to instruct students to identify the signs and symptoms of depression, suicide, and self-harm in their peers;
- (3) How to identify appropriate mental health services within schools and within larger communities, and when and how to refer youth and their families to those services;
- (4) How to teach students about mental health and depression, warning signs of suicide, and the importance of and processes for seeking help on behalf of self and peers and reporting of these behaviors;
- (5) How to identify observable warning signs and signals of individuals who may be a threat to themselves or others;
- (6) The importance of taking threats seriously and seeking help;
- (7) How students can report dangerous, violent, threatening, harmful, or potentially harmful activity, including the use of the district's chosen anonymous reporting program.

### **3319.61. Duties of board.**

(E) The standards for educator professional development developed under division (A)(5) of this section shall include the following:

- (1) Standards for the inclusion of local professional development committees established under section 3319.22 of the Revised Code in the planning and design of professional development;
- (2) Standards that address the crucial link between academic achievement and mental health issues.

### **REGULATIONS**

No relevant regulations found.

## **School-based Behavioral Health Programs**

### **LAWS**

#### **3313.668. Removal from school based on absences; removal of students in grades pre-K through three.**

(2) Whenever possible, the principal shall consult with a mental health professional under contract with the district or school prior to suspending or expelling a student in any of grades pre-kindergarten through three. If the events leading up to suspension or expulsion indicate a need for additional mental health services, the student's principal or the district's mental health professional shall, in any manner that does not result in a financial burden to the school district or school, assist the student's parent or guardian with locating providers or obtaining those services, including referral to an independent mental health professional. Nothing in this division shall be construed to limit the responsibilities of a school district or school with respect to the provision of special education and related services under Chapter 3323. of the Revised Code.

#### **3317.26. Disposition of student wellness and success funds.**

(B) In any fiscal year, a city, local, exempted village, or joint vocational school district, community school, or STEM school shall spend the student wellness and success funds it receives for any of the following initiatives or a combination of any of the following initiatives:

- (1) Mental health services.

## REGULATIONS

### **3301-35-01. Purpose and definitions.**

(A) The purpose for adopting the rules in this chapter, which comprise the operating standards for Ohio school districts and elementary and secondary schools, is to assure that all students are provided a general education of high quality. The rules in this chapter establish specific expectations for school districts and schools to use in creating the best learning conditions for meeting the personalized and individualized needs of each student and achieving state and local educational goals and objectives. The operating standards focus on the most critical expectations for school districts and schools in order to foster a regulatory system that focuses on improving outputs and student outcomes.

(B) The following terms are defined as they are used in this chapter:

(10) "Educational service personnel" means individuals who hold appropriate qualifications and who possess the knowledge, skills and expertise to support the educational, instructional, health, mental health and college and career readiness needs for all students.

(a) Educational service personnel that support educational, instructional and college and career readiness programs include, but are not limited to: fine arts, music, and physical education teachers; librarian or media specialists; school counselors; and reading intervention specialists;

(b) Educational service personnel that support the learning needs of the special needs student population include, but are not limited to: gifted intervention specialists, adapted physical education teachers, audiologists, interpreters, speech-language pathologists, physical and occupational therapists, and English-as-a-second-language specialist;

(c) Educational service personnel that support the health and mental health of the student population include, but are not limited to: school nurses, social workers, school psychologists, and school resource officers.

## ***Monitoring and Accountability***

### **Formal Incident Reporting of Conduct Violations**

#### **LAWS**

##### **3319.45. Principal to report certain act or violations by pupil to superintendent and law enforcement officer.**

If a principal of a public school in a city, local, exempted village, or joint vocational school district, acting in his official or professional capacity, has knowledge of or has observed a pupil committing a violation listed in division (A) of section 3313.662 of the Revised Code, regardless of whether or not the pupil was sixteen years of age or older at the time of the commission of the act or violation, and the violation was committed on property owned and controlled by, or at any activity held under the auspices of, the board of education of the school district, both of the following apply:

- (A) The principal, within one school day after obtaining his knowledge of or observing the act or violation, shall report the violation to the superintendent of the school district in which the school is located or to the designee of the superintendent.
- (B) The principal, within a reasonable period of time after obtaining his knowledge of or observing the act or violation, may report the act or violation to a law enforcement officer of the jurisdiction in which the violation occurred or, if the pupil is a juvenile, report the violation to either a law enforcement officer of the jurisdiction in which the act occurred or in the jurisdiction in which the pupil resides.

#### **REGULATIONS**

##### **3301-35-15. Standards for the implementation of positive behavior intervention supports and the use of restraint and seclusion.**

(F) Reporting and notification. Any incident of seclusion or restraint shall be immediately reported to building supervision and the parent. Any incident of seclusion or restraint shall be documented in a written report that is made available to the parent within twenty-four hours and that is maintained by the school district.

