

CSBA Sample Administrative Regulation

Students

AR 5113(a)

ABSENCES AND EXCUSES

Excused Absences

Note: **Items #1-11 below reflect absences that are authorized by law to be considered as excused absences**
Pursuant to Education Code 42238.8, the determination of an absence as "excused" or "unexcused" is not relevant for accounting purposes. However, verification of excused absences is relevant for purposes of enforcing the compulsory state attendance laws, determining the grant eligibility of a student's family for the CalWORKS program, and, when authorized by the Governing Board, assignment of a failing grade to a student for excessive absences; see accompanying Board policy.

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

1. Personal illness (Education Code 48205)
2. Quarantine under the direction of a county or city health officer (Education Code 48205)

(cf. 5112.2 - Exclusions from Attendance)

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, parent (biological; adoptive; foster; step; legal guardian; registered domestic partner or a person who stood in loco parentis when the student was a minor child), grandmother, grandfather, grandchild, spouse, son/son-in-law, daughter/daughter-in-law, brother, sister, sibling (biological; adopted; foster; step and legal ward), 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)

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

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

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ABSENCES AND EXCUSES (continued)

- b. Attendance at a funeral service
- c. Observation of a holiday or ceremony of his/her religion
- d. Attendance at religious retreats **for no more than** ~~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

Note: Education Code 48205 allows excused absences for service on a precinct board as specified in item #8 below. Elections Code 12302, as amended by AB 554 (Ch. 150, Statutes of 2015), authorizes an elections official to appoint a maximum of five students per precinct to serve under the direct supervision of precinct board members if the students possess specified qualifications (e.g., at least 16 years old, a United States citizen or lawfully admitted for permanent residence in the United States, grade point average of 2.5) and their appointment is approved by the Board.

8. Service as a member of a precinct board for an election pursuant to Elections Code 12302 (Education Code 48205)

(cf. 6142.3 - Civic Education)

Note: AB 387 (Ch. 610, Statutes of 2011) amended Education Code 48205 to include student absence due to the reason described in item #9 below as a type of excused absence.

9. To spend time with **an** ~~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)

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

Note: AB 1593 (Ch. 92, Statutes of 2016) amended Education Code 48205 to add attendance at the student's own naturalization ceremony as an excused absence.

**10. To attend his/her naturalization ceremony to become a United States citizen.
(Education Code 48205)**

Note: Item #10-11 below should be listed only if the Governing Board has chosen to allow absences for religious instruction or exercises. See the accompanying Board policy. If these absences are allowed, Education Code 46014 mandates that the Board adopt regulations governing students' attendance at

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ABSENCES AND EXCUSES (continued)

religious exercises or instruction and the reporting of such absences. These regulations should be included here and should include **all of** items **#a and #b #11a-c** below.

1011. Participation in religious exercises or to receive moral and religious instruction in accordance with district policy, **subject to the following conditions:** (Education Code 46014)

a. The student's parent/guardian shall provide written consent for the absence.

a.b. In such instances, the student shall attend at least the minimum school day.

b.c. The student shall be excused from school for this purpose on no more than four days per school month.

(cf. 6141.2 - Recognition of Religious Beliefs and Customs)

Method of Verification

Note: 5 CCR 420-421 provide guidelines for verifying absences due to illness; quarantine; medical, dental, or eye appointments; or attending funeral service of a member of the a student's immediate family. 5 CCR 421 authorizes a student's absence to be verified by a school or public health nurse, attendance supervisor, physician, principal, teacher, or any other qualified district employee assigned to make such verification. The following section should be revised to reflect district-adopted methods of verification and to specify employee(s) assigned to verify absences.

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

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- 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.

Note: The following optional paragraph provides a means of verifying an excuse for confidential medical services without inquiring into the nature of the medical services.
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- a. When excusing students for confidential medical services or verifying such appointments, district staff shall not ask the purpose of such appointments but may **request a note from the contact a** medical office to confirm the time of the appointment.

Note: The following optional paragraph provides that, after a specified number of absences for illness on multiple occasions , verified by methods listed in #1-3 above, the student may be required to must bring a note from a physician to verify his/her illness. If a student does not have access to medical services in order to obtain such verification, the district may need to provide financial assistance or assist the student in obtaining the medical consultation if it is required. The district should modify the number of absences below to reflect district practice.

- b. ~~When~~ **If** a student **shows a pattern of chronic absenteeism due to illness, district staff may require physician verification of any further student absences.** ~~has had 14 absences in the school year for illness verified by methods listed in #1-3 above, any further absences for illness shall be verified by a physician.~~

Parental Notifications

At the beginning of each school year, the Superintendent or designee shall:

Note: The requirement in item #1 below is for use by districts that have chosen to allow absences for religious instruction or exercises. If the Board allows such absences to be excused, it must first adopt a resolution permitting an excused absence for this purpose. See the accompanying Board policy.

- 1. Notify parents/guardians of the right to excuse a student from school in order to participate in religious exercises or to receive moral and religious instruction at their places of worship, or at other suitable places away from school property**

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ABSENCES AND EXCUSES (continued)

designated by a religious group, church, or denomination (Education Code 46014, 48980)

Note: The requirement in item #2 applies to all districts. Districts that maintain only elementary grades should delete the reference to students in grades 7-12 below.

- 2. Notify students in grades 7-12 and the parents/guardians of all students 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)**
- 3. Notify parents/guardians that a student shall not have his/her grade reduced or lose academic credit for any excused absence if missed assignments and tests that can reasonably be provided are satisfactorily completed within a reasonable period of time, and include the full text of Education Code 48205 in the notice (Education Code 48980)**

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

(cf. 5145.6 - Parental Notifications)

(cf. 6154 - Homework/Makeup Work)

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Policy Reference UPDATE Service

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