

Department of Student Services

SARB HANDBOOK



**SCHOOL ATTENDANCE REVIEW BOARD
IRVINE UNIFIED SCHOOL DISTRICT**

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SCHOOL ATTENDANCE REVIEW BOARD

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GENERAL INFORMATION

DEFINITION: A Community/School-based program that provides and coordinates community service delivery to students with school attendance and behavior problems.

SARB... "To meet the needs of students"

WHAT IS SARB?

SARB was established by the California legislature in 1975 for the purposes of:

- Making a better effort to meet the needs of students with attendance or behavior problems.
- Promoting the use of alternatives to the juvenile court system.

To achieve these goals, the legislation provides for a multi-agency **SARB** which includes the following agencies: Children and Family Services, Probation, Law Enforcement, Parents, Parents and/or other Community Representatives, Community-Based Organizations, Child Welfare and Attendance Personnel, School Guidance Personnel, District Attorney's Office.

SARB process starts with the identification of attendance and/or behavior problems followed by classroom, school site and district level interventions.

SARB is specifically charged with finding solutions to unresolved student attendance and discipline problems by bringing together, on a regular basis, representative of agencies that make up the board.

SARB further surveys available community resources, determines the appropriateness of their services, and makes recommendations to meet the needs of referred students.

SARB seeks to understand why students are experiencing attendance and behavior problems, and serves as a vehicle to correct those problems.

WHO IS REFERRED TO SARB?

Students with chronic attendance problems and students with chronic behavior problems which have not been resolved through school and community efforts. Students with 3 or more unexcused absences or truancies, students with over 10 excused absences without a physician's note, or a student who has missed 10% or more of a school year based on total number of days in attendance divided by the total number of school days at time of evaluation. (Example: School started on September 6, the student was absent 8 days as of November 4th. School has been in session for 40 days at time of evaluation. The student has an absence rate of 20% and is in violation of the law.)

WHAT DOES SARB DO FOR STUDENTS?

SARB may do the following:

- Recommend changes in the student's program which might be unusual but necessary.
- Direct the student and/or family to counseling.
- Arrange parenting classes.
- Facilitate a student transfer to an alternative school or program when needed.
- Request assistance from other county agencies and programs when needed.
- Arrange for tutoring when needed.
- Recommend the establishment of needed resources.

- Help students understand the importance of school, why they must attend school, and that there are consequences for failure to comply with the law.
- Refer chronic attendance and/or behavior problems to the County **SARB** and possibly the District Attorney for further assistance.

HOW DO YOU GET HELP FROM SARB?

- Assistance from **SARB** may be requested when attendance or behavior problems have not been resolved through existing school and community resources.
- Referrals to **SARB** may be made by contacting the principal, supervisor of attendance, or local **SARB** chairperson.

ATTENDANCE PROBLEMS CARRY OVER FROM YEAR-TO-YEAR

SARB does not carry over from year to year for students who have not appeared at the SARB panel. If a student received letters 1 and 2 last year, but never went to the panel, we must start over. This was a decision of the District Attorney's office in interpreting how the law is written. Therefore, if you have students who you were continuing from last year, but who were never referred to the panel, you have to start over with SARB 1 letter. **We are supposed to give a period of time between letters to allow the student to demonstrate improvement.** However, if behavior does not change or worsens during the week following the receipt of the letter, issue letter 2 at the end of that week. If behavior continues or worsens, contact Student Services to send the D.A. Meeting Letter inviting the student and the parents to the next D.A. meeting.

DISTRICT ATTORNEY MEETING

The District Attorney has joined forces with a group from the County Department of Education to create what has proven to be a very effective Truancy Reduction Program. Assistant District Attorney Colby Burchell conducts parent meetings to explain the SARB process and its legal ramifications. The meetings last approximately one hour. **School site representatives are always encouraged to attend these group meetings, however attendance is not mandatory.** We have scheduled four meetings for the year. Meeting locations will be a Creekside Learning Center, Room 1. All meetings will begin at 5:00 pm.

Schools Responsibilities for the D.A. Meeting Include the following:

- Notify Student Services to send the DA Letter
- Student Services will send letters via certified mail on the day of request. Please allow ten (10) days advance notice. Student Services will add the name of your student to the sign in sheet for the meeting. Send copy of letters 1 & 2 to Darian in Student Services.
- To appear before a judge, a student must have been referred to probation. If you do not refer students to the DA's meeting, they will be referred to attend a DA's meeting as part of the SARB Panel actions.
- If you have Student Services issue a DA Meeting Letter for a student, please make an entry in the student's discipline file that he/she was referred to the D.A.'s Meeting.

SARB HEARING

If a student continues to be truant after attending the D.A. Meeting a site administrator can refer the student and/or parent to a SARB Hearing. **Note: Administrators abdicate their authority to the SARB Panel at the SARB Hearing.**

Schools Responsibilities Include the following:

- Notify Student Services to schedule a SARB Hearing.
- Communicate to the parent that you have requested a SARB Hearing.
- Student Services delivers a letter to the family to appear at the determined location for the hearing.
- Student Services, with the aid of the site, will develop the informational packet to be presented at the hearing.
- **Site administrator confirms and reminds parent of SARB Hearing date.**
- The site administrator will arrive at the hearing early to give the panel background information. The site administrator will present the information when the parent and student are present in the hearing.
- **School Site Administrator will arrange for any needed translation services**

SARB CONTRACTS

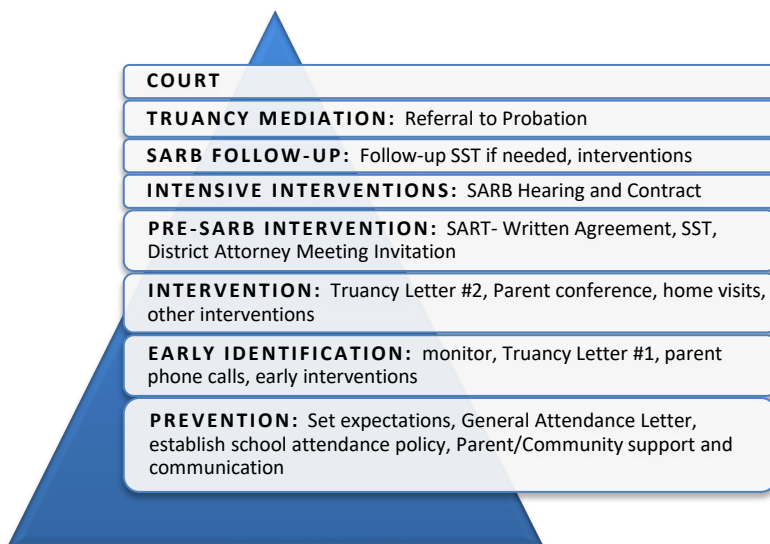
SARB Contracts can remain with the student until they are 18 years of age or graduate; whichever comes first. Contracts should be reviewed on a regular basis. If the SARB Contract originates at the elementary level and problems reoccur at the secondary level, the SARB process needs to be implemented again.

REFERRAL TO PROBATION AND/OR COURT

If a student violates their SARB contract, the student can be referred to Probation or Court depending on the age of the student and the circumstances of the case. If you have a student that is in violation of their contract, you need to email the Student Services office with the details of the case and a referral will be made for prosecution.

Suggestions for students who have multiple tardies under 30 minutes:

- Problem solve with the student
- Problem solve with parent and student
- Develop an award system for student
- Meet parent at drop off time
- Refer family to appropriate resources as needed
- Recommend parenting classes through Irvine Family Resource Center
- Develop a check list/routine for student at bedtime and for morning wake-up
- Implement progressive discipline
- Place the student on a Behavior Contract



SARB Response to Intervention Pyramid

SARB Process

SCHOOL SITE · DISTRICT OFFICE · DISTRICT ATTORNEY

SARB 1 Letter

SARB 2 Letter

D.A. Meeting

SARB

Probation

School site sends letter to parent.

Meet with student/family to find out any issues.

School site to document in Aeries

School site sends letter to parent.

Meet with student/family to find out any issues.

School site to document in Aeries

School site refers student to DA meeting

Student Services staff sends letter to family to attend DA meeting.

Student Services to document in Aeries

Student Services staff sends notice to family for SARB hearing.

School site staff need to secure translator, if needed, for the SARB hearing.

Student Services to document in Aeries

If student attendance continues to decline, school site staff inform Student Services. Site staff complete the necessary documentation for Probation referral.

Student Services to document in Aeries

- Truancy Hunter is used for printing letters only
- Aeries is used to document all student data

New Absence Code: *Early Out - Elementary only*

APPLICABLE TO ELEMENTARY SITES ONLY

Absent code '6' · Early Out

All Day code field – Students who leave school early (Over 30 minutes)
Unexcused reason

Compliance with Compulsory Attendance Law:
 Ed Code Section 48200

Commonly asked question:

If tardy in AM and leave early (+30min) UNX , What code do I use?
 Use envelope to record AM Tardy, enter the '6' code in all day field.



SARB/ATTENDANCE GUIDE SHEET

STEPS	WHO	WHAT	DOCUMENTATION	DESCRIPTION
STEP 1	Site	Interventions	Site to document in Aeries under Counseling, Discipline, and/or Interventions	Implement Interventions: Meet with parent/student. Problem solve attendance problem. Refer to appropriate programs and agencies. Place on a contract if appropriate and implement progressive discipline. Send General Attendance Letter and Soft Truancy information.
STEP 2	Site	Send SARB Letter #1	Site to document in Aeries under Discipline	AFTER: 3 or more unexcused absences, or 3 or more truancies, or 3 or more tardies more than 30 minutes. Any combination of the above that equals three or more, or 10 "excessive" excused absences. Note: "Excessive" excused absences should be marked as truant or unexcused if a doctor's note was not provided.
STEP 3	Site	Send SARB Letter #2	Site to document in Aeries in Discipline	AFTER: One more unexcused absence or, one more tardy of more than 30 minutes.
STEP 4	D.O.	D.A. Meeting	D.O. to document in Aeries under Discipline	AFTER: One or more unexcused absence or, one more tardy +30 minutes. Students have accumulated 5 or more unexcused absences, or 5 or more Tardies + 30 minutes, or any combination of absences or tardies that equals 5 or more, or one more "excessive" excused absence to be referred to the D.A. Meeting. Site contacts Student Services requesting a D.A. meeting and Students Services will mail notifications.
STEP 5	D.O.	SARB Hearing	D.O. to document in Aeries under Discipline	AFTER: One more unexcused absence or, one more tardy of more than 30 minutes. Site contacts Student Services requesting a SARB hearing. Student Services will mail all notifications. Student Services will prepare SARB packet with input from site. Student Services will bring the packet to IPD for hearing. Site administrator will present the case at the hearing.
STEP 6	D.O.	Referral to Probation	D.O. to document in Aeries under Discipline	AFTER: One more unexcused absence or one more tardy +30 minutes. Site contacts Student Services informing them that the student/parent is in violation of their SARB contract. Student Services will mail all necessary paperwork to probation and the D.A.'s office.
STEP 7	Probation	Referral to Court	D.O. to document in Aeries under Discipline	AFTER: Probation determines student/parent are not being compliant with informal probation. Probation refers case to the D.A.'s office for prosecution.
Excessive Tardiness < 30 Minutes	Site	Send Excessive Tardy Letter	Site to document in Aeries under Discipline	AFTER: Ten or more unexcused tardies less than 30 minutes. Note: Tardies less than 30 minutes in themselves are not prosecutable; however, coupled with other full day absences, period truancies, and/or discipline problems the matter is prosecutable.

