

BP 5113.1 Chronic Absence and Truancy

To improve student attendance, the Superintendent or designee shall implement positive steps to identify the reasons for a student's unexcused absences and to help resolve the problems caused by truancy. Such strategies shall focus on early intervention and may include, but not be limited to, communication with parents/guardians and the use of student study teams.

The Governing Board believes that excessive absenteeism, whether caused by excused or unexcused absences, may be an early warning sign of poor academic achievement and may put students at risk.. 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.

(cf. 5113 - Absences and Excuses)

(cf. 5147—Dropout Prevention)

(cf. 5149—At Risk Students)

(cf. 6164.5—Student Study Teams)

(cf. 6176—Weekend/Saturday Classes)

The Superintendent or designee shall establish a system to accurately track student attendance in order to identify individual students who are chronic absentees and truants, as defined in law and administrative regulation, and to identify patterns of absence throughout the district. He/she shall provide the Board with data on school attendance, chronic absence, and truancy rates for all district students, for each school, and for each numerically significant student subgroup as defined in Education Code 52052. Such data shall be disaggregated and used in the development of annual goals and specific actions for student attendance and engagement and for inclusion in the district's local control and accountability plan and other applicable school and district plans.

(cf. 0400 – Comprehensive Plans)

(cf. 0420 - School Plans/Site Councils)

(cf. 0450 - Comprehensive Safety Plan)

(cf. 0460 - Local Control and Accountability Plan)

The Superintendent or designee shall develop strategies that focus on prevention of attendance problems, which may include, but are not limited to, efforts to provide a safe and positive school environment, relevant and engaging learning experiences, school activities that help develop students' feelings of connectedness with the school, school-based health services, and incentives and rewards to recognize students who achieve excellent attendance or demonstrate significant improvement in attendance. The Superintendent or designee also shall develop strategies that enable early outreach to students as soon as they show signs of poor attendance.

(cf. 0410 - Nondiscrimination in District Programs and Activities)

(cf. 5126 - Awards for Achievement)

(cf. 5131 - Conduct)

(cf. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)

(cf. 5141.6 - School Health Services)

(cf. 5145.3 - Nondiscrimination/Harassment)

In addition, the ~~The~~ Superintendent or designee shall cooperate with other work with students, parents/guardians, school staff, and community agencies, as appropriate, to identify within the community to meet the needs of students who have serious school attendance or behavior problems and to maintain a continuing inventory of community resources, including factors contributing to chronic absence and truancy. S/he also may collaborate with child welfare services, law enforcement, courts, public health care agencies, and/or medical, mental health, and oral health care providers to ensure that alternative educational programs and nutrition, health care, and other support services are available for students and families and to intervene as necessary when students have serious attendance problems.

(cf. 1020 - Youth Services)

(cf. 1400—Relations Between Other Governmental Agencies and the Schools)

(cf. 5030 - Student Wellness)

(cf. 5146 - Married/Pregnant/Parenting Students)

(cf. 5147 - Dropout Prevention)

(cf. 6158 - Independent Study)

(cf. 6164.2 - Guidance/Counseling Services)

(cf. 6164.5 - Student Success Teams)

(cf. 6173 - Education for Homeless Children)

(cf. 6173.1 - Education for Foster Youth)

(cf. 6173.2 - Education of Children of Military Families)

(cf. 6179 - Supplemental Instruction)

(cf. 6183 - Home and Hospital Instruction)

Students who are identified as truants shall be subject to the interventions specified in law and administrative regulation.

A student's truancy, tardiness, or other absence from school shall not be the basis for his/her out-of-school suspension or expulsion. Alternative disciplinary strategies and positive reinforcement for attendance shall be used whenever possible.

(cf. 5144 - Discipline)

(cf. 5144.1 - Suspension and Expulsion/Due Process)

The Superintendent or designee shall periodically report to the Board regarding the district's progress in improving or maintaining student attendance rates for all students and for each numerically significant student population. Such information shall be used to evaluate the effectiveness of strategies implemented to reduce chronic absence and truancy and to make changes as needed. As appropriate, the Superintendent or designee shall engage school staff in program evaluation and improvement and in identification of how to best allocate available community resources.

