

- Counties would likely experience a minimal increase in cases of truancy in the juvenile court system. Any convictions would result in the potential negligible gain in revenues, from adult misdemeanors charged under the Ohio Revised Code. Any increases in juvenile truancy charges would result in a potential negligible increase in expenditures as well as a potential negligible increase in revenues as well.
- School districts that administer parental education programs for persons in charge of a truant or habitually absent child would likely have increased potential expenditures if the judicial system chose to refer more parents to these programs versus the financial penalties available. Such increases in expenditures would likely occur in selective jurisdictions with more severe truancy problems.

Detailed Fiscal Analysis

The bill requires a child under the age of six who attends kindergarten after the second Monday in October to be considered of compulsory school age for the purposes of mandatory school attendance. Under current law, a child who is between six and 18 years of age is “of compulsory school age” and must attend school or otherwise be excused or instructed in accordance with law.

Current law mandates the successful completion of kindergarten before a school district may admit the child to first grade. Under the bill, a child under six years of age who has been enrolled in kindergarten must be considered “of compulsory school age” for the purposes of school attendance requirements, which extends the sanctions applicable to parents who fail to ensure a kindergartner’s school attendance.

Fiscal Effects

Most schools already have truancy intervention programs. Kindergartners with truancy problems are included in these programs, however referral of the parent and the child to the adult and juvenile judicial system is not available. This bill however would allow the parents of all school age students, including the parents of kindergartners, to be sanctioned for truancy, which enables school districts to encourage student attendance at all grade levels.

The juvenile court system administered at the county level would be fiscally impacted by the bill because of increased caseload of truant parents charges. The Ohio School Boards Association estimated that less than one case per school district is referred by the school district each year to juvenile court system. Given the relatively low levels of judicial intervention and the fact that these interventions occur mostly with older children in middle and high schools, the increase in county court expenses would be minimal at best. The most likely course of action for parents of truant kindergartners is school truancy program intervention.

In the adult court system, failure to ensure a child’s continuing mandated attendance is categorized as a minor misdemeanor. An adult found guilty is subject to a fine of no 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. The change in the compulsory school age laws will likely result in a potential negligible gain in revenues for counties for a minimal number of cases. However municipalities that file charges under the Ohio Revised Code must remit all fines to the county. The fine revenue would potentially minimally increase revenue for county governments.

As an alternative to financial penalties, a person in charge of a truant or habitually absent child may be ordered to attend a parental education program. From information gathered from school districts themselves, the districts must bear the costs of running the programs for the persons in charge or truant children. Failure to attend such parental education program is considered "parental education neglect," a fourth degree misdemeanor.

□ *LBO staff: Kerry M. Myford, Graduate Researcher*

H:\FN122\HB0631IN.DOC

Education