

# House Bill 410 Requirements

Districts and community schools must have local policies that outline their interventions and plans for students who miss too much school. Districts and community schools should review their policies and determine if they need to amend current policies or create a policy to satisfy HB 410.

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 often can directly impact their students' attendance. By using data to identify and support students who may need extra support 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.

Regular school attendance is an important ingredient in students' academic success. Excessive absences interfere with students' progress in mastering knowledge and skills necessary to graduate from high school prepared for higher education and the workforce. To support academic success for all students, the district will partner with students and their families to identify and reduce barriers to regular school attendance. The district will utilize a continuum of strategies to reduce student absence including, but not limited to:

- Notification of student absence to the parent or guardian;
- Development and implementation of an absence intervention plan, which may include supportive services for students and families;
- **Counseling;**
- Parent education and parenting programs;
- Mediation;
- Intervention programs available through juvenile authorities; and
- Referral for truancy, if applicable.

Updated district policies and procedures should reflect the following changes.

## DEFINITION OF TRUANCY AND EXCESSIVE ABSENCES

1. 'Chronic truant' is 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 school month without a legitimate excuse; or
  - c. Absent 72 or more hours in one school 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.

## TRUANCY IS DECRIMINALIZED WITH SEVERAL CHANGES

1. A district must remove 'excessive truancy,' from its zero tolerance policy for violent, disruptive or inappropriate behavior;
2. Students cannot be expelled or suspended (out of school) for being truant (beginning July 1, 2017); and
3. A district must take several steps to engage the student and his or her family before filing a complaint with juvenile court (including parental notification, an absence intervention team and an absence

intervention plan detailed below). Juvenile court should consider alternatives to adjudication and adjudication should be used as a last resort. A complaint cannot be filed until:

- a. the 61<sup>st</sup> day after failed implementation of an absence intervention plan; or
- b. A child has been absent without a legitimate excuse for 30 or more consecutive hours or 42 or more hours in a school month during the implementation of an absence intervention plan.

## STUDENT DISCIPLINE CHANGES

1. Schools may permit students to make up missed work due to out-of-school suspensions per district policy; and
2. Schools cannot apply any remaining part or all of a suspension to the following school year, but the superintendent may require a student to participate in community service or an alternative consequence for the number of hours equal to the time left on the suspension.

## EMIS REPORTING CHANGES

1. When a district notifies a parent that a student has excessive absences;
2. When a child has been absent without a legitimate excuse for 30 or more consecutive hours, 42 or more hours in one school month, or 72 or more hours in one school year;
3. When a child, who has been adjudicated an unruly child for being a habitual truant, violates the court order regarding that adjudication; and
4. When an absence intervention plan has been implemented for a child.

## DISTRICT RESPONSIBILITIES WHEN A CHILD HAS EXCESSIVE ABSENCES

When a student is excessively absent from school, the following will occur:

1. The district will notify the student's parents in writing within 7 days of the triggering absence;
2. The student will follow the district's plan for absence intervention; and
3. The student and family may be referred to community resources.

## DISTRICT RESPONSIBILITIES WHEN A CHILD IS HABITUALLY TRUANT

When a student is habitually truant, the following will occur:

1. Within 7 days of the triggering absence, the district will do the following:
  - a. Select members of the absence intervention team;
  - b. Make 3 meaningful attempts to secure the participation of the student's parent or guardian on the absence intervention team.
2. Within 10 days of the triggering absence, the student will be assigned to the selected absence intervention team;
3. Within 14 days after the assignment of the team, the district will develop the student's absence intervention plan; and
4. If the student does not make progress on the plan within 61 days or continues to be excessively absent, the district will file a complaint in the juvenile court.

### **Districts must establish an absence intervention team to be deployed when a student is deemed habitually truant**

The purpose of the absence intervention team is to establish a student-centered absence intervention plan for every child who is habitually truant by identifying specific barriers and solutions to attendance. The team is cross-sector and ideally includes the participation of the student and the parent. This requirement is new and is aimed at breaking down barriers to attendance without filing criminal complaints against the student in juvenile court.