School Attendance Review Board

In accordance with law and administrative regulation, ~~Habitually truant students~~ habitual truants may be referred to a school attendance review board (SARB), ~~a truancy mediation program operated by the county's district attorney or probation officer, and/or juvenile court in accordance with law.~~

The Board may submit a nomination to the County Superintendent of Schools for a person who will serve on the county SARB as a representative of school districts. (Education Code 48321)

The Board shall appoint members of the district's SARB, who may include, but are not limited to, a parent/guardian as well as representatives of the district; county probation department; county welfare department; county office of education; law enforcement agencies; community-based youth service centers; school guidance personnel; child welfare and attendance personnel; school or county health care personnel; school, county, or community mental health personnel; the county district attorney's office; and the county public defender's office. (Education Code 48321)

The district's SARB shall operate in accordance with Education Code 48320-48325 and procedures established by the Superintendent or designee.

Legal Reference:

EDUCATION CODE

[1740](#) Employment of personnel to supervise attendance (county superintendent)

[41601](#) Reports of average daily attendance

[46000](#) Records (attendance)

[46010-46014](#) Absences

[46110-46119](#) 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)

[48225.5 Work permits, entertainment and allied industries](#)

[48240-48246](#) Supervisors of attendance

[48260-48273](#) Truants

[48290-48296](#) **[48297](#)** Failure to comply; complaints against parents

[48320-48324](#) **[48325](#)** School attendance review boards

[48340-48341](#) Improvement of student attendance

[48400-48403 Compulsory continuation education](#)

[48900 Suspension and expulsion](#)

[49067](#) Unexcused absences as cause of failing grade

[52052 Academic Performance Index; numerically significant student subgroups](#)

[60901 Chronic absence](#)

GOVERNMENT CODE

[54950-54963 The Ralph M. Brown Act](#)

PENAL CODE

[270.1 Chronic truancy; parent/guardian misdemeanor](#)

[272 Parent/guardian duty to supervise and control minor child; criminal liability for truancy](#)

[830.1 Peace officers](#)

VEHICLE CODE

[13202.7](#) Driving privileges; minors; suspension or delay for habitual truancy

WELFARE AND INSTITUTIONS CODE

[256-258 Juvenile hearing officer](#)

[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

[15497.5 Local control and accountability plan template](#)

~~ATTORNEY GENERAL OPINIONS~~

~~66 Ops. Cal. Atty. Gen. 245, 249 (1983)~~

~~Management Resources:~~

~~CDE MANAGEMENT ADVISORIES~~

~~0114.98 School Attendance and CalWORKS, Management Bulletin 98-01~~

~~CDE PUBLICATIONS~~

~~School Attendance Review Board Handbook, 1995~~

~~CSBA ADVISORIES~~

~~0520.97 Welfare Reform and Requirements for School Attendance~~

[COURT DECISIONS](#)

[L.A. v. Superior Court of San Diego County, \(2012\) 209 Cal.App.4th 976](#)

[Management Resources:](#)

[CSBA PUBLICATIONS](#)

[Attendance Awareness Month, Fact Sheet, September 2014](#)

[ATTENDANCE WORKS PUBLICATIONS](#)

[Count Us In! Working Together to Show that Every School Day Matters, 2014](#)

The Power of Positive Connections: Reducing Chronic Absence Through PEOPLE: Priority Early Outreach for Positive Linkages and Engagement, 2014

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

School Attendance Review Board Handbook, 2015

School Attendance Improvement Handbook, 2000

WEB SITES

CDE: <http://www.cde.ca.gov>

CSBA: <http://www.csba.org>

Attendance Works: <http://www.attendanceworks.org>

California Association of Supervisors of Child Welfare and Attendance: <http://www.cascwa.org>

California Department of Education: <http://www.cde.ca.gov>

California Healthy Kids Survey: <http://chks.wested.org>

California School Climate, Health, and Learning Survey System: <http://www.cal-schls.wested.org>

