

Questions to Answer:

1. Student consistently signs in late every day, how do we calculate in order to produce a letter?
 - a. Students that sign in late – are considered Tardy
 - b. The time they miss does count toward HB410 calculations
 - c. Calculations depends on the district
 - i. If a district is using hours – then they would round to the nearest hour
 1. If the student is 15 minutes late this would not count
 2. If the student is 35 minutes late – this would count as an hour
 - ii. If a district is using minutes
 1. A student 15 minutes late would count as 15 minutes
2. Student consistently signs out early, how do we calculate in order to produce the letter?
 - a. Same as #1
3. Student is hospitalized due to mental health and will transition back to full days per doctor's orders. Should we send letters and hold AIT meetings?
 - a. If excused – Excessive Threshold - send a letter when student has met triggers, following district policy
 - b. If unexcused – then do the interventions when threshold is met
 - c. Home – no letter or team
4. For students placed in DYS, do you still send letters and hold meetings?
 - a. Student should be receiving instructions and is enrolled in the district.
 - b. Not marked absent
 - c. No letters, no intervention
5. Student is pregnant and out for an extended period of time, do we still produce letters and hold meetings?
 - a. Same as #3
 - b. Most likely district would mark excused
6. Student who turns 18 and is not attending school, do we have to send letters and hold meeting?
 - a. No because the student is 18, student not of compulsory age
 - b. How you were handling this prior, must follow all rules
 - c. If you know a student will turn 18 during the HB 410 process, you must still follow all processes until the student is 18. Once the student turns 18, you do not have to complete the 410 processes, but it may be an approach you use to keep the student from being truant or dropping out of school
7. Students who have legitimate medical excuses, do we send letters and hold meetings?
 - a. Yes, excessive absence letters . You do not have to have a meeting or develop a plan for students with excused absences. You may hold informal meetings to better understand why the student is missing school and to open communication up between the school and the family. This may help improve attendance.
 - b. Excused vs. Unexcused are a district policy. Ohio Administrative Code outlines some reasons for excused absences, but leaves much discretion up to the district to add to the list and to determine the process by which absences are excused.
<http://codes.ohio.gov/oac/3301-69-02>
 - c. There is an Ohio Administrative code describing as well
 - d. District Policy cannot be more relax for HB410

- e. Excessively absent requirements for letters to send home. Then district policy on how to follow up (yes, this is a great way to frame that!)
8. For students with a doctor's note that can only attend half days for a period of time, do we send letters and hold meetings?
 - a. Same as #3
 9. The system won't generate letters for students who are on vacation because the absences are not unexcused.
 - a. Letters should go home to these kids because letters are sent when absences are excused or unexcused. These are either excused or unexcused according to District Policy
 - b. If your district's policy is that vacations are unexcused or the family did not follow the process to get the vacation excused, resulting in the student hitting the habitual truancy threshold, the student would be assigned to a team and the team would develop a plan. If the student did not make satisfactory progress on the plan in 60 days, a complaint would be filed. AIP – would be filed on the 61st day – if unexcused
 - c. Students have 60 days to successfully implement Plan
 - i. 30hr consecutive unexcused or 42 hrs in a month unexcused during 60 day window – can file ahead of the 60 days
 1. File within 60 days
 2. Do not have to file on a student that is making progress on Plan. It is up to the district to determine to file.
 10. What makes a parent call off or note excused or unexcused?
 - a. District decision
 11. How long do I have to wait to file a complaint after the creation of a plan?
 - a. AIT team did not make an antiquate process on the Intervention Plan, you should file on the 61st day.
 - b. In general students should get 60 days to turn around.
 - c. 60 days should start once the parent receives notification of the plan.
 - d. Can file ahead of 60 days if the student is absent 30 consecutive hours unexcused or 42 hours in a month unexcused during the 60 day implementation window
 12. Student is showing up one day a week (so we can't use the 105 rule) and has already missed 42 hours this month. Do I have to wait until the following month and they hit 42 hours again before filing a complaint? Does this time start once the AIP is developed?
 - a. Do not wait until the 41 hours in the next month.
 - b. Schools are to start a plan when a student meets the 42hr threshold
 - i. Then 60 day Intervention
 1. Only can file ahead - after another 30 consecutive hours or 42hrs in a month
 13. What if a parent does not show up and has been holding the student at home? In this time, the student has hit another threshold. How long do we need to wait? When do we contact children services?
 - a. Move ahead with development of a plan if you cannot engage Parent, then follow the rule without the parent and the student
 - b. File with the court on the 61st day
 - c. Suggested to send notice in writing to have documentation – the plan must be sent in writing within 7 days of a parent or parent designee does not show up for the meeting
 - d. Contact Child Services if you suspect abuse or neglect immediately do not wait for the HB410 rules

