



Ohio Legislative Service Commission

Sub. Bill Comparative Synopsis

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Sub. 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 (LSC 131 1852-3)	Sub. Version (LSC 131 1852-4)
Parental engagement	No provision.	Requires the superintendent or principal or chief administrator to select the members of an absence intervention team within seven school days of the triggering absence and requires at least three meaningful, good faith attempts to secure participation of the student's parent, guardian, custodian, guardian ad litem, or temporary custodian within that time period. <i>(R.C. 3321.191(C)(2)(e).)</i>
	No provision.	Requires the school district to inform the parent of the parent's right to appear by designee if the student's parent responds to the attempts to secure participation, but is unable to participate for any reason. <i>(R.C. 3321.191(C)(2)(e).)</i>

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	No provision.	In the event the parent, guardian, custodian, guardian ad litem, or temporary custodian fails to respond, requires the school district to: (1) investigate whether the failure to respond triggers mandatory reporting to the public childrens services agency for the county in which the child resides, and (2) instruct the absence intervention team to develop a plan for the child without the child's parent, guardian, custodian, guardian ad litem, or temporary custodian. (R.C. 3321.191(C)(2)(e).)
Prosecutorial burden of proof; affirmative defense	No provision.	In prosecuting a truancy complaint, clarifies that the prosecutor must prove beyond a reasonable doubt that a child is of compulsory school age and was absent without legitimate excuse for absence from the public school the child was supposed to attend for 30 or more consecutive hours, 42 or more hours in one school month, or 72 or more hours in a school year. (R.C. 2151.27(H).)
	No provision.	Permits the defendant of a habitual truancy complaint to assert as an affirmative defense the fact that the student did participate in or made satisfactory progress on the absence intervention plan or other alternatives to adjudication. (R.C. 2151.27(H).)
Absence intervention team membership	Requires the following individuals to comprise an absence intervention team: (1) a school or district administrator, (2) a teacher, and (3) the child's parent or the parent's designee, or guardian, custodian, guardian ad litem, or temporary custodian. (R.C. 3321.191(C)(2)(c) and (d).)	Removes a school district administrator and a teacher from the team and instead requires the team to include: (1) a representative from the child's school district or school, (2) another representative from the child's school district or school who knows the child, and (3) the child's parent (or parental designee, guardian,

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		custodian, guardian ad litem, or temporary custodian. (R.C. 3321.191(C)(2)(c) and (d).)
Absence intervention plan	Requires the team to develop an absence intervention plan within 30 days after the assignment of a student to an absence intervention team, an effort to reduce or eliminate further absences. (R.C. 3321.191(C)(2)(a).)	Changes the 30-day deadline to 14 school days. (R.C. 3321.191(C)(2)(a).)
	No provision.	Specifies that each intervention plan must vary based on the individual needs of the student, but requires each plan to state that the attendance officer must file a complaint not later than 60 days after the date the plan was developed, if the child has refused to participate in, or failed to make satisfactory progress on, the intervention plan or an alternative to adjudication. (R.C. 3321.191(C)(2)(a).)
	No provision.	Requires, within seven days after the development of the plan, the school district or school to make reasonable efforts to provide the student's parent, guardian, custodian, guardian ad litem, or temporary custodian with written notice of the plan. (R.C. 3321.191(C)(2)(a).)
Report of instances of truancy, notice to parent, and absence intervention team implementation	Requires, on or after the 91st day after the effective date of the bill, each school district to report to the Department of Education, as soon as practicable, and in a format and manner determined by the Department, any of the following occurrences: (1) when a school submits a notice to a parent, guardian, or custodian, that a student has been absent for 38 or more hours in one school month, or 65 or more hours in a school year, (2) when a child of	Same except that it requires reporting beginning with the 2017-2018 school year. (R.C. 3321.191(E).)

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	<p>compulsory school age has been absent without legitimate excuse from the public school the child is supposed to attend for 30 or more consecutive hours, 42 or more hours in one school month, or 72 or more hours in a school year, (3) when a child of compulsory school age who has been adjudicated an unruly child for being an habitual truant violates the court order regarding that adjudication, and (4) when an absence intervention plan has been implemented for a child. (R.C. 3321.191(E).)</p>	
<p>Attendance officer duty to file a complaint</p>	<p>Requires an attendance officer to file a complaint in the juvenile court against any student who is absent without legitimate excuse from the public school the child is supposed to attend for 30 or more consecutive hours, 42 or more hours in one school month, or 72 or more hours in a school year; however, if the school district has given the student an opportunity to participate in an alternative to adjudication, the attendance officer must file a complaint only if the student has refused to participate in or failed to complete the alternative to adjudication. (R.C. 3321.16(B).)</p>	<p>Removes provision and, instead, requires the attendance officer to file a complaint in juvenile court against a student on the 61st day after the implementation of an absence intervention plan, provided that all of the following apply:</p> <p>(1) The student was absent without legitimate excuse from the public school the child is supposed to attend for 30 or more consecutive hours, 42 or more hours in one school month, or 72 or more hours in a school year;</p> <p>(2) The school district or school has made meaningful attempts to reengage the student through the absence intervention plan and any offered alternatives to adjudication;</p> <p>(3) The student has refused to participate in or failed to make satisfactory progress on the plan, as determined by the absence intervention team, or any offered alternative to adjudication. (R.C. 3321.16(B)(1).)</p>

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	No provision.	Requires the attendance officer to immediately file a complaint (and suspend the 60-day requirement described above) against a student who, at any time during the implementation phase of the absence intervention plan, is absent without legitimate excuse 30 or more consecutive hours or 42 or more hours in one school month. <i>(R.C. 3321.16(B)(1).)</i>
Extension and tolling during summer months	No provision.	Permits the school district, in its discretion, to extend the implementation of the plan and delay the filing of the complaint for an additional 30 days from the first day of the instruction of the next school year in the event that the 61st day after the implementation of the absence intervention plan falls on a day during the summer months. <i>(R.C. 3321.16(B)(3).)</i>
	No provision.	In the event that a student becomes habitually truant within 21 school days prior to the last day of instruction of a school year, permits the school district or school to either (1) assign one school official to work with the child's parent, guardian, custodian, guardian ad litem, or temporary custodian to develop an absence intervention plan during the summer, or (2) toll the time periods to accommodate the summer months and reconvene the absence intervention process upon the first day of instruction of the next school year. <i>(R.C. 3321.191(C)(2)(e).)</i>
	No provision.	Specifies that if the school district or school chooses to develop a plan during the summer, the plan shall be implemented not later than seven days prior to the first day of instruction of the next school year. <i>(R.C. 3321.191(C)(2)(e).)</i>

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District board of education duty to file complaint	Requires, upon the failure of the parent, guardian, or other person having care of the child to cause the child's attendance at school, and where the child is considered an habitual truant, the board of education to, file a complaint jointly against the child and the parent, guardian, or other person having care of the child, if that child refuses to take part in the intervention plan, including the alternatives to adjudication. (R.C. 3321.19(D).)	Requires, upon the failure of the parent, guardian, or other person having care of the child to cause the child's attendance at school, and where the child is considered an habitual truant, the board of education to, file a complaint jointly against the child and the parent, guardian, or other person having care of the child, in accordance with the same timelines and conditions with which an attendance officer is required to comply as described above. (R.C. 3321.19(D).)

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