



# Ohio Legislative Service Commission

## Sub. Bill Comparative Synopsis

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### H.B. 498

131st General Assembly

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

Topic	Previous Version (As Introduced)	Sub. Version (L-131-2379-2)
<b>Expulsion of students for communicating threats</b>	Permits a school district, community school, or STEM school to establish a policy that authorizes the district superintendent, or equivalent, to expel a student for not more than 60 days for communicating a threat to kill or do physical harm to persons or property under prescribed conditions. (R.C. 3313.66(B)(6).)	Same, but before a student may be expelled, requires that the student is not determined to be a "mentally ill person subject to court order." (R.C. 3313.66(B)(6)(d).)
	Authorizes the district superintendent to either (1) reinstate the student if the student shows sufficient rehabilitation, or (2) extend the expulsion for not more than one calendar year if the student fails to undergo a required assessment. (R.C. 3313.66(B)(6).)	Same, but requires the superintendent to consult with mental health professionals and representatives from the school district and the law enforcement agency of a municipal corporation, township, or county before making a determination to reinstate a student. (R.C. 3313.66(B)(6).)
	No provision.	Permits the superintendent of a school district to provide educational services in an alternative setting to a student expelled under the bill instead of returning that student to the school in which the student was enrolled if the communicated threat was against a specific teacher or

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		specific student. (R.C. 3313.66(B)(6).)
	No provision.	Permits the superintendent of a school district, in consultation with the district's legal counsel, to redact from the student's school record any documentation related to an expulsion under the bill. (R.C. 3313.66(B)(6).)
<b>Restitution</b>	Permits a district board or law enforcement agency to file a civil action to seek recovery for restitution from the parent, guardian, or custodian of a student who is expelled under the bill's expulsion provisions for the costs to the district or agency associated with the student's conduct that gave rise to the expulsion. (R.C. 3313.668.)	Same, but (1) permits a civil action against only the parent of a minor student, and (2) specifies that the restitution is for "the reasonable and actual administrative and investigative costs incurred by the district or agency in connection with the [student's] expulsion." (R.C. 3313.669.)
<b>Involuntary temporary hospitalization</b>	No provision.	Permits a school district superintendent and a school psychologist to take a student who makes a threat and who is believed to be mentally ill subject to court order into custody and transported to a hospital for examination. (Current law authorizes a psychiatrist, licensed clinical psychologist, physician, health officer, parole officer, police officer, sheriff, chief of the adult parole authority, or a parole or probation officer with the chief's authority to take such an individual into custody for up to three days for examination. After 24 hours, if the individual is determined to be mentally ill, the chief clinical officer may admit the individual as a voluntary patient or seek judicial hospitalization.) (R.C. 5122.10.)

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<b>School safety risk assessment</b>	No provision.	Authorizes a school safety risk assessment for a student who communicates a threat to kill or harm persons or property, whereby the student may be taken into custody and hospitalized for examination (as described above). (R.C. 3313.6610.)
	No provision.	If a student is determined to be mentally ill subject to court order under a school safety risk assessment, the student may not be expelled, but, if the superintendent chooses not to readmit the student to the school in which the student is enrolled, the student must be provided with educational services in an alternative setting. (R.C. 3313.6610(A)(2).)
	No provision.	Requires the review, every 30 days, of whether a student who is determined to be mentally ill subject to court order should be readmitted to school. The review must be conducted by a panel consisting of mental health professionals and representatives of the school district and law enforcement. (R.C. 3313.6610(A)(3).)
	No provision.	Permits a student, or the student's parent, guardian, or custodian, to appeal to the school district board if a review panel determines that a student should not return to school. The substitute bill specifies that the appeal must be heard in executive session and that the board's decision is final. (R.C. 3313.6610(A)(3).)



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	No provision.	Specifies, that the bill's school safety risk assessment provisions do not diminish the rights of eligible students or the obligations of school districts under the federal Individuals with Disabilities Education Act. (R.C. 3313.6610(E).)
	No provision.	Exempts from the Public Records Law any documentation used by a review panel in determining whether a student may return to school. (R.C. 3313.6610(B).)
	No provision.	Specifies that a member of a review panel, the district superintendent, district board of education, and any member of the district board is not liable for damages in a civil action for injury, death, or loss to person or property allegedly arising from the performing of the member's duties, unless the act or omission constitutes willful or wanton misconduct. (R.C. 3313.6610(C).)
	No provision.	Permits the superintendent of a school district, in consultation with the district's legal counsel, to redact any documentation related to the school safety risk assessment from the student's school record. (R.C. 3313.6610(D).)

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