



Ohio Judicial Conference

The Voice of Ohio Judges

Senate Education Committee
Judge Theresa Dellick
Proponent Testimony on Senate Bill 311
February 17, 2026

Chair Brenner, Vice Chair Blessing, Ranking Member Ingram and members of the Senate Education Committee, I thank you for this opportunity to provide proponent testimony for Senate Bill 311 on behalf of the Ohio Judicial Conference.

I am Judge Theresa Dellick of the Mahoning County Juvenile Court, where I have served since 2001. I have served as a past-president of the Ohio Association of Juvenile Court Judges and I serve on the Supreme Court Commission for the Rules of Superintendence and New Judges Orientation, and the OJC Commission on Professionalism. I have served as chair of the Supreme Court Commission on Specialized Dockets and Continuing Legal Education and on the Judicial Advisory as well as many other commissions.

The research is well settled that truancy is the lead indicator to delinquency and the first step in the school to prison pipeline. The Mahoning County Juvenile Court first addressed truancy in 2008. I saw in court every day a student had been expelled or suspended and had nothing to do but get in trouble. This was the impetus to create an alternative community school for students who had been expelled or suspended to complete their education. Each year the student class body increases as well as the number of graduates. (Senator Cutrona spoke at one of the graduations.) In 2014, and with the assistance of the U.S. Bureau of Justice, our court created an early warning system to detect if students were on track, sliding, or off track with attendance. Most of the school districts in my county participate in the program. Since its inception, it has dramatically decreased the number of official delinquency filings. We went from close to 2000 a year to less than 300. Schools welcome the court's services and we believe when the community, school, and court work together, students have a better chance to succeed. That is why I am particularly interested in SB 311. By addressing truancy, juvenile crime decreases, high school graduations increase, employment opportunities increase, poverty decreases, and students live productive lives—which is what they really want—but it seems unattainable.

An October 5, 2025 report from the [Cleveland Plain Dealer](https://www.cleveland.com/education/2025/10/ohio-schools-plagued-with-chronic-absenteeism-with-1-in-4-students-missing-too-much-class.html) revealed that over a quarter of Ohio's students were "chronically absent," meaning the students miss at least 10% of class time a year or at least two days a month.¹ Since the enactment of H.B. 410 of the 131st General Assembly, juvenile courts have reported fewer truancy filings, and when cases are filed, they are often brought too late in the school year to make a meaningful impact. H.B. 96, the biennial budget bill, amended the structured statutory requirements and timelines related to the absence intervention process established under H.B. 410. Instead, it replaces that process with a requirement for schools to adopt a policy in consultation with the juvenile court and other

¹ Available at <https://www.cleveland.com/education/2025/10/ohio-schools-plagued-with-chronic-absenteeism-with-1-in-4-students-missing-too-much-class.html>

stakeholders by August 2026. The juvenile courts look forward to continuing our partnership with the schools. Additionally, the judges proposed two additional reforms included in this bill.

First, if a child is adjudicated an unruly child for being a habitual truant, the bill allows the juvenile court issuing the adjudication to maintain jurisdiction over the child during the subsequent school year for purposes of monitoring the child's attendance. This discretionary authority will be used in appropriate situations, such as when a child has had truancy issues for consecutive school years. This will address an annual problem faced by juvenile courts across the state, schools turn in truancy charges typically in February and March, with students who have missed over 300 hours. The Court needs almost 8 weeks for certify mail to perfect service, and then the first hearing is not set until May. Schools are coming to a close and summer recess commences. Not much can be done to address the household issues causing truancy and the court and schools are back to the same students and families the following year.

Second, the bill clarifies the contributing to delinquency and unruliness statute so that any person who acts in a way that contributes to a child being a habitual truant is guilty of the offense. The current statute provides that an adjudication of a child as a delinquent child based on a violation of a court order adjudicating the child as unruly is a necessary element of the offense. The confusing language in the current statute has created inconsistent case law across the state. Many courts do not formally adjudicate a young child as a habitual truant, opting instead to divert and provide services to help get the child back on track and attending school. Under the bill, no adjudication of a child as being unruly or delinquent is necessary for a conviction, allowing prosecutors to bring charges for contributing to truancy when warranted.

We recognize these two changes alone will not solve Ohio's truancy problems. The juvenile judges would like to partner with the legislature and other interested parties on further reforms. I have many ideas for additional reform and look forward to discussing them with you in the future.

Thank you for the opportunity to submit testimony in support of S.B. 311. We thank the sponsor, Senator Brenner, for including the truancy reform provisions in this bill. The OJC does not have a position on the rest of this legislation. I would be happy to answer any questions you may have.