TRUANCY AND SCHOOL DISCIPLINE IN OHIO
POST-HB 410
ERIN DAVIES, EXECUTIVE DIRECTOR
 JUVENILE JUSTICE COALITION
WHAT DOES HB 410 DO?

HB 410 modifies Ohio’s laws on:

1. Truancy
2. School discipline
WHY HB 410?: ALIGNING BEST AND CURRENT PRACTICE

Research-Based Best Practices

Current Practice
IDEAL: CURRENT PRACTICE = BEST PRACTICE

Current Practices Align with Research-Based Best Practices
REALITY: CURRENT AND BEST PRACTICES OVERLAP

- Research-Based Best Practices
- Current Practice

The two circles overlap, indicating that there is an overlap between research-based best practices and current practices.
WHEN CURRENT AND BEST PRACTICES DON’T ALIGN:
ALIGNING CURRENT WITH BEST PRACTICE:

- What does the research say?
- What best practices advance the research?
- How does our current practice align with the research and best practices?
- How do we move our current practices to be more aligned with research and best practice?
- How do we measure the outcomes of this practice change?
OVERALL RESEARCH TENANTS

Research shows that we – as adults – must respond to youth in a way that:

- Ensures the consequences match the event and not overrespond (particularly to typical adolescent behavior).
- Addresses the underlying reasons why the youth is acting out by providing community-based, effective responses.
- Align resources to support these goals.
HB 410: TRUANCY
WHAT IS TRUANCY?

Ohio Revised Code §2151.011(B)(19): Definition of habitual truant

Any child of compulsory school age who is absent without legitimate excuse from the public school the child is supposed to attend for:

- Five or more consecutive school days
- Seven or more school days in one school month
- Twelve or more school days in a school year.
WHAT IS THE RESEARCH ON TRUANCY?

Research shows that missing school can lead to:

- Diminished academic performance for that student and other students in the school
- Higher likelihood of out-of-school suspension and expulsion
- Increased likelihood of juvenile court involvement
- Higher likelihood of dropping out, which can result in increased adult court involvement, decreased lifetime earnings, less stable employment, and increased reliance on social programs at taxpayer expense – an average cost of up to $800,000/youth.
TRUANCY: PRIOR LAW

• If a student missed a certain number of school days, the school could either 1) intervene with that student OR 2) refer the student to the juvenile court system for formal processing.

• Students were suspended and expelled 6,000 times in the 2013-2014 for truancy alone. Number of juvenile court truancy cases unknown.

• When referred the juvenile court, the student would typically be ordered to return to school. If the student didn’t go back to school, they would be violating a court order and subject to more serious punishment.
TRUANCY: POST HB 410

- Creates a new process for youth who are missing school.
- Prohibits students from being suspended or expelled for missing school
- Creates pilot project for more collaborative intervention teams.
- Data collection
TRUANCY PROCESS: POST HB 410

1. School must **notify** the parent within **7 days** that youth is not attending school.

2. School **immediately** can begin to **intervene**.

3. If the student **passes the habitual truancy mark**, the student must be assigned to an **absence intervention team** that develops an intervention plan designed for that student.

4. If, **after 60 days**, the student is still missing school or hasn’t made substantial progress on the plan, school can **file in juvenile court**.

5. Court must consider an **alternative**, like diversion.

6. **Formal complaint** is only considered as last resort.
ABSENCE INTERVENTION TEAM:

May vary based on student’s particular needs, but must include:

- Representative from child’s school or district
- Another representative from the child’s school or district who knows the child
- The child’s parent, designee, guardian, custodian, etc.
- Optional: School psychologist, counselor, social worker, or representative of a public or nonprofit agency designed to assist students and their families in reducing absences.
Purpose: Expanded absence intervention teams.

Effective for the 2017-18 and 2018-19 school years.

Voluntary by district and must be diverse (at least 2 urban, 1 suburban/mid-sized, 1 rural)

Run by Ohio Family and Children First Cabinet, which will develop an application, screen applicants, and collect data.
TRUANCY PILOT PROGRAM

• Districts must enter into partnership with FCFC, county commissioners, mayor, a non-profit, or ESC.

• Expanded absence intervention team must:
  - Assess the student
  - As appropriate include additional members, such as child/parent advocates and stakeholders from child welfare, mental health and addiction, youth-serving agencies, nurse or medical professional, law enforcement/juvenile court.
SCHOOL DISCIPLINE
WHAT IS SCHOOL DISCIPLINE?

The range of ways schools can respond to students’ behavior, including:

- Written or verbal reprimand
- Detention
- Saturday school
- In-school-suspension
- Out-of-school suspension or expulsion
OHIO SCHOOL DISCIPLINE STATISTICS:

Each year Ohio students receive 200,000 out-of-school suspensions or expulsions. Of these suspensions and expulsions:

- More than half are for disobedient and disruptive behavior – not for fighting, weapons, or other violent behavior.
- Impact certain students, including students of color, students with disabilities, LGBTQ students, and students in low-income households, more.
- 36,000 are given to students in grades pre-K-third grade.
WHAT IS THE RESEARCH ON SCHOOL DISCIPLINE?

Similar to truancy, exclusionary school discipline can lead to:

- Increased likelihood of juvenile court involvement, particularly due to a lack of positive role models, supervision, and vulnerability to negative influences while away from school.
- Higher likelihood of dropping out.
- Overall more negative climate for school and other students, including lower academic achievement.
SCHOOL DISCIPLINE: POST-HB 410

- Requires the State Board of Education to develop a model school discipline code that “stresses preventative strategies and alternatives to suspension or expulsion.”
- Allows students to make up work while suspended or expelled.
- Eliminates carry-over suspensions.
IMPLEMENTING HB 410: BEST PRACTICES

Integrating restorative justice:
- Utilizing circles for school-based issues, including discipline
- Changing culture in school towards individualized responses and youth-based solutions.

Suspensions/expulsions for young children:
- Each year, 36,000 students in pre-K through 3rd grade are suspended or expelled.
- Potential bill to eliminate out-of-schools suspensions and expulsions for youth in pre-K through 3rd or 4th grade.
### WHEN DOES HB 410 GO INTO EFFECT?

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<thead>
<tr>
<th>April 6</th>
<th>July 2017</th>
<th>2017-18 School Year</th>
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<tbody>
<tr>
<td>• Allow make up work during suspensions/expulsions (S/E).</td>
<td>• State Board finalizes model school discipline policy.</td>
<td>• Schools/districts must have a new truancy process in place.</td>
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<td>• No S/E carryover between years.</td>
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<td>• No S/Es for missing school.</td>
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<td>• Truancy changed to hours, not days.</td>
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<td>• Truancy pilot program.</td>
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<td>• Court changes (see fact sheet).</td>
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<td>• Truancy data collection.</td>
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