C	Cut/Truant
U	Truancy/Unexcused Absence
X	Tardy more than 30 minutes
3	Verify/Cut



These codes are the unexcused absence codes that Truancy Hunter tallies

Revised: June 25, 2018

WHAT TO EXPECT AS AN ADMIN AT A SARB HEARING

When you arrive at the designated location for the SARB hearing, please contact the Student Services Coordinator via email or text. A SARB Hearing may still be in progress.



Enter the conference room quietly and take a seat. There may be a prior hearing being conducted when you enter. This is to prevent you as the administrator from sitting out in the lobby with the parent if the previous hearing runs late.



When it's time for you to present your case, the Coordinator of Student Services will ask you to give the panel background information on the student and family. The Coordinator will ask you what the site administration's ultimate goal of the hearing is going to be, i.e., a SARB Contract, referral to probation, referral to counseling support, drug testing, a change of placement, etc.



Once the parent(s) and student enter, the Coordinator will begin the hearing and go over procedures. The site administrator will be asked to present the case. At that time please utilize the packet provided and any notes, documentation, and/or experience you have had with the student/family. Please go over in detail the pertinent sections of the packet such as attendance patterns, grades, discipline, interventions, and communication with the family. Panel members will ask questions and the family will be given an opportunity to respond.



At the end, the Coordinator with input from the panel, will communicate to the family the actions the panel will take. Consequently, some students will receive a contract and/or a referral to probation. **Copies of that paperwork will be provided to the site administrator to be placed in the Cumulative File.** You will also be given an **Orange Sticker that you are to place on the front of the student's Cumulative File** so that the student is easily recognized as a student on a SARB contract.



The Student Services Office will document in Aeries the District Attorney Meeting and the SARB Hearing. The site is responsible for documenting SARB Letters 1 and 2 and any other intervention.



TRUANCY HUNTER GUIDE SHEET

SARB 1 LETTER - Site responsibility

AFTER

- 3 or more unexcused absences
- or 3 or more tardies +30 minutes
- or 10 "excessive" excused absences

Any combination of the above that equals 3 or more

*School Site to document in Aeries

SARB 2 LETTER - Site responsibility

AFTER

- One more unexcused absences
- or one more tardy +30 minutes
- or one more "excessive" excused absences

*School Site to document in Aeries

DISTRICT ATTORNEY MEETING - Student Services responsibility

AFTER

- One more unexcused absences
- or, one more tardy +30 minutes
- or, one more "excessive" excused absences

→ Students referred to the DA have accumulated 5 or more unexcused absences or 5 or more tardies +30 minutes or any combination of absences or tardies that equals 5 or more

1. Administrator or Office Assistant contacts Student Services requesting the DA Letter to be sent
2. **The site communicates to the family that they must attend the mandatory DA meeting and communication needs to be documented in Aeries**

SARB HEARING - Student Services responsibility

AFTER

- One more unexcused absences
- or, one more tardy +30 minutes
- or, one more "excessive" excused absences

→ Students referred to the DA have accumulated 5 or more unexcused absences, or 5 or more tardies +30 minutes or any combination of absences or tardies that equals 5 or more

Student Services will send letter and schedule Panel date and time. Student Services will notify the school of the time and date of the Panel appearance and develop the packet of the information to be presented by the administrator.

Site Administrator is responsible for arranging translation services and notification to Student Services.

Per District Attorney/Probation Department – To refer students to the DA's office for prosecution or probation, SARB letters 1 & 2 must be sent for the current school year, even if the student has been through the SARB panel in previous school years.

TARDY LETTER - Site responsibility

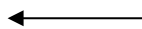
- 10 or more unexcused tardies less than 30 minutes

*Tardies less than 30 minutes are handled separately from the SARB system indicated above and tardies less than 30 minutes are not prosecutable by law

C – Cut

U – Truancy/Unexcused Absence

X – Tardy +30 minutes



These codes are Unexcused Absences and are tallied by Truancy Hunter



EASTWOOD ELEMENTARY

Principal - Aaron Jetzer

99 Meander, Irvine, CA, 92620

949-936-8100 lusd.org/ew

BEGINNING-OF-SCHOOL LETTER FROM PRINCIPAL

August 23, 20xx

Re: Parents of John Doe

Dear Parent:

The school year is beginning soon, and I want to welcome you as our partner in your child's education. We truly value, appreciate, and seek out your involvement and collaboration for the success of your child.

This year we are asking all parents to help us ensure the regular, on-time attendance of their children at school. We will be monitoring attendance closely because research has shown that regular attendance is vital for the success of children in school.

California law states that absences are excused only if the child is ill or there is an excuse which meets the requirements of Education Code Section 48205. Education Code Section 48260 defines a truant as a pupil who has missed more than 30 minutes on three days without valid excuse in one school year. Our goal is to have all children present in school every day and on time.

Parents, please be aware that going "out of town" when school is in session with your child is an unexcused absence. Further, it is our district's policy that we may require verification of absences due to illness or quarantine, if your child has missed school for three consecutive days.

I am looking forward to working with you in an effective partnership for your child.

We at _____ will work very hard with you to ensure that your child receives the best education possible. We are depending on you, and we want to thank you for entrusting us with your child. To provide your child with an outstanding education, your child must maintain excellent attendance.

Enclosed you will find a copy of this year's school calendar to assist in your family's scheduling. If you have any questions, please feel free to call us at (949) 936-XXXX.

Sincerely,

Principal's Signature

Principal's Name

Be Brave, Be Awesome, Be Explorers!



Portola High School

1001 Cadence, Irvine, CA 92618 | (949) 936-8200

First Notification of Truancy or Excessive Absence

Month Day, 20xx

Student Name
Home Address
Irvine, CA 92618

Dear Parent Name,

This letter is to inform you that your child, Child's Name, is considered a Truant.

Incident Dates for Student name 123456789, Grade x: xx/xx/20xx, xx/xx/20xx, xx/xx/20xx, xx/xx/20xx

Excused Incident Dates: xx/xx/20xx, xx/xx/20xx, xx/xx/20xx

Unjustified Absences

Education Code Section 48260 – Any pupil subject to full-time education who is absent from school without valid excuse three or more days or tardy in excess of 30 minutes on each of three or more days in one school year is a truant and shall be reported to the attendance supervisor of the school district.

Education Code Section 48260.5

(A) upon a pupil's initial classification as a truant, the school district shall notify the pupil's parent/guardian, by first-class mail or other reasonable means, of the following:

- (1) That the pupil is truant.
- (2) That the parent/guardian is obligated to compel the attendance of the pupil at school
- (3) That parents/guardians who fail to meet this obligation may be guilty of an infraction and subject to prosecution pursuant to Article 6 (commencing with Section 48290) of Chapter 2, Part 27.**

(B) The district also shall inform parents/guardians of the following:

- (1) alternative education programs available in the district
- (2) The right to meet with the appropriate school personnel to discuss solutions to the pupil's truancy. (Added Statues, 1983, Chapter 498).
- (3) The student may be subject to arrest under Education Code Section 48264. (High School Students)
- (4) The student may be subject to suspensions, restriction, or delay of his/her driving privilege pursuant to Vehicle Code Section 13202.7. (High School Students)
- (5) That it is recommended that the parent or guardian accompany the pupil to school and attend classes with the pupil for one day. (Added Statues, 1983 Chapter 498)

Excessive Excused Absences

Truant, unverified, unexcused, excessive excused absences and tardies affect the student's education and increase the chances for failure. Tardies interrupt the classroom and interfere with the learning environment for all students. Please discuss the issue with your child. Failure to improve his/her attendance will result in a conference with a designee at your child's school.

Our goal is to educate your child. We cannot be successful if you child is not in school.

Administrator's Name, Administrator

Date



Portola Springs ELEMENTARY

12100 Portola Springs, Irvine CA 92618 • Office: (949) 936-8800 • FAX: (949) 936-8809 • Attendance: (949) 936-8801

Second Notification of Truancy or Excessive Absence

Month Day, 20xx

Student Name
Home Address
Irvine, CA 92618

Dear Parent/Guardian of Student Name, Grade xx, DOB xx/xx/20xx
Recently, you received a letter advising you of excessive unexcused absences and/or tardies of your child. This SECOND LETTER is to inform you that your child, Student Name 123456789 in Grade xx, continue to have an attendance problem. We want your child to succeed in school and the school and district know that children can't learn when they are not present. Please call to set up a conference with the principal or school representative to consider a place for correcting this problem.

To schedule an appointment please contact:

Name: Admin Name Phone: 949-936-xxxx

Please make every effort to correct this situation. Failure to improve attendance will result in a referral for further action.

For Unexcused absence or tardies:

Education Code Section 42861-Subsequent Report of Truancy. Any pupil who has been reported as a truant and who is again absent from school without valid excuse one or more days, or tardy on one or more days, shall again be reported as a truant to the attendance supervisor or the superintendent of the district.

