

**CHRONIC ABSENCE AND TRUANCY**

The Board of Education believes that excessive student absenteeism, *whatever the cause*, and tardiness, whether caused by excused or unexcused absences, may be an early warning sign of poor academic achievement and may put students at risk of 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.

*(cf. 5113 - Absences and Excuses)  
(cf. 5113.11 - Attendance Supervision)*

The Superintendent or designee shall establish a system to accurately track ~~and monitor~~ student attendance *in order* including methods to identify students classified as 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 districtwide, for each school, and disaggregated for each numerically significant student subgroup as defined in Education Code 52052. Such data shall be used in the development of annual goals and specific actions for student attendance and engagement to be included 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)  
(cf. 0500 - Accountability)*

~~To encourage school attendance, the Superintendent or designee shall develop strategies that focus on prevention and early intervention of attendance problems. Preventive strategies may include efforts to provide a safe and positive school environment, relevant and engaging learning experiences, and 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. 0450 - Comprehensive Safety Plan)  
(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)*

~~The Superintendent or designee shall work with students and parents/guardians, school staff, and~~

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~~community agencies, as appropriate, to identify factors contributing to chronic absence and truancy. Based on this needs assessment, he/she shall collaborate with community agencies, including, but not limited to, child welfare services, law enforcement, courts, and/or public health care agencies, 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.~~

*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)*

*The Superintendent or designee shall consult with students, parents/guardians, school staff, and community agencies, as appropriate, to identify factors contributing to chronic absence and truancy.*

*Interventions for students with serious attendance problems shall be designed to meet the specific needs of the student and may include, but are not limited to, health care referrals, transportation assistance, counseling for mental or emotional difficulties, academic supports, efforts to address school or community safety concerns, discussions with the student and parent/guardian about their attitudes regarding schooling, or other strategies to remove identified barriers to school attendance. The Superintendent or designee may collaborate with child welfare services, law enforcement, courts, public health care agencies, other government agencies, and/or medical, mental health, and oral health care providers to make alternative educational programs and support services available for students and families.*

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

~~*(cf. 1020 – Youth Services)*~~

*(cf. 5030 - Student Wellness)*

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

*(cf. 5147 - Dropout Prevention)*

~~*(cf. 5149 – At-Risk Students)*~~

*(cf. 6158 - Independent Study)*

*(cf. 6164.2 - Guidance/Counseling Services)*

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*(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. 6175 - Migrant Education Program)*  
*(cf. 6179 - Supplemental Instruction)*  
*(cf. 6181 - Alternative Schools/Programs of Choice)*  
*(cf. 6183 - Home and Hospital Instruction)*  
*(cf. 6184 - Continuation Education)*  
*(cf. 6185 - Community Day School)*

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

*(cf. 5113.12 - District School Attendance Review Board)*

A student's truancy, tardiness, or other absence from school shall not be the sole 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 regularly analyze data on student absence to identify patterns of absence districtwide and by school, grade level, and student population. Such data shall be used to identify common barriers to attendance, prioritize resources for intervention, and monitor progress over time. The Superintendent or designee shall periodically report this information to the Board regarding the district's progress in improving student attendance rates for all students and for each numerically significant subgroup population. Such information shall be used to evaluate~~ for purposes of evaluating the effectiveness of strategies implemented to reduce chronic absence and truancy and *to make* ~~making~~ changes as needed. As appropriate, the Superintendent or designee also shall *engage school staff* ~~provide this information to key school staff and community agency partners to engage them in program evaluation and improvement and in the determination~~ identification of how to best allocate available community resources.

**School Attendance Review Board**

As required by law, habitually truant students shall be referred to a school attendance review board (SARB).

The Superintendent or designee shall appoint members of the District's SARB, who may include, but are not be limited to, a parent/guardian as well as representatives of the District, county-

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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, and school, county, or community mental health personnel. (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 References:*

EDUCATION CODE

~~1740-1742~~ *Employment of personnel to supervise attendance (county superintendent)*

37223 *Weekend classes*

~~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*

48320-48325 *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*

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*

COURT DECISIONS

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

*Management Resources:*

CSBA PUBLICATIONS

**CHRONIC ABSENCE AND TRUANCY (continued)**

*Improving Student Achievement by Addressing Chronic Absence, Policy Brief, December 2010*

*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*

CDE PUBLICATIONS

*School Attendance Review Board Handbook: A Road Map for Improved School Attendance and Behavior, 2015 ~~2012~~*

*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>*

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

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

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

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

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

*OnTrackCA: <http://www.ontrackca.org>*

*Policy amended: May 21, 2020*

Policy amended: May 16, 2013

Policy amended: January 27, 2011

Policy amended: March 5, 2009

## CHRONIC ABSENCE AND TRUANCY

### Definitions

*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 day schools of the district, exclusive of Saturdays and Sundays. (*Education Code 60901*)

