



# Understanding School Truancy



## What is truancy?

- Students between the ages of 6 and 18 are required to attend school. When they do not have a legitimate excuse for not attending school, they are considered truant.
- Truancy - when a child is absent from school without a legitimate excuse.
- Habitual Truancy - when a child is absent from school without a legitimate excuse for 30 or more hours in a row, 42 or more hours in a school month, or 72 or more hours in a school year



## What happens when my child is truant?

- Ohio law now requires that schools assign all habitually truant students to an Absence Intervention Team, which will design a specialized intervention plan in an attempt to prevent the student from being truant in the future.
  - The Absence Intervention Team must include (1) a representative from the school district, (2) a representative from the school district who knows the student, and (3) the student's parent or the parent's designee.
  - The Absence Intervention Team may also include a school counselor, psychologist, social worker, or representative from a nonprofit organization that is working with the student or her family.



## What happens if my child doesn't follow the intervention plan?

- If a child refuses to follow the intervention plan and continues to be truant, both the student and her parent can be sent to court.
  - The child will be charged with a delinquency, which is a juvenile charge filed with the court. Truancy is a misdemeanor offense.
  - The parent also may be charged with failure to send, which is an adult charge filed with the court. Failure to send is also a misdemeanor offense.



## How can an attorney help?

- LASC can assist you in preventing truancy in the following ways:
  - LASC can evaluate your child’s case to determine if there are any ways to address the truancy issue with your child’s school without resorting to court action.
  - If you believe your child is truant because he has a learning disability or behavioral problem that is impacting his success in school, LASC can assist you in requesting that your child be evaluated for special education and related services.
  - A LASC attorney can advise you during the creation of an Absence Intervention Team to protect your child’s rights and ensure that the school complies with the requirements for a truancy intervention prior to filing juvenile charges.
  - If your child’s school does not create an Absence Intervention Team, LASC can assist you in ensuring that the school complies with the new law requiring an intervention prior to filing juvenile charges.
- If you or your child are charged with truancy or failure to send, you each have the right to an attorney to represent you. LASC does not provide representation in these cases.
  - You can contact the Franklin County Public Defender’s Office at (614) 525-3194.

## How to Contact LASC:

### FRANKLIN & MADISON

Call (614) 241-2001 or Toll Free 1-888-246-4420

1108 City Park Avenue, Columbus, OH 43206

Office Hours: 8:30am-5:00pm Monday-Friday

### DELAWARE, MARION, MORROW, & UNION

Call (740) 383-2161 or Toll Free 1-888-301-2411

150 Oak Street, Marion, OH 43302

Office Hours: 9:00am-5:00pm Monday-Friday

Request Services Online at [www.columbuslegalaid.org](http://www.columbuslegalaid.org)

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