Possible Sanctions may include:

- (1) Detention (2) After school or weekend study programs (EC Sec. 48264.5(b)) (3) alternative to suspension programs (4) student and/or family counseling (5) possible police involvement, juvenile contact report (6) home visit (7) parent may be required to attend school with student (8) suspend work permit (9) CalWORKs/AFDC benefits may be affected (10) other site based interventions.

We appreciate your cooperation in improving your child's attendance.

Administrator's Name, Administrator

Date

Teaching that Grizzlies are Respectful, Empathetic, Always positive, and Truly responsible



IRVINE UNIFIED SCHOOL DISTRICT

5050 Barranca Parkway, Irvine, California 92604-4652 • 949/936-5000 • FAX 949/936-5259 • www.iusd.org

Third Notification of Truancy or Excessive Absences

Month Day, 20xx

Parent Name

RE: Student Name DOB xx/xx/20xx

Dear Parent/ Guardian of: **Student Name; Grade x**

The administrators of _____ **School** have informed the Office of Student Services in the Irvine Unified School District that your child **Student Name** has poor attendance. It is the goal of this office in partnership with the school that all children attend school regularly and on time. Regular school attendance is necessary for children to develop the skills needed to succeed in life. It is your responsibility as parents to make sure your child attends school regularly. This office is committed to facilitating the regular attendance of **Student Name** and will take all necessary steps to achieve that goal.

You and your child are required to join the Orange County Deputy District Attorney and the District to discuss your child's attendance and the legal consequences for non-attendance:

Meeting Date: x/xx/20xx

Meeting Time: 5:00 P.M.

Location: School Name, Commons, 1234 Street Name, Irvine 92602

Student Name, your child, has been absent from school on **36** occasions, **36** of which were unexcused. When a child misses 3 or more days of school or is tardy 30 minutes or more the child is truant and must be reported to the attendance supervisor or superintendent of the school district. If your child's attendance does not improve, both you and your child may be subject to prosecution which may include a fine, time in custody, Saturday school, or your child's loss or delay of the privilege of a driver's license for one year. If your child's attendance problem does not resolve **immediately**, the court process will begin which will start with a referral to the School Attendance Review Board (SARB).

It is your duty as a parent to provide for your child's education in the same way you provide food, clothing, and shelter. If you continue to ignore this duty, the District Attorney's Office may have no choice but to file charges against you and your child. **Your failure to attend this meeting may cause the prosecution to proceed.** If you have any questions, please contact me at (949) 936-5242. We sincerely hope to see you at this meeting and to resolve any issues that might be preventing your child's regular attendance.

Sincerely,

Coordinator's Signature

Coordinator's name
Coordinator, Student Services

BOARD OF EDUCATION

PAUL BOKOTA / LAUREN BROOKS / BETTY CARROLL / IRA GLASKY / SHARON WALLIN

TERRY L. WALKER, Superintendent of Schools

JOHN FOGARTY, Assistant Superintendent, Business Services / BRIANNE FORD, Chief Technology Officer

EAMONN O'DONOVAN, Assistant Superintendent, Human Resources / CASSIE PARHAM, Assistant Superintendent, Education Services

IUSD . . . providing the highest quality educational experience we can envision.



May xx, 20xx

Dear Parent or Guardian of **Student Name**

You are receiving a Student Attendance Review Board (SARB) panel hearing notice because of ongoing issues with your student's attendance at _____. Throughout the year, school administration has attempted to intervene and correct the attendance concerns evidenced by **Student Name**. Student Attendance Review Board (SARB) "letters" have been sent twice and you and your student have been invited to attend a meeting where District Attorney Patricia Shute shaped expectations of the law and your role as a parent.

Since IUSD has not seen a change in your student's attendance, the presence of you and your student is expected at a SARB Panel where we will convene district and community resources to address the attendance issues evidenced by your student. Our goal is not intended to be punitive, but instead to pool resources and efforts to re-engage in school. We are aware of the multiple elements that can and do contribute to poor attendance and will work to mitigate these circumstances when we meet.

As we progress through our resources and levels of intervention, it is important to remember compulsory education law and the implications if we cannot work together to get **Student Name** back on track. As mentioned in the District Attorney meetings and in compulsory education law, students and families that do not correct their chronic absenteeism and/or truancy may end up:

- Being called to a SARB panel to address needs
- Be referred to probation if appropriate
- Be referred to the Orange County Court System for Truancy Court.

Our goal as a SARB panel is to avoid more legal implications and re-engage **Student name** in the school community once again.

Our panel looks forward to meeting with you on **xx/xx/20xx**.

Please refer to your SARB panel hearing notice for the location and time of your hearing with the panel.

Sincerely,

Coordinator's Signature

Coordinator's Name

Coordinator, Student Services

BOARD OF EDUCATION

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TERRY L. WALKER, Superintendent of Schools

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EAMONN O'DONOVAN, Assistant Superintendent, Human Resources / CASSIE PARHAM, Assistant Superintendent, Education Services

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Irvine Unified School District HEARING APPOINTMENT

DATE: Month xx, 20xx

TO:	<u>Parent Name</u> (Parent/Guardian)	<u>Student Name</u> (Student)	<u>x/x/xxxx</u> (DOB)	<u>Grade x</u>
	<u>Home Address</u> (Address)	<u>Irvine 92614</u> (City)	<u>x/xx/xx-xx</u> (Case #)	

REFERRING SCHOOL: School name

The Irvine Unified School District School Attendance Review Board (SARB) has received a referral on behalf of the above-named pupil regarding:

- HABITUAL TRUANCY**
 IRREGULAR ATTENDANCE
 DISORDERLY CONDUCT

An appointment has been made for you and your son/daughter to meet with the School Attendance Review Board to:

- Consider a proper plan for correcting this problem
 Review/monitor adherence to SARB agreement

Composed of representatives from the Irvine Police Department, County Probation Department, Irvine Unified School District, County Child Protective/Social Services, and the County Department of Education, the School Attendance Review Board sincerely desires that this problem be solved locally, rather than being referred to the Juvenile Court or to the District Attorney's office. Please be prompt in arriving for your hearing which is scheduled for:

DATE: Month xx, 20xx

TIME: 9:00 a.m.

LOCATION: IUSD Learning Center, 3387 Barranca Pkwy, 92606, Rm x

You, your child, and a representative of the school are required by law (Education Code 48263) to attend the SARB hearing.

FAILURE TO APPEAR CAN RESULT IN LEGAL ACTION

If you have any questions regarding this matter, please call me at (949) 936-5171.

Sincerely,

Coordinator's Signature

Coordinator, Student Services
Irvine Unified School District SARB Chair

**IRVINE UNIFIED SCHOOL DISTRICT
SCHOOL ATTENDANCE REVIEW BOARD
STUDENT-PARENT AGREEMENT**



___ Initial
___ Review

Student's name		Grade	School
Date of birth	Parent's/Guardian's name		
Student's address		Home telephone	
Street	City	Zip	

Reason for referral: ___ Truancy ___ Irregular Attendance ___ Disorderly Conduct

It is with complete understanding that I sign this, knowing that further violations of school rules and regulations can result in a referral to the Orange County Probation Department and/or the Orange County District Attorney.

Student

Parent

- ___ Attend all classes on time.
- ___ Follow all school rules.
- ___ Report to attendance office daily.
- ___ Meet regularly with professional counselor
- ___ Take teacher-signed attendance card home for parent's signature and return it to the school office the next school day.
- ___ Complete all class assignments.
- ___ Take progress report home for parent signature and return report to the school office the next school day.
- ___ Attend the homework help classes after school.
- ___ Other

- ___ Cooperate with school officials.
- ___ Ensure student attends school.
- ___ Notify school when student is absent.
- ___ Arrange for and keep counseling appointments for son/daughter.
- ___ Attend school with son/daughter as directed, if absences continue (Ed. Code §§ 48900.1 and 48910).
- ___ Attend parent conferences, including IEP meetings, when requested.
- ___ Parent MAY NOT excuse absences from school; must have a doctor's note for every day missed or be evaluated by school staff and sent home.
- ___ Make a quiet place for your son/daughter to study and provide necessary materials.
- ___ Other

Probation Officer's Signature

Telephone

Student's Signature

Date

Parent/Guardian Signature

Date

SARB Chairperson's Signature

Date

Distribution: White—SARB/CWA; Canary—School; Pink—Parent/Guardian



Orange County Dept. of Education
School Attendance Review Board
Irvine Police Department

COMPULSORY SCHOOL ATTENDANCE WARNING!

Notice is hereby given to parent(s)/guardian(s)

and student

Per the California Education Code, Section 48200, all persons between the ages of 6 and 18 years of age not exempted under the provisions of this chapter or Chapter 3 (commencing with section 48400) are subject to compulsory full-time education/attendance.

Section 48291, if it appears upon investigation that any parent, guardian, or other person having control or charge of any child has violated any of the provisions of this chapter, fails to respond to the directives of the School Attendance Review Board or services provided to aid and assist in the attendance of the student, the school district in cooperation with the Irvine Police Department, will make and file through the Orange County District Attorney's Office a criminal complaint against the parent(s), guardian(s), or other person, charging violation of compulsory education section(s).

It is not the intent of the members of SARB to have to resort to these measures in its efforts to work with the entire "academic family" to ensure that all Irvine Unified School District students receive a quality education.

Your signature acknowledges that you have read and understood this document.

Parent/Guardian

Date

Student

Date

Witness

Date

Distribution:

Original - Student Services

Canary - Parent/Student

1/30/13



IRVINE HIGH SCHOOL

4321 Walnut Avenue, Irvine, CA 92604 Phone (949) 936-7000 Fax (949) 936-7009 www.irvinehigh.org

Monica Colunga Ed.D.
Principal

Kelly Molina
Assistant Principal

Jeffrey Hernandez
Assistant Principal

Bob King
Assistant Principal

Melissa DiScala, Psy. D.
School Psychologist

Bryan Lam Psy. D.
School Psychologist

Cheryl Linquiti
Head Counselor

Amy Klamberg
Head Counselor

John Phillips
Athletic Director

Gary Russell
Asst. Athletic Director

Phillip Larnard
Activities Director

Excessive Late or Tardy

Month Day, 20xx

Parent Name
Home Address
Irvine, CA 92618

Dear Parent/Guardian of Student Name, Grade x, DOB xx/xx/20xx,

We are dedicated to providing the best possible education for your child. Your child's regular attendance is necessary for that to succeed. Our attendance records indicate that your child has now been tardy or absent from school for **<Total Incident Count>** days this school year. Even though many of these may have been recorded as excused for illness, we are concerned about the amount of classroom instruction your child is missing by either arriving late to school or missing school altogether. Students can quickly fall behind academically.

