



Ohio Revised Code

Section 3321.16 Investigation of nonattendance; complaint.

Effective: September 30, 2025

Legislation: House Bill 96

(A) An attendance officer or assistant provided for by section 3321.14 or 3321.15 of the Revised Code may investigate any case of nonattendance at school or part-time school of a child under eighteen years of age or supposed to be under eighteen years of age resident in the district for which such attendance officer or assistant is employed, or of any such child found in the district or enrolled in any school within the district and of any child above eighteen years of age if enrolled in any school within the district, and may take such action as the superintendent of schools directs or as such attendance officer or assistant deems proper in the absence of specific direction.

(B)(1) Subject to divisions (B)(2) and (3) of this section, the attendance officer shall file a complaint in the juvenile court against any student to which any of the following apply:

(a) The student was absent without legitimate excuse from the public school the child is supposed to attend for thirty or more consecutive hours.

(b) The student was absent without legitimate excuse from the public school the child is supposed to attend for forty-two or more hours in one school month.

(c) The student was absent without legitimate excuse from the public school the child is supposed to attend for seventy-two or more hours in a school year.

(2) If the student's district or school determines that the student and the student's family are making satisfactory progress in improving the student's attendance at school, the attendance officer shall not file a complaint.

(3) If no determination of progress under division (B)(2) of this section is made, or if the student and the student's family cease to continue making progress in improving the student's attendance, the attendance officer shall file a complaint in the juvenile court against the student.



A complaint filed in the juvenile court under division (B)(3) of this section shall allege that the child is an unruly child for being a habitual truant and that the parent, guardian, or other person having care of the child has violated section 3321.38 of the Revised Code.