Policy LA CANADA UNIFIED SCHOOL DISTRICT

adopted: May 13, 2003 La Canada Flintridge, California

revised: December 11, 2015

AR 5113.1 Chronic Absence and Truancy

Chronic absentee means a student who is absent for any reason on 10 percent or more of the school days in the school year, when the total number of days the student is absent is divided by the total number of days the student is enrolled and school was actually taught in the regular schools of the district, exclusive of Saturdays and Sundays. (Education Code 60901 ; 5 CCR 15497.5)

Truant means a student who is absent from school without a valid excuse three full days in one school year, or tardy or absent for more than any 30-minute period during the school day without a valid excuse on three occasions in one school year, or any combination thereof. (Education Code 48260)

Habitual truant means a student who has been reported as a truant three or more times within the same school year, provided the district has made a conscientious effort to hold at least one conference with the student and his/her parent/guardian. (Education Code 48262, 48264.5)

Chronic truant means a student who has been absent from school without a valid excuse for 10 percent or more of the school days in one school year, from the date of enrollment to the current date, provided the district has met the requirements of Education Code 48260-48263 and 48291. (Education Code 48263.6)

For purposes of classifying a student as a truant, valid excuse includes, but is not limited to, the reasons for which a student shall be excused from school pursuant to Education Code 48205 and 48225.5. A valid excuse also may include other reasons that are within the discretion of school administrators and, based on the facts of the student's circumstances, are deemed to constitute a valid excuse. (Education Code 48260)

(cf. 5113 - Absences and Excuses)

(cf. 5113.2 - Work Permits)

The Superintendent or designee shall appoint or contract with an administrator to supervise attendance and assistant supervisorial staff as necessary to supervise the attendance of district students. Such supervisors shall perform duties related to compulsory full-time education, truancy, compulsory continuation education, work permits, and any additional duties prescribed by the Superintendent. (Education Code 48240, 48243, 48244)

Addressing Chronic Absence

When a student is identified as a chronic absentee, the attendance supervisor shall communicate with the student and his/her parents/guardians to determine the reason(s) for the excessive absences, ensure the student and parents/guardians are aware of the adverse consequences of poor attendance, and jointly develop a plan for improving the student's school attendance.

(cf. 6020 - Parent Involvement)

The student may be referred to a student success team or school-site attendance review team to assist in evaluating his/her needs and identifying strategies and programs to assist him/her.

(cf. 5146 - Married/Pregnant/Parenting Students)

(cf. 5147 - Dropout Prevention)

(cf. 6164.2 - Guidance/Counseling Services)

(cf. 6164.5 - Student Success Teams)

(cf. 6173 - Education for Homeless Children)

(cf. 6173.1 - Education for Foster Youth)

(cf. 6173.2 - Education of Children of Military Families)

A student who is struggling academically may be offered tutoring or other supplemental instruction, extended learning opportunities, and/or alternative educational options as appropriate.

(cf. 6158 - Independent Study)

(cf. 6178.1 - Work-Based Learning)

(cf. 6179 - Supplemental Instruction)

(cf. 6183 - Home and Hospital Instruction)

Whenever chronic absenteeism is linked to a health issue or nonschool condition, the attendance supervisor may recommend school or community resources and/or collaborate with community agencies and organizations to address the needs of the student and his/her family.

(cf. 1020 - Youth Services)

(cf. 5141.6 - School Health Services)

Addressing Truancy

~~A~~ *An attendance supervisor or designee, peace officer, probation officer, or school administrator* or designee may, *as applicable,* arrest or assume temporary custody, during school hours, of any minor student found away from his/her home who is absent from school without a valid excuse. Any person so arresting or assuming temporary custody *of a minor student* shall deliver the student and make reports in accordance with Education Code [48265](#) and [48266](#). (Education Code [48264](#), [48265](#), [48266](#))

