



OHIO LEGISLATIVE SERVICE COMMISSION

Sub. Bill Comparative Synopsis

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Sub. H.B. 360

132nd General Assembly
(H. Education and Career Readiness)

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

Topic	Previous Version (As Introduced)	Sub. Version (L_132_1347-4)	Sub. Version (L_132_1347-8)
Tiered sanctions for harassment, intimidation, or bullying	<p>Requires school districts, community schools, and STEM schools to adopt a policy with the following sanctions for students who commit an offense of harassment, intimidation, or bullying:</p> <p>(1) For the first offense, a suspension for up to ten days;</p> <p>(2) For the second offense within the same calendar year, expulsion for up to 182 days. (R.C. 3313.669(A).)</p>	<p>Changes the tiers as follows:</p> <p>(1) For the first offense, an in-school suspension for up to ten days, unless the district or school determines that an out-of-school suspension is more appropriate;</p> <p>(2) For the second offense within the same calendar year, an in-school suspension of up to 30 days, unless the district or school determines that an out-of-school suspension is more appropriate;</p>	<p>Same as -4, but adds in tiers 1 and 2, that a district or school may expel a student for a period of time determined by the district or school if it is more appropriate. (R.C. 3313.669(A)(1) and (2).)</p> <p>Specifies that offenses must be in the same "school" year, not "calendar" year. (R.C. 3313.669(A).)</p>

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		(3) For the third offense within the same calendar year, a suspension or expulsion for up to 182 days. (R.C. 3313.669(A).)	
Definition of harassment, intimidation, and bullying	Specifies that harassment, intimidation, and bullying by a student includes acts against administrators, employees, faculty members, consultants, and volunteers of a district or school, as well as against other students as under current law. (R.C. 3313.666(A) and (B).)	Same but also specifies acts against "teachers." (R.C. 3313.666(A) and (B).)	Same as -4.
Investigation	No provision.	Specifies that a principal or other administrator must investigate a report or notification of harassment, intimidation, or bullying at school or on school grounds to determine if it has occurred. (R.C. 3313.669(E)(1).)	Same as -4.
School administrator petition for alternative form of discipline	No provision.	No provision.	After the investigation of a report of harassment, intimidation, or bullying, but before any suspension is issued, permits a school administrator, including the superintendent or the principal, to petition the district board to approve an alternative form of discipline in lieu of suspension or

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			<p>expulsion if the administrator believes, based on the investigation's findings, that the pupil: (a) has extenuating circumstances specific to that pupil, (b) has a high chance of successful reintegration using the alternative form of discipline, and (c) does not pose a risk to the safety of the school or victim. (R.C. 3313.669(F)(1).)</p> <p>Permits the district board's full membership to approve the alternative form of discipline by a majority vote. (R.C. 3313.666(F)(2).)</p>
Community service	Requires a district or school to file a notice with the municipal court so that the court may develop a community service plan for a student who is suspended or expelled for harassment, intimidation, or bullying. (R.C. 3313.661(B)(2) and 3313.669(B).)	Instead requires the district or school to develop the community service plan and removes any involvement with the municipal court in development of the plan. (R.C. 3313.661(B)(2) and 3313.669(B).)	Permits district or school to develop community service plan that the district or school may require a student who is suspended or expelled for harassment, intimidation, or bullying. The -8 version does not require a community service plan. (R.C. 3313.661(B)(2) and 3313.669(B).)
Counseling	Requires district or school to provide counseling to students suspended or expelled for harassment, intimidation, or bullying, with parent or	Same, but if a district or school does not offer counseling, requires the district or school to coordinate with community organizations	Permits a district or school to provide counseling or intervention services with parent or guardian approval. The -8 version does not

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	guardian approval. (R.C. 3313.669(C)(3).)	that can provide counseling and help identify counseling resources. (R.C. 3313.669(C)(3).)	require counseling. (R.C. 3313.669(C).)
	Requires that the suspended or expelled student undergo counseling as a condition of returning to school. (R.C. 3313.669(D).)	No provision.	No provision.
	Prohibits a student whose parent or guardian does not give permission for counseling to return to school. (R.C. 3313.669(D).)	No provision.	No provision.
Victims' rights	Requires a school district to offer counseling to a victim of harassment, intimidation, or bullying, in which the victim may choose to participate. (R.C. 3313.669(C).)	Same as As Introduced.	Permits, instead of requires, a school district to offer counseling to a victim of harassment, intimidation, or bullying, in which the victim may choose to participate. (R.C. 3313.669(J)(1).)
	No provision.	No provision.	Requires a school district to allow a victim of harassment, intimidation, or bullying to complete all missed schoolwork due to harassment, intimidation, or bullying, and permits a school district to offer tutoring and academic support to the victim. (R.C. 3313.669(J)(2).)

