

# **School Truancy**

**Lorain County  
Domestic Relations Court  
Juvenile Division**





# The WHY





# Decriminalization of Truancy



- Focus has shifted to prevention and intervention
- Holds parents accountable
- Effective 4/6/17
- Implemented 2017-2018 school year

# Major Changes for Juveniles

- The term “**habitual truant**” remains in the law.
  - “‘Habitual Truant’ means any child of compulsory school age who is absent without legitimate excuse for absence from the public school the child is supposed to attend for thirty or more consecutive hours, forty-two or more hours in one school month, or seventy-two or more hours in a school year.” O.R.C. 2151.011(B)(18)

# With or Without Legitimate Excuse

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With Legitimate  
Excuse = Excused

Without  
Legitimate Excuse  
= Unexcused

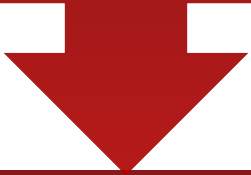
# Definitions

	Consecutive Hours	Hours per school month	Hours per school year
<b>Habitual Truant</b>	30 <u>without</u> legitimate excuse	42 <u>without</u> legitimate excuse	72 <u>without</u> legitimate excuse
<b>Excessive Absenteeism</b>		38 <u>with or without</u> legitimate excuse	65 <u>with or without</u> legitimate excuse
<b>Chronic Absenteeism</b>			10% or 92 <u>with or without</u> legitimate excuse

\*Chart from Ohio Department of Education

# Truancy Law: Major Changes for Adults

Under the old law, adults could be charged with either Failure to Send a Child to School or Contributing to the Delinquency of a Minor, at any time



Under the new law, adults can only be charged initially with **Failure to Send a Child to School.**

A parent can only be charged with Contributing when a juvenile has been adjudicated of the offense of Habitual truancy and then subsequently adjudicated for a Violation of a Court Order stemming from the original truancy offense



# Excessive: Initial Steps

- Prior to Court intervention, there are several steps the School District must take.
- When a student is **excessively absent**, the following will occur:
  - District will notify the student's parents in writing within seven days of the triggering absence;
  - The student will follow the district's plan for absence intervention; and
  - The student and family may be referred to community resources.

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# Process

- When the student is habitually truant, the following will occur:
  - Within 7 school days of the triggering absence, the district will do the following:
    - Select members of the absence intervention team
    - Make 3 meaningful attempts to secure participation of the student's parent or guardian on the absence intervention team

# School Truancy Timelines



Within **7 school days** of the triggering absence:  
(1) School must select an Absence Intervention Team;  
(2) School must make at least three meaningful, good-faith attempts to secure parental participation



Within **10 school days** of the triggering absence, the student will be assigned to the selected intervention team.



Within **14 school days** after the assignment of the team, the district will develop the student's absence intervention plan.



If the student does not make progress on the plan within **61 calendar days** or continues to be excessively absent, the district will file a Complaint in the Juvenile Court.

# If Progress is *NOT* Made on the Intervention Plan

School Attendance officers have authority and duty to file Complaints

Only offense that can be filed against a student is Habitual Truancy

Only offense that can be initially filed against a parent is Failure to Send a Child to School



## After the Complaint

- After the Complaint is filed, the case will only proceed to a formal court hearing as a matter of last resort.
- The student and/or adult may be referred to an Alternative to Adjudication process, which will result in a dismissal of the charges.