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Lawfully Addressing Student Truancy


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Four Steps to Addressing Truancy




- 1) Understand the Limitations and Resources that Apply to School Districts that do not Apply to Charter Schools
- 2) Identify Applicable Provisions in your Charter/MOU
- 3) Adopt a Strong Attendance Policy
- 4) Align Other Policies/Procedures




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Step One School Districts – Do They Have it Easy?




- 1) Specific Provisions Within the Education Code Defining Truancy
- 2) School Attendance Review Board
- 3) District Attorney Support
- 4) Clear Intent of the Legislature For Alternatives to Suspension or Expulsion in Response to Truancy




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Step Two:
What Might Be In Your Charter or
MOU?




- 1) Suspension/Expulsion Provisions Related to Truancy
- 2) Definitions of Truancy and/or Excused Absences
- 3) Minimum Attendance Requirements
- 4) Establishing the Charter School or any Part of the Charter School as Nonclassroom Based Versus Site Based



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Step 3
Adopt a Strong Attendance Policy
Overview




- A. Establishing Minimum Attendance Requirements
- B. Defining Excused Absences
- C. Defining Truancy
- D. Identifying Charter School Responses to Truancy



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Step 3
Adopt a Strong Attendance Policy
- minimum attendance requirements



Establish the Charter School as Classroom Based or Nonclassroom Based or Some Combination Thereof.


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Step 3

Adopt a Strong Attendance Policy

- excused absences

integrity

noun 1. adherence to principles; soundness of character

Defining Excused Absences

Defined by the School or Defined by Education Code Section 48205?

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Education Code Section 48205:

- excused absences

integrity

noun 1. adherence to principles; soundness of character

- Pupil illness
- Medical, dental, optometrical or chiropractic services
- Funeral services for immediate family (in CA) and three days (outside CA)
- Jury duty
- Illness or Medical Appointment of child for whom the pupil is the custodial parent
- Serving as a member of a precinct board for an election
- For purpose of spending time with a member of the pupil's immediate family who is an activity duty member of the uniformed service and has been called to duty for, is on leave from, or has immediately returned from deployment to a combat zone or combat support position.

- Naturalization ceremony to become a U.S. Citizen
- For justifiable personal reasons, including, but not limited to an appearance in court, attendance at a funeral service, observance of a holiday or ceremony of the pupil's religion, attendance at religious retreats, attendance at an employment conference, or attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization when the pupil's absence is requested in writing by the parent or guardian and approved by the principal
- Discretionary Absences by administrator.

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Step 3

Adopt a Strong Attendance Policy

- defining truancy

integrity

noun 1. adherence to principles; soundness of character

Defining Truant, Habitual Truant, and Chronic Absentee


Defined by the School or Defined by Education Code Section 48260 et. seq. and Section 60901?

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Adopt a Strong Attendance Policy
Education Code Section 48260-48261




Truant: A pupil 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 schoolday without a valid excuse on three occasions in one school year.

Any pupil who has once been reported as a truant and who is again absent from school without valid excuse one or more days, or tardy on one or more days, shall again be reported as a truant.



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Step 3
Adopt a Strong Attendance Policy
Education Code Section 48262




Habitual Truant: Any pupil is deemed an habitual truant who has been reported as a truant three or more times per school year, provided that no pupil 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 or guardian of the pupil and the pupil himself, and after filing required truancy reports.


A "conscientious effort" means attempting to communicate with the parents of the pupil at least once using the most cost-effective method possible, which may include electronic mail or a telephone call.


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Step 3
Adopt a Strong Attendance Policy
Education Code Section 60901




Chronic Absentee: A pupil who is absent on 10 percent or more of the schooldays in the school year when the total number of days a pupil is absent is divided by the total number of days the pupil is enrolled and school was actually taught in the regular day schools of the district, exclusive of Saturdays and Sundays


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Step 3


Adopt a Strong Attendance Policy

Identifying Charter School Responses to Truancy



Create a process that includes progressive interventions (i.e. parental notices, meetings, counseling, Saturday school*, hearing in front of a school attendance review team)

*charter schools cannot collect ADA for Saturday School




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Step 3

Adopt a Strong Attendance Policy

Identifying Charter School Responses to Truancy



- Consider utilizing a standing "team" to address truancy (i.e. a **"Student Attendance Review Team (SART)"**).
- Consider whether your charter school has access to a County or District **Student Attendance Review Board (SARB)**.
- Consider creating **"Attendance Agreements"** to document agreed upon truancy interventions.
- Consider a referral to the local **District Attorney's Office**.
- Identify potential causes of truancy that **must** be addressed through further investigation, assessment or action (i.e. bullying or student disability/special education needs)




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Adopt a Strong Attendance Policy

Withdrawal of Student After Truancy?




