

House Bill 410 Habitual and Chronic Truancy

It is important for every student in Ohio to attend school every day. Missing too much school has long-term, negative effects on students, such as lower achievement and graduation rates. There are many reasons students miss school, but districts can often directly impact their students' attendance. By using data to identify and assist students who may need extra supports and services, districts can target supports to get students to school every day.

In December 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. Schools cannot suspend or expel students for missing too much school. Districts will amend or adopt policies that outline their interventions and plans for students who miss too much school. A district or school absence intervention team, a team of educators, district representatives and other supportive adults, will develop a specialized absence intervention plan for students who are habitually truant. Absence intervention plans incorporate academic and non-academic supports to help the student and remove barriers to regular attendance. The legislation highlights the importance of parental engagement and accountability as part of a student's absence intervention plan.

Highlights of HB 410:

1. Truancy is decriminalized, with chronic truancy 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 month without a legitimate excuse; or
 - c. Absent 72 or more hours in one 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; or
 - b. Absent 65 or more hours in one school year with or without a legitimate excuse.
4. Requires updates to district policies, such as removing 'excessive absences' from zero tolerance policies and committing to preventative approaches to truancy rather than suspensions or expulsions.
5. The creation of an absence intervention team to develop absence intervention plans for students who are habitually truant.

HB 410 also requires the State Board of Education to adopt by July 5, 2017, a model "zero tolerance" policy for violent, disruptive or inappropriate behaviors, including excessive absences. The policy must stress preventative strategies and alternatives to suspension and expulsion and assist districts with amending or creating district policies. The Ohio Department of Education will develop guidance, resources and training materials to assist with the implementation of the new requirements by Oct. 3, 2017.

For more information, please contact the Center for Accountability and Continuous Improvement at school_improvement@education.ohio.gov.