



# Sierra Foothill Charter School

4952 School House Road | Catheys Valley, CA 95306 | sierrafoothillcharterschool.org

## Attendance Policy

Pursuant to EC 48200, every student from the age of 4 to 14 at Sierra Foothill Charter School is required to attend school regularly in order to make a successful transition to the next grade level. All enrolled students, regardless of age, will be held to the same district school attendance rules.

The Governing Board recognizes that a vigilant supervision of attendance to improve attendance rates and to reduce truancy is vital to the learning and achievement of children in our educational care. Improving student attendance and reducing the dropout rate are district priorities reflected in the district LCAP.

Pursuant to EC 48260(a), a student subject to compulsory full-time education or to compulsory continuation education who is absent from school without a valid excuse three full days in one school year or tardy or absent for more than a 30-minute period during the school day without a valid excuse on three occasions in one school year, or any combination thereof, shall be classified as a truant and shall be reported to the attendance supervisor or to the superintendent of the school district.

Because supervision of attendance is an essential component of an effective school attendance program, the Superintendent/Principal will designate a district employee to supervise attendance. The Supervisor of Attendance will be responsible for managing an attendance program that reaches every student, is conducted in collaboration with local resources, uses truancy and dropout data to modify interventions, and shares outcomes with the Superintendent/Principal, all SARB representatives, and the Governing Board.

It is the intent of the Governing Board that the Principal/Superintendent or Supervisor of Attendance shall promote a culture of attendance and establish a system to accurately track pupil attendance in order to achieve all of the following:

- Raise the awareness of school personnel, parents/guardians, community partners, and local businesses of the effects of chronic absenteeism, truancy, and other challenges associated with poor attendance.

- Evaluate data and identify and respond to patterns of chronic absenteeism and truancy.
- Identify and address factors contributing to chronic absenteeism and habitual truancy, including suspension and expulsion.
- Ensure that students with attendance problems are identified as early as possible to provide applicable support services and interventions.
- Evaluate the effectiveness of strategies implemented to reduce chronic absenteeism and truancy rates.

The Supervisor of Attendance must ensure that the attendance program limits excused absences and decreases unexcused absences. EC 48205 enumerates the reasons for excused absences, and the Supervisor of Attendance, the Principal/Superintendent, or the SARB may require verification by a school official or physician if absences for health reasons appear excessive, and may require prior notice from parents/guardians for absences excused for justifiable personal reasons, such as non-emergency appointments or permitted religious instruction or retreats. (EC 46014, 48205)

The Principal/Superintendent may include other reasons for excusing absences that are within discretion based on the facts of the student's circumstances.

The Governing Board believes that excessive student absenteeism and tardiness, whether caused by excused or unexcused absences, may be an early warning sign of poor academic achievement and may put students at risk of dropping out. Therefore, chronic absentees as defined in EC 60901 should be monitored to identify students at risk.

Parents/guardians of students are welcomed partners in improving school attendance. Trust and collaboration should be the objective in communicating and interacting with parents/guardians about school attendance problems. The Principal/Superintendent or Supervisor of Attendance and other staff responsible for supervising attendance shall use appropriate formal and informal school attendance notifications and shall facilitate open, honest, and blame-free discussions about school attendance before designating students as "habitual truants."

The Supervisor of Attendance will conduct full and impartial investigations of all school attendance complaints or referrals and may forward cases of persistent irregular attendance or habitual truancy to the School Attendance Review Board (SARB) for a proper disposition. (EC 48262, 48263, 48290)

Prior to referral to SARB, the Supervisor of Attendance may provide support services and interventions which may include, but are not limited to, any or all of the services and interventions identified in EC 48240(c).

School attendance is a community concern, and the Supervisor of Attendance must collaborate with all appropriate agencies, including law enforcement agencies, as partners in the SARB process to meet the special needs of students with school attendance or school behavior problems. (EC 48262, 48263, 48291, and 48321)

The Principal/ Superintendent and/or SARB is designed to intervene when a student is identified as having problems with school attendance or school behavior. When a student develops a pattern of irregular attendance, including trancies, excessive tardies, early releases, and excessive excused absences, the Principal/Superintendent may refer a student and his/her family to SARB. The Principal/Superintendent or designee is responsible for conducting the SARB meeting and making necessary referrals to the district attorney. SARB is intended to help students solve their problems and divert them away from the juvenile court system.