- Withdrawal after truancy should be described within the approved charter and the policy.
- Many charter authorizers will disapprove of a charter school withdrawing a student in response to truancy.
- Utilize only after other interventions as described in the charter school's process have been attempted and only in accordance with the triggers established in the policy.
- Notice legally required at least five school days prior to the date of withdrawal.




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Step 3
Adopt a Strong Attendance Policy
Notice of Withdrawal and Right to a Hearing




- No less than five (5) school days before the effective date of disenrollment provide written notice of intent to disenroll in their native language that accomplishes the following:
 - Notifies parents of the charges against the pupil and an explanation of the pupil's basic rights.
 - Provides for a hearing adjudicated by a neutral officer
 - if a hearing is requested, the pupil shall remain enrolled until the final decision.
- If hearing is requested, hold a hearing in accordance with the procedures described within the approved charter, including a prior manifestation determination for students covered under the IDEA/Section 504.
- If Student is withdrawn, notice must be sent to the district of residence within 30 days.


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Step 3
Adopt a Strong Attendance Policy
Missing in Action Students



- Students who register for school but don't show up at the beginning of the school year and don't respond to requests for information.
- Students who just stop attending and don't respond to requests for information.



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Step 3
Adopt a Strong Attendance Policy
Missing in Action Students



Ensure your attendance policy addresses these students specifically:

- Establishes a standard for disenrollment – i.e. three phone calls, three emails, one letter, one home visit and fourteen days of consecutive non-attendance.
- Offers a hearing in writing prior to disenrollment.
- Provides protections for students with disabilities as applicable.
- Escalates disenrollment if the student is found enrolled elsewhere on CALPADS.
- Sends notice to the district of residence upon disenrollment.


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Step 4

Align Other Policies and Procedures

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The point of the strong attendance policy is to provide notice to parents/students of attendance rules and the consequences for failure to attend and to create a consistent process for the School to follow for all students.

Other inconsistent policies/procedures or an inconsistent student handbook will detract from the purpose of the attendance policy.

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A Word On Final Steps

- Create a strong attendance policy that aligns with the school – classroom based or nonclassroom based.
- Disenrollment only in accordance with the charter and the approved policy and only after the mandatory notice and offer of a hearing.
- Send notice within 30 days of the disenrollment to the district of residence.
- Realize that the charter authorizer may question your ability to disenroll for truancy.

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QUESTIONS AND RESPONSES

THANKS FOR ATTENDING TODAY!

SACRAMENTO OFFICE:

655 UNIVERSITY AVENUE

SUITE 150

SACRAMENTO, CA 95825

LOS ANGELES OFFICE:

5206 LANKERSHIM BLVD.

SUITE 219

NORTH HOLLYWOOD, CA 91601

SAN DIEGO OFFICE:

591 CAMINO DE LA REINA

SUITE 819

SAN DIEGO, CA 92108

WALNUT CREEK OFFICE:

500 YONACIO VALLEY ROAD

SUITE 100

WALNUT CREEK, CA 94596

SAMPLE NONCLASSROOM BASED ATTENDANCE POLICY

DO NOT USE WITHOUT CLOSELY TAILORING TO THE SCHOOL'S CHARTER AND OTHER POLICIES/PROCEDURES AND WITHOUT ADVICE OF LEGAL COUNSEL.

[INSERT CHARTER SCHOOL LETTERHEAD]

Attendance/ Missed Assignment Policy

POLICY NO: **[INSERT [LAC1]]**

Per California Education Code Section 51747, **[INSERT NAME OF SCHOOL]** ("School") maintains a board policy establishing **[INSERT NUMBER FROM BOARD POLICY]** as the number of missed assignments that will be allowed before an evaluation is conducted to determine whether it is in the best interest of the pupil to remain in independent study.

