

# Stanwood Camano School District #401

**Mark Carter**

Director of Student Services and Safety

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## **Memorandum**

**Date:** August 3, 2021

**To:** Stanwood-Camano School Board of Directors

**Fr:** Mark Carter

**Re:** Policy 3122 - Excused and Unexcused Absences

This Is the first reading of the revised Students Policy 3122 Excused and Unexcused Absences.

This legal update Is required due to Engrossed Substitute House Bill 1113-Concerning School Attendance that was signed into law on April 26, 2021.

Districts must now file truancy petitions no earlier than 7 unexcused absences in a month and no later than 15 unexcused absences in a school year; effective April 26, 2021.

Also, the Community Truancy Board Is renamed to Community Engagement Board; effective August 1, 2021.

**RECOMMENDATION: That the Board approves the First Reading of Revised Student Policy 3122 Excused and Unexcused Absences.**

## EXCUSED AND UNEXCUSED ABSENCES

### Definition of Absence

Absence from in-person learning

WAC 392-401-015A states the definition of an absence:

1. A student is absent when they are:
  - a. Not physically present on school grounds; and
  - b. Not participating in the following activities at an approved location:
    - i. Instruction;
    - ii. Any instruction-related activity; or
    - iii. Any other district or school approved activity that is regulated by an instructional/academic accountability system, such as participation in district-sponsored sports.

### Definition of absence from remote learning

(1) A student is absent from remote learning when the student is not participating in planned instructional activities on a scheduled remote learning day. (2) Evidence of student participation in remote learning may include, but is not limited to: (a) Daily logins to learning management systems; (b) Daily interactions with the teacher to acknowledge attendance (including messages, emails, phone calls or video chats); or (c) Evidence of participation in a task or assignment.

### Excused and Unexcused Absences

Educators and administrators have a responsibility to monitor absences to determine if students and families need support. Students are expected to attend all assigned in-person classes each day or participate in all assigned remote instructional activities. Upon enrollment and at the beginning of each school year, the district shall inform students and their parents/guardians of this expectation, the benefits of regular school attendance, the consequences of truancy, the role and responsibility of the district in regard to truancy, and resources available to assist the student and their parents and guardians in correcting truancy. The district will also make this information available online and will take reasonable steps to ensure parents can request and receive such information in languages in which they are fluent. Parents will be required to date and acknowledge review of this information online or in writing.

### Excused Absences

Regular school attendance is necessary for mastery of the educational program provided to students of the district. At times, students may be absent from class or not able to participate remotely. School staff will keep a record of absence and tardiness, including a record of excuse statements submitted by a parent/guardian, or in certain cases, students, to document a student's excused absences. The following principles will govern the development and administration of attendance procedures within the district:

- A. The following are valid excuses for absences:
  1. Illness, health condition or medical appointment (including, but not limited to, medical, counseling, dental, optometry, pregnancy, and in-patient or out-patient treatment for chemical dependency or mental health) for the student or person for whom the student is legally responsible;
  2. Family emergency including, but not limited to, a death or illness in the family;
  3. Religious or cultural purpose including observance of a religious or cultural holiday or participation in religious or cultural instruction;
  4. Court, judicial proceeding, court-ordered activity, or jury service;
  5. Post-secondary, technical school or apprenticeship program visitation, or scholarship interview;
  6. State-recognized search and rescue activities consistent with RCW 28A.225.055;
  7. Absence directly related to the student's homeless or foster care/dependency status;

8. Absences related to deployment activities of a parent or legal guardian who is an active duty member consistent with RCW 28A.705.010;
9. Absences due to suspensions, expulsions or emergency expulsions imposed pursuant to chapter 392-400 WAC if the student is not receiving educational services and is not enrolled in qualifying "course of study" activities as defined in WAC 392-121-107;
10. Absences due to student safety concerns, including absences related to threats, assaults, or bullying;
11. Absences due to a student's migrant status; and
12. An approved activity that is consistent with district policy and is mutually agreed upon by the principal or designee and a parent, guardian, or emancipated youth.
13. Absences related to the student's illness, health condition, or medical appointments due to COVID-19;
14. Absences related to caring for a family member who has an illness, health condition, or medical appointment due to COVID-19;
15. Absences related to the student's employment or other family obligations during regularly scheduled school hours that are temporarily necessary due to COVID-19 until other arrangements can be made, including placement in a more flexible education program;
16. Absences due to the student's parent's work schedule or other obligations during regularly scheduled school hours, until other arrangements can be made;
17. Absences due to the student's lack of necessary instructional tools, including internet broadband access or connectivity; and
18. Other COVID-19 related circumstances as determined between school and parent or emancipated youth.