### **Parental Notification**

#### **LAWS**

##### **3313.66. Suspension, expulsion or permanent exclusion - removal from curricular or extracurricular activities.**

(B)(6) No pupil shall be expelled under division (B)(1), (2), (3), (4), or (5) of this section unless, prior to the pupil's expulsion, the superintendent does both of the following:

- (a) Gives the pupil and the pupil's parent, guardian, or custodian written notice of the intention to expel the pupil;
- (b) Provides the pupil and the pupil's parent, guardian, custodian, or representative an opportunity to appear in person before the superintendent or the superintendent's designee to challenge the reasons for the intended expulsion or otherwise to explain the pupil's actions.

The notice required in this division shall include the reasons for the intended expulsion, notification of the opportunity of the pupil and the pupil's parent, guardian, custodian, or representative to appear before the superintendent or the superintendent's designee to challenge the reasons for the intended expulsion or



otherwise to explain the pupil's action, and notification of the time and place to appear. The time to appear shall not be earlier than three nor later than five school days after the notice is given, unless the superintendent grants an extension of time at the request of the pupil or the pupil's parent, guardian, custodian, or representative. If an extension is granted after giving the original notice, the superintendent shall notify the pupil and the pupil's parent, guardian, custodian, or representative of the new time and place to appear. If the proposed expulsion is based on a violation listed in division (A) of section 3313.662 of the Revised Code and if the pupil is sixteen years of age or older, the notice shall include a statement that the superintendent may seek to permanently exclude the pupil if the pupil is convicted of or adjudicated a delinquent child for that violation. [...]

(D) The superintendent or principal, within one school day after the time of a pupil's expulsion or suspension, shall notify in writing the parent, guardian, or custodian of the pupil of the expulsion or suspension. In the case of an expulsion, the superintendent or principal, within one school day after the time of a pupil's expulsion, also shall notify in writing the treasurer of the board of education. Each notice shall include the reasons for the expulsion or suspension, notification of the right of the pupil or the pupil's parent, guardian, or custodian to appeal the expulsion or suspension to the board of education or to its designee, to be represented in all appeal proceedings, to be granted a hearing before the board or its designee in order to be heard against the suspension or expulsion, and to request that the hearing be held in executive session, notification that the expulsion may be subject to extension pursuant to division (F) of this section if the pupil is sixteen years of age or older, and notification that the superintendent may seek the pupil's permanent exclusion if the suspension or expulsion was based on a violation listed in division (A) of section 3313.662 of the Revised Code that was committed when the child was sixteen years of age or older and if the pupil is convicted of or adjudicated a delinquent child for that violation.

In accordance with the policy adopted by the board of education under section 3313.661 of the Revised Code, the notice provided under this division shall specify the manner and date by which the pupil or the pupil's parent, guardian, or custodian shall notify the board of the pupil's, parent's, guardian's, or custodian's intent to appeal the expulsion or suspension to the board or its designee.

### **3313.205. Notification of student's absence from school.**

Subject to section 3321.141 of the Revised Code, the board of education of each school district shall adopt a written policy with respect to the notification of a student's parents, parent who is the residential parent and legal custodian, guardian, or legal custodian or any other person responsible for the student within a reasonable time after the determination that the student is absent from school. The student's parents, parent who is the residential parent and legal custodian, guardian, or legal custodian or any other person responsible for the student shall provide the school that the student attends a current address and a telephone number at which the student's parents, parent who is the residential parent and legal custodian, guardian, or legal custodian or any other person that is responsible for the student can receive notice that the student is absent from school.

### **3313.661. Policy regarding suspension, expulsion, removal, and permanent exclusion.**

The policy adopted under this division shall specify the date and manner by which a pupil or a pupil's parent, guardian, or custodian may notify the board of the pupil's, parent's, guardian's, or custodian's intent to appeal an expulsion or suspension to the board or its designee pursuant to division (E) of section 3313.66 of the Revised Code. In the case of any expulsion, the policy shall not specify a date that is less than fourteen days after the date of the notice provided to the pupil or the pupil's parent, guardian, or custodian under division (D) of that section.

**3313.662. Adjudication order permanently excluding pupil from public schools.**

(C)(3) If the board does not adopt a resolution requesting the superintendent of public instruction to permanently exclude the pupil, it immediately shall send written notice of that fact to the superintendent who sought the resolution, to the pupil who was the subject of the proposed resolution, and to that pupil's parent, guardian, or custodian.

**3313.666. District policy prohibiting harassment, intimidation, or bullying required.**

(B) The board of education of each city, local, exempted village, and joint vocational school district shall establish a policy prohibiting harassment, intimidation, or bullying. The policy shall be developed in consultation with parents, school employees, school volunteers, students, and community members. The policy shall include the following:

(5) A requirement that the custodial parent or guardian of any student involved in a prohibited incident be notified and, to the extent permitted by section 3319.321 of the Revised Code and the "Family Educational Rights and Privacy Act of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended, have access to any written reports pertaining to the prohibited incident.