Evaluation After Missed Assignments

After **[INSERT NUMBER FROM BOARD POLICY]** missed assignments an evaluation will be conducted by the **[TITLE OF ADMINISTRATOR]** and/or designee and supervising teacher to determine whether it is in the best interests of the pupil to remain enrolled in independent study. The evaluation may include but is not limited to the review of the following:

- 1) Attendance based on completion of assignments as quantified by the assigned supervising teacher;
- 2) Demonstration of skills on assignments;
- 3) Standardized test scores;
- 4) Written tests and reports if appropriate;
- 5) Oral or written presentations;
- 6) Pupil's attitude toward learning and achievement;
- 7) Punctual attendance at scheduled appointments;
- 8) Ability to meet scheduled appointments;
- 9) Preparedness for scheduled appointments;
- 10) Pupil demonstration of adequate and appropriate progress toward
- 11) Common Core State Standards;
- 12) Appropriate learning environment;
- 13) Parent(s) ability to support pupil learning in the home.

As part of the evaluation process, the pupil, parent(s), guardian(s) or if the pupil is a foster child or youth or a homeless child or youth, the pupil's educational rights holder (all generally referred throughout as "Parent(s)") will be invited to present evidence to the individual or individuals conducting the evaluation. During this meeting, the School will determine whether it is in the best interest of the pupil to remain in independent study. A written record of the findings of any evaluation made pursuant to this subdivision shall be maintained in the pupil's mandatory interim record.

Additional Consideration for Pupils with a Section 504 Plan or IEP:

If the School recommends removal from independent study as a result of the Evaluation After Missed Assignments and the pupil has a Section 504 Plan or IEP, the Charter School shall schedule an IEP meeting or Section 504 meeting (as applicable) following applicable legal timelines, to determine the following:

- 1) Whether the missed assignments were caused by or had a direct and substantial relationship to the pupil's disability; or



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- 2) Whether the missed assignments were the direct result of the School's failure to implement the IEP or Section 504 Plan, as applicable.

If the answer to either (1) or (2), above, is yes, then the missed assignments are a manifestation of the pupil's disability and the School will follow applicable state and federal laws to ensure that the pupil is offered a free appropriate public education.

If the answer to either (1) and (2), above, is no, then the pupil may be removed from independent study consistent with this policy.

This meeting may be combined with the Evaluation After Missed Assignments at the discretion of the School.

Notice of Decision and Opportunity to Request a Hearing Prior to Removal

Once the evaluation is complete, if it is determined that it is not in the best interest of the pupil to remain enrolled in the independent study program, the Parent(s) shall be notified in writing of the School's intent to remove the pupil as it is not in their best interest to remain in independent study. The Notice shall be in the native language of the Parent(s) and provided no less than five (5) schooldays before the effective date of pupil's removal. The Notice shall include the following:

- 1) The School's intent to remove the pupil as it is not in their best interest to remain in independent study:
- 2) The opportunity of the Parent(s) to request a hearing that follows the same procedures as the School's disciplinary hearing. Parent(s) (or the pupil if over 18) must submit the request for hearing writing within five (5) calendar days from the date of the Notice.
- 3) If Parent(s) or pupil over 18 requests a hearing:
 - a. It will be scheduled following the School's expulsion hearing procedures as outlined in the School's approved charter[LC2].
 - b. The pupil shall remain enrolled and shall not be removed until the School issues a final decision[LC3].
- 4) If no hearing is requested, the pupil shall be removed from the school on the date listed on the notice.

SAMPLE NOTICE OF WITHDRAWAL TO DISTRICT OF RESIDENCE

DO NOT USE WITHOUT CLOSELY TAILORING TO THE SCHOOL'S CHARTER AND OTHER POLICIES/PROCEDURES AND WITHOUT ADVICE OF LEGAL COUNSEL.

[SCHOOL LETTERHEAD]

[Date]

Via: Certified Mail
Return Receipt Requested

[Name], Superintendent
[Address]

Re: Notice Pursuant to Education Code Section 47605(d)(3)
Student: [Insert Name]
DOB: [Insert Date of Birth]
Grade: [Insert] Grade

Dear Superintendent [Insert Name]:

Pursuant to Education Code Section 47605(d)(3), please be advised that as of [INSERT DATE] the above-named student has withdrawn from enrollment from [INSERT NAME OF SCHOOL] ("Charter School").