1. Districts with a chronic absenteeism rate of 5 percent or greater must establish absence intervention teams for students who are habitually truant beginning with the 2017-2018 school year;

2. **Schools are permitted to have their own absence intervention teams, but the district is responsible for developing a team if the school does not have one;**
3. Membership of each team should vary based on the needs of each individual student, but each team **MUST** include:
  - a. **A representative from the individual's school or district;**
  - b. Another representative from the school or district who has a relationship with the child;
  - c. The child's parent (or parent's designee) or the child's guardian, custodian, guardian ad litem or temporary custodian.
4. **The district or school may consult or partner with public and nonprofit agencies to provide assistance, as appropriate, to students and their families to reduce absences.**

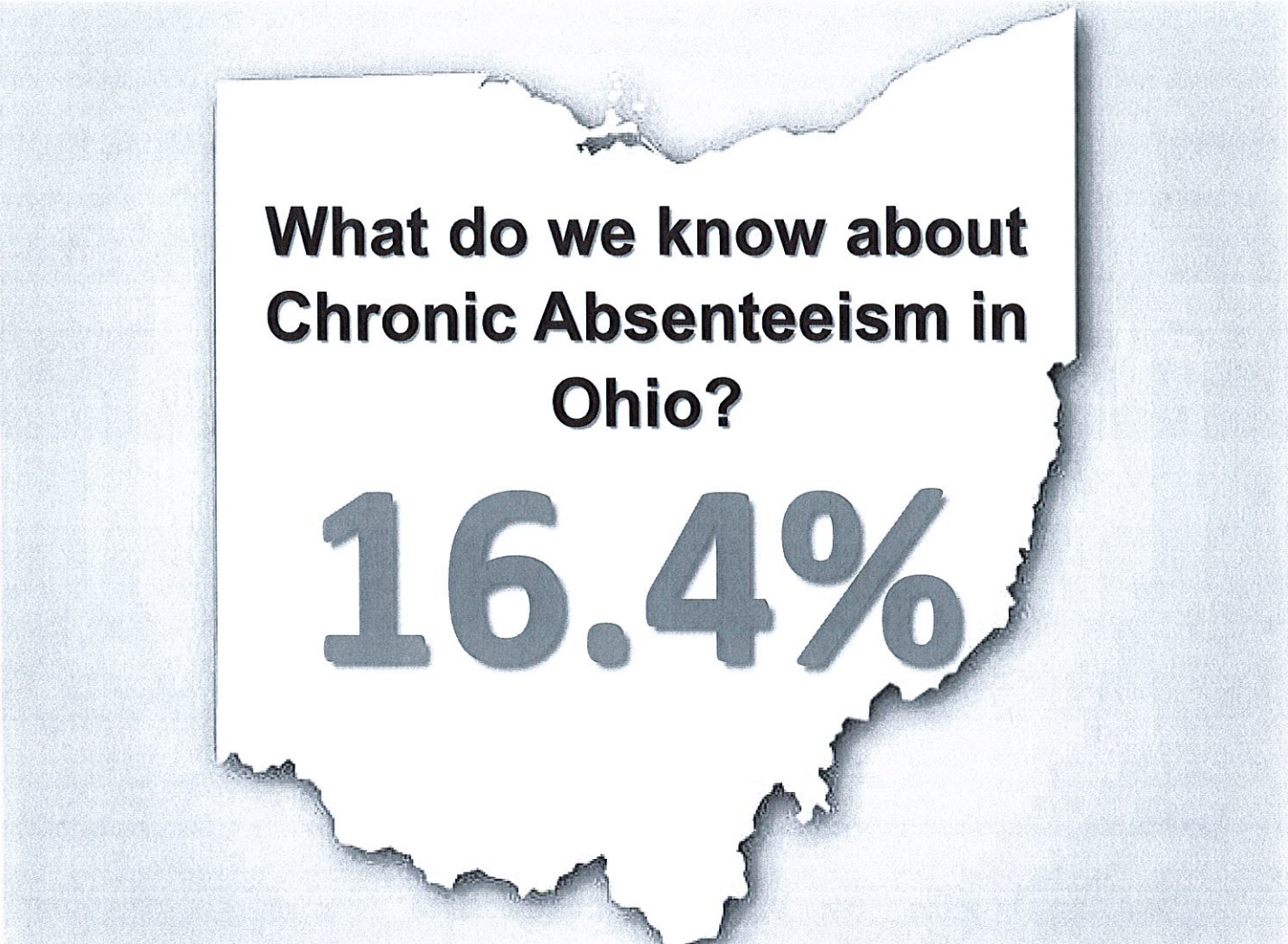
Please send your questions and comments to [school\\_improvement@education.ohio.gov](mailto:school_improvement@education.ohio.gov) to assist with the Department's development of guidance and training materials.