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Charter nonpublic school compliance	No provision.	No provision.	Requires the governing authority of a chartered nonpublic school to comply with the harassment, intimidation, or bullying school penalty provisions of the bill as if it were a board of education of a school district. <i>(R.C. 3313.669(K).)</i>
No new requirement for services	No provision.	No provision.	Specifies that the harassment, intimidation, or bullying school penalty provisions of the bill do not create a new requirement on the part of a school district board of education to provide the same services it would provide to a pupil attending school in the district to a pupil permanently excluded pursuant to existing law. <i>(R.C. 3313.669(M).)</i>
Policy for chartered nonpublic schools	No provision.	No provision.	Requires each chartered nonpublic school governing authority to establish a policy prohibiting the harassment, intimidation, or bullying of students and administrators, employees, faculty members, teachers, consultants, and volunteers of the school. <i>(R.C. 3313.666(B).)</i>

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	No provision.	No provision.	Requires the administration of each chartered nonpublic school to provide the school's governing authority with a written summary of all reported incidents of harassment, intimidation, or bullying and to post the summary on its website, if the school has one, to the extent permitted under state and federal law. (R.C. 3313.666(B)(12).)
	No provision.	No provision.	Requires the governing authority of each chartered nonpublic school to include the anti-harassment, intimidation, or bullying policy in any student handbooks or publication that sets forth the school's comprehensive rules, procedures, and standards of conduct. (R.C. 3313.666(C).)
	No provision.	No provision.	Requires each chartered nonpublic school governing authority annually to provide age-appropriate instruction on the school's policy, to the extent that state and federal funds are appropriated for that purpose (R.C. 3313.666(D)(1).)

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	No provision.	No provision.	Requires each chartered nonpublic school governing authority to send a written statement of the anti-harassment, intimidation, or bullying policy and the consequences for violations of it to each student's custodial parent or guardian once each school year. (R.C. 3313.666(D)(2).)
	No provision.	No provision.	Provides chartered nonpublic school employees with individual immunity from liability in a civil action for damages arising from reporting an incident in accordance with the policy. (R.C. 3313.666(E).)
	<p>Requires that a school district update its policy prohibiting harassment, intimidation, or bullying to also include hazing.</p> <p>Requires each district to review and update its policy prohibiting harassment, intimidation, or bullying at least once every three years. (R.C. 3313.666(H).)</p>	Same.	<p>Same, but also requires each chartered nonpublic school governing authority to do so as well.</p> <p>Same, but now requires each district and governing authority to update its policy, as necessary, based on the review. (R.C. 3313.666(H).)</p> <p>(Except as otherwise specified, school districts are already required to do</p>

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			everything listed under " Policy for chartered nonpublic schools " under current law.) (R.C. 3313.666.)
Retaliation	Requires that a school district's policy prohibiting harassment, intimidation, or bullying include a disciplinary procedure for any student who retaliates against another student for reporting an incident of harassment, intimidation, or bullying. (R.C. 3313.666(B)(10).)	Same, but in addition to prohibiting retaliation against another student, prohibits retaliation against an administrator, employee, faculty member, teacher, consultant, or volunteer of the district. (R.C. 3313.666(B)(10).)	Same as -4.
State Board of Education model policy and best practices	No provision.	No provision.	In addition to the model policy to prohibit harassment, intimidation, and bullying under current law, also requires the State Board of Education to provide each school district with evidence-based best practices regarding policies to prohibit harassment, intimidation, or bullying. (R.C. 3301.22(A)(2).)
	No provision.	No provision.	Requires the State Board to review the model policy and best practices to prohibit harassment, intimidation, and bullying every four years, and update them as necessary based on the review. (R.C. 3301.22(B).)

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Bullying of students by district employees	No provision.	Specifically requires the district superintendent, or designee, to investigate any report of harassment, intimidation, or bullying by an administrator, employee, faculty member, teacher, consultant, or volunteer of a school district against a student and to determine the proper course of action. (R.C. 3319.318.)	Same as -4, but specifies that the proper course of action be taken under current law regarding teacher discipline and misconduct. (R.C. 3319.318.)
Hazing	Revises the criminal prohibition on "hazing" to include consultants, alumni, or volunteers as persons prohibited from recklessly permitting hazing, in addition to administrators, employees, or faculty members as under current law. (R.C. 2903.31.)	Same, but also includes teachers in that prohibition. (R.C. 2903.31.)	Same as -4.
	Adds to the definition of hazing, "any act to affirm, continue, or reinstate membership in or affiliation with any student or other organization." (R.C. 2903.31.)	Same as As Introduced.	Same, but removes "affirm" from the definition. (R.C. 2903.31.)
Criminal penalty	Provides that if the act creates a substantial risk of causing the death of any person, hazing is a third degree felony. (R.C.2903.31.)	Same as As Introduced.	Prohibits a person from knowingly participating in the hazing of another when the hazing causes serious physical harm to the other person. (R.C. 2903.31(C)(1).)

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			<p>Prohibits an administrator, employee, faculty member, teacher, consultant, alumnus, or volunteer of any organization, including any public or private primary, secondary, or post-secondary school or educational institution, from knowingly permitting the hazing of any person when the hazing causes serious physical harm to any person. (R.C. 2903.31(C)(2).)</p> <p>Establishes that a violation of either prohibition is a fourth degree felony. (R.C. 2903.31(D).)</p>
<p>Higher education anti-bullying and anti-hazing policies</p>	<p>Requires each state institution of higher education to adopt a policy regarding harassment, intimidation, or bullying by a student against another student or an administrator, employee, faculty member, consultant, or volunteer of the institution. (R.C. 3345.19.)</p>	<p>Same, but also includes harassment, intimidation, or bullying by a student against a teacher of the institution. (R.C. 3345.19.)</p>	<p>Same as -4.</p>

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