The above mentioned student's last known address is as follows:

[Insert last known address]

Charter School will provide the District with a copy of the student's cumulative record, including a transcript of grades or report card, attendance information, and health information upon receipt of written request. Please mail all written requests to:

[INSERT CONTACT INFO]

Sincerely,

[Insert Name and Title]

Cc: [Name], Parent
File



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[INSERT CHARTER SCHOOL LETTERHEAD]

INSERT NAME OF CHARTER SCHOOL ATTENDANCE POLICY

POLICY NO. [INSERT][LAC1]

It is the intent of the Governing Board of the **INSERT CHARTER SCHOOL NAME** ("Charter School") to ensure that students attend school every day on time. Consistent school attendance is critical to school success. Being present for classroom instructional time is essential for students to reach their goals and achieve their dreams. Chronic absenteeism has been linked to an increased likelihood of poor academic performance, disengagement from school and behavior problems.

Excused Absences for Classroom Based Attendance

Absence from school shall be excused only for health reasons, family emergencies and justifiable personal reasons, as permitted by law or Board policy.

A student's absence 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. Participation in religious instruction or exercises in accordance with Charter School policy:
 - a. The student shall be excused for this purpose on no more than four school days per month.
6. For the purposes of jury duty.
7. Due to the illness or medical appointment during school hours of a child of whom the pupil is the custodial parent.
8. To permit the pupil to spend time with an immediate family member on active duty or uniformed services and for the pupil to spend time with family when the family has been deployed to a combat zone or combat support position.
9. For purpose of serving as a member of a precinct board for an election pursuant to Election Code Section 12302.
10. Attendance at the pupil's naturalization ceremony to become a United States citizen.

In addition, a student's absence shall be excused for justifiable personal reasons such as:

1. Appearance in court;



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2. Attendance at a funeral;
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. Attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization upon request by parent and approval by the Principal or designee.

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. Signed, written note from parent/guardian, parent representative;
2. Conversation, in person or by telephone, 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 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. A written recording shall be made, including information outlined above.
4. Healthcare provider verification
 - a. When excusing students for confidential medical services or verifying such appointments, Charter School staff shall not ask the purpose of such appointments but may contact a medical office to confirm the time of the appointment.
 - b. A healthcare provider's note of illness will be accepted for any reported absence. When a student has had 14 absences in the school year for illness verified by methods listed in #1-#3 above without a healthcare provider's note, any further absences for illness must be verified by a healthcare provider.

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

Students should not be absent from school without their parents/guardians' knowledge or consent except in cases of medical emergency. Student absence for religious instruction or participation in religious exercises away from school property may be considered excused subject to administrative regulations and law.



SAMPLE CLASSROOM BASED ATTENDANCE POLICY

DO NOT USE WITHOUT CLOSELY TAILORING TO THE SCHOOL'S CHARTER AND OTHER POLICIES/PROCEDURES AND WITHOUT ADVICE OF LEGAL COUNSEL.

Unexcused Absences/Truancy for Classroom Based Attendance

Students shall be classified as truant if the student is absent from school without a valid excuse three full days in one school year, or if the student is 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. Any pupil who has once been reported as a truant and who is again absent from school without valid excuse one or more days, or tardy on one or more days, shall again be deemed a truant. [MM2] Such students shall be reported to the Principal [MM3] or designee.

Any pupil who has been reported as a truant three or more times per school [LAC4] is deemed a habitual truant. In addition, students shall be classified as a chronic truant if the student is absent from school without a valid excuse for 10 percent or more of the school days in one school year, from the date of enrollment to the current date. [MM5]

The Principal, or designee, shall implement positive steps to reduce truancy, including working with the family in an attempt to resolve the attendance problem. A student's progress and learning may be affected by excessive unexcused absences. In addition, the Charter School is fiscally dependent on student attendance and is negatively impacted by excessive unexcused absences. If all attempts to resolve the student's attendance problem are unsuccessful, the Charter School will implement the processes described below.