## West Park Intervention Plan for Chronic Absenteeism

<p><b>Universal Support</b></p>	<p>All Students</p>	<ul style="list-style-type: none"> <li>● Track daily attendance</li> <li>● Weekly, monthly, and quarterly building wide recognition of attendance goal (weekly &amp; monthly poms &amp; quarterly attendance certificates)</li> <li>● Full PBIS Implementation</li> <li>● Teaching attendance expectations to students</li> <li>● Communication and promotion plan to students and families.</li> <li>● Work with local businesses and organizations to promote regular attendance</li> <li>● Work with school nurse to promote topics related to staying healthy.</li> <li>● Work with custodians to ensure cleanliness of the building on a regular basis.</li> <li>● Use data to determine specific action steps for improvement.</li> </ul>
<p><b>Moderate Support</b></p>	<p>At Risk Students</p>	<ul style="list-style-type: none"> <li>● Warning Letters</li> <li>● Make personal connections with specific families to discuss matters related to attendance issues.</li> </ul>
<p><b>Intense Support</b></p>	<p>High Risk Students</p>	<ul style="list-style-type: none"> <li>● Conference with family and developing an intervention absence plan</li> </ul>

### HB 410 Documentation

- After the 1st attendance violation parents receive a warning letter.
- After the 2nd attendance violation parents receive a second warning letter.



## What do we know about Chronic Absenteeism in Ohio?

**16.4%**

The Every Student Succeeds Act requires chronic absenteeism to be a reported measure as part of the state's accountability system. Ohio has chosen to use chronic absenteeism a measure of school quality or student success on school and district report cards.

According to Attendance Works *10 Facts About School Attendance*, chronic absenteeism is a leading indicator for student achievement and graduation rates. By sixth grade, chronic absence becomes a leading indicator that a student will drop out of high school. Children who are chronically absent in early grades are less likely to read on grade level by third grade.

Attendance is impacted by multiple issues; therefore, chronic absenteeism spans across multiple demographics. Chronic absenteeism rates differ among typologies, subgroups, and grades, but every district, every subgroup and every grade still has students who are chronically absent.