Truant, unverified, unexcused, excessive excused absences and tardies affect the student's education and increase the chances for failure. Tardies interrupt the classroom and interfere with the learning environment for all students. The district and parents are required to follow California Education Code, the body of laws that guide the education system.

Total Days Tardy: xx

Unjustified Tardiness: Education Code 48240

"Each person subject to compulsory full-time education not exempted under the provisions of Chapter 3 (commencing with Section 48400) shall attend the public full-time day school or continuation school or classes and for the full time designated as the length of the school day by the governing board of the school district in which the residency of either the parent or legal guardian is located; and each parent, guardian, or other person having control or charge of the pupil shall send the pupil to the public full-time day school or continuation school or classes and for the full time designated as the length of the school day by the governing board of the school district in which the residence of either the parent or legal guardian is located.

Irregular attendance includes unexcused tardiness of any length, when it occurs repeatedly and interrupts the learning process of the student and others. Education Code 48263 states: "If any minor pupil in any district of a county is an habitual truant, or is irregular in attendance at school, as defined in this article, or is habitually insubordinate or disorderly during attendance at school, the pupil may be referred to a school attendance review board or to the probation department for services if the probation department has elected to receive these referrals."

While your child may not be deemed truant, his/her irregular attendance due to tardiness violates the state education code that directs students to attend school for the entire designated minutes of the school day. Please discuss this issue with your child. Failure to improve his/her attendance will result in a conference with a designee at your child's school and, if not corrected may lead to a referral to the School Attendance Review Board (SARB).

Due to excessive tardiness, if your child is late to school or absent from school in the future, a doctor's note or visit to the school nurse or health aide is required to verify that the student could not be in school on time on the days he/she arrived after the start of the school day or class period. (Ca. Code of Regulations, Title 5, Sec.421)

Our goal is to educate your child. We cannot be successful if your child is not in school.

Administrator's Name, Administrator's Title

Date

STRATEGIES TO MITIGATE TARDIES

- Problem solve with student and/or parent.
- Utilize PBIS strategies.
- Offer incentives.
- After educating the student, have the student observe tardy behavior and then write a paper on the negative effects of tardies.
- Progressive discipline.
- Place student on a contract that includes positive rewards and negative consequences. Monitor daily.
- Have the student make up the amount of time he/she was late after school.
- Take school privileges away such as play time, dances, etc.
- Send SARB Tardy Letter.
- Make parking permits conditional on good attendance.
- Student can work off tardies by doing community service on the campus.
- Require seniors to take 6 classes instead of a free period if they have excessive tardies or attendance issues.
- Incorporate a “sponge activity” at the beginning of each class that is graded and participation based. If students are late, they cannot participate as the activity is over quickly. Class points are lost due to lack of participation.

WHY TARDIES ARE A PROBLEM

- Being on time is valued and expected in our community and society as a whole. By assisting students with being on time ultimately helps them learn an important life skill.
- Student loses instructional minutes when tardy.
- Student grade may be negatively affected due to a loss of instruction or lack of participation in class.
- The classroom is disrupted when the student walks in late. All eyes turn to the student instead of focusing on the instruction.
- All other students in the classroom lose instructional time while the teacher helps the student get caught up who walked in late.
- It is rude to the teacher and the classmates and generally poor manners when a student is chronically tardy. Oftentimes the behavior is a selfish, self-centered act.
- Poor attendance habits oftentimes will carry over to adulthood and potentially negatively affect the student in the work place.



A Message to Parents and Students:



STUDENT SUCCESS BEGINS WITH ATTENDANCE

Please help improve student attendance by taking a positive approach to assist in establishing positive attendance patterns and avoid chronic truancy.

Hard Truancies almost always begin with a pattern of Soft Truancies that are not corrected.

The youth of Orange County are our most precious resource. In order for each individual to reach his/her highest potential, education should be a top priority. Your child's focus begins at home and parents need to understand why it is important for their children to be at school, on time, and throughout the entire scheduled day.

School Attendance Laws and Parent/Student Responsibilities:

- All persons 6 through 18 years of age are required by California State Law to attend school. Parents have a legal responsibility to ensure their child's attendance. (Education Code Section 48200)
- A pupil is considered truant if he/she is absent for more than 3 full days in one school year without a valid excuse; tardy or absent for more than a 30-minute period during the school day without valid excuse on 3 occasions in one school year, or any combination thereof. (Education Code Section 48260)
- A pupil who is absent from school without a valid excuse for ten percent or more of the school days in one school year, from the date of enrollment to the current date, is deemed a chronic truant. (Education Code Section 48263.6)
- A student's refusal to attend school regularly can result in a referral to the School Attendance Review Board (SARB); to Juvenile Probation or the Juvenile Court System. (Education Code Section 48260)
- Parents who fail to compel their child's attendance may face criminal prosecution and penalties. (Education Code Section 48291)
- Any pupil who has once been reported as a truant and who is again absent from school without a valid excuse one or more days, or tardy on one or more days, shall again be reported as a truant to the attendance supervisor or the superintendent of the district. (Education Code Section 48261)
- If any minor pupil in any district of a county is a habitual truant, or is irregular in attendance at school, as defined in this article, or is habitually insubordinate or disorderly during attendance at school, the pupil may be referred to a school attendance review board. (Education Code Section 48263)



WHAT IS SOFT TRUANCY?

Soft Truancy is a negative pattern that often leads to direct violation of the Education Code of California.

Soft Truancy includes, but is not limited to:

- Bringing a child late to school (less than 30 minutes).
- Picking up your child early for family outings, vacations, frequent medical appointments or business, or even trying to avoid traffic.
- Excusing a student as ill more than 10 days without medical verification.
- Frequent excused absences.
- Keeping an older child home to baby-sit.
- Keeping an older child home to work.
- Irregular attendance.
- Taking vacation during school.

AVOID TRUANCY

- Be on time every day.
- Stay in school all day.
- Have a specified area at home for all school materials.
- Parents should call the school office or send a note when a student is ill and provide a medical note whenever possible.
- Work hard and try hard.

AWARENESS TIPS

- Be sure to always follow all District and Site Attendance Policies.
- Students need to understand that education should be their top priority.
- To get the best start in life, a child needs a good education.
- If your child does not go to school, he or she will fall behind other students.
- If your child is not in school, he or she can't get the grades needed to graduate.
- Young people who miss school are often victims or perpetrators of crimes.
- Tardies and leaving school early should be an exception, not a norm.

FACTS RELATED TO NON-ATTENDANCE

- Children are absent more on Mondays and Fridays.
 - Children stay home more often on rainy days, inclement weather, and the day after a school holiday.
 - Children who ride the bus to school are absent more frequently than children who walk.
 - Children who do not eat breakfast are absent more often than children who do.
 - Children who are truant commit the majority of daytime burglaries.
 - Children's absence patterns are established as early as kindergarten.
 - Children's older siblings frequently set attendance patterns in a family.
 - Children who are excessively absent suffer losses in educational achievement and perform poorly on tests.
 - Children who are excessively absent are at greater risk of dropping out and becoming involved in delinquent behavior
-

ATTENDANCE LAWS

Compulsory Education

Education Code 48200: Each person between the ages of 6 and 18 years not exempted under the provisions of this chapter or Chapter 3 (commencing with Section 48400) is subject to compulsory full-time education. Each person subject to compulsory full-time education and each person subject to compulsory continuation education not exempted under the provisions of Chapter 3 (commencing with Section 48400) shall attend the public full-time day school or continuation school or classes and for the full time designated as the length of the school day by the governing board of the school district in which the residency of either the parent or legal guardian is located and each parent, guardian, or other person having control or charge of the pupil shall send the pupil to the public full-time day school or continuation school or classes and for the full time designated as the length of the school day by the governing board of the school district in which the residence of either the parent or legal guardian is located.

Unless otherwise provided for in this code, a pupil shall not be enrolled for less than the minimum school day established by law.

Attendance Supervisor

Education Code 48240: (a) The governing board of each school district and each county superintendent of schools shall appoint a supervisor of attendance and any assistant supervisors of attendance as may be necessary to supervise the attendance of pupils in the school district or county. The governing board of the school district or county superintendent of schools shall prescribe the duties of the supervisor of attendance and assistant supervisors of attendance to include, among other duties that may be required, those specific duties related to compulsory full-time education, truancy, work permits, compulsory continuation education, and opportunity schools, classes, and programs, now required of the attendance supervisors by this chapter and Article 4 (commencing with Section 48450) of Chapter 3 and Article 2 (commencing with Section 48640) of Chapter 4 of this part.

School Attendance Review Board - SARB

Education Code 48263: If any minor pupil in any district of a county is an habitual truant, or is irregular in attendance at school, as defined in this article, or is habitually insubordinate or disorderly during attendance at school, the pupil may be referred to a school attendance review board or to the probation department for services if the probation department has elected to receive these referrals. The supervisor of attendance, or any other persons the governing board of the school district or county may designate, making the referral shall notify the minor and parents or guardians of the minor, in writing, of the name and address of the board or probation department to which the matter has been referred and of the reason for the referral. The notice shall indicate that the pupil and parents or guardians of the pupil will be required, along with the referring person, to meet with the school attendance review board or probation officer to consider a proper disposition of the referral.

If the school attendance review board or probation officer determines that available community services can resolve the problem of the truant or insubordinate pupil, then the board or probation officer shall direct the pupil or the pupil's parents or guardians, or both, to make use of those community services. The school attendance review board or probation officer may require, at any time that it determines proper, the pupil or parents or guardians of the pupil, or both, to furnish satisfactory evidence of participation in the available community services.

