

Dear Truancy Pilot Program Participant,

In December of 2016, the Ohio General Assembly passed House Bill 410 to encourage and support a preventative approach to excessive absences and truancy. Beginning with the 2017-2018 school year, several changes take effect. All districts must amend or adopt its policies that outline its intervention strategies and plans for students who miss too much school. A model policy adopted by the State Board of Education may be used as a resource and can be found [here](#).

As provided for in HB 410, your district has opted to participate in the Ohio Family and Children First Cabinet Council's Multidisciplinary Truancy Team Pilot Program to address truancy. Each district taking part will develop a multidisciplinary truancy team for the 2017-2018 and 2018-2019 school years that addresses attendance barriers for each child referred to the team.

As a participant in the pilot, your district is exempt from some of the requirements of HB 410, including the specific timelines and requirements for establishing a district absence intervention team. However, participation in the Truancy Team Pilot and the **resulting exemption from implementing an absence intervention team does not relieve districts and community schools from compliance with other provisions of HB 410, including tracking and reporting student attendance**. Some of those laws that remain applicable include:

#### **DEFINITION OF TRUANCY AND EXCESSIVE ABSENCES**

1. 'Chronic truant' is removed from the law;
2. Definition of 'habitual truant' changed from days to hours. The new definition is:
  - a. Absent 30 or more consecutive hours without a legitimate excuse;
  - b. Absent 42 or more hours in one school month without a legitimate excuse;
  - c. Absent 72 or more hours in one school year without a legitimate excuse.
3. Includes 'excessive absences':
  - a. Absent 38 or more hours in one school month with or without a legitimate excuse;
  - b. Absent 65 or more hours in one school year with or without a legitimate excuse.

#### **TRUANCY IS DECRIMINALIZED WITH SEVERAL CHANGES**

1. A district must remove 'excessive truancy,' from its zero tolerance policy for violent, disruptive or inappropriate behavior;
2. Students cannot be expelled or suspended (out of school) for being truant (beginning July 1, 2017);
3. A district must take several steps to engage the student and his or her family before filing a complaint with juvenile court (including parental notification, an absence intervention team and an absence intervention plan detailed below):
  - a. A district cannot file a complaint until the 61<sup>st</sup> day after failed implementation of an absence intervention plan; or
  - b. Unless a child has been absent without a legitimate excuse for 30 or more consecutive hours or 42 or more hours in a school month during the implementation of an absence intervention plan. Districts should consider alternatives to adjudication in juvenile court and should use adjudication only as a last resort.

#### **STUDENT DISCIPLINE CHANGES**

1. Schools may permit students to make up missed work due to out-of-school suspensions per district

policy;

2. Schools cannot apply all or any remaining part of a suspension to the following school year, but the superintendent may require a student to participate in community service or an alternative consequence for the number of hours equal to the time left on the suspension.

## **EMIS REPORTING CHANGES**

1. When a district notifies a parent that a student has excessive absences;
2. When a child has been absent without a legitimate excuse for 30 or more consecutive hours, 42 or more hours in one school month, or 72 or more hours in one school year;
3. When a child, who has been adjudicated an unruly child for being a habitual truant, violates the court order regarding that adjudication;
4. When a district has implemented an absence intervention plan for a child.
5. Track and report attendance by the hour

## **DISTRICT RESPONSIBILITIES WHEN A CHILD HAS EXCESSIVE ABSENCES**

When a student is excessively absent from school, the following will occur:

1. The district will notify the student's parents in writing within seven days of the triggering absence;
2. The student will follow the district's plan for absence intervention; and
3. The district may refer the student and student's family to community resources.

## **DISTRICT RESPONSIBILITIES WHEN A CHILD IS HABITUALLY TRUANT**

When a student is habitually truant, the following will occur:

1. Within seven days of the triggering absence, the district will do the following:
  - a. Make three meaningful documented attempts to secure the participation of the student's parent or guardian on the absence intervention team.
  - b. Refer the child to the intervention team established by the pilot program:
    - i. Assess the child to identify underlying causes of the child's truancy;
    - ii. Develop a plan to address barriers to school attendance that exist;
    - iii. If at least 60 days have elapsed since the district referred the child to the team and the child is still not attending school, the team may direct the attendance officer to file a complaint with juvenile court.

Additionally, if your district chooses to withdraw from the pilot program, you will be subject to all HB 410 requirements, including creating a district absence intervention team.

Please review all HB 410 requirements [here](#).

If you have any questions, please email [school\\_improvement@education.ohio.gov](mailto:school_improvement@education.ohio.gov).