**3314.261. Internet- or computer-based school attendance.**

This section shall not apply to an internet-or computer-based community school in which a majority of the students are enrolled in a dropout prevention and recovery program.

(C) Notwithstanding section 3321.191 of the Revised Code, each internet- or computer-based community school shall develop and adopt a policy regarding failure to participate in instructional activities. The policy shall state that a student shall become subject to certain consequences, including disenrollment from the school, if both of the following conditions are satisfied:

(1) After the student's parent, guardian, or custodian receives a written report under division (B)(2) of this section, the student fails to comply with the policy adopted under division (C) of this section within a reasonable period of time specified by the school.

**3321.13. Duties of teacher and superintendent upon withdrawal or habitual absence of child from school - forms.**

(B)[...] The notification to the child and the child's parent, guardian, or custodian required by division (B)(2) of this section shall set forth the information received by the superintendent and shall inform the child and the child's parent, guardian, or custodian of the scheduled date, time, and place of the appearance that they may have before the superintendent or a designee. The date scheduled for the appearance shall be no earlier than three and no later than five days after the notification is given, provided that an extension may be granted upon request of the child or the child's parent, guardian, or custodian. If an extension is granted, the superintendent shall schedule a new date, time, and place for the appearance and shall inform the child and the child's parent, guardian, or custodian of the new date, time, and place.

**3321.19. Examination into cases of truancy - failure of parent, guardian or responsible person to cause child's attendance at school.**

(C) On the request of the superintendent of schools, the superintendent of any educational service center, the board of education of any city, exempted village, local, joint vocational, or cooperative education school district, or the governing board of any educational service center or when it otherwise comes to the notice of the attendance officer or other appropriate officer of the school district, the attendance officer or other appropriate officer shall examine into any case of supposed truancy within the district and shall warn the child, if found truant, and the child's parent, guardian, or other person having care of the child, in writing, of the legal consequences of being truant. When any child of compulsory school age, in violation

of law, is not attending school, the attendance or other appropriate officer shall notify the parent, guardian, or other person having care of that child of the fact, and require the parent, guardian, or other person to cause the child to attend school immediately. The parent, guardian, or other person having care of the child shall cause the child's attendance at school. Upon the failure of the parent, guardian, or other person having care of the child to do so, the attendance officer or other appropriate officer, if so directed by the superintendent, the district board, or the educational service center governing board, shall send notice requiring the attendance of that parent, guardian, or other person at a parental education program established pursuant to division (B) of this section and, subject to divisions (D) and (E) of this section, may file a complaint against the parent, guardian, or other person having care of the child in any court of competent jurisdiction.

**3321.20. Warning of legal consequences of truancy - complaint.**

When any child, in violation of section 3321.08 or 3321.09 of the Revised Code, is not attending a part-time school or class, the attendance officer shall warn the child and the child's parent, guardian, or other person in charge of the child in writing of the legal consequences of the child's failure to attend the part-time school or class. If the parent, guardian, or other person in charge of that child fails to cause the child's attendance at the part-time school or class, the attendance officer shall make complaint against the parent, guardian, or other person in charge of the child in the juvenile court of the county in which the child has a residence or legal settlement or in which the child is supposed to attend the part-time school or class.

**3321.141. Contacting parent, guardian, or other person having care of any absent student.**

(A)(1) Within one hundred twenty minutes after the beginning of each school day, the attendance officer, attendance officer's assistant for each individual school building, or other person the attendance officer designates to take attendance for each school building shall make at least one attempt to contact, in accordance with division (A)(2) of this section, the parent, guardian, or other person having care of any student who was absent without legitimate excuse from the school the student is required to attend as of the beginning of that school day.

(2) An attempt to contact a student's parent, guardian, or other person having care of the student shall be made through one of the following methods:

- (a) A telephone call placed in person;
- (b) An automated telephone call via a system that includes verification that each call was actually placed, and either the call was answered by its intended recipient or a voice mail message was left by the automated system relaying the required information;
- (c) A notification sent through the school's automated student information system;
- (d) A text-based communication sent to the parent's, guardian's, or other person's electronic wireless communications device, as defined in division (G)(1) of section 4511.204 of the Revised Code;
- (e) A notification sent to the electronic mail address of the parent, guardian, or other person;
- (f) A visit, in person, to the student's residence of record;
- (g) Any other notification procedure that has been adopted by resolution of the board of education of a school district.

(B) If the parent, guardian, or other person having care of a student initiates a telephone call or other communication notifying the school or building administration of the student's excused or unexcused absence within one hundred twenty minutes after the beginning of the school day, the school is under no further obligation with respect to the requirement prescribed in division (A) of this section.

