



Jim Kelly

Bill Analysis
Legislative Service Commission

H.B. 308

123rd General Assembly
(As Introduced)

**Reps. Stapleton, Tiberi, Mottley, Corbin, Netzley, Schuring, Willamowski,
Padgett, Buehrer, Hollister, Hartnett, Maier**

BILL SUMMARY

- Increases the minimum fine that a court can impose against the parent of a truant student from \$5 to \$100, and the maximum fine from \$20 to \$500.
- Increases from \$100 to \$500 the amount of the surety bond that a court may require of parents of truant students.

CONTENT AND OPERATION

Under current law, when a child who is of compulsory school age violates the compulsory education law, the parent, guardian, or other person in charge of that child may be subject to a fine of not less than \$5 nor more than \$20 or may be required to give a bond of \$100 as a surety that the person will cause the child to attend school. The fines and bond can be imposed by a court.

The bill increases the minimum fine from \$5 to \$100, and the maximum fine from \$20 to \$500. It also raises the amount of the bond that can be required from \$100 to \$500. (Secs. 3321.38 and 3321.99.)

Background: sanctions against parents of truant student under current law

A child who is between six and 18 years old is "of compulsory school age" and must attend school or otherwise be excused or instructed in accordance with law.¹ The parent of a child of compulsory school age is responsible for ensuring

¹ R.C. 3321.01 and 3321.03, not in the bill.

the child's school attendance.² Failure to attend school when required may result in finding the child to be truant and the parent being sanctioned.

When any child of compulsory school age is not attending school in violation of law, the school district attendance officer must notify the parent, who then must cause the child to attend school. Upon the failure of the parent to cause the child to attend school, the attendance officer must either make a complaint against the person in court or, if directed by the district's superintendent or board, send notice requiring attendance at a parental education program.³ If the district chooses court action, the court can impose a fine on the parent or require the parent to give a surety bond.

But as an alternative, a district may order the parent of a truant or habitually absent child to attend a parental education program.⁴ Failure to attend a parental education or training program when required by a district is "parental education neglect," a misdemeanor of the fourth degree.⁵

A parent who proves in court that he or she is unable to control the child and cause the child to attend school must be dismissed from further legal proceeding, and the district attendance officer must begin proceedings to have the child declared delinquent or dependent.⁶

HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	04-27-99	p. 477

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² R.C. 3321.03 and 3321.04, not in the bill.

³ R.C. 3321.19, not in the bill.

⁴ R.C. 3313.663 and 3321.19, not in the bill.

⁵ R.C. 2919.222, not in the bill.

⁶ R.C. 3321.22, not in the bill.