If a parent/guardian fails to attend SARB meetings or fails to comply with the SARB directives (that is, fails to get the child back in school), the school district may file a criminal complaint against the parent or guardian for violating the compulsory education laws. (EC 48200 through 48324)

### **Excused Absences**

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

1. Personal illness. (EC 46010)
2. Quarantine under the direction of a County or City health officer. (EC 48205)
3. Medical, dental, optometric, or chiropractic appointments. (EC 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. (EC 48205). Immediate family shall be defined as mother, father, grandmother, grandfather, spouse, son/son-in-law, daughter/daughter-in-law, brother, sister, brother-sister-in-law, or any relative living in the student's immediate household. (EC 45194, 48205)
5. The illness or medical appointment during school hours of a child to whom the student is the custodial parent. (EC 48205)
6. Upon advance written request by the parent/guardian and the approval of the Principal/Superintendent or designee, justifiable personal reasons including, but not limited to: (EC 48205)

- a. Appearance in court.
  - b. Attendance at a funeral service.
  - c. Observation of a holiday or ceremony of his/her religion.
  - d. Attendance at religious retreats not to exceed four hours per semester.
  - e. Attendance at an employment conference.
  - f. Jury duty in the manner provided by law.
7. Attendance at an educational conference offered by a nonprofit organization on the legislative or judicial process.
8. Service as a member of a precinct board for an election pursuant to Elections Code 12302. (EC 48205)
9. To spend time with an immediate family member who is an active duty member of the uniformed services, as defined in EC 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. (EC 48205)
10. Participation in religious exercises or to receive moral and religious instruction in accordance with district policy. (EC 46014)
- a. In such instances, the student shall attend at least the minimum school day.
  - b. The student shall be excused for this purpose on no more than four (4) school days per month.

### **Excused Absences with Advanced Written Permission**

The following absences may be excused if approved in writing in advance:

1. County Fair projects/animals.
2. Medical appointment of family members when no childcare is available.
3. Meeting with attorney.
4. Court ordered visitation with parent.
5. Extended time out-of-town for family member funeral.
6. Emergency illness or medical appointment of family members.
7. Natural disasters including fires, floods, landslide and heavy snows making roads impassable.
8. Family emergency.

### **Method of Absence Verification**

When a student who has been absent returns to school, he/she shall present a satisfactory explanation within 3 days, verifying the reason for the absence. Absences shall be verified by the student's parent/guardian or other person having control of the minor. (EC 46012; 5 CCR 306)

The following methods may be used to verify student absences:

1. Written note, fax, email, or voicemail from parent/guardian or parent representative.
2. Conversation, in person, by telephone, by voice mail, or by email 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.
  - 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.
  - a. When excusing students for confidential medical services or verifying such appointments, district staff shall not ask the purpose of such appointments but may contact a medical office to confirm the time of the appointment.
  - b. When a student 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.

### **Method of Notification**

Pursuant with EC 48260.5, upon a student's initial classification as a truant, SFCS shall notify the student's parent or guardian, by using the most cost-effective method possible, which may include electronic mail or a telephone call:

1. That the student is a truant.
2. That the parent/guardian is obligated to compel the attendance of the student at school.
3. That parents/guardians who fail to meet this obligation may be guilty of an infraction and subject to prosecution pursuant to Article 6 (commencing with EC 48290) of Chapter 2 of Part 27.
4. That alternative educational programs are available in the district.
5. That the parent/ guardian has the right to meet with appropriate school personnel to discuss solutions to the student's truancy.
6. That the student may be subject to prosecution under EC 48264.

7. That the student may be subject to suspension, restriction, or delay of the student's driving privilege pursuant to EC 13202.7 of the Vehicle Code.
8. That it is recommended the parent/guardian accompany the student to school and attend classes with the student for one day.

### **Chronic Absenteeism (EC 60901)**

1. For purposes of this section, "chronic absentee" means a pupil who is absent on 10 percent or more of the schooldays in the school year when the total number of days a student is absent is divided by the total number of days the student is enrolled and school was actually taught in the regular day schools of the district, exclusive of Saturdays and Sundays. Once available, chronic absentee rates shall be incorporated into the annual report on dropouts required pursuant to EC 48070.6.
2. It is the intent of the Legislature to support the development of early warning systems to enable the identification and support of individual students who are at risk of academic failure or dropping out of school. The systems shall encompass the following characteristics:
  - a. The utilization of highly predictive indicators, including attendance, course grades or completion, performance on assessments of student achievement, suspensions, and expulsions.
  - b. A thorough validation process to ensure the predictive reliability of the systems.
  - c. Periodic reports that inform the Principal/Superintendent, teachers, and parents/guardians in a manner that enables timely identification and support of individual students who are at risk of academic failure or dropping out.

### **Habitual Truant Mandate**

Any student is deemed an habitual truant who has been reported as a truant three or more times per school year, provided that no student shall be deemed an habitual truant unless an appropriate district officer or employee has made a conscientious effort to hold at least one conference with a parent/guardian of the student and the student, after the filing of either of the reports required by EC 48260 or 48261. For the purposes of this section, a conscientious effort means attempting to communicate with the parents/guardians of the student at least once using the most cost-effective method possible, which may include electronic mail or a telephone call.