If the school attendance review board or probation officer determines that available community services cannot resolve the problem of the truant or insubordinate pupil or if the pupil or the parents or guardians of the pupil, or both, have failed to respond to directives of the school attendance review board or probation officer or to services provided, the school attendance review board may, pursuant to Section 48263.5, notify the district attorney or the probation officer, or both, of the county in which the school district is located, or the probation officer may, pursuant to Section 48263.5, notify the district attorney, if the district attorney or the probation officer has elected to participate in the truancy mediation program described in that section. If the district attorney or the probation office has not elected to participate in the truancy mediation program described in Section 48263.5, the school attendance review board or probation officer may direct the county superintendent of schools to, and, thereupon, the county superintendent of schools shall, request a petition on behalf of the pupil in the juvenile court of the county. Upon presentation of a petition on behalf of a pupil, the juvenile court of the county shall hear all evidence relating to the petition. The school attendance review board or the probation officer shall submit to the juvenile court documentation of efforts to secure attendance as well as its recommendations on what action the juvenile court shall take in order to bring about a proper disposition of the case.

In any county which has not established a school attendance review board, if the school district determines that available community resources cannot resolve the problem of the truant or insubordinate pupil, or if the pupil or the pupil's parents or guardians, or both, have failed to respond to the directives of the school district or the services provided, the school district, pursuant to Section 48260.6, may notify the district attorney or the probation officer, or both, of the county in which the school district is located, if the district attorney or the probation officer has elected to participate in the truancy mediation program described in Section 48260.6.

Education Code 1981 (SB1111): The county board of education may enroll pupils in a county community school who are any of the following:

(b) (1) Referred to a county community school by a school district as a result of the recommendation by a school attendance review board. A pupil shall not be referred to a county community school by a school district pursuant to this subdivision unless the school district and the county office of education determine all of the following:

- (a) The county community school has space available to enroll the pupil.
- (b) The county community school meets the educational needs of the pupil.
- (c) The parent, guardian, or responsible adult of the pupil has not expressly objected to the referral based on one or more of the following reasons:
 - (i) Reasonable concerns related to the pupil's safety.
 - (ii) Geographic accessibility.
 - (iii) Inability to transport.
 - (iv) The school does not meet the pupil's educational needs.

Definition of a Truant

The California Legislature defined a truant in very precise language. In summary, it states that a student missing more than 30 minutes of instruction without an excuse three times during the school year must be classified as a truant and reported to the proper school authority. This classification and referral helps emphasize the importance of school attendance and is intended to help minimize interference with instruction. The California *Education Code (EC)* Section that defines a truant reads as follows:

EC Section 48260 (a): A pupil subject to compulsory full-time education or to compulsory continuation education who is absent from school without a valid excuse three full days in one school year or tardy or absent for more than a 30-minute period during the school day without a valid excuse on three occasions in one school year, or any combination thereof, shall be classified as a truant and shall be reported to the attendance supervisor or to the superintendent of the school district.

Definition of a Chronic Truant

Effective January 1, 2011, **EC Section 48263.6:** Any pupil subject to compulsory full-time education or to compulsory continuation education who is absent from school without a valid excuse for 10 percent or more of the schooldays in one school year, from the date of enrollment to the current date, is deemed a chronic truant, provided that the appropriate school district officer or employee has complied with Sections 48260, 48260.5, 48261, 48262, 48263, and 48291.

Mandated Attendance Investigations & Reporting

Education Code 48290: The governing board of any school district, shall, on the complaint of any person, make full and impartial investigation of all charges against any parent, guardian, or other person having control or charge of any child, for violation of any of the provisions of this chapter.

Education Code 48261: Any pupil who has once been reported as a truant and who is again absent from school without valid excuse one or more days, or tardy on one or more days, shall again be reported as a truant to the attendance supervisor or the superintendent of the district.

Filing Criminal Complaints

Education Code 48291: If it appears upon investigation that any parent, guardian, or other person having control or charge of any child has violated any of the provisions of this chapter, the secretary of the board of education, except as provided in Section 48292, or the clerk of the board of trustees, shall refer such person to a school attendance review board. In the event that any such parent, guardian, or other person continually and willfully fails to respond to directives of the school attendance review board or services provided, the school attendance review board shall direct the school district to make and file in the proper court a criminal complaint against the parent, guardian, or other person, charging the violation, and shall see that the charge is prosecuted by the proper authority. In the event that a criminal complaint is not prosecuted by the proper authority as recommended, the official making the determination not to prosecute shall provide the school attendance review board with a written explanation for the decision not to prosecute.

First Notification Mandate

In addition to the reporting requirement, the law states that the school district must notify the parent or guardian of the truant by the most cost-effective method possible, and that the notification must include specific information related to the student's unexcused absences. The *EC* Section regarding notification reads as follows:

Education Code Section 48260.5: Upon a pupil's initial classification as a truant, the school district shall notify the pupil's parent or guardian using the most cost-effective method possible, which may include electronic mail or a telephone call:

- (a) That the pupil is truant.
- (b) That the parent or guardian is obligated to compel the attendance of the pupil at school.
- (c) That parents or guardians who fail to meet this obligation may be guilty of an infraction and subject to prosecution pursuant to Article 6 (commencing with Section 48290) of Chapter 2 of Part 27.
- (d) That alternative educational programs are available in the district.
- (e) That the parent or guardian has the right to meet with appropriate school personnel to discuss solutions to the pupil's truancy.
- (f) That the pupil may be subject to prosecution under Section 48264.
- (g) That the pupil may be subject to suspension, restriction, or delay of the pupil's driving privilege pursuant to Section 13202.7 of the *Vehicle Code*.
- (h) That it is recommended that the parent or guardian accompany the pupil to school and attend classes with the pupil for one day.

Habitual Truant Mandate

The law further requires that after a student has been reported as a truant three or more times in one school year and after an appropriate school employee has made a conscientious effort to hold at least one meeting with the parent and the student, the student is deemed a *habitual* truant. The intent is to provide solutions for students who failed to respond to the normal avenues of school intervention, and the most cost-effective method possible should be used to notify the parent or guardian about the meeting at the school. The *EC* Section outlining habitual truancy reads as follows:

Education Code Section 48262: Any pupil is deemed an habitual truant who has been reported as a truant three or more times per school year, provided that no pupil shall be deemed an habitual truant unless an appropriate district officer or employee has made a conscientious effort to hold at least one conference with a parent or guardian of the pupil and the pupil himself, after the filing of either of the reports required by Section 48260 or Section 48261. For purposes of this section, a conscientious effort means attempting to communicate with the parents of the pupil at least once using the most cost-effective method possible, which may include electronic mail or a telephone call.

Interventions

When a student is a *habitual* truant, or is irregular in attendance at school, or is habitually insubordinate or disorderly during school, the student may be referred to a school attendance review board (SARB) or to the county probation department pursuant to ***EC* Section 48263**. The student may also be referred to a probation officer or district attorney mediation program pursuant to ***EC* Section 48263.5**. The intent of these laws is to provide intensive guidance to meet the special needs of students with school attendance problems or school behavior problems pursuant to ***EC* Section 48320**. These interventions are designed to divert students with serious attendance and behavioral problems from the juvenile justice system and to reduce the number of students who drop out of school.

Excused Absences

Education Code Section 48205:

- (a) Notwithstanding Section 48200, a pupil shall be excused from school when the absence is:
 - (1) Due to the pupil's illness.
 - (2) Due to quarantine under the direction of a county or city health officer.
 - (3) For the purpose of having medical, dental, optometrical, or chiropractic services rendered.
 - (4) For the purpose of attending the funeral services of a member of the pupil's immediate family, so long as the absence is not more than one day if the service is conducted in California and not more than three days if the service is conducted outside California.
 - (5) For the purpose of jury duty in the manner provided for by law.

- (6) Due to the illness or medical appointment during school hours of a child of whom the pupil is the custodial parent.
 - (7) For justifiable personal reasons, including, but not limited to, an appearance in court, attendance at a funeral service, observance of a holiday or ceremony of the pupil's religion, attendance at religious retreats, attendance at an employment conference, or attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization when the pupil's absence is requested in writing by the parent or guardian and approved by the principal or a designated representative pursuant to uniform standards established by the governing board.
 - (8) For the purpose of serving as a member of a precinct board for an election pursuant to Section 12302 of the Elections Code.
 - (9) For the purpose of spending time with a member of the pupil's immediate family, who is an active duty member of the uniformed services, as defined in Section 49701, and has been called to duty for, is on leave from, or has immediately returned from, deployment to a combat zone or combat support position. Absences granted pursuant to this paragraph shall be granted for a period of time to be determined at the discretion of the superintendent of the school district.
 - (10) For the purpose of attending the pupil's naturalization ceremony to become a United States citizen.
- (b) A pupil absent from school under this section shall be allowed to complete all assignments and tests missed during the absence that can be reasonably provided and, upon satisfactory completion within a reasonable period of time, shall be given full credit therefor. The teacher of the class from which a pupil is absent shall determine which tests and assignments shall be reasonably equivalent to, but not necessarily identical to, the tests and assignments that the pupil missed during the absence.
 - (c) For purposes of this section, attendance at religious retreats shall not exceed four hours per semester.
 - (d) Absences pursuant to this section are deemed to be absences in computing average daily attendance and shall not generate state apportionment payments.
 - (e) "Immediate family," as used in this section, has the same meaning as set forth in Section 45194, except that references therein to "employee" shall be deemed to be references to "pupil."

Education Code Section 46010.1: Commencing in the fall of the 1986–87 academic year, the governing board of each school district shall, each academic year, notify pupils in grades 7 to 12, inclusive, and the parents or guardians of all pupils enrolled in the district, that school authorities may excuse any pupil from the school for the purpose of obtaining confidential medical services without the consent of the pupil's parent or guardian.

The notice required pursuant to this section may be included with any other notice given pursuant to this code.

Education Code Section 46011: Absences due to illness or quarantine shall be verified by the district or the county superintendent of schools in such manner as the Superintendent of Public Instruction may provide.

Education Code Section 46014: Pupils, with the written consent of their parents or guardians, may be excused from school in order to participate in religious exercises or to receive moral and religious instruction at their respective places of worship or at other suitable place or places away from school property designated by the religious group, church, or denomination, which shall be in addition and supplementary to the instruction in manners and morals required elsewhere in this code. Such absence shall not be deemed absence in computing average daily attendance, if all of the following conditions are complied with:

- (a) The governing board of the district of attendance, in its discretion, shall first adopt a resolution permitting pupils to be absent from school for such exercises or instruction.
- (b) The governing board shall adopt regulations governing the attendance of pupils at such exercises or instruction and the reporting thereof.
- (c) Each pupil so excused shall attend school at least the minimum school day for his grade for elementary schools, and as provided by the relevant provisions of the rules and regulations of the State Board of Education for secondary schools.
- (d) No pupil shall be excused from school for such purpose on more than four days per school month.

