

HABITUAL TRUANCY INTERVENTION STRATEGIES

The Board of Directors, after consulting with various local county juvenile courts, parents, guardians, or other persons having care of the students enrolled at Fairborn Digital Academy, and appropriate state and local agencies, has established this policy in order to provide guidance to employees in addressing and ameliorating student absences.

An “habitual truant” is any child of compulsory school age who is absent without a legitimate excuse for 30 or more consecutive hours, 42 or more hours in one month, or 72 or more hours in a school year.

On the request of the Executive Director, or when it comes to the attention of the school attendance officer or other appropriate officer of the School, the designated officer is required to investigate any case of supposed truancy within the School and must warn the child, if found truant, and the child’s parent, guardian, or other person having care of the child in writing of the legal consequences of being truant. The notice must also inform the parent, guardian, or other person having care of the child that he/she shall cause the child’s attendance at school immediately.

When it has been determined that a child has been truant and that the parent, guardian or other person having care of a child has failed to ensure the child’s attendance at school after being notified, the Executive Director may require the parent to attend a specified parental educational program established according to the rules adopted by the State Board of Education for the purpose of encouraging parental involvement in compelling the attendance of the child at school. Therefore, if directed by the Executive Director, the attendance officer must send notice requiring the child’s parent to attend a parental education program.

HABITUAL TRUANCY

Upon the failure of the parent, guardian, or other person having care of the child to cause the child’s attendance at school, if the child is deemed to be an habitual truant, the Fairborn Digital Academy is required, within ten days, to assign the student to an absence intervention team, as described in O.R.C. §3321.191(c). Further, the attendance officer shall file a complaint with the proper county juvenile court. If a complaint is filed, it shall allege that:

1. The child is unruly for being an habitual truant; and
2. The parent, guardian, or other person having care of the child has violated O.R.C. §3321.38.

Absence intervention strategies shall include all of the following actions, if applicable:

1. Providing a truancy intervention plan for any student who is excessively absent from school, as described in O.R.C. §3321.191(c);
2. Providing counseling for an habitual truant;
3. Requesting or requiring a parent or guardian, or other person having care of an habitual truant to attend parental involvement programs, including programs adopted under O.R.C. §3313.472 or 3313.633;
4. Requesting or requiring a parent, guardian, or other person having care of an habitual truant to attend truancy prevention mediation programs;
5. Notification of the registrar of motor vehicles under O.R.C. §3321.13;
6. Taking legal action pursuant to O.R.C. §§2919.222, 3321.20, or 3321.38.

Notice of Absences

In the event that a child of compulsory school age is absent with or without legitimate excuse from the school the child is supposed to attend for thirty-eight (38) or more hours in one school month, or sixty-five (65) or more hours in a school year, the attendance officer of the School shall notify the child's parent, guardian, or custodian of the child's absences, in writing, within seven (7) days after the date after the absence that triggered the notice requirement. At the time notice is given, the School also may take any appropriate action as an intervention strategy, as provided in this Policy.

Absence Intervention Plan

If the absences of a student surpass the threshold for an habitual truant as set forth in this Policy, the student's principal or the Executive Director shall assign the student to an absence intervention team. Within fourteen (14) school days after the assignment of a student to an absence intervention team, the team shall develop an intervention plan for that student in an effort to reduce or eliminate further absences. Each intervention plan shall vary based on the individual needs of the student, but the plan shall state that the attendance officer shall file a complaint not later than sixty-one (61) days after the date the plan was implemented, if the child has refused to participate in, or failed to make satisfactory progress on, the intervention plan or an alternative to adjudication, as set forth below. Within seven (7) days after the development of the plan, the School shall make reasonable efforts to provide the student's parent, guardian, custodian, guardian ad litem, or temporary custodian with written notice of the plan.

As part of the absence intervention plan, the School, in its discretion, may contact the appropriate juvenile court and ask to have a student informally enrolled in any alternative to adjudication described in O.R.C. §2151.27(G). If the School chooses to have students informally enrolled in an alternative to adjudication, the School shall develop a written policy regarding the use of, and selection process for, offering alternatives to adjudication to ensure fairness.

Absence Intervention Team

The Executive Director, or the Executive Director's designee, shall establish an absence intervention team for the School to be used by any schools of the School that do not establish their own absence intervention team. Membership of each absence intervention team may vary based on the needs of each individual student, but shall include a representative from the School, another representative from the School who knows the child, and the child's parent or parent's designee, or the child's guardian, custodian, guardian ad litem, or temporary custodian. The team also may include a school psychologist, counselor, social worker, or representative of a public or nonprofit agency designed to assist students and their families in reducing absences.

The principal may establish an absence intervention team or series of teams to be used in lieu of the School team established under this Policy. Membership of each absence intervention team may vary based on the needs of each individual student, but shall include a representative from the School, another representative from the School who knows the child, and the child's parent or parent's designee, or the child's guardian, custodian, guardian ad litem, or temporary custodian. The team also may include a school psychologist, counselor, social worker, or representative of a public or nonprofit agency designed to assist students and their families in reducing absences.

The Executive Director or principal shall select the members of an absence intervention team within seven (7) school days of the triggering event. The Executive Director or principal, within the same period of seven (7) school days, shall make at least three (3) meaningful, good faith attempts to secure the participation of the student's parent, guardian, custodian, guardian ad litem, or temporary custodian on that team. If the student's parent responds to any of those attempts, but is unable to participate for any reason, the representative of the School shall inform the parent of the parent's right to appear by designee. If seven (7) school days elapse, and the student's parent, guardian, custodian, guardian ad litem, or temporary custodian fails to respond to the attempts to secure participation, the School shall do both of the following:

1. Investigate whether the failure to respond triggers mandatory reporting to the public children services agency for the county in which the child resides in the manner described in O.R.C. §2151.421; and

2. Instruct the absence intervention team to develop an intervention plan for the child notwithstanding the absence of the child’s parent, guardian, custodian, guardian ad litem, or temporary custodian.

In the event that a student becomes habitually truant within twenty-one (21) school days prior to the last day of instruction of a school year, the School may, in its discretion, assign one (1) 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. If the School selects this method, the plan shall be implemented not later than seven (7) days prior to the first day of instruction of the next school year. In the alternative, the School may toll the time periods to accommodate for the summer months and reconvene the absence intervention process upon the first day of instruction of the next school year.

The School may consult or partner with public and nonprofit agencies to provide assistance as appropriate to students and their families in reducing absences.

Beginning with the 2017–2018 school year, the School shall report to the Ohio 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 notice of extended absences is submitted to a parent, guardian, or custodian;
2. When a child of compulsory school age has been absent without legitimate excuse from the school the child is supposed to attend for thirty (30) or more consecutive hours, forty-two (42) or more hours in one (1) school month, or seventy-two (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;
4. When an absence intervention plan has been implemented for a child under this Policy.

Nothing in this policy shall be construed to limit the authority of the Executive Director or designee to develop or utilize other strategies to respond to student truancy.

LEGAL REFS: O.R.C. §§3321.19; 3321.191; 2151.011

Adopted: June 23, 2017