



Ohio Legislative Service Commission

Sub. Bill Comparative Synopsis

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H.B. 410

131st General Assembly
(H. Education)

This table summarizes how the latest substitute version of the bill differs from the immediately preceding version. It addresses only the topics on which the two versions differ substantively. It does not list topics on which the two bills are substantively the same.

Topic	Previous Version (As Introduced)	Sub. Version (LSC 131 1852-3)
Chronic truancy	Changes the definition of "chronic truant" from any child of compulsory school age who is absent without legitimate excuse for seven or more consecutive school days, ten or more school days in one school month, or 15 or more school days in a school year to any child of compulsory school age who has been adjudicated an unruly child for being an habitual truant and who violates the court order regarding that adjudication. (R.C. 2152.02(D); conforming changes in R.C. 2151.354(C), 2152.19(A)(7), and 3321.38(A).)	Eliminates the term "chronic truant" and, instead, provides that a child of compulsory school age who has been adjudicated an unruly child for being an habitual truant and who violates the court order regarding that adjudication may be further adjudicated a "delinquent child." (R.C. 2152.02(D) to (F); conforming changes in R.C. 2151.011(A)(9), 2151.23(A)(1), 2151.28(E)(2), 2151.311(C), 2151.35(A)(1), 2151.354(C), 2152.021(A)(2), 2152.19(A)(7) and (E)(1), 2152.26(B), 2919.24(A), 3321.19, 3321.22, and 3321.38(A).) Under current law, "delinquent child" includes, among other stipulations, any child who violates a lawful order of the court made pursuant to the law regarding delinquent children or any child who is a chronic truant.

Topic	Previous Version (As Introduced)	Sub. Version (LSC 131 1852-3)
Prohibition on suspension or expulsion for truancy	Expressly prohibits any public school from suspending or expelling a student from school or otherwise prohibiting a student from attending school solely on the basis of the student's unexcused absences. <i>(R.C. 3313.668; conforming changes in R.C. 3313.66, 3314.03(A)(11)(d), 3321.191(F), 3326.11, and 3328.24.)</i>	Expressly prohibits any public school from suspending, expelling, or removing a student from school solely on the basis of the student's absences from school without legitimate excuse. <i>(R.C. 3313.668; conforming changes in R.C. 3313.66, 3314.03(A)(11)(d), 3321.191(F), 3326.11, and 3328.24.)</i>
Alternatives to adjudication	<p>Requires the juvenile court to hold in abeyance a complaint that a child is unruly based on the child's habitual truancy pending the child's completion of or failure to comply with a diversion program and requires the court or agency appointed by the court to develop that diversion program. <i>(R.C. 2151.27(G)(1).)</i></p> <p>Requires the juvenile court to obtain consent from the child's parent or guardian prior to holding the complaint in abeyance and proceeding with a diversion program. <i>(R.C. 2151.27(G)(1).)</i></p> <p>Requires, within 30 days after the complaint is filed, the court or a person, agency, or organization appointed by the court, in consultation with the child, the child's parent or guardian, and the child's school, to develop a diversion program specifying goals and timelines, requires the court to dismiss the complaint if the child completes the program,</p>	<p>Removes the As Introduced provision and, instead, requires the juvenile court to consider an "alternative" to adjudication, including actions that constitute a method to divert the child from the juvenile court system, using the Rules of Juvenile Procedure, or by any other means if such an alternative is available to the court and the child has not already participated or failed to complete one of the available alternatives. <i>(R.C. 2151.27(G)(1); conforming changes in R.C. 3321.19 and 3321.191(C).)</i></p> <p>No provision.</p> <p>Removes the As Introduced provision and, instead, provides that "The court shall consider the complaint only as a matter of last resort." <i>(R.C. 2151.27(G).)</i></p>

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	and specifies that if the child fails to make progress toward program completion, the court must modify the program or consider the complaint. (R.C. 2151.27(G)(2).)	
Notice of adjudication	Provides that, not later than ten days after a child is adjudicated a delinquent child for being a chronic truant, the court must provide notice of that fact to the school district in which the child is entitled to attend school and to the school in which the child was enrolled at the time of the filing of the complaint. (R.C. 2152.19(E)(2).)	Provides that, not later than ten days after a child is adjudicated a delinquent child for violating a court order regarding the child's adjudication as an unruly child for being an habitual truant, the court must provide notice of that fact to the school district in which the child is entitled to attend school and to the school in which the child was enrolled at the time of the filing of the complaint. (R.C. 2152.19(E)(2).)
Consequences for failure to send a child to school	<p>Specifically prohibits any person, including a parent, guardian, or other custodian of a child from acting in a way that tends to cause a child to be a chronic truant and that contributes to an adjudication of the child as a delinquent child because of chronic truancy. (R.C. 2919.24(B)(3).)</p> <p>Clarifies that the parent, guardian, or custodian of an adjudicated truant child must provide a surety bond in the sum of \$500 as required by the juvenile court. (R.C. 3321.38(D).)</p>	<p>Same, except that the trigger is contributing to an adjudication of the child as a delinquent child, based on the child's violation of a court order adjudicating the child an unruly child for being an habitual truant. (R.C. 2919.24(B)(3).)</p> <p>Same, except that it provides for a surety bond in the sum of <i>not more than</i> \$500. (R.C. 3321.38(D).)</p>
School policies on absences	Requires each school district, educational service center, community school, and STEM school, not later than 90 days after the bill's effective date, to adopt a new or amended policy to guide employees in addressing and ameliorating student absences. (R.C. 3321.191(A).)	Same, except makes the requirement effective beginning with the 2017-2018 school year. (R.C. 3321.191(A).)

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