It is hereby declared to be the intent of the Legislature that this section shall be permissive only.

Home/Hospital Instruction

Education Code Section 48206.3:

- (a) Except for those pupils receiving individual instruction provided pursuant to Section 48206.5, a pupil with a temporary disability which makes attendance in the regular day classes or alternative education program in which the pupil is enrolled impossible or inadvisable shall receive individual instruction provided by the district in which the pupil is deemed to reside.
- (b) For purposes of this section and Sections 48206.5, 48207, and 48208, the following terms have the following meanings:

- (1) "Individual instruction" means instruction provided to an individual pupil in the pupil's home, in a hospital or other residential health facility, excluding state hospitals, or under other circumstances prescribed by regulations adopted for that purpose by the State Board of Education.
 - (2) "Temporary disability" means a physical, mental, or emotional disability incurred while a pupil is enrolled in regular day classes or an alternative education program, and after which the pupil can reasonably be expected to return to regular day classes or the alternative education program without special intervention. A temporary disability shall not include a disability for which a pupil is identified as an individual with exceptional needs pursuant to Section 56026.
- (c)
- (1) For purposes of computing average daily attendance pursuant to Section 42238.5, each clock hour of teaching time devoted to individual instruction shall count as one day of attendance.
 - (2) No pupil shall be credited with more than five days of attendance per calendar week, or more than the total number of calendar days that regular classes are maintained by the district in any fiscal year.
- (b) Notice of the availability of individualized instruction shall be given pursuant to Section 48980.

Education Code Section 48207: Notwithstanding Section 48200, a pupil with a temporary disability who is in a hospital or other residential health facility, excluding a state hospital, which is located outside of the school district in which the pupil's parent or guardian resides shall be deemed to have complied with the residency requirements for school attendance in the school district in which the hospital is located.

Minimum School Day

Education Code Section 46141: The minimum school day in a high school is 240 minutes, except in an evening high school, an early college high school, a middle college high school, a regional occupational center, an opportunity school and in opportunity classes, a continuation high school, in continuation education classes, in late afternoon or Saturday occupationally organized vocational training programs conducted under a federally approved plan for vocational education, and for students enrolled in a work experience education program approved under the provisions of Article 7 (commencing with Section 51760) of Chapter 5 of Part 28.

Education Code Section 46142:

- (a) The minimum school day in any junior high school or high school described in Section 46141 may be computed by determining the number of minutes of attendance in any two consecutive schooldays and dividing that number by two. If the resulting quotient is 240 or more, the pupils shall be deemed to have complied with Section 46141, even if the number of minutes attended in any one school day is less than 240, but not less than 180
- (b) No computation authorized by this section shall result in any increase in state apportionments.

Education Code Section 46144: The minimum day in a special day or a Saturday vocational training program and for a pupil enrolled in a work experience education program approved under Article 7 (commencing with Section 51760) of Chapter 5 of Part 28, except for a pupil enrolled in a continuation school or class pursuant to Section 48402, is four periods totaling at least 180 minutes in duration, except that for a pupil in an approved work experience program who attends a school, other than a continuation school or class, in which the regularly scheduled period is greater than 60 minutes in length, the minimum day is one or more periods totaling at least 180 minutes in duration.

Education Code Section 46145: Commencing with the first semester or quarter that begins after January 1, 1984, pupils in grade 12 shall be enrolled in at least five courses each semester or the equivalent number of courses per quarter. If any pupil in grade 12 is required by medical prescription to attend school for less than five courses during the semester or the equivalent number of courses during the quarter, the average daily attendance allowed for that pupil's attendance shall bear the same proportion to one day of attendance as the number of courses in which the pupil is enrolled bears to five or the equivalent number for the quarter system.

However, this requirement shall not apply to pupils enrolled in regional occupational programs, regional occupational centers, courses at accredited postsecondary educational institutions, independent study, special education programs where the pupil's individualized education program establishes a different number of courses, continuation education classes, work experience education programs approved under the provisions of Article 7 (commencing with Section 51760) of Chapter 5 of Part 28, or any other course of study authorized by the governing board which is equivalent to the approved high school course of study.

Education Code Section 46146:

- (a) A day of attendance in grades 11 and 12 is 180 minutes of attendance if the pupil is also enrolled part time in classes of the California State University or the University of California for which academic credit will be provided upon satisfactory completion of enrolled courses.
- (b) A day of attendance for any pupil who is also a special part-time student enrolled in a community college under Article 1 (commencing with Section 48800) of Chapter 5 of Part 27 and who will receive academic credit upon satisfactory completion of enrolled courses is 180 minutes of attendance.

- (c) Notwithstanding any other provisions of law, for purposes of computing the average daily attendance of a pupil described in subdivision (a) or (b), the 180-minute minimum school day permitted by this section shall be computed and reported as attendance for three-quarters of the full 240-minute minimum school day prescribed by Section 46141. Commencing with the 1995–96 fiscal year, if a pupil described in subdivision (a) or (b) is in attendance for more than 180 minutes, the average daily attendance of the pupil shall be computed and reported by determining the percentage of the full 240-minute minimum school day prescribed by Section 46141 that the pupil was in attendance at the school. No more than one full day of attendance may be reported for any pupil for any school day pursuant to this subdivision.

Education Code Section 46147: Notwithstanding the 180-minute minimum day requirement of Section 46144, the governing board of any school district may permit a 12th-grade pupil in his or her last semester or quarter, as the case may be, before graduation, who is enrolled in a work experience education program approved under the provisions of Article 7 (commencing with Section 51760) of Chapter 5 of Part 28 and who would complete all of the requirements for graduation by attending high school, except courses of physical education, for less than 180 minutes each day, to attend high school for less than a minimum day of 180 minutes, upon the written request of a parent or legal guardian or upon his or her own request if the pupil is 18 years of age or over. If a pupil attends classes for less than 180 minutes per day pursuant to this section, the number of minutes actually attended per day shall be rounded down to the nearest multiple of 60. The average daily attendance allowed for that pupil's attendance shall bear the same proportion to one day of attendance as the number of minutes of attendance per day bears to 180.

Penalties (Student)

The law provides schools and school districts with discretion regarding student penalties for truancy as long as they are consistent with state law. The penalties for truancy for students defined in **EC Section 48264.5** become progressively severe from the first the time a truancy report is required through the fourth time a truancy report is required. The *EC* Section regarding penalties for students who are truant reads as follows:

Education Code Section 48264.5: A minor who is classified as a truant pursuant to Section 48260 or 48261 may be required to attend makeup classes conducted on one day of a weekend pursuant to subdivision (c) of Section 37223 and is subject to the following:

- (a) The first time a truancy report is issued, the pupil and, as appropriate, the parent or legal guardian, may be requested to attend a meeting with a school counselor or other school designee to discuss the root causes of the attendance issue and develop a joint plan to improve the pupil's attendance.
- (b) The second time a truancy report is issued within the same school year, the pupil may be given a written warning by a peace officer as specified in Section 830.1 of the Penal Code. A record of the written warning may be kept at the school for not less than two years or until the pupil graduates or transfers from that school. If the pupil transfers from that school, the record may be forwarded to the school receiving the pupil's school records. A record of the written warning may be maintained by the law enforcement agency in accordance with that law enforcement agency's policies and procedures. The pupil may also be assigned by the school to an afterschool or weekend study program located within the same county as the pupil's school. If the pupil fails to successfully complete the assigned study program, the pupil shall be subject to subdivision (c).
- (c) The third time a truancy report is issued within the same school year, the pupil shall be classified as a habitual truant, as defined in Section 48262, and may be referred to, and required to attend, an attendance review board or a truancy mediation program pursuant to Section 48263 or pursuant to Section 601.3 of the Welfare and Institutions Code. If the school district does not have a truancy mediation program, the pupil may be required to attend a comparable program deemed acceptable by the school district's attendance supervisor. If the pupil does not successfully complete the truancy mediation program or other similar program, the pupil shall be subject to subdivision (d).
- (d) The fourth time a truancy is issued within the same school year, the pupil may be within the jurisdiction of the juvenile court that may adjudge the pupil to be a ward of the court pursuant to Section 601 of the Welfare and Institutions Code. If the pupil is adjudged a ward of the court, the pupil shall be required to do one or more of the following:
 - (1) Performance at court-approved community services sponsored by either a public or private nonprofit agency for not less than 20 hours but not more than 40 hours over a period not to exceed 90 days, during a time other than the pupil's hours of school attendance or employment. The probation officer shall report to the court the failure of the pupil to comply with this paragraph.
 - (2) Payment of a fine by the pupil of not more than fifty dollars (\$50) for which a parent or legal guardian of the pupil may be jointly liable. The fine described in this paragraph shall not be subject to the assessments of Section 1464 of the Penal Code or any other applicable section.
 - (3) Attendance of a court-approved truancy prevention program.

- (4) Suspension or revocation of driving privileges pursuant to Section 13202.7 of the Vehicle Code. This subdivision shall apply only to a pupil who has attended a school attendance review board program, a program operated by a probation department acting as a school attendance review board, or a truancy mediation program pursuant to subdivision (c).

Education Code Penalties (Parent)

Penalties against parents apply when any parent, guardian, or other person having control or charge of any student fails to compel the student to attend school. The penalties against parents in **EC Section 48293 (a)** become progressively severe with a second and third conviction. The *EC* Section regarding penalties for parents of a truant reads as follows:

Education Code Section 48293 (a): Any parent, guardian, or other person having control or charge of any pupil who fails to comply with this chapter, unless excused or exempted there from, is guilty of an infraction and shall be punished as follows:

- (1) Upon a first conviction, by a fine of not more than one hundred dollars (\$100).
- (2) Upon a second conviction, by a fine of not more than two hundred fifty dollars (\$250).
- (3) Upon a third or subsequent conviction, if the person has willfully refused to comply with this section, by a fine of not more than five hundred dollars (\$500). In lieu of the fines prescribed in paragraphs (1), (2), and (3), the court may order the person to be placed in a parent education and counseling program.