*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 *after either of the two previous reports*. (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 *48260, 48260.5, 48261, 48262, 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*)

### Addressing Chronic Absence

When a student is identified as a chronic absentee, the *Superintendent or designee* ~~supervisor of Child Welfare and Attendance~~ 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. 5113.11 - Attendance Supervision*)

(*cf. 6020 - Parent Involvement*)

## CHRONIC ABSENCE AND TRUANCY (continued)

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

*(cf. 5146 - Married/Pregnant/Parenting Students)*  
*(cf. 5147 - Dropout Prevention)*  
*(cf. 5149 - At-Risk Students)*  
*(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. 6175 - Migrant Education Program)*

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. 6176 - Weekend/Saturday Classes)*  
*(cf. 6178.1 - Work Based Learning Experience-Education)*  
*(cf. 6179 - Supplemental Instruction)*  
*(cf. 6181 - Alternative Schools/Programs of Choice)*  
*(cf. 6183 - Home and Hospital Instruction)*  
*(cf. 6184 - Continuation Education)*

Whenever chronic absenteeism is linked to a nonschool condition, the *Superintendent or designee* attendance supervisor may recommend 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. 1400 - Relations Between Other Governmental Agencies and the Schools)*  
*(cf. 5145.6 - School Health Services)*

### Addressing Truancy

An attendance supervisor or designee, peace officer, or school administrator or designee may, 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 shall deliver the student and make reports in accordance with Education Code 48265 and 48266. (Education Code 48264, 48265, 48266)

*(cf. 3515.3 - District Police/Security Department)*

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The *Superintendent or designee* ~~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. (Education Code 48290)

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

## 1. Initial truancy

- a. A student ~~who is initially classified as truant~~ shall be reported to the *Superintendent or designee*. ~~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, that:* ~~of the following:~~ (Education Code 48260.5)
  1. The student is truant.
  2. The parent/guardian is obligated to compel the student to attend school. *If* The *the* parent/guardian who 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.
  3. Alternative educational programs are available in the district.
  4. The parent/guardian has the right to meet with appropriate school personnel to discuss solutions to the student's truancy.
  5. The student may be subject to arrest *or held in temporary custody* by a probation officer, a peace officer, a school administrator *or designee, or* ~~an~~ attendance supervisor or ~~his/her~~ designee under Education Code 48264 if found away from home and absent from school without a valid excuse.
  6. The student may be subject to suspension, restriction or delay of his/her driving privilege pursuant to Vehicle Code 13202.7.
  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)*

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- c. ~~Upon his/her first truancy, a~~ *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.* ~~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)

*(cf. 5125 Student Records)*

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

## 2. Second truancy

- a. Any student who has once been reported as a truant shall again be reported to the *Superintendent or designee* 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* district. If the student fails to successfully complete this study program, he/she shall be subject to item #3 below. (Education Code 48264.5)
- d. An appropriate district staff member shall make a conscientious effort to hold at least one conference with the student and *his/her* parent/guardian 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)
- e. ~~The attendance supervisor may notify the district attorney and/or probation officer whether the student continues to be classified as a truant after the parents have been notified in accordance with #1b above. (Education Code 48260.6)~~ *The student may be given a written warning by a peace officer. A record of that*

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*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 Superintendent or designee 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 truant)

- a. ~~Students~~ *A student* who are ~~is~~ habitual-truants *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 *Superintendent or designee*. ~~district's attendance supervisor.~~ (Education Code 48263, 48264.5)

*(cf. 5113.12 - District School Attendance Review Board)*

- b. Upon making a referral to ~~the SARB 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 ~~SARB 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 ~~SARB 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 *Superintendent or designee* ~~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 student's~~ parents/guardians have failed to respond to the directives of the district or to services provided, the *Superintendent or designee* ~~attendance supervisor~~ may so notify the district attorney and/or the probation officer. (Education Code 48263)

## 4. Fourth truancy

- a. Upon his/her fourth truancy within the same school year, the student shall be

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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 *Superintendent or designee* ~~attendance-supervisor~~ shall inform the juvenile court and the student's probation or parole officer whenever that student is truant or *tardy* ~~truancy~~ 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 so notified within 10 days of the violation. (Education Code 48267)
5. *Chronic truancy (unexcused absence for 10 percent of school days)* ~~Absence for 10 percent of school days (chronic truancy)~~
    - a. The *Superintendent or designee* ~~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 six years and is in any of grades K-8, the Superintendent or designee 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*

**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 *SARB* ~~school-attendance review-board~~ and the number of requests for petitions made to the juvenile court. (Education Code 48273)

*Regulation amended: May 21, 2020*

Regulation amended: May 16, 2013

Regulation amended: January 27, 2011

Regulation amended: March 5, 2009

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