

**SAN LORENZO  
UNIFIED SCHOOL DISTRICT  
BOARD POLICY**

**Student**

BP 5112 - 5113.1 (a)

**ATTENDANCE, TARDIES AND TRUANCY**

The Governing Board believes that regular full time attendance plays a key role in student achievement. The Board of Education believes that students should arrive to their assigned classes on time, and that chronic absence and/or tardiness is irresponsible and disruptive to the learning process. The Board recognizes its responsibility under the law to ensure and encourage that students attend school regularly and full time. Parents or legal guardians of children aged 6 to 18 are mandated to send their children to school full-time unless otherwise provided by law. The Board directs the Superintendent to abide by and enforce all state attendance laws and to use appropriate legal means to correct the problems of excessive absence or truancy.

Legal References:

Statutes:

Education Code § 45194  
Education Code §§ 46010-46014  
Education Code §§ 48200-48273  
Education Code §§ 48290-48296  
Education Code §§ 48320-48325  
Education Code §§ 48340-48341  
Education Code § 49067  
Education Code § 49091.12(b)  
Education Code § 49602  
Family Code §§ 6920-6929  
Health & Safety Code §§ 123110, 123115  
Vehicle Code § 13202.7  
Welfare & Institutions Code §§601-601.4  
Welfare & Institutions Code § 11253.5

Regulations:

Title 5 of the California Code of Regulations: §306 & §§420-421

Cases & Attorney General Opinions:

American Academy of Pediatrics et al. v. Lungren et al. (1997) 16 Cal.4th 307  
66 Ops. Cal. Atty. Gen. 244 (1983) [Op. No. 82-806]  
87 Ops. Cal. Atty. Gen. 168 (2004) [Op. No. 04-112]

Former Policy No. 504

Board adopted revision: July 5, 2005

**SAN LORENZO  
UNIFIED SCHOOL DISTRICT  
ADMINISTRATIVE REGULATIONS**

**Student**

AR 5112 - 5113.1 (a)

**ATTENDANCE, TARDIES AND TRUANCY**

**Excused Absences**

Absence from school shall be excused only for health reasons, religious, funeral and justifiable personal reasons with prior approval as permitted by law, Board policy and administrative regulations.

Insofar as class participation is an integral part of students' learning experiences, parents or legal guardians and students shall be encouraged to schedule medical appointments only during non-school hours.

At the beginning of each academic year, notifications shall be sent to the parents or legal guardians of all students and to all students in grades 7 through 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 or legal guardian.

Students in grades K-5 shall not be absent from school without their parents or legal guardians' knowledge or consent except in cases of medical emergency. Students in grades 6-12 shall not be absent from school without their parents or legal guardians' knowledge or consent except in cases of medical emergency or confidential medical appointment.

A student's absence or tardiness 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.
4. Attendance at funeral services for a member of the immediate family.
  - 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. "Immediate family" shall be defined as mother, father, grandmother, grandfather, spouse, son/son-in-law, daughter/daughter-in-law, brother, sister or any relative living in the student's immediate household.
5. Jury duty in the manner provided by law.

6. Serving as a member of a precinct board for an election.
8. If a student is the custodial parent of a child, his/her absence shall be excused when the child is ill or has a medical appointment during school hours.

In addition, a student's absence or tardiness shall be excused for justifiable personal reasons. Advance written request by the parent or legal guardian and approval of the principal or designee shall be required for absences for:

1. Appearance in court.
2. Attendance at a funeral service.
3. Observation of a holiday or ceremony of his/her religion.
4. Attendance at religious retreats for no more than four hours during a semester.
5. Employment interview or conference.
6. Other justifiable reason as determined by the principal.
7. Head lice infestation up to five (5) school days.

Make up work shall be provided to students with excused absences. It shall be graded, and if completed according to the teacher's standards and within a reasonable period of time, given full credit

### **Absences for Religious Purposes**

The District has adopted a resolution under Education Code §46014 permitting students to be absent from school for religious exercises or instruction, with the written consent of their parents, as long as the following conditions are met:

1. Each student so excused shall attend school at least the minimum school day for his grade (230 minutes for grades 1-3, 240 minutes for grades 4-8 and 240 minutes for grades 9-12 or 180 minutes for students in vocational training and work experience programs, unless otherwise provided).
2. No student shall be excused from school for such purpose more than four days per month.

### **Unexcused Absences**

Absences or tardiness for reasons other than those stated above shall be unexcused, notwithstanding any prior notification by the parent or legal guardian, including but not limited to, absences for the following reasons:

1. Vacation
2. Babysitting
3. Working or working late the night before school
4. Lack of transportation
5. Staying home with a sick family member
6. Suspension

Teachers are not required to provide make up assignments or tests for students who are absent without a valid excuse. Students on suspension may, at the teacher's discretion, make up work and receive credit according to the teacher's standards.

In accordance with the Education Code, teachers are authorized to assign a failing grade to any student who has more than 10 unexcused absences (traditional schedule) or 7 unexcused absences (block schedule). Each school shall ensure that teachers conduct a conference with, or send a written report to, the parent of each student when it becomes evident to the teacher that the student is in danger of failing a course. Each school shall also establish a process to afford the student or the student's parent or guardian a reasonable opportunity to explain the absences. If a student is assigned a failing grade pursuant to this policy, the student's record shall reflect that the failing grade was assigned on the basis of excessive unexcused absences. Academic credit shall not be prevented or lowered due to *excused* absences.