Education Code Section 48293 (b): A judgment that a person convicted of an infraction be punished as prescribed in subdivision (a) may also provide for the payment of the fine within a specified time or in specified installments, or for participation in the program. A judgment granting a defendant time to pay the fine or prescribing the days of attendance in a program shall order that if the defendant fails to pay the fine, or any installment thereof, on the date it is due, he or she shall appear in court on that date for further proceedings. Willful violation of this order is punishable as contempt.

Education Code Section 48293 (c): The court may also order that the person convicted of the violation of subdivision (a) immediately enroll or re-enroll the pupil in the appropriate school or educational program and provide proof of enrollment to the court. Willful violation of an order under this subdivision is punishable as civil contempt with a fine of up to one thousand dollars (\$1,000). An order of contempt under this subdivision shall not include imprisonment.

Penal Code Penalties (Parent)

In addition to the *EC* penalties for parents in Section 48293, *Penal Code* Section 270.1 is effective January 1, 2011 and provides penalties for a parent or guardian of a pupil of six years of age or more who is in kindergarten or any of the grades from one to eight:

Penal Code Section 270.1.

- (a) A parent or guardian of a pupil of six years of age or more who is in kindergarten or any of grades 1 to 8, inclusive, and who is subject to compulsory full-time education or compulsory continuation education, whose child is a chronic truant as defined in Section 48263.6 of the Education Code, who has failed to reasonably supervise and encourage the pupil's school attendance, and who has been offered language accessible support services to address the pupil's truancy, is guilty of a misdemeanor punishable by a fine not exceeding two thousand dollars (\$2,000), or by imprisonment in a county jail not exceeding one year, or by both that fine and imprisonment. A parent or guardian guilty of a misdemeanor under this subdivision may participate in the deferred entry of judgment program defined in subdivision (b).
- (b) A superior court may establish a deferred entry of judgment program that includes the components listed in paragraphs (1) to (7), inclusive, to adjudicate cases involving parents or guardians of elementary school pupils who are chronic truants as defined in Section 48263.6 of the Education Code:
 - (1) A dedicated court calendar.
 - (2) Leadership by a judge of the superior court in that county.
 - (3) Meetings, scheduled and held periodically, with school district representatives designated by the chronic truant's school district of enrollment. Those representatives may include school psychologists, school counselors, teachers, school administrators, or other educational service providers deemed appropriate by the school district.
 - (4) Service referrals for parents or guardians, as appropriate to each case that may include, but are not limited to, all of the following:
 - (A) Case management.

- (B) Mental and physical health services.
 - (C) Parenting classes and support.
 - (D) Substance abuse treatment.
 - (E) Child care and housing.
- (5) A clear statement that, in lieu of trial, the court may grant deferred entry of judgment with respect to the current crime or crimes charged if the defendant pleads guilty to each charge and waives time for the pronouncement of judgment and that, upon the defendant's compliance with the terms and conditions set forth by the court and agreed to by the defendant upon the entry of his or her plea, and upon the motion of the prosecuting attorney, the court will dismiss the charge or charges against the defendant and the same procedures specified for successful completion of a drug diversion program or a deferred entry of judgment program pursuant to Section 851.90 and the provisions of Section 1203.4 shall apply.
- (6) A clear statement that failure to comply with any condition under the program may result in the prosecuting attorney or the court making a motion for entry of judgment, whereupon the court will render a finding of guilty to the charge or charges pled, enter judgment, and schedule a sentencing hearing as otherwise provided in this code.
- (7) An explanation of criminal record retention and disposition resulting from participation in the deferred entry of judgment program and the defendant's rights relative to answering questions about his or her arrest and deferred entry of judgment following successful completion of the program.
- (c) Funding for the deferred entry of judgment program pursuant to this section shall be derived solely from nonstate sources.
- (d) A parent or guardian of an elementary school pupil who is a chronic truant, as defined in Section 48263.6 of the Education Code, may not be punished for a violation of both this section and the provisions of Section 272 that involve criminal liability for parents and guardians of truant children.
- (e) If any district attorney chooses to charge a defendant with a violation of subdivision (a) and the defendant is found by the prosecuting attorney to be eligible or ineligible for deferred entry of judgment, the prosecuting attorney shall file with the court a declaration in writing, or state for the record, the grounds upon which that determination is based.

Student Attendance Supervision – Board Policy 5113.2

Improving student attendance and reducing the dropout rate is a District priority. Pursuant to EC 48200, every child from the age of 6 to 18 in the District is required to attend school regularly unless otherwise provided by law in order to make a successful transition to the next grade level and to graduate with a high school diploma. All enrolled students, regardless of age, will be held to the same District school attendance rules. The Irvine Unified School District Board of Education recognizes that a vigilant supervision of attendance to improve attendance rates and graduation rates and to reduce truancy and dropout rates is vital to the learning and achievement of all children.

Because supervision of attendance is an essential component of an effective school attendance program, the Superintendent will designate a district employee to supervise attendance. The Attendance Specialist will be responsible for managing an attendance program that reaches every student, is conducted in collaboration with local resources, uses truancy and dropout data to modify interventions, and shares outcomes with the County Superintendent, all SARB representatives, and the Board of Education.

Among other duties that may be required by the Board shall be those specific duties related to compulsory full-time education, truancy, work permits, compulsory continuation education, and opportunity schools, classes, and programs. (EC 48240)

Limiting Excused Absences and Eliminating Unexcused Absences

The Coordinator of Student Services and the Attendance Specialist must ensure that the attendance program limits excused absences and decreases unexcused absences. EC 48205 enumerates the reasons for excused absences, and the Coordinator of Student Services, the Principal, or the SARB may require verification by a school official or physician if absences for health reasons appear excessive and may require prior notice from parents for absences excused for justifiable personal reasons, such as non-emergency appointments or permitted religious instruction or retreats. (EC 46014, 48205)

Students who are 18 years of age or older or who are emancipated may provide their own excuses for absences, and the Principal, Assistant Principal, or Site Attendance Clerk may require verification from a physician or designated school official when necessary. (EC 46012)

The Coordinator of Student Services shall ensure that the district Student Attendance Review Board (SARB) convenes regularly and follows all state, county, and district policies and laws to successfully conduct panel hearings and make recommendations for interventions, placements, and other actions as proscribed by California Education Code. The Coordinator will submit annual reports of the SARB to the Board at the end of each school year.

Legal References: Education Codes

1740 Employment of personnel to supervise attendance (county superintendent)
2550-2558.6 Computation of revenue limits
37201 School month
37223 Weekend classes
41601 Reports of average daily attendance
42238-42250.1 Apportionments
46000 Records (attendance)
46010-46014 Absences
46100-46119 Attendance in kindergarten and elementary schools
46140-46147 Attendance in junior high and high schools
48200-48208 Children ages 6-18 (compulsory full-time attendance)
48210-48216 Exclusions from attendance
48240-48246 Supervisors of attendance
48260-48273 Truants
48291 Criminal complaint against parent
48292 Filing complaint against parent
48293 Relating to truants, fine for non-attendance
48320-48325 School attendance review boards
48340-48341 Improvement of student attendance
49067 Unexcused absences as cause of failing grade
Elections Code 12302 Student participation on precinct boards

Family Code 6920-6929 Consent by minor
Vehicle Code 13202.7 Driving privileges; minors; suspension or delay for habitual truancy
Welfare and Institutions Code
601-601.4 Habitually truant minors
11253.5 Compulsory school attendance
Code of Regulations, Title 5
306 Explanation of absence
420-421 Record of verification of absence due to illness and other causes
Attorney General Opinions

66 Ops. Cal. Atty. Gen 245, 249 (1983)
Court Decisions American Academy of Pediatrics et al v. Lungren et al (1997) 16 Cal.4th 307

Policy Adopted: January 12, 2010

School Attendance Review Board (SARB) – Admin Regulation 5113.2

Attendance Monitoring and The Student Attendance Review Board (SARB)

Parents/guardians of children are welcome partners in improving the school attendance of their children. Trust and collaboration should be the objective in communicating and interacting with parents about school attendance problems. The Coordinator of Student Services and other staff responsible for supervising attendance shall use appropriate formal and informal school attendance notifications and shall facilitate open, honest, and blame-free discussions about school attendance before designating students as “habitual truants.”

The Coordinator of Student Services in coordination with the District’s Attendance Specialist will conduct full and impartial investigations of all school attendance complaints or referrals and may forward cases of persistent irregular attendance or habitual truancy to the SARB for a proper disposition. The Coordinator of Student Services will ensure that the SARB panel convenes monthly to review and take action upon student cases of irregular attendance, truancy, and behavioral issues. (EC 48262, 48263, 48290)

School attendance is a community concern, and The Coordinator of Student Services must collaborate with all appropriate agencies, including law enforcement agencies, as partners in the SARB process to meet the special needs of pupils with school attendance or school behavior problems. (EC 48262, 48263, 48291)

Duties of The Coordinator of Student Services and the District Attendance Specialist

The Coordinator of Student Services in coordination with the Attendance Specialist shall have the following duties of monitoring attendance, developing strategies for truancy reduction, and coordinating the School Attendance Review Board:

Attendance Monitoring

1. Act as a resource to school or District staff regarding attendance issues, and provide training, as necessary, related to record keeping for student attendance, early identification of truancy, and data collection for truancy rates, graduation rates, and dropout rates.
2. Collect, analyze, and report truancy data, graduation-rate data, and dropout data as ongoing activities for appropriate school, District, and county personnel to inform decisions about site-level, District-level, and county-level attendance and behavior interventions.
3. Maintain data on the successful transfer of students from and to alternative school programs, charter schools, and other schools in the District or County.
4. Provide an opportunity for parents or guardians to challenge the accuracy of attendance records that could impact the determination of grades, CalWORKs benefits, or involuntary transfers (EC 49070).
5. For students in private schools, verify that the students’ private schools have filed Private School Affidavits with the State Superintendent of Public Instruction. If a complaint or referral has been submitted regarding the attendance of a minor in a school that has filed a Private School Affidavit, investigate the case by analyzing the student’s private school attendance register. If the private school attendance record is not available or does not show regular school attendance during the days that the private school is maintained during the year, the student shall be referred to the SARB to determine the disposition of the case. (EC 48290, 48222, 48223, 48290, 48291)

Developing and Coordinating Strategies for Truancy Reduction

1. Coordinate truancy-prevention strategies based on the early identification of truancy, such as prompt notification of absences in the parents' native language, selective approval of work permits, assignments of weekend school instruction, and counseling for truant students.
2. Assist school or District staff to develop site attendance plans by providing youth development strategies, resources, and referral procedures. Explain District and county policies, regulations, and procedures.
3. Maintain an inventory of local alternative educational programs and community resources, and employ those programs and resources to meet the differential needs of students with school attendance or school behavior problems. Inform parents/guardians of truant students about alternative educational programs in the District to which the student may be assigned. (EC 48322)
4. Encourage and coordinate the adoption of attendance-incentive programs at school sites and in individual classrooms that reward and celebrate good attendance and significant improvements in attendance.
5. Coordinate site-level Student Success Teams (SSTs) or School Attendance Review Teams (SARTs) to reduce truancy and collect data on the outcomes of those meetings at each grade level.

