

Policy 5113: Absences And Excuses

Status: ADOPTED

Original Adopted Date: 11/01/1999 | **Last Revised Date:** 03/06/01/2017/2024 | **Last Reviewed Date:** 03/06/01/2017/2024

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

Verification of absences is 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.

For ~~examples of strategies for reducing~~ to reduce chronic absences, see BP/AR 5113.1 - Chronic Absence and Truancy and CSBA's policy governance brief, Improving Student Achievement by Addressing "Seize the Data: Using Chronic Absence- Data to Drive Student Engagement." 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.

~~Absence~~ In accordance with law, Board policy, and administrative regulation, absence from school shall be excused only for health reasons, family emergencies, and justifiable personal reasons, as permitted by law, Board policy, and administrative regulation. (as specified in Education Code 48205), and work in the entertainment or allied industry as permitted pursuant to Education Code 48225.5.

CSBA NOTE: When a student has an excused absence pursuant to Education Code 48205 or 48225.5, teachers are required to provide equivalent assignments and tests, as described below. While teachers are not required to do so for other excused absences, the following language extends this requirement to all excused absences for fairness, and to maintain student engagement in the educational program. Districts may modify the following paragraph to reflect that it only applies to excused absences pursuant to Education Code 48205 and 48225.5.

When a student's absence from school is excused, the student's teacher shall determine identical or reasonably equivalent assignments and tests to those missed during the absence which the student shall be permitted to complete for full credit within a reasonable amount of time as determined by the teacher. (Education Code 48205, 48225.5)

CSBA NOTE: The following paragraph is optional. Pursuant to Education Code 46014, districts, with the written consent of the student's parent/guardian, may excuse a student from school in order to participate in religious exercises or instruction. In order for the district to receive average

daily attendance funding for such absences, the Governing Board ~~must~~ **is required to** 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 the 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)

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

CSBA NOTE: Pursuant to Education Code 46010.1 and the California Supreme Court in *American Academy of Pediatrics et al v. Lungren et al.*, 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.

CSBA 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)

Policy Reference UPDATE Service

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Policy Reference Disclaimer:

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State	Description
5 CCR 306	Explanation of absence
5 CCR 420- 421 <u>424</u>	Record of verification of absence due to illness and other causes
Ed. Code 1740	Employment of personnel to supervise attendance
Ed. Code 37201	School month
Ed. Code 37223	Weekend classes
Ed. Code 41601	Reports of average daily attendance
Ed. Code 42238-42250.1	Apportionments
Ed. Code 46000	Attendance records

Ed. Code 46010-46015	Absences
Ed. Code 46110-46120	Attendance in kindergarten and elementary schools
Ed. Code 46140-46148	Attendance in junior high and high schools
Ed. Code 48200-48208	Children ages 6-18; compulsory full-time attendance
Ed. Code 48210-48216	Exclusions from attendance
Ed. Code 48225.5	Work permit; excused absence; entertainment or allied industries; participation in not-for-profit performing arts organization
Ed. Code 48240-48246	Supervisors of attendance
Ed. Code 48260-48273	Truants
Ed. Code 48292	Filing complaint against parent
Ed. Code 48320-48324	School attendance review boards
Ed. Code 48340-48341	Improvement of student attendance
Ed. Code 48980	Parent/Guardian notifications
Ed. Code 49067	Unexcused absences as cause of failing grade
Ed. Code 49701	Provisions of the Interstate Compact on Educational Opportunities for Military Children
Elec. Code 12302	Student participation on precinct boards
Fam. Code 6920-6930	Consent by minor for medical treatment
W&I Code 11253.5	Compulsory school attendance; eligibility for aid
W&I Code 601-601.5	Habitually truant minors
Management Resources	Description
Attorney General Opinion	66 Ops.Cal.Atty.Gen. 244 (1983)
Attorney General Opinion	87 Ops.Cal.Atty.Gen. 168 (2004)
Court Decision	American Academy of Pediatrics et al v. Lungren et al (1997) 16 Cal.4th 307
CSBA Publication	Improving Student Achievement by Addressing Chronic Absence, Policy Brief, December 2010 Seize the Data: Using Chronic Absence, Policy Brief, December 2010 Data to Drive Student Engagement, March 2024 https://www.csba.org/-/media/CSBA/Files/GovernanceResources/GovernanceBriefs/Attendance-Brief-2024.ashx
Website	CSBA District and County Office of Education Legal Services
Website	CSBA

Cross References

Code	Description
0450	Comprehensive Safety Plan
0450	Comprehensive Safety Plan
3516	Emergencies And Disaster Preparedness Plan
3516	Emergencies And Disaster Preparedness Plan
4119.41	Employees With Infectious Disease
4219.41	Employees With Infectious Disease
4319.41	Employees With Infectious Disease
5000	Concepts And Roles
5020	Parent Rights And Responsibilities
5020	Parent Rights And Responsibilities
5112.1	Exemptions From Attendance
5112.1	Exemptions From Attendance
5112.2	Exclusions From Attendance
5112.5	Open/Closed Campus
5113.1	Chronic Absence And Truancy
5113.1	Chronic Absence And Truancy
5113.11	Attendance Supervision
5113.12	District School Attendance Review Board
5113.12	District School Attendance Review Board
5121	Grades/Evaluation Of Student Achievement
5121	Grades/Evaluation Of Student Achievement
5131	Conduct
5131.4	Student Disturbances
5131.4	Student Disturbances
5141.21	Administering Medication And Monitoring Health Conditions
5141.21	Administering Medication And Monitoring Health Conditions
5141.22	Infectious Diseases
5141.22	Infectious Diseases
5141.33	Head Lice

5144.1	Suspension And Expulsion/Due Process
5144.1	Suspension And Expulsion/Due Process
5145.6	Parent/Guardian Notifications
5145.6-E(1)	Parent/Guardian Notifications
5146	Married/Pregnant/Parenting Students
5147	Dropout Prevention
6020	Parent Involvement
6020	Parent Involvement
6111	School Calendar
6112	School Day
6112	School Day
6141.2	Recognition Of Religious Beliefs And Customs
6141.2	Recognition Of Religious Beliefs And Customs
6145	Extracurricular And Cocurricular Activities
6145	Extracurricular And Cocurricular Activities
6154	Homework/Makeup Work
6158	Independent Study
6158	Independent Study
6164.2	Guidance/Counseling Services
6173.2	Education Of Children Of Military Families
6173.2	Education Of Children Of Military Families
6176	Weekend/Saturday Classes
6177	Summer Learning Programs
6183	Home And Hospital Instruction
6184	Continuation Education
6184	Continuation Education
6185	Community Day School
6185	Community Day School