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Bill Analysis

Version: As Introduced

Primary Sponsor: Sen. Blessing

Holly Cantrell Gilman, Attorney

SUMMARY

- Establishes student attendance requirements and procedure for internet- or computer-based community schools (e-schools) that do not operate a dropout prevention and recovery programs.
- Exempts such e-schools from the absence and truancy prevention procedures of current law.

DETAILED ANALYSIS

Attendance procedures for e-schools

The bill establishes student attendance requirements and procedures for internet- or computer-based community schools (e-schools) that are *not* also dropout prevention and recovery schools. It also expressly exempts those e-schools from the absence and truancy prevention procedures that continue to apply to school districts and other public schools under current law.¹ (See “**Background on truancy prevention**” below.)

Under the bill, each qualifying e-school’s attendance policy must specify that a student is considered in attendance when the student (1) participates in at least 90% of the hours of instructional activities offered by the school in that year, or (2) is on pace for on-time completion of any course in which the student is enrolled.² For this purpose, the bill specifies that “instructional activities” include the following activities that a student is expected to complete, participate in, or attend during any given school day:

1. Online logins to curriculum or programs;

¹ R.C. 3314.03(d) and (l) and 3314.261.

² R.C. 3314.261(B)(1).

2. Offline activities;
3. Completed assignments within a particular program, curriculum, or class;
4. Testing;
5. Face-to-face communications or meetings with school staff or service providers; and
6. Telephone or video conferences with school staff or service providers.³

It further requires a qualifying e-school to submit a written report to the parent, guardian, or custodian of any student who has 30 or more hours of unexcused absences in any semester.⁴ This differs from the provisions under current law, which requires notice to a student's parent, guardian, or custodian when the student is absent without medical excuse for 38 or more hours in a school month or 65 or more hours in a school year.⁵

Moreover, it requires each qualifying e-school to develop and adopt a policy regarding failure to participate in instructional activities. The policy must state that a student becomes subject to certain consequences, including disenrollment from the school, if both of the following conditions are satisfied:

1. The student fails to comply with this policy within a reasonable period of time, as specified by the school, after the parent, guardian, or custodian receives notice of the student's absences; and
2. Other intervention strategies contained in the school's policy fail to cause a student's participation.⁶

Disenrollment of a student

If the school disenrolls a student for not complying with its attendance policy, that student becomes ineligible for enrollment in any other e-school for one calendar year from the date of the student's disenrollment. The school must then provide the student's parent, guardian, or custodian with a list of alternative educational options available to the student. It also must notify the student's resident school district in writing within 48 hours of the student's disenrollment.⁷

The bill does not alter a provision of current law that requires *any* community school to automatically withdraw a student who without a legitimate excuse fails to participate in 72 consecutive hours of the learning opportunities offered to the student.⁸ However, it does

³ R.C. 3314.261(A).

⁴ 3314.261(B)(2).

⁵ See R.C. 3321.191(C)(1), not in the bill.

⁶ R.C. 3314.261(C).

⁷ R.C. 3314.261(D) and (E).

⁸ R.C. 3314.03(A)(6)(b) and 3314.08(H)(2), latter section not in the bill.

define what is considered attendance and, thus, affects the application of that provision to a particular student's attendance or nonattendance.

Background on truancy prevention

The table below summarizes current law at each stage of the truancy intervention process:⁹

Triggering instance	Steps to be taken
Student is absent without medical excuse for 38 or more hours in one school month or 65 or more hours in one school year.	<ul style="list-style-type: none"> ▪ District or school must develop a truancy intervention plan for any student who meets this absence trigger. ▪ District or school must provide written notice to the parent, guardian, or custodian within seven days of the triggering absence. ▪ District must report to the Department of Education any instance where the school district has sent notice to a parent of a student's excessive absences. ▪ District or school may utilize any other strategies contained in its absence intervention policy.
Student is absent (unexcused) for 30 or more consecutive hours, 42 or more hours in one school month, or 72 hours in one school year. (Student is now a "habitual truant" as defined in the law on juvenile justice.)	<ul style="list-style-type: none"> ▪ District or school must assign the student to an absence intervention team within seven days of the triggering absence. ▪ District or school must make three meaningful, good faith attempts to secure participation of the parent and investigate whether a failure to participate warrants a report to child protective services. ▪ Within 14 days of assignment of a team, the team must develop an absence intervention plan. ▪ Within seven days of the plan's development, the district or school must provide written notice of that plan to the parent. ▪ District or school may contact the juvenile court about informal enrollment of the child in an alternative to adjudication.
Student refuses to participate or fails to make satisfactory progress on absence intervention plan.	<ul style="list-style-type: none"> ▪ Attendance officer must file a complaint in the juvenile court not later than 61 days after plan implementation.

⁹ R.C. 2151.011(B)(18), 3321.19, and 3321.191, none in the bill.

HISTORY

Action	Date
Introduced	03-11-20
