

ABSENCES AND EXCUSES

The Board of Trustees believes that regular attendance plays an important role in student achievement. The Board recognizes its responsibility under the law to ensure that students attend school regularly. Parents/guardians of children between the ages of 6 and 18 are obligated to send their children to school unless otherwise provided by law. The Superintendent or designee shall work with parents/guardians and students to ensure their compliance with all state attendance laws, and may use interventions and appropriate legal means to correct problems of chronic absences or truancy. The Board shall abide by all state attendance laws and may use any legal means to correct the problems of excessive absence or truancy.

Excused Absences

The Board believes that excessive absenteeism, whether caused by excused or unexcused absences, may result in poor academic achievement and put students at risk for dropping out of school. The Board desires to ensure that all students attend school in accordance with the state's compulsory education law and take full advantage of educational opportunities provided by the District. Absence from school shall be excused only as permitted by law or Board policy. No student under 18 years of age can be released from school without permission from a parent/guardian.

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

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

1. Personal illness.
2. Quarantine under the direction of a county or city health officer.
3. Medical, dental, optometric, or chiropractic appointments. In as much 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.
4. Student absence for religious instruction or participation in religious exercises away from school property may be considered excused subject to administrative regulations and law.

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- a. Written verification for student participation in religious instruction or exercises must indicate the beginning time, ending time, and the date of the religious holiday observance. Such absence shall not be deemed as an absence in computing average daily attendance if the student's attendance totals a minimum day. The absence shall be without penalty to the student.
 - b. Observation of a holiday or ceremony of his/her religion.
 - c. Attendance at religious retreats for no more than four hours per semester.
 - d. The student shall be excused for these purposes on no more than four school days per month.
5. Attendance at funeral services for a family member.
- a. Excused absence in this instance shall be limited to one day if the service is conducted in California or three days if the service is conducted out of state.
 - b. "Family member" shall be defined as mother, father, grandmother, grandfather, spouse, son, son-in-law, daughter, daughter-in-law, brother, sister, stepmother, stepfather, step grandmother, step grandfather, stepson, stepdaughter, stepbrother, stepsister, or any relative living in the immediate household of the student.
6. Jury duty in the manner provided for by law.
7. A student's absence shall be excused for justifiable personal reasons including but not limited to:
- a. Appearance in court.
 - b. Employment conference.
8. A student also shall be excused when he/she is the custodial parent of a child who is ill or has a medical appointment during school hours.

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9. Students shall not be absent from school without the knowledge or consent of a parent or guardian except in cases of medical emergency or confidential medical appointment. (Education Code 46010.1)
10. Service as a member of a precinct board for an election pursuant to Elections Code 12302.
11. To spend time with a member of his/her immediate family who is an active duty member of the uniformed services, as defined in Education Code 49701, who 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

Unexcused Absences/Truancy

If a student's absence is excused under Education Code 48205, he/she shall be allowed to complete any missed assignments or tests that can be reasonably given, including but not limited to reasonable and appropriate copies of all notes, information, instruction, and access to all missed instructional materials and information 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 one school day time period for every one full school day missed. When such instruction cannot be recreated, the instructor will create an appropriate alternative assignment and the student will not be penalized. A student's grades may be affected by excessive unexcused absences in accordance with Board policy.

If a student arrives at school after the instructional day has begun, a parent or guardian may be required to sign in at the office before the child enters the classroom. If a parent or guardian is not present, they may be contacted by office staff to explain the reason for the tardy.

1. Absences, with parental knowledge and consent, for reasons other than those enumerated above as excused absences shall be deemed unexcused absences.
2. Students who are tardy more than 30 minutes without a valid excuse shall be classified as truant. Such students shall be reported to the principal or designee.
3. The parent/guardian of a student classified as a truant shall be notified of the following:
 - a. The student has been truant.
 - b. The parent/guardian is obligated to compel the student to attend school.

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

School Attendance Review Board (SARB)

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

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

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

Verification of Student Absences

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

1. Written note from parent/guardian or parent representative. Students who are 18 years of age or older may provide their own excuses for absences.
2. Conversation, in person or by telephone, between the verifying employee and the student's parent/guardian or parent representative. The employee shall subsequently record the following:
 - a. Name of student
 - b. Name of parent/guardian or parent representative
 - c. Name of verifying employee
 - d. Date or dates of absence
 - e. Reason for absence
3. Visit to the student's home by the verifying employee.

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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 14 absences in the school year for illness verified by methods listed in #1-3 above, any further absence for illness shall be verified by a physician.
5. Any other reasonable method which establishes that the student was actually absent for the reasons stated. A written recording shall be made, including information outlined above.

*Legal Reference:***EDUCATION CODE***1740 Employment of personnel to supervise attendance (county superintendent)**Attendance report by county superintendent**Request for one-time base revenue limit adjustment 37201**School month**37223 Weekend classes**41601 Reports of average daily attendance**Attendance report by governing board**Request for one-time base revenue limit adjustment 45194**Bereavement leave**46000 Records (attendance)**46010-46015 Absences**46100-46118 Attendance in kindergarten and elementary schools**46140-46161 Attendance in junior high and high schools**48200 Children between ages of 6 and 18 years (compulsory full-time attendance) 48205 **Excused absences, ADA computation****48240-48246 Supervisors of attendance**48260-48273 Truants**48292 Filing complaint against parent**48320-48324 School Attendance Review Boards**48340-**48342.5 Improvement of pupil attendance 49067**Unexcused absences as cause of failing grade***CIVIL CODE***25.9 Mental health treatment or counseling services; consent to outpatient*

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treatment by minor over 12; liability of parents or legal guardian

34.5 Minors; contracts not disaffirmable; pregnancy care

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

34.8 Minors; medical treatment for rape; consent not disaffirmable

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

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

VEHICLE CODE

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

CODE OF REGULATIONS, TITLE 5

306 Explanation of absence

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

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

Policy

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CAPISTRANO UNIFIED SCHOOL DISTRICT

San Juan Capistrano, California