Upon receiving ***The attendance supervisor shall investigate*** a complaint from any person that a parent/guardian has violated the state compulsory education laws contained in Education Code [48200-48341](#), the Governing Board or district attendance supervisor shall make a full and impartial investigation of all charges. If it appears upon investigation that the parent/guardian has violated these laws, the Superintendent or designee shall refer such parent/guardian to the school attendance review board. (Education Code [48290](#), ~~48291, 48292~~)

Strategies for Addressing Truancy REORDERED and AMENDED, see above “Addressing Truancy”

When a student has been identified as a truant as defined above, The ***the*** following steps shall be implemented based on the number of trancies committed by the student:

~~1. Students shall be classified as truant if absent from school without a valid excuse three full days in one school year, or tardy or absent for more than any 30-minute period during the school day without a valid excuse on three occasions in one school year, or any combination thereof. Such students shall be reported to the Superintendent or designee. (Education Code [48260](#))~~

1. Initial truancy

a. The student shall be reported to the attendance supervisor. (Education Code 48260)

b. The parent/guardian of a student classified as a truant shall be notified ***by the most cost-effective method possible, which may include email or a telephone call,*** of the following: (Education Code [48260.5](#))

~~a. ***(1)*** The student is truant.~~

~~b. ***(2)*** The parent/guardian is obligated to compel the student to attend school. ***If the parent/guardian fails to meet this obligation, he/she may be guilty of an infraction of the law and subject to prosecution pursuant to Education Code 48290-48296.***~~

~~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](#) ~~48296~~.~~

~~d. ***(3)*** Alternative educational programs are available in the district.~~

~~(cf. 6181—Alternative Schools)~~

~~(cf. 6184—Continuation Education)~~

~~e. ***(4)*** The parent/guardian has the right to meet with appropriate school personnel to discuss solutions to the student's truancy.~~

~~f. ***(5)*** The student may be subject to arrest ***or held in temporary custody*** by a probation officer, a peace officer, ***a school administrator or attendance supervisor or*** his/her designee under Education Code [48264](#) if found away from home and absent from school without a valid excuse.~~

~~g. (6)~~ The student may be subject to suspension, restriction or delay of his/her driving privilege pursuant to Vehicle Code [13202.7](#).

~~h. (7)~~ It is recommended that the parent/guardian accompany the student to school and attend classes with the student for one day.

(cf. [5145.6](#) - Parental Notifications)

~~Upon his/her first truancy, a student may be given a written warning by a peace officer. A record of this warning may be kept at school for not less than two years or until the student graduates or transfers from the school. If the student transfers, the record may be forwarded to the new school. (Education Code [48264.5](#)) REORDERED and AMENDED, see 2.e. below~~

~~(cf. [5125](#) - Student Records)~~

c. The student may be required to attend makeup classes on one day of a weekend pursuant to Education Code 37223. (Education Code 48264.5)

d. The student and, as appropriate, his/her parent/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 student's attendance. (Education Code 48264.5)

e. The Superintendent or designee *attendance supervisor* may notify the district attorney and/or probation officer of the name of each student who has been classified as a truant and the name and address of the student's parents/guardians. (Education Code [48260.6](#))

2. ***Second Truancy*** Any student who has once been reported as a truant shall again be reported to the Superintendent or designee as a truant if he/she is absent from school without valid excuse one or more days or is tardy on one or more days. (Education Code ~~[48261](#)~~) REORDERED to 2.a. below

a. Any student who has once been reported as a truant shall again be reported to the attendance supervisor as a truant if he/she is absent from school without valid excuse one or more days or is tardy on one or more days. (Education Code 48261)

b. The student may be required to attend makeup classes on one day of a weekend pursuant to Education Code 37223. (Education Code 48264.5)

c. The student may be assigned to an after-school or weekend study program within the county. If the student fails to successfully complete this study program, he/she shall be subject to item #3 below. (Education Code 48264.5)

d. In addition, an *An* appropriate district staff member shall make every *a conscientious* effort to hold at least one conference with the student and *his/her* parent/guardian and may discuss resources available for achieving regular school attendance *by communicating with the parent/guardian at least once using the most cost-effective method possible, which may include email or a telephone call. (Education Code 48262)*