At the secondary level, excessive unexcused absences may result in a loss of the privilege to participate in certain extra-curricular activities, such as dances or sports, based on school policy.

Students who are, or will be, absent for more than ten days due to family vacations or travel may be dropped from enrollment effective on the first day of the extended absence. Students shall be placed immediately in a class upon return, however, placement in the same classroom or school is not guaranteed.

### **Method of Verification**

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 or legal guardian, parent representative, or student if 18 or older.
2. Conversation, in person or by telephone, between the verifying employee and the student's parent or legal guardian or parent representative. The employee shall subsequently record the following:
  - a. Name of student;
  - b. Name of parent or legal guardian or parent representative;
  - c. Name of verifying employee;
  - d. Date or dates of absence; and
  - 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. In certain circumstances it may be necessary to verify on the basis of information gained through conversations with siblings, immediate family members, or others judged to be reliable sources of information. A written recording shall be made, including information outlined above.

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 require written verification of the appointment, or contact a medical office to confirm the time of the appointment.
  - b. When a student has had five absences in a school semester, the school or district may require that all further illness be verified by a physician.
5. Further confirmation of the reason given for the absence may be sought if the verifying employee has personal knowledge that provides a basis of reasonable certainty that the information provided is false.
6. Full or partial day absences for middle and high school students which remain unverified two days after the student's return to school shall be recorded as a "cut" and counted as an unexcused absence.

## **Truancy**

The Superintendent or designee shall implement positive steps to reduce truancy, such as communication with parents or legal guardians and the use of student study teams.

1. Students shall be classified as truant if absent from school without a valid excuse (unexcused or unverified) for 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 Director of Student Support Services.
2. Should a student who has previously been reported as truant fail to appear or be tardy at school one or more days (without a valid excuse), that student will again be reported as truant to the Director of Student Support Services.
3. The parent or legal guardian of a student classified as a truant shall be notified in writing of the following:
  - a. The student is truant;
  - b. The parent or legal guardian is obligated to compel the student to attend school;
  - c. The parent or legal 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. Alternative educational programs are available in the district;
  - e. The parent or legal guardian has the right to meet with appropriate school personnel to discuss solutions to the student's truancy;
  - f. The student may be subject to arrest by a probation officer, a peace officer, a school administrator, an attendance supervisor or his/her designee under

Education Code § 48264 if found away from home and absent from school without a valid excuse;

- g. The student may be subject to suspension, restriction or delay of his/her driving privilege pursuant to Vehicle Code § 13202.7; and
  - h. It is recommended that the parent or legal guardian accompany the student to school and attend classes with the student for one day.
4. 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 at least 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.
  5. Upon his/her second truancy within the same school year, a school site administrator or counselor may meet with the student and parent or legal guardian to discuss improvement of attendance and resources available to assist the student, which may include an after school or weekend study program located within the County.
  6. Upon his/her third truancy within the same school year, a student shall be classified a habitual truant as defined in Education Code § 48262 and may be referred to the appropriate district staff for a conference and possible referral to the School Attendance Review Board (SARB), a truancy mediation with the District Attorney, or referral to the informal juvenile traffic court.

No student shall be deemed a habitual truant unless district staff has made a conscientious effort to hold at least one conference with the student and the parent or guardian of that student. 8. Upon his/her fourth truancy within the same school year, the student shall be within the jurisdiction of the juvenile court, which may adjudge the student to be a ward of the court.

### **Student Attendance Review Board (SARB)**

When a student is referred to SARB, the Superintendent or designee shall provide the student and parent or legal guardian, in writing, the reason for the referral. This notice shall indicate that the student and parent or legal guardian will be required, along with a district staff member, to meet with the SARB to consider a proper disposition of the referral.

If the SARB determines that available community services can resolve the problem of the truant or insubordinate student, then the SARB shall direct the student and/or the student's parents or legal guardians to make use of these resources.

If the SARB determines that available community services cannot resolve the problem of the truant or insubordinate student or if the student and/or student's parents or legal guardians have failed to respond to the directives of the SARB or to services provided, the SARB may notify the County District Attorney.

If a student has been judged by the county juvenile court to be a habitual truant or habitually insubordinate or disorderly at school, or if a student has been required by the court to attend school as a condition of probation, the district shall inform the juvenile court and the student's probation or parole officer, within 10 days, whenever that student is insubordinate, disorderly at school, or truant or tardy without a valid excuse.

The Superintendent or designee may gather and transmit to the Alameda County Superintendent of Schools the number of referrals and types of referrals made to the SARB and the number of requests for petitions made to the juvenile court.

## **CalWORKS**

For the purposes of the CalWORKS program, a student and/or his/her parent(s) or legal guardian(s) may be referred for grant reductions when the student does not meet the standard of regular attendance as established by the County of Alameda.

*Legal References:*

*Statutes:*

*Education Code § 45194*  
*Education Code §§ 46010-46014*  
*Education Code §§ 48200-48273*  
*Education Code §§ 48290-48296*  
*Education Code §§ 48320-48325*  
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*Regulations:*

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*Cases & Attorney General Opinions:*

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*66 Ops. Cal. Atty. Gen. 244 (1983) [Op. No. 82-806]*  
*87 Ops. Cal. Atty. Gen. 168 (2004) [Op. No. 04-112]*

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