

CSBA Sample Board Policy

Students

BP 5113(a)

ABSENCES AND EXCUSES

Note: The following **optional** policy may be revised to reflect district practice. Pursuant to Education Code 48200, children **between** ages 6-**18 years and 18** are subject to compulsory, full-time education, except when otherwise exempted.

Pursuant to Education Code 42238.8, the determination of an absence as excused or unexcused is irrelevant for accounting purposes. However, verification of excused absences is still relevant necessary for purposes of enforcement of compulsory education laws and for the determination of whether a student is truant. Pursuant to Education Code 48260, students with a valid excused absence are not truant. **In addition, this classification is important since California's welfare system (CalWORKS), Welfare and Institutions Code 11253.5, sets family grant eligibility requirements based upon whether a child is "regularly attending school." See BP/AR 5113.1 - Chronic Absence and Truancy.**

For examples of strategies for reducing chronic absences, see **BP/AR 5113.1 - Chronic Absence and Truancy** and CSBA's policy brief, **Improving Student Achievement by Addressing Chronic Absence**. **For information about the impact of absences on a student's grades, see BP 5121 - Grades/Evaluation of Student Achievement.**

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.

(cf. 5112.1 - Exemptions from Attendance)

(cf. 5112.2 - Exclusions from Attendance)

(cf. 5113.1 - Chronic Absence and Truancy)

(cf. 5121 - Grades/Evaluation of Student Achievement)

(cf. 6154 - Homework/Makeup Work)

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)

Note: The following paragraph is **optional**. Pursuant to Education Code 46014, the Governing Board may allow students to be absent for religious exercises or instruction. If the Board allows such absences, it must first adopt a resolution permitting an excused absence for this purpose. The Board is also mandated to adopt regulations

governing students' attendance at such exercises or instruction and the reporting of these absences; see accompanying administrative regulation.

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

BP 5113(b)

ABSENCES AND EXCUSES (continued)

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

Note: The following paragraph applies to all districts. Districts that maintain only elementary grades should delete the reference to grades 7-12 students in the paragraph.

~~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) [MOVED TO AR]~~

~~(cf. 5145.6 – Parental Notifications)~~

Note: The California Supreme Court (American Academy of Pediatrics et al v. Lundgren et al) has clarified that students do not need parent/guardian consent before receiving confidential medical services. The Attorney General reached the same conclusion in 87 Ops.Cal.Atty. Gen. 168 (2004). Pursuant to Education Code 46010.1 and the California Supreme Court in American Academy of Pediatrics et al v. Lundgren et al. (1997), minor students do not need parent/guardian consent to obtain confidential medical services, and schools are authorized to excuse a student from school to obtain such services.

Students shall not be absent from school without their parents/guardians' knowledge or consent, except in cases of medical emergency or, **as authorized pursuant to Education Code 46010.1, for a confidential medical appointment.**

Note: 5 CCR 421 requires the Board to approve reasonable methods for verifying student absences due to illness or quarantine. See the accompanying administrative regulation for examples of methods of verification.

The Board shall, by resolution entered into its minutes, approve reasonable methods that may be used to verify student absences due to illness or quarantine. (5 CCR 421)

~~Effect of Absence on Grades/Credits — [SECTION DELETED]~~

Legal Reference: (see next page)

BP 5113(c)

ABSENCES AND EXCUSES (continued)

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 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

48292 Filing complaint against parent

48320-48324 School attendance review boards

48340-48341 Improvement of student attendance

48980 Parental notifications

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 **for medical treatment**

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

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>

(11/99 11/11) 3/17

Policy Reference UPDATE Service

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