

**ABSENCES AND EXCUSES**

The Governing Board believes that regular attendance plays a key role in the success a student achieves in school. The Board recognizes its responsibility under the law to ensure that students attend school regularly. Parents/guardians of children between the ages of 6 and 18 are obligated to send their children to school unless otherwise provided by law. The Board shall abide by all state attendance laws and may use any legal means to correct the problems of excessive absence or truancy.

*(cf. 5112.1 – Exemptions and Exclusions)*

*(cf. 5121.1 – Grades/Evaluation of Student Achievement)*

**Excused Absences**

Absence from school shall be excused only for health reasons, family emergencies and justifiable personal reasons, as permitted by law, Board policy and administration regulations (Education Code 48205). No student can be released from school without permission from a parent/guardian.

Insofar as class participation is an integral part of each student's learning experiences, parents/guardians and students are asked to schedule medical appointments during nonschool hours.

A student's absence shall be excused for the following reasons:

1. Personal illness. (Education Code 48205)
2. Quarantine under the direction of a county or city health officer. (Education Code 46011, 48205)
3. Medical, dental, optometrical, or chiropractic appointments. (Education Code 48205)
4. Student absence for religious instruction or participation in religious exercises away from school property may be considered excused subject to administrative regulations and law. (Education Code 48205)
  - a. Written verification for student participation in religious instruction or exercises must indicate the beginning time, ending time, and the date of the religious holiday observance. Such absence shall not be deemed as an absence in computing average daily attendance if the student's attendance totals a minimum day. The absence shall be without penalty to the student. (Education Code 46014)

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- b. The student shall be excused for this purpose on no more than four school days per month. (Education Code 46014)
- 5. Attendance at funeral services for a member of the immediate family. (Education Code 48205)
  - a. Excused absence in this instance shall be limited to one day if the service is conducted in California or three days if the service is conducted out-of-state. (Education Code 48205)
  - b. “Immediate family” shall be defined as mother, father, grandmother, grandfather, spouse, son/son-in-law, daughter/daughter-in-law, brother, sister or any relative living in the immediate household of the student. (Education Code 45194)
- 6. Jury duty in the manner provided for by law. (Education Code 48205)
- 7. A student’s absence shall be excused for justifiable personal reasons including but not limited to: (Education Code 48205)
  - a. Appearance in court.
  - b. Observation of a holiday or ceremony of his/her religion.
  - c. Attendance at religious retreats for no more than four hours per semester.
  - d. Employment conference.
- 8. A student also shall be excused when he/she is the custodial parent of a child who is ill or has a medical appointment during school hours. (Education Code 48205)

***cf 6154 – Homework/Makeup Work***

**Unexcused Absences/Truancy**

The Board is committed to keeping students in school. The Superintendent or designee shall implement steps deemed appropriate to achieve this end.

*(cf. 6164.5 – Student Study Teams)*

*(cf. 6176 – Weekend/Saturday Classes)*

**ABSENCES AND EXCUSES (continued)**

1. Absences, with parental knowledge and consent, for reasons other than those enumerated above as excused absences shall be deemed unexcused absences.
2. Students absent without a valid excuse shall be classified as truant. Students who are tardy more than 30 minutes without a valid excuse shall be classified as truant. Such students shall be reported to the principal or designee. (Education Code 48260)

The parent/guardian of a student classified as a truant shall be notified of the following: (Education Code 48260.5)

- a. The student has been truant.
  - b. The parent/guardian is obligated to compel the student to attend school.
  - c. The parent/guardian who fails to meet this obligation may be guilty of an infraction of the law and subject to prosecution pursuant to Education Code 48290 et. seq.
  - d. The parent/guardian has the right to meet with appropriate school personnel to discuss possible solutions to the student's truancy.
  - e. The student may be subject to prosecution under section 48264 of the California Education Code.
  - f. The student may be subject to delay, restriction, or suspension, of driving privileges pursuant to section 13202.7 of the California Vehicle Code.
  - g. The parent/guardian may be compelled to accompany the student to school
3. Truant students' parents/guardians shall also be informed, as appropriate, of alternative educational programs in the District to which the student may be assigned. Consequences of continued truancy will be described to truant students and their parents/guardians.
  4. Any student who has been classified as a truant and is again absent from school without a valid excuse for one or more days or tardy for more than 30 minutes on one or more days shall again be reported to the principal or designee. (Education Code 48261)

