

Book	Policy Manual
Section	Issue 3 of 2023 September READY FOR OSBA
Title	Student Absences and Excuses
Code	JED-R
Status	

**~~\*\*This is the OSBA sample policy.\*\*~~**

### **Student Absences and Excuses**

#### **Students Habitually Absent – Loss of Driving Privileges**

When the Superintendent receives information that a student of compulsory school age has been absent without legitimate excuse for more than 60 consecutive hours in a school month or a total of at least 90 hours in a school year, the following procedure applies.

1. The Superintendent notifies, in writing, the student and his/her parent(s) and states that information regarding the student's absences has been provided to the Superintendent, and, as a result of that information, the student's driving privileges **are will be suspended or** denied. This notification also states that the student and his/her parent(s) may appear before the Superintendent/designee to challenge the information provided to the Superintendent. **The hearing may be conducted by electronic means if requested by the parent. Notices may be sent by registered mail, regular mail with a certificate of mailing, or other form of delivery with proof of delivery, including electronic delivery and electronic proof of delivery.**
2. The notice from the Superintendent to the student includes the scheduled time, place, **and**-date **and participation method** of the hearing, which is scheduled between three and five days after the notification is given. Upon the request of the student or parent(s), an extension may be granted by the Superintendent. The Superintendent must then notify the student and the parent(s) of the new hearing time, place, **and**-date **and method**.
3. At the hearing before the Superintendent/designee, the student has an opportunity to present evidence that he/she has not been habitually absent without legitimate excuse. State law defines "legitimate excuses" for absence from school to include, but not be limited to:
  - A. enrollment in another school or school district in Ohio or another state;
  - B. possession of an age and schooling certificate (work permit);
  - C. a bodily or mental condition that prohibits attendance or
  - D. participation in a home **instruction education** program.
4. If a habitually absent student does not appear at a hearing before the Superintendent or designee, or if the student does not convince the Superintendent or designee that the absences were legitimate, the Superintendent must notify the registrar of motor vehicles and the juvenile judge. Such notification must be given to the registrar and the juvenile judge within two weeks of the receipt of the information regarding habitual absences or, if the hearing for the student is held, within two weeks after the hearing.

Notification to the registrar of motor vehicles and the county judge must comply with State and Federal law.

The registrar of motor vehicles is required to suspend the temporary instruction permit or driver's license of the student who is the subject of the notice. If a temporary permit or license has not been issued for that student, the registrar is prohibited from issuing a temporary permit or a license.

Denial of privileges remains in effect until the student reaches age 18 or until the denial is terminated for another reason allowed by State law. In accordance with State law, a student whose driving privileges have been denied can file a petition seeking their reinstatement.