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OHIO LEGISLATIVE SERVICE COMMISSION

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H.B. 767
133rd General Assembly

Bill Analysis

Version: As Introduced

Primary Sponsor: Rep. Perales

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SUMMARY

- Specifies that a child's absences from school due to a chronic medical condition that is mentioned in the child's individualized education program (IEP) or 504 plan are medically excused absences for purposes of compulsory attendance law.

DETAILED ANALYSIS

Calculating student absences

The bill specifies that a child's absences from school due to a chronic medical condition that is mentioned in the child's individualized education program (IEP) or 504 plan are medically excused absences for purposes of compulsory attendance law.¹ Under continuing law, a school district, community school, or STEM school must provide written notice to the parent, guardian, or custodian of a child who is absent from school without any excuse or with a nonmedical excuse for a combined 38 or more hours in one school month or 65 or more hours in a school year. At the time notice is triggered, the district or school may, but is not required to, take any appropriate action in accordance with its attendance policy to help the student prevent further absences.²

Whether an excused absence is "medical" or "nonmedical" is relevant only for triggering notice of a student's absences at the earliest possible stage. Only a student's unexcused absences are used to determine truancy and to trigger the remainder of the absence intervention process, such as creation of an absence intervention team, adoption of an absence intervention plan, and the filing of a complaint in juvenile court.

¹ R.C. 3321.191(C)(1)(b).

² R.C. 3321.191(C)(1)(a).

HISTORY

Action	Date
Introduced	09-30-20
