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# TRUANCY AND SCHOOL DISCIPLINE IN OHIO POST-HB 410

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## WHAT DOES HB 410 DO?

HB 410 modifies Ohio's laws on:

1. Truancy
2. School discipline



## HB 410: TRUANCY



## WHAT IS TRUANCY?

Ohio Revised Code §2151.011(B)(19): Definition of habitual truant

Any child of compulsory school age who is absent without legitimate excuse from the public school the child is supposed to attend for:

- Five or more consecutive school days
- Seven or more school days in one school month
- Twelve or more school days in a school year.

## TRUANCY: PRIOR LAW

- If a student missed a certain number of school days, the school could either 1) intervene with that student OR 2) refer the student to the juvenile court system for formal processing.
- Students were suspended and expelled 6,000 times in the 2013-2014 for truancy alone. Number of juvenile court truancy cases unknown.
- When referred the juvenile court, the student would typically be ordered to return to school. If the student didn't go back to school, they would be violating a court order and subject to more serious punishment.

## TRUANCY: POST HB 410

- Creates a new process for youth who are missing school.
- Prohibits students from being suspended or expelled for missing school
- Creates pilot project for more collaborative intervention teams.
- Data collection

## TRUANCY PROCESS: POST HB 410

1. School must **notify** the parent within 7 days that youth is not attending school
2. School immediately can begin to **intervene**.
3. If the student passes the habitual truancy mark, the student must be assigned to an **absence intervention team** that develops an intervention plan designed for that student.
4. If, after 60 days, the student is still missing school or hasn't made substantial progress on the plan, school can **file in juvenile court**.
5. Court must consider an **alternative**, like diversion.
6. **Formal complaint** is only considered as last resort.



## ABSENCE INTERVENTION TEAM:

May vary based on student's particular needs, but must include:

- Representative from child's school or district
- Another representative from the child's school or district who knows the child
- The child's parent, designee, guardian, custodian, etc.
- *Optional:* School psychologist, counselor, social worker, or representative of a public or nonprofit agency designed to assist students and their families in reducing absences.



## TRUANCY PILOT PROGRAM

- Purpose: Expanded absence intervention teams.
- Effective for the 2017-18 and 2018-19 school years.
- Voluntary by district and must be diverse (at least 2 urban, 1 suburban/mid-sized, 1 rural)
- Run by Ohio Family and Children First Cabinet, which will develop an application, screen applicants, and collect data.

## TRUANCY PILOT PROGRAM

- Districts must enter into partnership with FCFC, county commissioners, mayor, a non-profit, or ESC.
- Expanded absence intervention team must:
  - Assess the student
  - As appropriate include additional members, such as child/parent advocates and stakeholders from child welfare, mental health and addiction, youth-serving agencies, nurse or medical professional, law enforcement/juvenile court.



# SCHOOL DISCIPLINE



## SCHOOL DISCIPLINE: POST-HB 410

- Requires the State Board of Education to develop a model school discipline code that “stresses preventative strategies and alternatives to suspension or expulsion.”
- Allows students to make up work while suspended or expelled.
- Eliminates carry-over suspensions.

## IMPLEMENTING HB 410: BEST PRACTICES

### Integrating restorative justice:

- Utilizing circles for school-based issues, including discipline
- Changing culture in school towards individualized responses and youth-based solutions.

### Suspensions/expulsions for young children:

- Each year, 36,000 students in pre-K through 3<sup>rd</sup> grade are suspended or expelled.
- Potential bill to eliminate out-of-schools suspensions and expulsions for youth in pre-K through 3<sup>rd</sup> or 4<sup>th</sup> grade.

## WHEN DOES HB 410 GO INTO EFFECT?

### April 6

- Allow make up work during suspensions/expulsions (S/E).
- No S/E carryover between years.
- Truancy changed to hours, not days.
- Court changes (see fact sheet).

### July 2017

- State Board finalizes model school discipline policy.

### 2017-18 School Year

- Schools/districts must have a new truancy process in place.
- No S/Es for missing school.
- Truancy pilot program.
- Truancy data collection.