

## **STUDENTS**

### **SUBJECT: Absences and Excuses**

The County Board of Education and County Superintendent of Schools believe that regular attendance plays a key role in student achievement. The Board and Superintendent recognize their responsibility under the law to ensure that students attend school regularly. Parents/guardians of children aged six to 18 are obligated to send their children to school unless otherwise provided by law. The County Office of Education shall abide by all state attendance laws and may use appropriate legal means to correct the problems of excessive absence or truancy.

(cf. 5112.1 - Exemptions from Attendance)  
(cf. 5112.2 - Exclusions from Attendance)  
(cf. 5121 - Grades/Evaluation of Student Achievement)

### **Excused Absences**

Absence from school shall be excused only for health reasons, family emergencies and justifiable personal reasons, as permitted by law, County Office of Education policy and administration regulations. (Education Code 46010, 46010.5, 48205)

Insofar as class participation is an integral part of students' learning experiences, parents/guardians and students shall be encouraged to schedule medical appointments during nonschool hours.

At the beginning of each academic year, notifications shall be sent to the parents/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/guardian. (Education Code 46010.1)

(cf. 5145.6 - Parental Notifications)

Students should not be absent from school without their parents/guardians' knowledge or consent except in cases of medical emergency or confidential medical appointment.

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

### **Unexcused Absences/Truancy**

The County Board of Education and County Superintendent of Schools are committed to keeping students in school. The Superintendent or designee shall implement positive steps to reduce truancy, such as communication with parents/guardians and the use of student study teams.

(cf. 5147 - Dropout Prevention)

The County Office of Education has established a School Attendance Review Board as allowed by law in order to meet the special needs of students with school attendance or school behavior problems.

Students who are habitual truants or habitually insubordinate or disorderly during attendance at school may be referred to the county probation department.

When the student's attendance problems cannot be resolved or the student and parent/guardian have failed to respond to directives to correct the problem, a student who has been classified as truant may be referred to the district attorney or probation officer for truancy mediation.

When the student's attendance problems cannot be resolved or the student and parent/guardian have failed to respond to directives to correct the problem, the school attendance review board or probation officer may ask the County Superintendent of Schools to request a juvenile court petition on behalf of the student.

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

Appropriate staff shall gather and transmit to the County Superintendent of Schools the number of referrals and types of referrals made to the school attendance review board and the number of requests for petitions made to the juvenile court.

Legal Reference:

EDUCATION CODE

1740 Employment of personnel to supervise attendance (county superintendent)

2550.3 Attendance report by county superintendent

2550.4 Request for one-time base revenue limit adjustment

37201 School month

37223 Weekend classes

41601 Reports of average daily attendance

42238.8 Request for one-time base revenue limit adjustment

46000 Records (attendance)

46010-46015 Absences

46100-46119 Attendance in kindergarten and elementary schools

46140-46147 Attendance in junior high and high schools

48200 Children between ages of 6 and 18 years (compulsory full-time attendance)

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Adopted: 7-16-80

revised: 11-15-89

revised: 9-20-00

48205 Absence for justifiable personal reasons  
48240-48246 Supervisors of attendance  
48260-48273 Truants  
48292 Filing complaint against parent  
48320-48324 School Attendance Review Boards  
48340-48341 Improvement of pupil attendance  
49067 Unexcused absences as cause of failing grade

CIVIL CODE

25.9 Mental health treatment or counseling services; consent to outpatient treatment by minor over 12; liability of parents or legal guardian  
34.5 Minors; contracts not disaffirmable; pregnancy care  
34.7 Minors; diagnosis or treatment of communicable or sexually transmitted diseases; consent not disaffirmable  
34.8 Minors; medical treatment for rape; consent not disaffirmable  
34.9 Minors; sexually assaulted; consent to diagnosis; treatment and collection of evidence; not disaffirmable; contact with parent, parents or guardian  
34.10 Minors; 12 years of age or older; consent to medical care and counseling; not disaffirmable; liability of parent, parents or guardian for care

FAMILY CODE

6920 Capacity of minor to consent  
6921 Effect of minority of minor upon consent  
6922 Conditions for consent of minor  
6924 Mental health treatment or counseling  
6925 Prevention or treatment of pregnancy  
6926 Diagnosis or treatment of infectious diseases  
6927 Diagnosis or treatment for rape  
6928 Diagnosis or treatment for sexual assault  
6929 Diagnosis or treatment for alcohol or drug abuse

VEHICLE CODE

13202.7 Driving privileges; minors; suspension or delay for habitual truancy

WELFARE AND INSTITUTIONS CODE

601-601.4 Habitually truant minors

CODE OF REGULATIONS, TITLE 5

306 Explanation of absence

420-421 Record of verification of absence due to illness and other causes

66 Ops. Cal. Atty. Gen. 245, 249 (1983)

American Academy of Pediatrics et al v. Lungren et al (1994) 26 Cal.App.4th 479