Process for Addressing Truancy

1. Each of the first two (2) unexcused absences or unexcused tardies over 30 minutes will result in a call home to the parent/guardian by the Principal or designee. The student's classroom teacher may also call home.
2. Each of the third (3rd) and fourth (4th) unexcused absences or unexcused tardies over 30 minutes will result in a call home to the parent/guardian by Principal or designee. In addition, the student's classroom teacher may also call home and/or the Charter School may send the parent an e-mail notification. In addition, upon reaching three (3) unexcused absences or unexcused tardies over 30 minutes in a school year, the parent/guardian will receive "Truancy Letter #1 [LAC6]" from the Charter School notifying the parent/guardian of the student's "Truant" status. This letter must be signed by the parent/guardian and returned to the Charter School. This letter shall also be accompanied by a copy of this Attendance Policy. This letter, and all subsequent letter(s) sent home, shall be sent by Certified Mail, return receipt requested, or some other form of mail that can be tracked.
3. Upon reaching five (5) unexcused absences or unexcused tardies over 30 minutes, the parent/guardian will receive "Truancy Letter #2 – Conference Request," notifying the parent/guardian of the student's "Habitual Truant" status and a parent/guardian conference will be scheduled to review the student's records and develop an intervention plan/contract. In addition, the Charter School will consult with a school counselor regarding the appropriateness of a home visitation and/or case management. [MM7]



SAMPLE CLASSROOM BASED ATTENDANCE POLICY

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4. Upon reaching six (6) unexcused absences or unexcused tardies over 30 minutes, the student will be referred to a Student Success Team (SST) and the School Attendance Review Team (SART). In addition, the parent/guardian will receive a Truancy Letter #3," and will be asked/invited to attend an evening assembly for parents/guardians of chronically absent students. [MM8]
5. The SART [MM9] panel will be composed of [INSERT ADMINISTRATORS AND/OR OTHER CERTIFICATED PERSONNEL WHO WILL BE ON THE SART PANEL]. The SART panel will discuss the absence problem with the Parent/Guardian to work on solutions, develop strategies, discuss appropriate support services for the student and his/her family, and establish a plan to resolve the attendance issue.
 - a. The SART panel shall direct the parent/guardian that no further unexcused absences or tardies can be tolerated.
 - b. The parent shall be required to sign a contract formalizing the agreement by the parents to improve the child's attendance or face additional administrative action. The contract will identify the corrective actions required in the future, and indicate that the SART panel shall have the authority to order one or more of the following consequences for non-compliance with the terms of the contract:
 - i. Parent/guardian to attend school with the child for one day
 - ii. Student retention
 - iii. After school detention program
 - iv. Required school counseling
 - v. Loss of field trip privileges
 - vi. Loss of school store privileges
 - vii. Loss of school event privileges
 - viii. Mandatory Saturday school [LAC10]
 - ix. Required remediation plan as set by the SART
 - x. Notification to the District Attorney
 - c. The SART panel may discuss other school placement options.
 - d. Notice of action recommended by the SART will be provided in writing to the parent/guardian.
6. If the conditions of the SART contract are not met, the student may incur additional administrative action up to and including disenrollment from the Charter School, consistent with the Involuntary Removal Process described below. If the student is disenrolled after the Involuntary Removal Process has been followed, notification will be sent within thirty (30) days to the student's last known district of residence.
7. For all communications set forth in this process, the Charter School will use the contact information provided by the parent/guardian in the registration packet. It is the parent's or guardian's responsibility to update the Charter School with any new contact information.
8. If student is absent ten (10) or more consecutive school days without valid excuse and parent/guardian cannot be reached at the number or address provided in the registration packet and does not otherwise respond to the Charter School's communication attempts, as set forth above, the student will be in violation of the SART contract, and the SART panel will recommend that the student be disenrolled in compliance with the Involuntary Removal Process described below. [MM11]

SAMPLE CLASSROOM BASED ATTENDANCE POLICY

DO NOT USE WITHOUT CLOSELY TAILORING TO THE SCHOOL'S CHARTER AND OTHER POLICIES/PROCEDURES AND WITHOUT ADVICE OF LEGAL COUNSEL.

Process for Students Who Are Not in Attendance at the Beginning of the School Year

When students are not in attendance on the first five (5) days of the school year, the Charter School will attempt to reach the parent/guardian on a daily basis for each of the first five days to determine whether the student has an excused absence, consistent with the process outlined in this policy. If the student has a basis for an excused absence, parents must notify the Charter School of the absence and provide documentation consistent with this policy. However, consistent with process below, students who are not in attendance due to an unexcused absence by the fifth day of the school year will be disenrolled from the Charter School roster after following the Involuntary Removal Process described below, as it will be assumed that the student has chosen another school option.