## REGULATIONS

### **3301-35-15. Standards for the implementation of positive behavior intervention supports and the use of restraint and seclusion.**

(F) Reporting and notification. Any incident of seclusion or restraint shall be immediately reported to building supervision and the parent. Any incident of seclusion or restraint shall be documented in a written report that is made available to the parent within twenty-four hours and that is maintained by the school district.

## Data Collection, Review, and Reporting of Discipline Policies and Actions

## LAWS

### **3301.0714. Guidelines for statewide education management information system.**

(A) The state board of education shall adopt rules for a statewide education management information system. The rules shall require the state board to establish guidelines for the establishment and maintenance of the system in accordance with this section and the rules adopted under this section. The guidelines shall include:

(1) Standards identifying and defining the types of data in the system in accordance with divisions (B) and (C) of this section [...]

(B) The guidelines adopted under this section shall require the data maintained in the education management information system to include at least the following:

(1) Student participation and performance data, for each grade in each school district as a whole and for each grade in each school building in each school district, that includes:

(h) Expulsion rates;

(i) Suspension rates'

(o) Beginning on July 1, 2018, for each disciplinary action which is required to be reported under division (B)(4) of this section, districts and schools also shall include an identification of the person or persons, if any, at whom the student's violent behavior that resulted in discipline was directed. The person or persons shall be identified by the respective classification at the district or school, such as student, teacher, or nonteaching employee, but shall not be identified by name. [...]

(E) The guidelines adopted under this section may require school districts to collect and report data, information, or reports other than that described in divisions (A), (B), and (C) of this section for the purpose of complying with other reporting requirements established in the Revised Code. The other data, information, or reports may be maintained in the education management information system but are not required to be compiled as part of the profile formats required under division (G) of this section or the annual statewide report required under division (H) of this section.

### **3302.031. Annual reports for each district.**

In addition to the report cards required under section 3302.03 of the Revised Code, the department of education shall annually prepare the following reports for each school district and make a copy of each report available to the superintendent of each district:

(B) A school safety and discipline report which shall consist of statistical information regarding student safety and discipline in each school building, including the number of suspensions and expulsions disaggregated according to race and gender.

**3313.6610. Anonymous reporting programs.**

(B) Each district shall submit data to the department of education, in a manner prescribed by the department, and the department of public safety at the end of the first full school year of the district's participation in the SaferOH tip line or an alternative anonymous reporting program, and at the end of each school year thereafter, disaggregated by school. The data shall include the following:

- (1) The number and type of disciplinary actions taken in the previous school year as a result of anonymous reports;
- (2) The number and type of mental wellness referrals as a result of anonymous reports;
- (3) The race and gender of the students subject to the disciplinary actions and mental wellness referrals as a result of anonymous reports;
- (4) Any other information the department of education or the department of public safety determines necessary.

(C) Any data collected by the SaferOH tip line or an anonymous reporting program or reported to the department of education or department of public safety pursuant to this section are security records and are not public records pursuant to section 149.433 of the Revised Code.

**3319.46. Policy and rules regarding positive behavior intervention supports and the use of physical restraint or seclusion on students; duties of board.**

(B)(1) Each school district board of education shall do all of the following:

- (c) Submit any reports required by the department of education or the general assembly with respect to the implementation of a positive behavior intervention and supports framework or suspension and expulsion of students in any of grades pre-kindergarten through three.

**3321.19. Examination into cases of truancy - failure of parent, guardian or responsible person to cause child's attendance at school.**

(E) A school district with a chronic absenteeism percentage that is less than five per cent, as displayed on the district's most recent report card issued under section 3302.03 of the Revised Code, and the school buildings within that district, shall be exempt from the requirement to assign habitually truant students to an absence intervention team for the following school year and shall instead take any appropriate action as an intervention strategy contained in the policy developed by the district board pursuant to divisions (A) and (B) of section 3321.191 of the Revised Code. In the event that those intervention strategies fail, within sixty-one days after their implementation, the attendance officer shall file a complaint, provided that the conditions described in division (B) of section 3321.16 of the Revised Code are satisfied.

**REGULATIONS**

**3301-35-15. Standards for the implementation of positive behavior intervention supports and the use of restraint and seclusion.**

(J) Reporting. A school district shall annually report information regarding its use of restraint and seclusion to the Ohio department of education in the form and manner as prescribed by the department.

## ***Partnerships between Schools and Law Enforcement***

### **Referrals to Law Enforcement**

#### **LAWS**

##### **3313.6610. Anonymous reporting programs.**

(A) Beginning with the first full school year that begins after the effective date of this section, each local, city, exempted village, and joint vocational school district shall register with the SaferOH tip line operated by the department of public safety or enter into an agreement with an anonymous reporting program of the district's choosing. The reporting program shall meet the following requirements:

- (1) Operate twenty-four hours per day, seven days per week;
- (2) Forward reported information to and coordinate with the appropriate school threat assessment teams and law enforcement and public safety agencies required under the school's emergency management plan developed under section 5502.262 of the Revised Code.