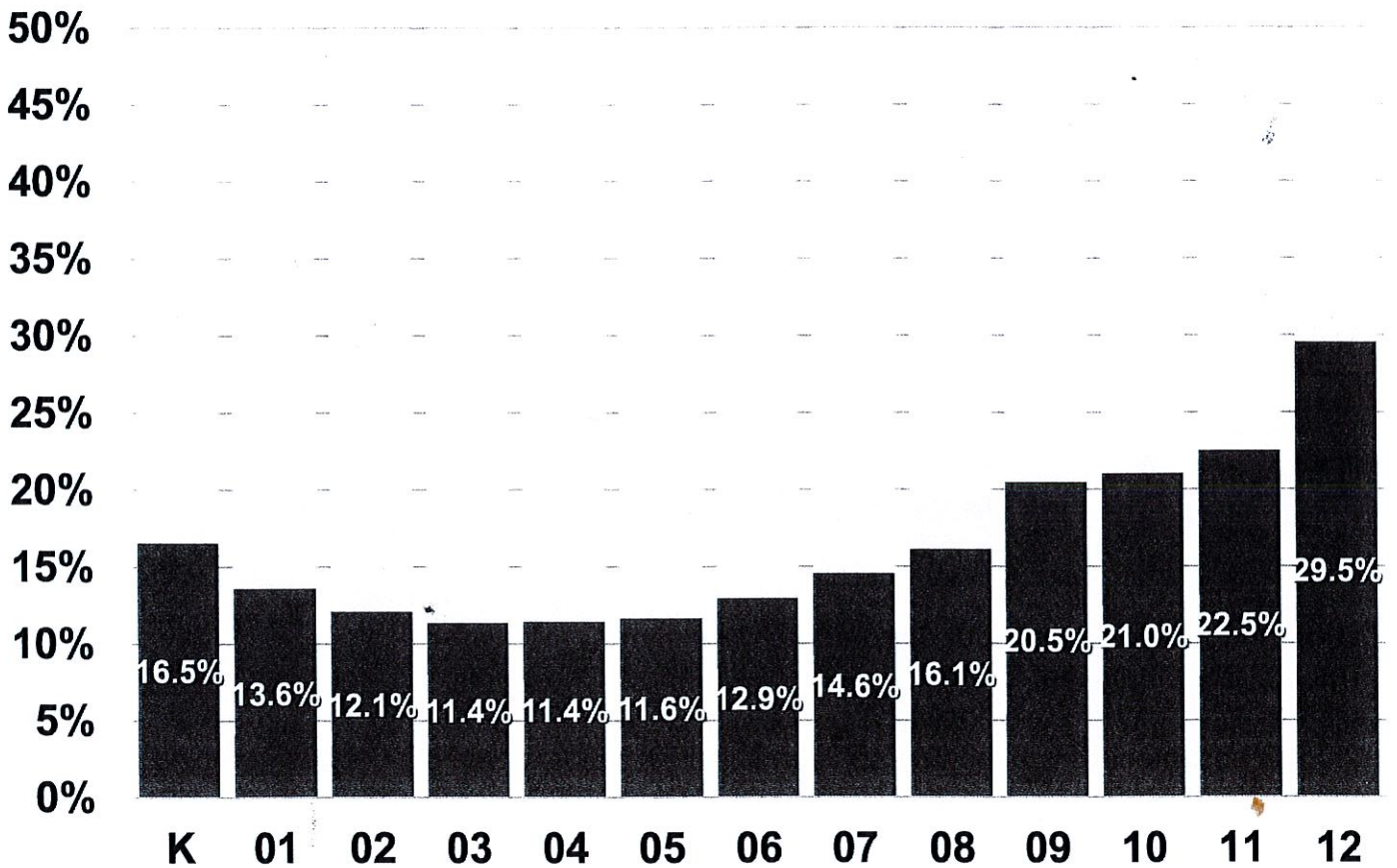
We also know that despite demographics, any student who is chronically absent is more likely to have lower achievement and is less likely to graduate than their non-chronically absent peers. Ohio's state chronic absenteeism rate is 16.4 percent, so we still have much work to do.

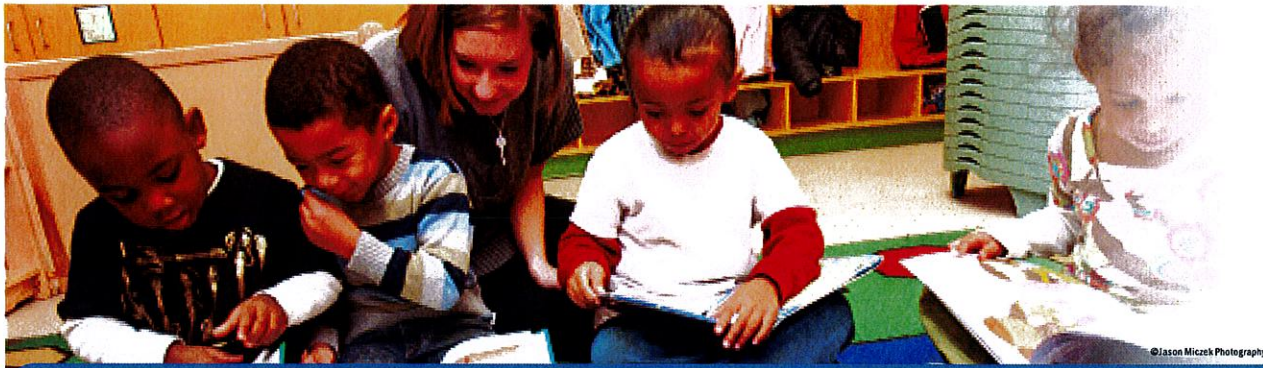
Data used in the following analysis is from the 2016-2017 school year.