1. Students who are not in attendance on the first day of the school year will be contacted by phone to ensure their intent to enroll in the Charter School.
2. Students who have indicated their intent to enroll but have not attended by the third day of the school year will receive a letter indicating the student's risk of disenrollment.
3. Students who have indicated their intent to enroll but have not attended by the fifth day of the school year will receive a phone call reiterating the content of the letter.
4. The Charter School will send the Involuntary Removal Notice to the Parent/Guardian and follow the Involuntary Removal Process described below for any students who have not attended by the sixth day, and do not have an excused absence. The Involuntary Removal Process can be started immediately upon the Charter School receiving documentation of Student's enrollment and attendance at another public or private school (i.e. a CALPADS report).
5. The Charter School will use the contact information provided by the parent/guardian in the registration packet.
6. Upon removal, the last known school district of residence will be notified of the student's failure to attend the Charter School and the disenrollment within thirty days of the disenrollment.

Involuntary Removal Process^[MMM12]

No student shall be involuntarily removed by the Charter School for any reason unless the parent or guardian of the student has been provided written notice of intent to remove the student no less than five (5) schooldays before the effective date of the action ("Involuntary Removal Notice"). The written notice shall be in the native language of the student or the student's parent or guardian or, if the student is a foster child or youth or a homeless child or youth, the student's educational rights holder. The Involuntary Removal Notice shall include the charges against the pupil and an explanation of the pupil's basic rights including the right to request a hearing before the effective date of the action. The hearing shall be consistent with the Charter School's expulsion procedures. ^[MMM13] If the student's parent, guardian, or educational rights holder requests a hearing, the student shall remain enrolled and shall not be removed until the Charter School issues a final decision.

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Upon parent/guardian request for a hearing, the Charter School will provide notice of hearing consistent with its expulsion hearing process, through which the pupil has a fair opportunity to present testimony, evidence, and witnesses and confront and cross-examine adverse witnesses, and at which the pupil has the right to bring legal counsel or an advocate. The notice of hearing shall be in the native language of the student or the student's parent or guardian or, if the student is a foster child or youth or a homeless child or youth, the student's educational rights holder and shall include a copy of the Charter School's expulsion hearing process^[LAC14].

If the parent/guardian is nonresponsive to the Involuntary Removal Notice, the Student will be disenrolled as of the effective date set forth in the Involuntary Removal Notice. If parent/guardian requests a hearing and does not attend on the date scheduled for the hearing the Student will be disenrolled effective the date of the hearing.

If as a result of the hearing the student is disenrolled, notice will be sent to the student's last known district of residence within thirty (30) days.

A hearing decision not to disenroll the student does not prevent the Charter School from making a similar recommendation in the future should student truancy continue or re-occur.

Referral to Appropriate Agencies or County District Attorney:

It is the Charter School's intent to identify and remove all barriers to the student's success, and the Charter School will explore every possible option to address student attendance issues with the family. For any unexcused absence, the Charter School may refer the family to appropriate school-based and/or social service agencies.^[B15]

If a child's attendance does not improve after a SART contract has been developed according to the procedures above, or if the parents fail to attend a required SART meeting, the Charter School shall notify the District's Attorney's office, which then may refer the matter for prosecution through the court system. Students 12 years of age and older may be referred to the juvenile court for adjudication.

Non-Discrimination

These policies will be enforced fairly, uniformly, and consistently without regard to the characteristics listed in Education Code Section 220 (actual or perceived disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code or association with an individual who has any of the aforementioned characteristics).



SAMPLE CLASSROOM BASED ATTENDANCE POLICY

DO NOT USE WITHOUT CLOSELY TAILORING TO THE SCHOOL'S CHARTER AND OTHER POLICIES/PROCEDURES AND WITHOUT ADVICE OF LEGAL COUNSEL.

Reports

The Principal, or designee, shall gather and report to the Governing Board the number of absences both excused and unexcused as well as students who are truant, and the steps taken to remedy the problem.

Adopted/Ratified: **[INSERT]**

Revision Date:

SAMPLE



YOUNG, MINNEY & CORR, LLP

CHAMPIONS OF OUTSTANDING CHOICES IN
PUBLIC EDUCATION FOR ALL CHILDREN

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