##### **3319.45. Principal to report certain act or violations by pupil to superintendent and law enforcement officer.**

If a principal of a public school in a city, local, exempted village, or joint vocational school district, acting in his official or professional capacity, has knowledge of or has observed a pupil committing a violation listed in division (A) of section 3313.662 of the Revised Code, regardless of whether or not the pupil was sixteen years of age or older at the time of the commission of the act or violation, and the violation was committed on property owned and controlled by, or at any activity held under the auspices of, the board of education of the school district, both of the following apply:

- (A) The principal, within one school day after obtaining his knowledge of or observing the act or violation, shall report the violation to the superintendent of the school district in which the school is located or to the designee of the superintendent.
- (B) The principal, within a reasonable period of time after obtaining his knowledge of or observing the act or violation, may report the act or violation to a law enforcement officer of the jurisdiction in which the violation occurred or, if the pupil is a juvenile, report the violation to either a law enforcement officer of the jurisdiction in which the act occurred or in the jurisdiction in which the pupil resides.

#### **REGULATIONS**

No relevant regulations found.

### **School Resource Officer (SRO) or School Security Officer (SSO) Training or Certification**

#### **LAWS**

##### **3313.951. Qualifications for school resource officers.**

(B)(1) A school resource officer who provides services to a school district or school on or after November 2, 2018, shall, except as described in division (B)(2) of this section, satisfy both of the following conditions:

- (a) Complete a basic training program approved by the Ohio peace officer training commission, as described in division (B)(1) of section 109.77 of the Revised Code;

(b) Complete at least forty hours of school resource officer training within one year after appointment to provide those services through one of the following entities, as approved by the Ohio peace officer training commission:

- (i) The national association of school resource officers;
- (ii) The Ohio school resource officer association;
- (iii) The Ohio peace officer training academy.

(2) A school resource officer who is appointed to provide services to a school district or school prior to November 2, 2018, shall be exempt from compliance with the training requirements prescribed in division (B)(1)(b) of this section.

(3) A certified training program provided by an entity described in division (B)(1)(b) of this section shall include instruction regarding skills, tactics, and strategies necessary to address the specific nature of all of the following:

- (a) School campuses;
- (b) School building security needs and characteristics;
- (c) The nuances of law enforcement functions conducted inside a school environment, including:
  - (i) Understanding the psychological and physiological characteristics consistent with the ages of the students in the assigned building or buildings;
  - (ii) Understanding the appropriate role of school resource officers regarding discipline and reducing the number of referrals to juvenile court; and
  - (iii) Understanding the use of developmentally appropriate interview, interrogation, de-escalation, and behavior management strategies.
- (d) The mechanics of being a positive role model for youth, including appropriate communication techniques which enhance interactions between the school resource officer and students;
- (e) 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;
- (f) The mechanics of the laws regarding compulsory attendance, as set forth in Chapter 3321. of the Revised Code;
- (g) Identifying the trends in drug use, eliminating the instance of drug use, and encouraging a drug-free environment in schools.

(4) The Ohio peace officer training commission shall adopt rules, in accordance with Chapter 119. of the Revised Code, for the approval of school resource officer training provided by an entity described in division (B)(1)(b) of this section.

## **REGULATIONS**

No relevant regulations found.

## **Authorizations, Memoranda of Understanding (MOUs), and/or Funding**

## **LAWS**

### **3313.95. Contract for police officer to assist in working with students concerning use of alcohol and drugs of abuse.**

The board of education of any school district and the board of trustees of a township, the legislative authority of a municipal corporation, or the county sheriff of a county that includes part of the district's

territory may enter into a contract under which the trustees, legislative authority, or sheriff assign one or more police officers employed by that political subdivision's police force to one or more of the school district's schools upon such terms and conditions as are set forth in the contract.

The contract shall specify the police officer's duties, which shall be limited to assisting guidance counselors and teachers in working with students concerning the use of alcohol and drugs of abuse, and which shall not include any duties for which an educator license issued under sections 3319.22 to 3319.30 of the Revised Code is required. The contract shall also specify the amount to be paid to the township, municipal corporation, or county by the board of education as compensation for all or part of the salary and benefits of any police officer assigned to its schools in accordance with such contract.

### **3313.951. Qualifications for school resource officers.**

(A) As used in this section:

(3) "School resource officer" means a peace officer who is appointed through a memorandum of understanding between a law enforcement agency and a school district to provide services to a school district or school as described in this section. [...]