**Chronic Absenteeism by Grade:** We also know that chronic absenteeism varies by grade level with peaks in transition years.

Ohio's seniors have the highest rates of chronic absenteeism. Why are our seniors missing so much school? How can we engage them differently?

We also see high rates of chronic absenteeism among our kindergarteners. We know that students who are chronically absent in early grades are more likely to continue to be absent later in their school careers. Students are less likely to read on grade level in third grade if they are chronically absent in kindergarten. When students fail to develop the habit of regular attendance in early grades, chronic absenteeism may continue. How can we engage parents to support regular school attendance — even in kindergarten? How do we promote parent teacher partnerships to support an engaging and welcoming culture and climate?





## Help Your Child Succeed in School: Build the Habit of Good Attendance Early

School success goes hand in hand with good attendance!

### DID YOU KNOW?

- Starting in kindergarten, too many absences can cause children to fall behind in school.
- Missing 10 percent (or about 18 days) can make it harder to learn to read.
- Students can still fall behind if they miss just a day or two days every few weeks.
- Being late to school may lead to poor attendance.
- Absences can affect the whole classroom if the teacher has to slow down learning to help children catch up.

**Attending school regularly helps children feel better about school—and themselves. Start building this habit in preschool so they learn right away that going to school on time, every day is important. Good attendance will help children do well in high school, college, and at work.**

### WHAT YOU CAN DO

- Set a regular bed time and morning routine.
- Lay out clothes and pack backpacks the night before.
- Find out what day school starts and make sure your child has the required shots.
- Introduce your child to her teachers and classmates before school starts to help her transition.
- Don't let your child stay home unless she is truly sick. Keep in mind complaints of a stomach ache or headache can be a sign of anxiety and not a reason to stay home.
- If your child seems anxious about going to school, talk to teachers, school counselors, or other parents for advice on how to make her feel comfortable and excited about learning.
- Develop back-up plans for getting to school if something comes up. Call on a family member, a neighbor, or another parent.
- Avoid medical appointments and extended trips when school is in session.

### When Do Absences Become a Problem?



Note: These numbers assume a 180-day school year.

For more on school readiness, visit [attendanceworks.org](http://attendanceworks.org) and [reachoutandread.org](http://reachoutandread.org)



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# Help Your Child Succeed in Preschool and Kindergarten Build the Habit of Good Attendance

## DID YOU KNOW...

Showing up on time every day is important to your child's success and learning from preschool forward.

Missing 10% of school (1 or 2 days every few weeks) can make it harder to:

- Gain early reading and math skills.
- Build relationships.
- Develop good attendance habits.

High quality preschool and kindergarten has many benefits!

- The routines your child develops will continue throughout school.
- Make the most of early grades by encouraging your child to attend every day.

## WHAT YOU CAN DO

Work with your child and his/her teacher to develop your child's strong attendance.

Talk about it – sing about it – make it an adventure!

- Set a regular bedtime and morning routine.
- Lay out clothes and pack backpacks the night before.
- Share ideas with other parents for getting to school on time.

**Before the school year starts**

- Find out what day school starts and begin a countdown!
- Keep your child healthy and make sure your child has the required shots.
- Attend orientation with your child to meet teachers and classmates and find out about health and safety procedures.

**Ready, Set, GO!**

- If you are concerned your child may have Covid-19, call your school for advice. Ask for resources to continue learning at home if needed.
- Ask family members or neighbors for assistance if you need help.
- Try to schedule non-Covid-19 medical appointments and extended trips when school is not in session.
- If your child seems anxious about preschool or kindergarten, talk to the program director, teacher, your doctor or other parents for advice.