A school principal or designee has the authority to determine if an absence meets the above criteria for an excused absence. Districts may define additional categories or criteria for excused absences.

1. If an absence is excused, the student will be permitted to make up all missed assignments outside of class under reasonable conditions and time limits established by the appropriate teacher; where reasonable, if a student misses a participation-type class, they can request an alternative assignment that aligns with the learning goals of the activity missed.
2. An excused absence will be verified by a parent/guardian or an adult, emancipated or appropriately aged student, or school authority responsible for the absence. If attendance is taken electronically, either for a course conducted online or for students physically within the district, an absence will default to unexcused until such time as an excused absence may be verified by a parent or other responsible adult. If a student is to be released for health care related to family planning or abortion, the student may require that the district keep the information confidential. Students thirteen and older have the right to keep information about drug, alcohol or mental health treatment confidential. Students fourteen and older have the same confidentiality rights regarding HIV and sexually transmitted diseases.
1. Except as provided in subsection (2) of this section, in the event that a child in elementary school is required to attend school under RCW 28A.225.010 or 28A.225.015(1) and has five or more excused absences in a single month during the current school year, or ten or more excused absences in the current school year, the school district shall schedule a conference or conferences with the parent and child at a time reasonably convenient for all persons included for the purpose of identifying the barriers to the child's regular attendance, and the supports and resources that may be made available to the family so that the child is able to regularly attend school. To satisfy the requirements of this section, the conference must include at least one school district employee such as a nurse, counselor, social worker, teacher, or community human services provider, except in those instances regarding the attendance of a child who has an individualized education program or a plan developed under section 504 of the rehabilitation act of 1973, in which case the reconvening of the team that created the program or plan is required.

This conference is not required if the school has received prior notice or a doctor's note has been provided and an academic plan put in place so that the child does not fall behind.

#### Unexcused Absences

1. Any absence from school for the majority of hours or periods in an average school day is unexcused unless it meets one of the criteria above for an excused absence.

2. As a means of instilling values of responsibility and personal accountability, a student whose absence is not excused will experience the consequences of his/her absence. A student's grade may be affected if a graded activity or assignment occurs during the period of time when the student is absent.
3. The school will notify a student's parent or guardian in writing or by telephone whenever the student has failed to attend school after one unexcused absence within any month during the current school year. The notification will include the potential consequences of additional unexcused absences. The school will make reasonable efforts to provide this information in a language the parent understands.
4. The school will hold a conference with the parent or guardian after three unexcused absences within any month during the current school year. The conference will analyze the causes of the student's absences and develop a plan that identifies student, school, and family commitments to reduce the student's absences from school. If the parent does not attend the conference, the school official may still hold the conference with the student. However, the school will notify the parent of the steps the district has decided to take to eliminate or reduce the student's absences.
5. Between the student's second and fifth unexcused absence, the school must take the following data-informed steps:
  - a. Middle and high school students will be administered the Washington Assessment of the Risks and Needs of Students (WARNS) or other ~~assessment~~assessment.
  - b. These steps must include, where appropriate, providing an available approved best practice or research-based intervention, or both, consistent with the WARNS profile or other assessment, if an assessment was applied, adjusting the child's school program or school or course assignment, providing more individualized or remedial instruction, providing appropriate vocational courses or work experience, referring the child to a community truancy board, requiring the child to attend an alternative school or program, or assisting the parent or child to obtain supplementary services that might eliminate or ameliorate the cause or causes for the absence from school.
  - c. For any child with an existing individualized education plan or 504 plan, these steps must include the convening of the child's individualized education plan or 504 plan team, including a behavior specialist or mental health specialist where appropriate, to consider the reasons for the absences. If necessary, and if consent from the parent is given, a functional behavior assessment to explore the function of the absence behavior shall be conducted and a detailed behavior plan completed. Time should be allowed for the behavior plan to be initiated and data tracked to determine progress.