(C)(1) If a school district decides to utilize school resource officer services, the school district and the appropriate law enforcement agency shall first enter into a memorandum of understanding that clarifies the purpose of the school resource officer program and roles and expectations between the participating entities. If a school district is already utilizing school resource officer services on November 2, 2018, the school district and the law enforcement agency shall enter into a memorandum of understanding within one year after November 2, 2018.

(2) Each memorandum of understanding shall address the following items:

- (a) Clearly defined set of goals for the school resource officer program;
- (b) Background requirements or suggested expertise for employing law enforcement in the school setting, including an understanding of child and adolescent development;
- (c) Professional development, including training requirements that focus on age-appropriate practices for conflict resolution and developmentally informed de-escalation and crisis intervention methods;
- (d) Clearly defined roles, responsibilities, and expectations of the parties involved, including school resource officers, law enforcement, school administrators, staff, and teachers;
- (e) A protocol for how suspected criminal activity versus school discipline is to be handled;
- (f) The requirement for coordinated crisis planning and updating of school crisis plans;
- (g) Any other discretionary items determined by the parties to foster a school resource officer program that builds positive relationships between law enforcement, 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.

(3) A school district, through its school administration, may give students an opportunity to provide input during the drafting process of any memorandum of understanding being entered into pursuant to division (C) of this section.

(D)(1) In accordance with the requirements prescribed in this section, a school resource officer may work in one or more school districts or schools providing the following services:

- (a) Assistance with adoption, implementation, and amendment of the comprehensive emergency management plan required under section 5502.262 of the Revised Code;
- (b) Carrying out any additional responsibilities assigned to the school resource officer under the employment engagement, contract, or memorandum of understanding, including but not limited to:
  - (i) Providing a safe learning environment;



- (ii) Providing valuable resources to school staff members;
- (iii) Fostering positive relationships with students and staff;
- (iv) Developing strategies to resolve problems affecting youth and protecting all students.

(2) A school resource officer shall consult with local law enforcement officials and first responders when assisting a school district's administrator in the development of a comprehensive emergency management plan.

(E) The school district or school administrator shall have final decision-making authority regarding all matters of school discipline.

### **3313.669. Threat assessment teams .**

(C) Each district building shall include proof of completion of an approved training program by each team member in the building's emergency management plan submission to the director of public safety in accordance with rules adopted under division (F) of section 5502.262 of the Revised Code. Each team shall be multidisciplinary, when possible, and may include school administrators, mental health professionals, school resource officers, and other necessary personnel.

## **REGULATIONS**

No relevant regulations found.

## **Threat Assessment Protocols**

## **LAWS**

### **3313.669. Threat assessment teams .**

(A) Beginning not later than two years after the effective date of this section, each local, city, exempted village, and joint vocational school district shall create a threat assessment team for each school building in the district serving grades six through twelve. Upon appointment and once every three years thereafter, each team member shall complete an approved threat assessment training program from the list maintained by the department of public safety pursuant to section 5502.263 of the Revised Code.

(B)(1) If a school building has a similarly constituted safety team as of the effective date of this section, that team also may serve as the threat assessment team, provided that the team and each member comply with the requirements of this section.

(2) If members of a team described in division (B)(1) of this section that have completed a training program in the year immediately preceding the implementation date specified in division (A) of this section that later is approved by the department, the team members shall not be required to complete the training program for two years after the implementation date. A new member that joins a team described in division (B)(2) of this section shall complete an approved training program upon appointment.

(C) Each district building shall include proof of completion of an approved training program by each team member in the building's emergency management plan submission to the director of public safety in accordance with rules adopted under division (F) of section 5502.262 of the Revised Code. Each team shall be multidisciplinary, when possible, and may include school administrators, mental health professionals, school resource officers, and other necessary personnel.

(D) A school or school district, member of a district board of education or governing authority, or a district or school employee, including a school threat assessment team member, is not liable in damages in a civil action for injury, death, or loss to person or property allegedly arising from a team member's

execution of duties related to school safety unless the team member's act or omission constitutes willful or wanton misconduct.

This section does not eliminate, limit, or reduce any other immunity or defense that a school or school district, member of a district board or governing authority, or district or school employee, including a threat assessment team member, may be entitled to under Chapter 2744. or any other provision of the Revised Code or under the common law of this state.

**3313.6610. Anonymous reporting programs.**

(A) Beginning with the first full school year that begins after the effective date of this section, each local, city, exempted village, and joint vocational school district shall register with the SaferOH tip line operated by the department of public safety or enter into an agreement with an anonymous reporting program of the district's choosing. The reporting program shall meet the following requirements:

- (1) Operate twenty-four hours per day, seven days per week;
- (2) Forward reported information to and coordinate with the appropriate school threat assessment teams and law enforcement and public safety agencies required under the school's emergency management plan developed under section 5502.262 of the Revised Code.