### **Education Code Penalties (Student)**

The penalties for truancy for students defined in EC 48264.5 become progressively severe from the first the time a truancy report is required through the fourth time a truancy report is required. (EC 48264.5) Any minor who is required to be reported as a truant pursuant to EC 48260 or 48261 is subject to the following:

1. The first time a truancy report is required, the student may be personally given a written warning by any peace officer specified in Section 830.1 of the Penal Code. A record of written warning may be kept at the school for a period of not less than two years, or until the student graduates or transfers, from that school. If the student transfers, the record may be forwarded to any school receiving the student's school records. A record of the written warning may be maintained by the law enforcement agency in accordance with that law enforcement agency's policies and procedures.
2. The second time a truancy report is required within the same school year, the student may be assigned by the school to an afterschool or weekend study program located within the same county as the student's school. If the student fails to successfully complete the assigned study program, the student shall be subject to subdivision 3.
3. The third time a truancy report is required within the same school year, the student shall be classified a habitual truant, as defined in EC 48262, and may be referred to and required to attend an attendance review board or a truancy mediation program pursuant to EC 48263 or pursuant to Section 601.3 of the Welfare and Institutions Code. If the district does not have a truancy mediation program, the student may be required to attend a comparable program deemed acceptable by the school district's attendance supervisor. If the student does not successfully complete the truancy mediation program or other similar program, the student shall be subject to subdivision 4.
4. The fourth time a truancy is required to be reported 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 pursuant to Section 601 of the Welfare and Institutions Code. If the student is adjudged a ward of the juvenile court, the student shall be required to do one or more of the following:
  - a. Performance at court-approved community services sponsored by either a public or private nonprofit agency for not less than 20 hours but not more than 40 hours over a period not to exceed 90 days, during a time other than the student's hours of school attendance or employment. The probation officer shall report to the court the failure to comply with this paragraph.
  - b. Payment of a fine by the student of not more than one hundred dollars (\$100) for which a parent/guardian of the student may be jointly liable.

- c. Attendance of a court-approved truancy prevention program.
- d. Suspension or revocation of driving privileges pursuant to Section 13202.7 of the Vehicle Code. This subdivision shall apply only to a student who has attended a school attendance review board program, or a truancy mediation program pursuant to subdivision c.

### **Education Code Penalties (Parents/Guardians)**

Penalties against parents/guardians apply when any parent, guardian, or other person having control or charge of any student fails to compel the student to attend school. The penalties against parents in EC 48293(a) become progressively severe with a second and third conviction as follows.

EC Section 48293(a): Any parent, guardian, or other person having control or charge of any pupil who fails to comply with this chapter, unless excused or exempted therefrom, is guilty of an infraction and shall be punished as follows:

1. Upon a first conviction, by a fine of not more than one hundred dollars (\$100).
2. Upon a second conviction, by a fine of not more than two hundred fifty dollars (\$250).
3. Upon a third or subsequent conviction, if the person has willfully refused to comply with this section, by a fine of not more than five hundred dollars (\$500).

In lieu of the fines prescribed in paragraphs 1, 2, and 3, the court may order the person to be placed in a parent education and counseling program.

EC Section 48293(b): A judgment that a person convicted of an infraction be punished as prescribed in subdivision (a) may also provide for the payment of the fine within a specified time or in specified installments, or for participation in the program. A judgment granting a defendant time to pay the fine or prescribing the days of attendance in a program shall order that if the defendant fails to pay the fine, or any installment thereof, on the date it is due, he or she shall appear in court on that date for further proceedings. Willful violation of this order is punishable as contempt.

EC Section 48293(c): The court may also order that the person convicted of the violation of subdivision (a) immediately enroll or re-enroll the pupil in the appropriate school or educational program and provide proof of enrollment to the court. Willful violation of an order under this subdivision is punishable as civil contempt with a fine of up to one thousand dollars (\$1,000). An order of contempt under this subdivision shall not include imprisonment.



Penal Code Section 270.1. states: A parent or guardian of a pupil of six years of age or more who is in kindergarten or any of grades one to eight, inclusive, and who is subject to compulsory full-time education or compulsory continuation education, whose child is a chronic truant as defined in Section 48263.6 of the EC, who has failed to reasonably supervise and encourage the pupil's school attendance, and who has been offered language accessible support services to address the pupil's truancy, is guilty of a misdemeanor punishable by a fine not exceeding two thousand dollars (\$2,000), or by imprisonment in a county jail not exceeding one year, or by both that fine and imprisonment.

### **Parent/Guardian Notification**

The Principal/Superintendent will send a letter home to parents/guardians at a student's third unexcused absence or excessive absence (10% year to date). When a student has received five unexcused absences or repeated excessive absence (10% year to date) the Principal/Superintendent will send home a second letter to parents/guardians notifying them of a meeting date and time to discuss absences. If/when a student reaches ten unexcused absences or repeated excessive absences (10% year to date), the Principal/Superintendent will contact probation to deliver a third letter. A SARB referral may follow if a fourth notification is required.

SFCS Board Approved on October 24, 2017