- e. If try to engage Parents 3 times and don't respond that should be considered conflict
 - i. Then determine if neglect, if yes, contact Child Services
- 14. If a student leaves at 2:05 to go to the doctor, does this go against attendance? Right now anything after 2:00 does not count because rules prior to 410 said that anytime 1 hr and 20 mins at the beginning or end of the day did not count against the student.
 - a. Any time a student misses school the time should be tracked and counts toward HB 410 triggers
- 15. If a student leaves at 10:00 and returns at 11:30, does this go against his attendance? Currently, this would not count against his attendance because it is less than 2 hours.
 - a. Any time a student misses school the time should be tracked and counts toward HB 410 triggers
- 16. A student who is 18 years old and as stopped attending school and won't respond to attempts to get him to attend or withdraw. How long do we keep reaching out?
 - a. House Bill 410 does not apply to 18 year olds, but districts cannot withdraw them due to non-attendance unless the student requests to be withdrawn.
 - b. You should follow all EMIS procedures for documenting and withdrawing a student who is 18. I know that there are mechanisms in place by which districts can unenroll students with the correct documentation, but I can't speak to the specifics.
 - c. I do know that for students who stop coming to school, districts can unenroll only after they have filed truancy charges and have the appropriate documentation. Now with 410 in place, that means to unenroll due to nonattendance, you would need to follow HB410 procedures – though I'm not sure how county juvenile courts would handle this for an 18 year old because they aren't of compulsory age.
 - d. Please follow up with EMIS and your county juvenile court to confirm withdraw procedures for 18 year olds and how the courts would handle a truancy charge for 18 year olds.
- 17. What if an 18 year old student has stopped coming to school and is a special ed student?
 - a. You cannot withdraw a student until they withdraw or Age of 22
- 18. A KG student is in the custody of his father. Father and girlfriend have a fight and father flees the area due to an arrest warrant. Girlfriend takes child and moves to West Virginia. We have notified the proper authorities and Children's Services, but since it is out of the jurisdiction West Virginia Children's services is handling the report and is taking steps to remove the child from the home. We have been marking the student absent, but now that we know he has established residence in another state. Can we withdraw him?
 - a. We skipped this question on the call because it is very case specific and we are working with our EMIS office on an answer.
- 19. Student does not attend 1st period. She attends at the high school for a gym class which is second period only. Then she has 4 CCP courses scheduled - one with a lab. Student habitually misses the gym class which is 50 minutes and is being marked as a full day absence. Student is coded with 21 percent of time at high school and 79% of time at CCP. Colleges do not report attendance information.
 - a. 21% of time at High School must still count 1st period absent
 - b. Same triggers according to % of time at High School, this would not be a full day absence, only absent the time she is supposed to be at school.
- 20. Student has adjusted schedule. They are scheduled to attend from 7:25 to 11:01 am at the high school and then most take two on-line courses through our high school (from home). If student does not attend between 7:25 - 11:01, they are marked absent for the whole day.

- a. Same as #19. District is responsible for tracking time student at school and online
21. Timeline of requirements
- a. All timelines are Calendar Days unless otherwise stated. There is one place in the law that it says school day/school month. Our guidance is clear about when it is calendar day/month or school day/month.
 - b. School Month
 - i. Any Calendar month student are expected to attend school
 - ii. For example:
 - 1. Students first day of school is August 15th
 - 2. August 15th – August 31st = 1 school month
22. If a parent is notified more than once of an excessive absence (38 hours and 65), are both threshold dates reported or just the first occurrence?
- a. Just the first occurrence
 - b. Still enter notification for excessive absent and the date to develop the plan
 - c. 3 Good Faith Attempts – Not Reported
 - d. For Example
 - i. 38hrs by September
 - ii. 65hrs by December
 - 1. Both recorded – No
 - 2. Can send both but only need to record on 38hr threshold in EMIS
23. If we have students who are attending programs outside of our district (eg career tech program in other district) and the student becomes habitually truant from one of the districts? Or what if they have 10 hours truant in a month in one district and 28 in the other? Who is to report their absence event elements in EMIS? Who is to develop the team/plan? Home district or educating district?
- a. Attendance tracked, reported and entered into EMIS , same as prior to HB410
 - b. School student is at most of the time is responsible for tracking and recording
 - c. 50/50 they will need to work together
24. I have heard other districts state that out of school suspensions cannot be considered as excused absences, is this correct? Is this a district policy?
- a. OSS – should be unexcused
 - i. Unless school is providing instruction
 - ii. Do not count toward Habitually truant but does count for excessive absence
25. When the districts send home a student for behavior issues does that count towards their HB 410 hours?
- a. Yes, it is time out of school
26. What about students who attend a percentage of time - 50% at CCP. Are we to enter attendance as if they are with us all day (absent, late, etc). How will their hours be calculated since they are 50%?
- a. Work with JVS to determine who is responsible
 - b. Time missed at both entities
27. JVS in AM, arrive late to HS, do we do a time out and in? Is the JVS attendance being submitted?
- a. Both Responsible

Additional Note:

- HB410 is to be followed by all eSchools and Community schools
- Districts can have a policy that is more stringent than HB410 however not LESS stringent than HB410
 - For example
 - Can notify a parent if the student is absent less than 38 hrs in a month for the Excessive Absence
 - But cannot wait until 40hrs for Excessive Absence to notify
 - Oftentimes district policies are more general in how they deal with absences/truancy. Some districts have worked to update theirs in light of HB 410. Some require a doctor's note once a kid is excessively absent, require a counseling session for a kid who is excessively absent, ect. There is some confusion around this still. Basically, the policy should outline the course of action the school or district will take when a student is excessively absent. Ideally, this includes strategies and approaches that are preventative and supportive, not punitive (though in some cases, punishment is appropriate and required, as long as it is not out of school suspension or expulsion for missing school). District policy should (and likely does) address vacations, long-term absences due to illness/hospital stays, ect. So when a student becomes excessively absent because her family went on a two week vacation, you would send a letter and follow your district policy for vacations (which likely requires advance notice and gives the student a certain number of days to make up work. Some districts require a journal of the trip or other academic activities).
- 105 hours of consecutive unexcused absence at Community Schools
 - Must withdraw the student
 - Notification to the District of Residence
 - Must follow all HB 410 requirements up until the 105 hour withdraw
- Career Center / JVS
 - Stated by school – they typically withdraws students that are habitually truant
 - Cannot automatically withdraw students for truancy
- Drop Out Recovery Schools
 - Follow same rules as district
- [School improvement@education.ohio.gov](mailto:school_improvement@education.ohio.gov)