**5502.262. School emergency management plans.**

(B)(c) A threat assessment plan developed as prescribed in section 5502.263 of the Revised Code. A building may use the model plan developed by the department of public safety under that section;

- (d) A protocol for school threat assessment teams established under section 3313.669 of the Revised Code.

**REGULATIONS**

No relevant regulations found.

## State-Sponsored, Publicly Available Websites or Other Resources on School Discipline

Safe, supportive learning environments use disciplinary policies and practices that help students stay out of the justice system, while ensuring academic engagement and success for all students. The following resources provided by Ohio provide additional context to state policy and regulations and, in some cases, may support the readers' efforts to provide a positive disciplinary school climate.

| Title   | Description   | Website address (if applicable)   |
|---|---|---|
| <i>Website</i>  |   |   |
| Anti-Harassment, Intimidation and Bullying Resources, Ohio Department of Education                            | Describes what anti-bullying and anti-harassment policies are and discusses how to prevent bullying and how schools can address bullying and keep students safe.  | <a href="https://education.ohio.gov/Topics/Other-Resources/School-Safety/Safe-and-Supportive-Learning/Anti-Harassment-Intimidation-and-Bullying-Resource">https://education.ohio.gov/Topics/Other-Resources/School-Safety/Safe-and-Supportive-Learning/Anti-Harassment-Intimidation-and-Bullying-Resource</a>                   |
| Ohio's Attendance Laws, Ohio Department of Education  | Provides links to resources on attendance such as resource guide to reduce chronic absenteeism, tools to encourage regular attendance, Ohio's attendance laws, and other related resources.   | <a href="https://education.ohio.gov/Topics/Student-Supports/Chronic-Absenteeism">https://education.ohio.gov/Topics/Student-Supports/Chronic-Absenteeism</a>   |
| Ohio's Positive Behavioral Intervention Supports (PBIS), OSSC   | Addresses Ohio's safe and support learning environment and provides definitions of PBIS and a link to learn additional information on PBIS.   | <a href="https://education.ohio.gov/Topics/Student-Supports/Ohio-PBIS">https://education.ohio.gov/Topics/Student-Supports/Ohio-PBIS</a>   |
| Ohio School Safety Center (OSSC)  | Provides an overview of OSSC and addresses school safety in Pre-K-12 Schools with related resources and information.  | <a href="https://ohioschoolsafetycenter.ohio.gov/">https://ohioschoolsafetycenter.ohio.gov/</a>   |
| Policy: Positive Behavior Interventions and Support and Restraint and Seclusion, Ohio Department of Education | Addresses Restraint and Seclusion and provides links to the PBIS Restraint and Seclusion Training Modules and other related resources such as model policy for restraint and seclusion and crisis prevention and de-escalation training guidelines. | <a href="https://education.ohio.gov/Topics/Other-Resources/School-Safety/Building-Better-Learning-Environments/Policy-Positive-Behavior-Interventions-and-Support">https://education.ohio.gov/Topics/Other-Resources/School-Safety/Building-Better-Learning-Environments/Policy-Positive-Behavior-Interventions-and-Support</a> |