Not later than the student's ~~fifth~~ seventh unexcused absence in a month the district will enter into an agreement with the student and parents that establishes school attendance requirements, refer the student to a community ~~truancy~~ engagement board or file a petition and affidavit with the juvenile court alleging a violation of RCW 28A.225.010.

1. If such action is not successful, the district will file a petition and affidavit with the juvenile court alleging a violation of RCW 28A.225.010 by the parent, student or parent and student no later than the seventh unexcused absence within any month during the current school year or upon the ~~tenth~~ fifteenth unexcused absence during the current school year.

The superintendent will enforce the district's attendance policies and procedures. Because the full knowledge and cooperation of students and parents are necessary for the success of the policies and procedures, procedures will be disseminated broadly and made available to parents and students annually.

Unexcused absences from remote learning.

Absences from remote learning must be marked as a "nontruancy remote learning absence" until October 4, 2020. Such absences shall not be marked as excused or unexcused. Beginning October 5, 2020, any absence from remote learning is unexcused unless it meets one of the criteria in WAC 392-401A-020.

## Tardies and Disciplinary Actions

1. Students shall not be absent if:
  - a. They have been suspended, expelled, or emergency expelled pursuant to chapter 392-400 WAC;
  - b. Are receiving educational services as required by RCW 28A.600.015 and chapter 392-400 WAC; and
  - c. The student is enrolled in qualifying "course of study" activities as defined in WAC 392-121-107.
2. A full day absence is when a student is absent for fifty percent or more of their scheduled day.
3. A school or district shall not convert or combine tardies into absences that contribute to a truancy petition.

A student shall be considered absent if they are on school grounds but not in their assigned setting.

Tiered response system for student absences.

WAC 392-401A-045 states:

School districts must implement a tiered response system to reduce chronic absenteeism and address barriers to student engagement in learning during the COVID epidemic. Tiered response systems under this section must include:

- (a) Monitoring daily attendance data for all students who are absent from remote learning, whether excused or unexcused;
- (b) A process to contact families and verify current contact information for each enrolled student that includes multiple attempts and modalities in the parent's home language;
- (c) Daily notification of absences to parents;
- (d) A process for outreach from the school to determine student needs, such as basic needs, connectivity and hardware, connection with health and social services as necessary;
- (e) Differentiated supports that address the barriers to attendance and participation that includes universal supports for all students and tiered interventions for students at-risk of and experiencing chronic absence; and
- (f) When feasible and appropriate, transitioning the students to full-time in-person learning or other program to accommodate the student's needs.

Students dependent pursuant to Chapter 13.34, RCW

A school district representative or certificated staff member will review unexpected or excessive absences of a student who has been found dependent under the Juvenile Court Act with that student and adults involved with that student. Adults includes the student's caseworker, educational liaison, attorney if one is appointed, parent or guardians, foster parents and/or the person providing placement for the student. The review will take into consideration the cause of the absences, unplanned school transitions, periods of running from care, in-patient treatment, incarceration, school adjustment, educational gaps, psychosocial issues, and the student's unavoidable appointments that occur during the school day. The representative or staff member must proactively support the student's management of their school work.

Migrant Students

The district, parent/guardian and student are encouraged to work to create an Extended Absence Agreement with the school to decrease the risk of an adverse effect on the student's educational progress.

Cross References:

3120 - Enrollment  
3230 - Student Privacy and Searches  
3240 - Student Conduct [Expectations and Reasonable Sanctions](#)  
3241 - [Classroom Management, Discipline and Corrective Action](#)  
[Student Discipline](#)  
4218 - Language Access Plan

Legal References

Chapter 28A.225 Compulsory school attendance and admission  
RCW 13.34.300 Relevance of failure to cause juvenile to attend school to neglect petition. Chapter 392-401A WAC Statewide definition of absence for the 2020 –2021 school year.

**Adoption Date: 06.03.03**  
**Stanwood-Camano School District**  
**Revised: 09.05.17; 10.06.20;**