TRUANCY AND SCHOOL DISCIPLINE IN OHIO
POST-HB 410

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JUVENILE JUSTICE COALITION
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.
• 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 3rd grade are suspended or expelled.
- Potential bill to eliminate out-of-schools suspensions and expulsions for youth in pre-K through 3rd or 4th grade.
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<thead>
<tr>
<th>WHEN DOES HB 410 GO INTO EFFECT?</th>
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<tr>
<td><strong>April 6</strong></td>
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<tr>
<td>• Allow make up work during suspensions/expulsions (S/E).</td>
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<td>• No S/E carryover between years.</td>
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<td>• Truancy changed to hours, not days.</td>
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<td>• Court changes (see fact sheet).</td>
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<td><strong>July 2017</strong></td>
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<td>• State Board finalizes model school discipline policy.</td>
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<td><strong>2017-18 School Year</strong></td>
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<td>• Schools/districts must have a new truancy process in place.</td>
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<td>• No S/Es for missing school.</td>
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<td>• Truancy pilot program.</td>
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<td>• Truancy data collection.</td>
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