

As Introduced

**133rd General Assembly
Regular Session
2019-2020**

S. B. No. 157

Senator Williams

A BILL

To amend section 3321.141 of the Revised Code 1
regarding notification of student absences. 2

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 3321.141 of the Revised Code be 3
amended to read as follows: 4

Sec. 3321.141. (A) (1) Within ~~one hundred twenty~~ sixty 5
minutes after the beginning of each school day, the attendance 6
officer, attendance officer's assistant for each individual 7
school building, or other person the attendance officer 8
designates to take attendance for each school building shall 9
make at least one attempt to contact, in accordance with 10
division (A) (2) of this section, the parent, guardian, or other 11
person having care of any student who was absent without 12
legitimate excuse from the school the student is required to 13
attend as of the beginning of that school day. 14

(2) An attempt to contact a student's parent, guardian, or 15
other person having care of the student shall be made through 16
one of the following methods: 17

(a) A telephone call placed in person; 18

(b) An automated telephone call via a system that includes verification that each call was actually placed, and either the call was answered by its intended recipient or a voice mail message was left by the automated system relaying the required information;

(c) A notification sent through the school's automated student information system;

(d) A text-based communication sent to the parent's, guardian's, or other person's electronic wireless communications device, as defined in division (G) (1) of section 4511.204 of the Revised Code;

(e) A notification sent to the electronic mail address of the parent, guardian, or other person;

(f) A visit, in person, to the student's residence of record;

(g) Any other notification procedure that has been adopted by resolution of the board of education of a school district.

(B) If the parent, guardian, or other person having care of a student initiates a telephone call or other communication notifying the school or building administration of the student's excused or unexcused absence within ~~one hundred twenty-sixty~~ minutes after the beginning of the school day, the school is under no further obligation with respect to the requirement prescribed in division (A) of this section.

(C) A school district, or any officer, director, employee, or member of the school district board of education is not liable in damages in a civil action for injury, death, or loss to person or property allegedly arising from an employee's action or inaction in good faith compliance with this section.

This section does not eliminate, limit, or reduce any other 48
immunity or defense that a person may be entitled to under 49
Chapter 2744. or any other provision of the Revised Code or 50
under the common law of this state. However, if the department 51
of education determines that a responsible individual described 52
in division (A) of this section has failed to comply with the 53
provision of this section, the department may assess a penalty 54
as determined appropriate by the department against the 55
individual, school district, or building. 56

(D) This section does not apply to either of the 57
following: 58

(1) Students who are in home-based, online, or internet- 59
or computer-based instruction; 60

(2) Instances where a student was not expected to be in 61
attendance at a particular school building due to that student's 62
participation in off-campus activities, including but not 63
limited to participation in the college credit plus program 64
established under Chapter 3365. of the Revised Code. 65

Section 2. That existing section 3321.141 of the Revised 66
Code is hereby repealed. 67