~~(cf. 1020 - Youth Services)~~

(cf. 1400—Relations Between Other Governmental Agencies and the Schools)

(cf. [6164.2](#)—Guidance/Counseling Services)

(cf. [6164.5](#)—Student Study Teams)

e. The student may be given a written warning by a peace officer. A record of that warning may be kept at the school for not less than two years or until the student graduates or transfers from the school. If the student transfers, the record may be forwarded to the new school. (Education Code 48264.5)

f. The attendance supervisor may notify the district attorney and/or probation officer when the student continues to be classified as a truant after the parents/guardians have been notified in accordance with item #1b above. (Education Code 48260.6)

3. ***Third truancy (habitual truancy)*** Upon his/her third truancy within the same school year, a student shall be classified as a habitual truant. (Education Code ~~48262~~, [48264.5](#))

a. Students ***A student*** who are habitual truants ***is habitually truant***, irregular in school attendance, or habitually insubordinate or disorderly during attendance at school may be referred to, and required to attend, a school attendance review board (***SARB***) program, a truancy mediation program established by the district attorney or the probation officer, or a comparable program deemed acceptable by the district's attendance supervisor. (Education Code [48263](#), [48264.5](#))

b. Upon making a referral to a school attendance review board or the probation department, the Superintendent or designee ***attendance supervisor*** shall provide the student and parent/guardian, in writing, the name and address of the school attendance review board or probation department and the reason for the referral. This notice shall indicate that the student and parent/guardian shall be required, along with the district staff person making the referral, to meet with the school attendance review board or probation officer to consider a proper disposition of the referral. (Education Code [48263](#))

c. If the student does not successfully complete the truancy mediation program or other similar program, he/she shall be subject to item #4 below. (Education Code 48264.5)

d. If the attendance supervisor determines that available community services cannot resolve the problem of the truant or insubordinate student or if the student and/or his/her parents/guardians have failed to respond to the directives of the district or to services provided, the attendance supervisor may so notify the district attorney and/or the probation officer. (Education Code 48263)

4. ***Fourth Truancy*** If the student does not successfully complete the truancy mediation program or other similar program, upon his/her fourth truancy within the same school year, the student shall be within the jurisdiction of the juvenile court. (Education Code [48264.5](#); Welfare and Institutions Code ~~601~~) **REORDERED and AMENDED, see below 4.a.**

a. Upon his/her fourth truancy within the same school year, the student shall be within the jurisdiction of the juvenile court. (Education Code 48264.5; Welfare and Institutions Code 601)

b. If a student has been adjudged by the county juvenile court to be a habitual truant, the attendance supervisor shall notify the juvenile court and the student's probation or parole officer whenever the student is truant or tardy on one or more days without a valid excuse in the same or succeeding school year, or is habitually insubordinate or disorderly at school. The juvenile court and probation or parole officer shall be notified within 10 days of the violation. (Education Code 48267)

5. Absence for 10 percent of school days (chronic truancy)

a. The attendance supervisor shall ensure that the student's parents/guardians are offered language-accessible support services to address the student's truancy.

b. If a chronically truant student is at least age 6 years and is in any of grades K-8, the attendance supervisor shall notify the student's parents/guardians that failure to reasonably supervise and encourage the student's school attendance may result in the parent/guardian being found guilty of a misdemeanor pursuant to Penal Code 270.1.

Reports *Records*

The Superintendent or designee shall maintain accurate attendance records for students identified as habitual or chronic truants. The Superintendent or designee also shall document all contacts with a student and his/her parent/guardian regarding the student's attendance, including a summary of all conversations and a record of all intervention efforts.

(cf. 5125 - Student Records)

The Superintendent or designee shall gather and transmit to the County Superintendent of Schools the number of referrals and types of referrals made to the school attendance review board and the number of requests for petitions made to the juvenile court. (Education Code [48273](#))

Administrative LA CANADA UNIFIED SCHOOL DISTRICT

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