



## Ohio Revised Code

### Section 3314.261 Internet- or computer-based school attendance.

Effective: April 12, 2021

Legislation: House Bill 409 - 133rd General Assembly

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This section shall not apply to an internet- or computer-based community school in which a majority of the students are enrolled in a dropout prevention and recovery program.

(A) For purposes of this section, "instructional activities" means the following classroom-based or nonclassroom-based activities that a student is expected to complete, participate in, or attend during any given school day:

- (1) Online logins to curriculum or programs;
- (2) Offline activities;
- (3) Completed assignments within a particular program, curriculum, or class;
- (4) Testing;
- (5) Face-to-face communications or meetings with school staff or service providers;
- (6) Telephone or video conferences with school staff or service providers;
- (7) Other documented communication with school staff or service providers related to school curriculum or programs.

(B)(1) Each internet- or computer-based community school's attendance policy adopted in accordance with division (A)(6)(b) of section 3314.03 of the Revised Code shall specify that a student is considered in attendance at the school when the student satisfies either of the following conditions:

- (a) The student participates in at least ninety per cent of the hours of instructional activities offered



by the school in that school year;

(b) The student is on pace for on-time completion of any course in which the student is enrolled. The school's attendance policy shall define "on pace for on-time completion" for purposes of division (B)(1)(b) of this section.

(2) If a student is not considered in attendance under division (B)(1) of this section, the student shall be considered absent for those hours of instructional activities offered by the school in that school year in which the student does not participate.

(3) In the event that a student has thirty or more hours of unexcused absences in any semester, the internet- or computer-based community school in which the student is enrolled shall submit a written report to the student's parent, guardian, or custodian.

(C) Notwithstanding section 3321.191 of the Revised Code, each internet- or computer-based community school shall develop and adopt a policy regarding failure to participate in instructional activities. The policy shall state that a student shall become subject to certain consequences, including disenrollment from the school, if both of the following conditions are satisfied:

(1) After the student's parent, guardian, or custodian receives a written report under division (B)(2) of this section, the student fails to comply with the policy adopted under division (C) of this section within a reasonable period of time specified by the school;

(2) Other intervention strategies contained in the policy adopted under division (C) of this section fail to cause a student's attendance to comply with the policy.

(D) If an internet- or computer-based community school disenrolled a student pursuant to a policy adopted under division (C) of this section, the student shall not be eligible to enroll in that school or another internet- or computer-based community school for one school year from the date of the student's disenrollment. This division does not prohibit a disenrolled student from enrolling in another internet- or computer-based community school if a majority of the students of that school are enrolled in a dropout prevention and recovery program.



(E) If an internet- or computer-based community school disenrolls a student pursuant to a policy adopted under division (C) of this section, the school shall do both of the following:

(1) Provide the student's parent, guardian, or custodian with a list of alternative educational options available to the student;

(2) Within forty-eight hours of the student's disenrollment, notify the student's resident school district in writing.

(F) Nothing in this section shall be construed to affect the procedure for automatically withdrawing a student from school that must be adopted as part of a school's attendance policy in accordance with division (A)(6)(b) of section 3314.03 of the Revised Code.