SARB Responsibilities for Dropout Prevention

1. Review the school attendance record and other documentation to determine the adequacy of all cases referred to the SARB and to determine if special arrangements or experts will be needed for the meeting. If the case warrants the resources of the SARB panel, schedule a SARB meeting with the parent and the family. If the referral contains inadequate information or if appropriate school-level intervention has not been attempted, remand the case to the school for further work.
2. Ensure that SARB meetings maintain high expectations for all students, and ensure that families and youth are involved in selecting resources and services.
3. Refer students with attendance or behavior problems that cannot be resolved by the SARB to the appropriate agency, including law enforcement agencies when necessary. Also, refer parents or guardians who continually and willfully fail to respond to SARB directives or services provided to the appropriate agencies, including law enforcement agencies. (EC 48290)
4. Develop and submit follow-up reports to the SARB on all directives and agreements made at the SARB meetings, especially student agreements to attend school or improve school behavior.
5. Use age-appropriate habitual-truancy petitions to the courts when necessary, such as petitions to suspend or delay the driving privilege for students from 13 to 18 years of age. (Vehicle Code13202.7)
6. Collect data and report outcomes on SARB referrals as needed for the annual report to the County Superintendent of Schools, with copies forwarded to the District Superintendent and the Board. (EC 48273)

Policy 5113.2– SARB (School Attendance Review Board)

Related Policies:

5113 – Verification of Student Absences

5120 – Involuntary Student Transfers

5113.1 – Students Participating in Religious Exercises

EC 46010-46015 Absences

EC 48200-48341 Compulsory Education Laws

Vehicle Code:

13202.7 Driving Privileges

Verification of Student Absences – Board Policy 5113

Absences and Excuses

The Governing Board believes that regular attendance plays an important role in student achievement. The Board shall work with parents/guardians and students to ensure their compliance with all state attendance laws, and may use appropriate legal means to correct problems of chronic absence or truancy.

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 administrative regulations. (Education Code 48205)

Inasmuch as class participation is an integral part of students' learning experiences, parents/guardians and students shall be encouraged to schedule medical appointments during non-school hours.

At the beginning of each school year, the Superintendent or designee shall send a notification to the parents/guardians of all students, and to all students in grades 7-12, informing them that school authorities may excuse any student from school to obtain confidential medical services without the consent of the student's parent/guardian. (Education Code 46010.1)

Students shall not be absent from school without their parents/guardians' knowledge or consent except in cases of medical emergency or confidential medical appointment.

Student absence for religious instruction or participation in religious exercises away from school property may be considered excused subject to law and administrative regulations. (Education Code 46014)

Effect of Absence on Grades/Credits

If a student's absence is excused under Education Code 48205, he/she shall be allowed to complete any missed assignment or test that can be reasonably given, as determined by the teacher of that class. The student shall be given full credit for the assignment or test if he/she satisfactorily completes the assignment or test within a reasonable period of time. (Education Code 48205)

A student's grades may be affected by excessive unexcused absences in accordance with Board policy.

Legal Reference:

EDUCATION CODE:

1740 Employment of personnel to supervise attendance (county superintendent)
2550-2558.6 Computation of revenue limits
37201 School month
37223 Weekend classes
41601 Reports of average daily attendance
42238-42250.1 Apportionment
46000 Records (attendance)
46010-46014 Absences
46100-46119 Attendance in kindergarten and elementary schools
46140-46147 Attendance in junior high and high schools
48200-48208 Children ages 6-18 (compulsory full-time attendance)
48210-48216 Exclusions from attendance
48240-48246 Supervisors of attendance
48260-48273 Truants
48292 Filing complaint against parent
48320-48324 School attendance review boards
48340-48341 Improvement of student attendance
49067 Unexcused absences as cause of failing grade
49701 Provisions of the interstate compact on educational opportunities for military children

ELECTIONS CODE:

12302 Student participation on precinct boards FAMILY CODE
6920-6929 Consent by minor VEHICLE CODE 1
3202.7 Driving privileges; minors; suspension or delay for habitual truancy

WELFARE AND INSTITUTIONS CODE:

601-601.4 Habitually truant minors
11253.5 Compulsory school attendance

CODE OF REGULATIONS, TITLE 5:

306 Explanation of absence
420-421 Record of verification of absence due to illness and other causes

ATTORNEY GENERAL OPINIONS:

87 Ops.Cal.Atty.Gen.
168 (2004) 66 Ops.Cal.Atty.Gen.
244 (1983)

COURT DECISIONS:

American Academy of Pediatrics et al v. Lungren et al (1997) 16 Cal.4th 307 Management Resources:

CSBA PUBLICATIONS:

Improving Student Achievement by Addressing Chronic Absence, Policy Brief, December 2010 WEB SITES CSBA: <http://www.csba.org> (2/98 11/99)
11/11

Policy Adopted: October 24, 1973

Policy Revised: August 21, 2012

Verification of Student Absences – Admin Regulation 5113

Absences and Excuses

Excused Absences

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 48205)
3. Medical, dental, optometrical, or chiropractic appointment (Education Code 48205)
4. Attendance at funeral services for a member of the immediate family, which 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) 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 student's immediate household. (Education Code 45194, 48205)
5. Jury duty in the manner provided by law (Education Code 48205)
6. The illness or medical appointment during school hours of a child to whom the student is the custodial parent (Education Code 48205)
7. Upon advance written request by the parent/guardian and the approval of the principal or designee, justifiable personal reasons including, but not limited to: (Education Code 48205)
 - a. Appearance in court
 - b. Attendance at a funeral service
 - c. Observation of a holiday or ceremony of his/her religion
 - d. Attendance at religious retreats not to exceed four hours per semester
 - e. Attendance at an employment conference
 - f. Attendance at an educational conference offered by a nonprofit organization on the legislative or judicial process

8. Service as a member of a precinct board for an election pursuant to Elections Code 12302 (Education Code 48205)
9. To spend time with his/her immediate family member who is an active duty member of the uniformed services, as defined in Education Code 49701, and has been called to duty for deployment to a combat zone or a combat support position or is on leave from or has immediately returned from such deployment (Education Code 48205)
10. Participation in religious exercises or to receive moral and religious instruction in accordance with district policy (Education Code 46014)
 - a. In such instances, the student shall attend at least the minimum school day.
 - b. The student shall be excused for this purpose on no more than four days per school month.

Method of Verification

When a student who has been absent returns to school, he/she shall present a satisfactory explanation verifying the reason for the absence. Absences shall be verified by the student's parent/guardian, other person having control of the minor, or the student if age 18 or older. (Education Code 46012; 5 CCR 306)

The following methods may be used to verify student absences:

1. Written note, fax, email, or voice mail from parent/guardian or parent representative.
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(s) of absence
 - e. Reason for absence
3. Visit to the student's home by the verifying employee, or any other reasonable method which establishes the fact that the student was absent for the reasons stated. The employee shall document the verification and include the information specified in item #2 above.
4. Physician's verification.
 - a. When excusing students for confidential medical services or verifying such appointments, district staff shall not ask the purpose of such appointments but may contact a medical office to confirm the time of the appointment.
 - b. When a student has had five or more absences in the school year verified by methods listed in 1 through 3 above, has been late to school more than 30 minutes three or more times in the school year, and/or has more than 10 tardies to school, the district may require any further absences from the school be verified by a physician in order for the absences to be excused for illness.
 - c. In cases where a doctor's visit is not feasible, parents may bring their students to school to be evaluated by school staff.
5. In cases where students have been absent from school for extended periods of time due to hospitalization or temporary disability due to serious illness or injury, parents/guardians must provide a doctor's written release authorizing the student's return to school, in addition to written verification excusing the absence.
 - a. A doctor's written release authorizing a student's return to school shall also include any required accommodations, conditions, or specified limitations.

Assistive Devices

In cases where students are required to temporarily use assistive devices at school such as casts, splints, canes, walkers, crutches, wheelchairs, etc., students must first present a letter from the prescribing doctor to the School Nurse or designee that states the necessity for the student's use of the device, any restrictions and the length of time that the restrictions and devices will be necessary. Without proper verification, the student will be sent home for safety reasons and it will be an unexcused absence at that time.

However, if the high school student is being followed by the school Athletic Trainer, contact the trainer for verification and allow the student to remain at school once verified under care of the Athletic Trainer.

- Parent/Guardian will provide the following:
A completed PE-Activity Recommendation Form or equivalent identifying the limitations and duration of use, before the student will be allowed to use either crutches, a wheelchair or another assistive device. The statement will also indicate that the student received instructions on how to safely use the device(s). Only students who have submitted such a document or an equivalent shall be permitted in class with these devices.

- The PE-Activity Recommendation Form or equivalent will include the anticipated length of time excused from P.E., recess or other physical activities.
- The physician-approved equipment appropriate in size for the student. Student needs to be able to independently navigate the school campus with his/her wheelchair or other assistive device.
- Notification to the school health office when the student's condition changes.

When the school health office staff has received notification that a student must use either crutches, a wheelchair or other assistive device, the following steps will be taken:

- The nurse will be notified when a student requires an assistive device due to an injury or illness.
- School staff will make every effort to maintain student safety while assistive devices are in use. Refer to "Crutches or other Mobility Assistance Devices" Procedural Protocol (attached).

Revised: August 21, 2012

Revised: March 17, 2016