| Title  | Description   | Website address (if applicable)   |
|--|---|---|
| <i>Documents</i>   |   |   |
| Anti-Harassment, Anti-Intimidation, or Anti-Bullying Model Policy (October 2012), Ohio Department of Education                 | Model policy prohibiting harassment, intimidation and bullying in Ohio schools.   | <a href="http://education.ohio.gov/getattachment/Topics/Other-Resources/School-Safety/School-Safety-Resources/Anti-Harassment-Intimidation-and-Bullying-Model-Po/Anti-HIB-Model-Policy-FINAL-update-incl-HB116-100912.pdf.aspx">http://education.ohio.gov/getattachment/Topics/Other-Resources/School-Safety/School-Safety-Resources/Anti-Harassment-Intimidation-and-Bullying-Model-Po/Anti-HIB-Model-Policy-FINAL-update-incl-HB116-100912.pdf.aspx</a>   |
| Guidance for Implementing Ohio's Anti-Harassment, Intimidation and Bullying Policy (June 2018), Ohio Department of Education   | Guidance document for schools to use in identifying, investigating, and intervening in student-to-student bullying incidents.   | <a href="https://education.ohio.gov/getattachment/Topics/Other-Resources/School-Safety/Safe-and-Supportive-Learning/Anti-Harassment-Intimidation-and-Bullying-Resource/Anti-Bullying-Resources-for-Parents/GUIDANCE_AntiBullying.pdf.aspx">https://education.ohio.gov/getattachment/Topics/Other-Resources/School-Safety/Safe-and-Supportive-Learning/Anti-Harassment-Intimidation-and-Bullying-Resource/Anti-Bullying-Resources-for-Parents/GUIDANCE_AntiBullying.pdf.aspx</a>   |
| HB 10 Model Policy Framework, Ohio Department of Education   | Framework designed to assist districts in update local policies addressing excessive absenteeism.   | <a href="https://education.ohio.gov/getattachment/Topics/Chronic-Absenteeism/HB-410-Model-Policy.pdf.aspx?lang=en-US">https://education.ohio.gov/getattachment/Topics/Chronic-Absenteeism/HB-410-Model-Policy.pdf.aspx?lang=en-US</a>   |
| Ohio School Climate Guidelines, OSSC   | Document provides guidelines for Ohio schools addressing school climate.  | <a href="http://education.ohio.gov/getattachment/Topics/Other-Resources/School-Safety/School-Safety-Resources/Ohio-School-Climate-Guidelines/Ohio-School-Climate-Guidelines.pdf.aspx">http://education.ohio.gov/getattachment/Topics/Other-Resources/School-Safety/School-Safety-Resources/Ohio-School-Climate-Guidelines/Ohio-School-Climate-Guidelines.pdf.aspx</a>   |
| Ohio's Resource Guide to Reduce Chronic Absenteeism, Ohio Department of Education (October 2017), Ohio Department of Education | Guidance document assists school districts in strategically planning and implementing prevention and interventions universally and at the student-level to reduce absenteeism.  | <a href="https://files.eric.ed.gov/fulltext/ED580128.pdf">https://files.eric.ed.gov/fulltext/ED580128.pdf</a>   |
| Threat Assessment Checklist for K-12 Schools   | This document condenses information from nationally recognized threat assessment best practices into a 12-step checklist which provides a general overview of the steps to consider when establishing threat assessment plans, procedures and policies. | <a href="https://education.ohio.gov/getattachment/Topics/Other-Resources/School-Safety/Building-Better-Learning-Environments/PBIS-Resources/Project-AWARE-Ohio/Project-AWARE-Ohio-Statewide-Resources/Threat-Assessment-Checklist-for-K-12-Schools_Updated-8-3-18.pdf.aspx?lang=en-US">https://education.ohio.gov/getattachment/Topics/Other-Resources/School-Safety/Building-Better-Learning-Environments/PBIS-Resources/Project-AWARE-Ohio/Project-AWARE-Ohio-Statewide-Resources/Threat-Assessment-Checklist-for-K-12-Schools_Updated-8-3-18.pdf.aspx?lang=en-US</a> |

| Title  | Description   | Website address (if applicable)   |
|--|---|---|
| <i>Other Resources</i>   |   |   |
| K-12 Schools Training; Safety and Violence Prevention Training Now Required of K-12 Professionals, Safer Schools Ohio                          | Required training for all K-12 professionals on topics of mental health, behavioral health, suicide, bullying, child abuse, and human trafficking.  | <a href="https://ohioschoolsafetycenter.ohio.gov/wps/portal/gov/osscc/pre-k-12-schools/training/required-safety-and-violence-prevention-training">https://ohioschoolsafetycenter.ohio.gov/wps/portal/gov/osscc/pre-k-12-schools/training/required-safety-and-violence-prevention-training</a>   |
| Module Three: Anti-Harassment, Intimidation, Bullying and Teen Relationship Abuse in Schools and on School Buses, Ohio Department of Education | Training curriculum for educators as they respond to harassment, intimidation bullying, and teen relationship abuse in their schools, on the school buses and in their community.   | <a href="https://education.ohio.gov/getattac hment/Topics/Other-Resources/School-Safety/Safe-and-Supportive-Learning/Safety-and-Violence-Prevention-Training-Now-Requr/SVPC-Module-3.doc.aspx">https://education.ohio.gov/getattac hment/Topics/Other-Resources/School-Safety/Safe-and-Supportive-Learning/Safety-and-Violence-Prevention-Training-Now-Requr/SVPC-Module-3.doc.aspx</a> |
| Ohio School Report Cards, Advanced Reports, Ohio Department of Education   | Reports on data regarding student discipline incidents, enrollment, attendance, test results, etc. Reports can be queried by school building, district, or state, and can be disaggregated by subgroups.  | <a href="https://reportcard.education.ohio.gov/">https://reportcard.education.ohio.gov/</a>   |
| Safety and Violence Education Students (SAVE Students) Act   | Ohio's 133rd General Assembly enacted House Bill 123, the "Safety and Violence Education Students (SAVE Students) Act," regarding school security and youth suicide awareness education and training. The state legislation calls for a comprehensive approach to school safety involving the Ohio departments of Education, Public Safety, Mental Health and Addiction Services and Attorney General's Office. | <a href="https://education.ohio.gov/Topics/Student-Supports/Safety-and-Violence-Education-Students-SAVE-Stude">https://education.ohio.gov/Topics/Student-Supports/Safety-and-Violence-Education-Students-SAVE-Stude</a>   |