

OFCF Multidisciplinary Truancy Team Pilot Program FAQs

- 1. The question was raised about wording of “days” in the bill and subsequent docs from ODE. Do “days” represent calendar days, or do “days” represent each actual day school is in session – excluding weekends, holidays etc.**

Basically, if the FAQ does not say school day/month, you should assume it is calendar day/month. For example, the 60 day implementation is 60 calendar days, not school days.
<http://education.ohio.gov/getattachment/Topics/Data/Proving-Ground/House-Bill-410-FAQ.pdf.aspx>

- 2. We currently code student vacations as AV. The absences are unexcused, but they are approved by an administrator. We are aware of the absences in advance and most of the time, students get their work to take with them before they go. If our administrators approve a 5 day vacation for a student, are we required to mark them as habitually truant and put an Absence Intervention Team in place?**

Districts decide whether or not vacations are excused or unexcused and they decide the process for approval and make up work. If district policy outlines vacations as unexcused then those hours do count towards truancy. If districts allow for vacations to be excused, the hours count toward excessive absence triggers.

- 3. We code Out of School Suspensions as OSS. They are reported as unexcused absences as well, but the student does not have the option of coming to school when they are suspended. Students are able to make up the work they missed once they return to school, as long as they serve a detention for every day out. If our administrators suspend a student for 10 days, are we required to mark them as habitually truant and put an Absence Intervention Team in place?**

Though suspensions are considered unexcused absences, suspensions should not count towards truancy triggers because it is a legitimate excuse to be out of school. Suspensions count toward excessive absences because the definition of excessive absences does not distinguish between legitimate and non-legitimate reasons for missing school. Because they are not truant, the student would not need an absence intervention plan. You should follow all requirements laid out in HB 410 for students who are excessively absent if the student meets excessive absence triggers.

- 4. I wanted to clarify about absences within a school month. Would the school track that from say, 10/1 to 10/31, or does it go exactly from the date of the first unexcused absence (i.e. 10/15 – 11/15) to track and count toward the 42 hours in one school month?**

A school month is defined as any calendar month in which students are expected to be in school. For example, August would be considered a month even though most districts were not

in session for the entire 31 days. It is not a span of 30 days. The triggers that include 'month' (excessive absence 38 hours in a month or truancy 42 hours in a month) it would start over on the first day of the next month. This holds true unless all absences were consecutive (30 consecutive unexcused hours for truancy) – this can span over two calendar months. Additionally all absences accumulate for the yearly trigger (65 for excessive absence and 72 for truancy).

5. Who is a “school official” under FERPA?

A “school official” includes a teacher, school principal, president, chancellor, board member, trustee, registrar, counselor, admissions officer, attorney, accountant, human resources professional, information systems specialist, and support or clerical personnel. A contractor, consultant, volunteer, or other party to whom a school or institution has outsourced institutional services or functions may also be considered a “school official” provided that they are performing an institutional service or function for which the agency would otherwise use employees and is under the direct control of the agency or institution with respect to the use and maintenance of education records. See 34 CFR § 99.31(a)(1)(i)(B).

6. Under FERPA, may an educational agency or institution disclose education records to any of its employees without consent?

No. FERPA permits an educational agency or institution to disclose, without consent, personally identifiable information from students' education records only to school officials within the educational agency or institution that the educational agency or institution has determined to have legitimate educational interests in the information. 34 CFR § 99.31(a)(1). Generally, a school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

7. This district has an issue with home schooled kids whose parents have refused to turn in the paperwork for home schooling and they are not enrolled or attending school at this time. The district is asking if these students would be truant at this point as some parents believe there is no deadline to fill out homeschool paperwork. Can you weigh in on this?

The students would be considered truant or habitually truant if they have met the trigger. The district of residence (the district the students would attend if they were not homeschools) is responsible for tracking and reporting the student's attendance as well as notifying the parents and developing/implementing the plan.

8. I have some questions about handling a runaway student with regards to Truancy. He ran away in November of 2016 and has not returned home or to school. We filed Truancy against him last year and he did not show up for court. There is an open warrant; however, the school

seems to be the only entity looking for him at this point. We had a Truancy Meeting last week with his mother and she reaffirmed that she still doesn't know where he is staying.

I have a couple of questions

- 1) What additional procedures need to be followed in regards to HB410?
- 2) Do we have to have follow-up meetings with the parent?
- 3) Is there any process that would allow the school to remove the student until he returns home or to school so as to not take 180 days of absences this year?

- 1) You need to follow all procedures outlined in HB 410.
- 2) While ongoing parent engagement is important, 410 does not mandate that districts have follow-up meetings with the parents after the plan has been developed.
- 3) Districts should follow the HB 410 requirements for any student who is enrolled. The link below is the EMIS manual that directs districts on how to appropriately code students. Page 9 speaks to missing students. <http://education.ohio.gov/getattachment/Topics/Data/EMIS/EMIS-Documentation/Current-EMIS-Manual/2-1-1-Student-Enrollment-Overview-v4-0.pdf.aspx>

9. **What should the interactions between the schools and the parents look like between the start of school and the October 1 effective date of HB 410?**

The effective date was actually in April, so schools and districts should follow all 410 provisions beginning with the first day of school.

10. **As we are setting up the team meetings, can anyone come in the parent's place?**

Yes, the parent can send a designee in his or her place.

11. **Should there be notification of children services if parents fail to appear?**

HB 410 says that if a parent is not responsive to requests to participate in the absence team, then the school or district should determine if a call to children services is necessary.