**ABSENCES AND EXCUSES** (continued)

**School Attendance Review Board (SARB)**

The District operates a School Attendance Review Board (SARB) as allowed by law in order to meet the special needs of students with school attendance or school behavior problems. (Education Code 48320-48324)

1. When a student continues to be truant, an appropriate District staff member shall make a conscientious effort to hold at least one conference with the student and the parent/guardian. Further trancies may result in the student being declared an habitual truant and referred to the SARB. (Education Code 48262 and 48263)
2. Prior to the referral to SARB, the school may recommend consideration of the involuntary transfer of the student to an alternative school program. Involuntary transfer is defined as a transfer to an alternative placement which is initiated by a school site in response to a student's violation of school rules and regulations. Alternative placements may include: enrollment in another district comprehensive elementary or secondary school or enrollment in an Alternative Education Program.

*(cf. 5152 – Suspension, Expulsion, Involuntary Transfer, Exclusion and Due Process)*

3. Upon determining that the student's attendance problems cannot be resolved or that the student and parent/guardian have failed to respond to directives to correct the problem, the School Attendance Review Board may ask the Orange County Probation Department to request a juvenile court petition on behalf of the student or may refer the student to the Orange County District Attorney. (Education Code 48263)
4. A Pupil Services administrator shall gather the information necessary to comply with Education Code 48273 relating to truants. This administrator shall gather and transmit to the County Superintendent of Schools the number of referrals and types of referrals made to the School Attendance Review Board and the number of requests for petitions made to the juvenile court. (Education Code 48273)

**Verification of Student Absences**

When students who have been absent return to school, they must present a satisfactory explanation verifying the reason for the absence. The following methods may be used to verify student absences.

1. Written note from parent/guardian or parent representative. Students who are 18 years of age or older may provide their own excuses for absences. (Education Code 46012)

**ABSENCES AND EXCUSES** (continued)

2. Conversation, in person or by telephone, between the verifying employee and the student's parent/guardian or parent representative. The employee shall subsequently record the following:
  - a. Name of student
  - b. Name of parent/guardian or parent representative
  - c. Name of verifying employee
  - d. Date or dates of absence
  - e. Reason for absence
3. Visit to the student's home by the verifying employee.
4. Any other reasonable method which establishes the fact the student was actually absent for the reasons stated. A written recording shall be made, including information outlined above.

*Legal Reference:*

EDUCATION CODE

- 1740 Employment of personnel to supervise attendance (county superintendent)*
- 2550.3 Attendance report by county superintendent*
- 2550.4 Request for one-time base revenue limit adjustment*
- 37201 School month*
- 37223 Weekend classes*
- 41601 Reports of average daily attendance*
- 42238.7 Attendance report by governing board*
- 42238.8 Request for one-time base revenue limit adjustment*
- 45194 Bereavement leave*
- 46000 Records (attendance)*
- 46010-46015 Absences*
- 46100-46118 Attendance in kindergarten and elementary schools*
- 46140-46161 Attendance in junior high and high schools*
- 48200 Children between ages of 6 and 18 years (compulsory full-time attendance)*
- 48205 **Excused absences, ADA computation***
- 48240-48246 Supervisors of attendance*
- 48260-48273 Truants*
- 48292 Filing complaint against parent*
- 48320-48324 School Attendance Review Boards*
- 48340-48342.5 Improvement of pupil attendance*
- 49067 Unexcused absences as cause of failing grade*

**ABSENCES AND EXCUSES (continued)**

CIVIL CODE

25.9 *Mental health treatment or counseling services; consent to outpatient treatment by minor over 12; liability of parents or legal guardian*

34.5 *Minors; contracts not disaffirmable; pregnancy care*

34.7 *Minors; diagnosis or treatment of communicable or sexually transmitted diseases; consent not disaffirmable*

34.8 *Minors; medical treatment for rape; consent not disaffirmable*

34.9 *Minors; sexually assaulted; consent to diagnosis; treatment and collection of evidence; not disaffirmable; contact with parent, parents or guardian*

34.10 *Minors; 12 years of age or older; consent to medical care and counseling; not disaffirmable; liability of parent, parents or guardian for care*

VEHICLE CODE

13202.7 *Driving privileges; minors; suspension or delay for habitual truancy*

CODE OF REGULATIONS, TITLE 5

306 *Explanation of absence*

420 *et seq. Record of verification of absence due to illness and other causes*

66 OPS CAL. ATTY. GEN. 245, 249 (1983)