

**ABLE Board Policy No. 2 - S/A
Students and Assistance**

**POLICY ON STUDENT ATTENDANCE
ADDRESSING TRUANCY, CHRONIC ABSENTEEISM, AND
THE SCHOOL ATTENDANCE REVIEW BOARD**

I. Purpose

This policy is intended to describe requirements and procedures relating to student attendance, intervention strategies used to address unexcused absences and chronic absenteeism, and the consequences for truancy and chronic absenteeism.

II. Attendance and Excused Absences

Regular attendance is required by current law, expected by ABLE, and considered essential to students' success. Days missed can never be replaced.

In addition to any reasons approved by the Superintendent or designee, the significant and common reasons for excused absences include:

1. student illness;
2. quarantine by a doctor's order;
3. medical, dental, or chiropractic appointment; and
4. bereavement.

Parents/Guardians MUST communicate with the ABLE office regarding student absence. At least fifteen minutes prior to the start of school, or as soon as possible in exigent cases preventing advance notice, parents/guardians must call in and communicate **any** absence to the ABLE office (209-478-1600). The resulting absence will be considered as excused if it meets one of the accepted reasons described above. In all other cases, the absence will be deemed unexcused unless, upon a showing of good cause, a different determination is made within the sole discretion of the Superintendent or designee. ***Absences are expected to be cleared via telephone on the same day as the absence. Unexcused absences are not permitted.***

III. Refusal Of State-Mandated Vaccinations

When staff are aware of a student who is absent because the parent/guardian refuses to complete all vaccinations required by law, ABLE promptly provides a **Mandated Vaccination Notice**. This written notice informs parent of the following: ABLE's legal obligation to provide a healthy and safe work and campus environment, current legal requirements for obtaining vaccinations, and a conditional transition timeline for which all vaccinations must be completed for the student as prescribed by law. If parent fails to respond to this request, or continues to refuse vaccinations for the student, ABLE provides the parent with a **Withdrawal Notice** (see section V) including the right to request a hearing before the School Attendance Review Board. **If the parent does not request a hearing within 10 calendar days as described in section V, the student is withdrawn from ABLE.**

IV. Truancy and Chronic Absenteeism

Current law defines a truancy as a student missing more than 30 minutes of instruction without an excuse three times during the school year, specifically three 3 days of unexcused absence or three 3 tardies of 30 minutes or more. Chronic absenteeism is defined as missing more than 10% of class time; thus, a student who misses 18 or more days in a single school year or who is on track to miss 18 or more school days during the current school year is considered chronically absent.

V. Written Notices and Re-Engagement Requirements

Recognizing that a pattern or practice of school absences can adversely impact student achievement and academic progress, written notices with the following re-engagement strategies are distributed by ABLE to parents as follows:

- Upon 3 unexcused absences or a combination of 6 unexcused and excused absences of a student, the parent/guardian receives an **Excessive Absence Notice** which is an initial written notice including re-engagement requirements for parent and/or student.
- Upon 6 unexcused absences or a combination of 9 unexcused and excused absences of a student, the parent/guardian receives a **Chronic Absence Notice** which is a second written notice including re-engagement requirements for parent and/or student along with an appointment for an **Attendance Intervention Meeting** during which the reasons for the student's absenteeism will be discussed and an **Attendance Contract** will be entered into and signed by the parent/guardian, the student, and designated ABLE staff.
- Upon 9 unexcused absences or a combination of 12 unexcused and excused absences of a student, the parent/guardian receives a **Withdrawal Notice**, a final notice indicating the student is withdrawn from ABLE. This notice will explain the process and timeline for requesting a SARB hearing. The withdrawal becomes effective and final 10 days from the date of the notice unless a request for hearing before the School Attendance Review Board (SARB) is filed – and scheduled - within that time.

Each notice includes a reference to the ABLE website for accessing a copy of this policy and, if applicable, explains the school's obligation to report truant students to an appropriate school authority. Also, each notice explains that any failure to follow the terms and conditions of the notice may be considered by the School Attendance Review Board at any future hearing.

The first two notices include a written acknowledgement to be signed and dated by both parent/guardian and student (grades 5-12) and returned to ABLE no later than 5 calendar days from receipt of notice. This acknowledgment represents that parent/guardian and student (grades 5-12) reviewed, understand, and agree to follow the terms and conditions of the notice. In addition, the first two notices include re-engagement requirements for

parent/guardian and/or student to help improve the student's attendance including, but not be limited to, one or more of the following:

1. respond in a timely manner to staff requests for communication, excuse, and documentation regarding any absence – including signing and returning notices detailed above;
2. attend all scheduled meetings to discuss the attendance issues - or take the initiative to reschedule a meeting if there is a conflict;
3. contact a teacher or other staff for feedback regarding student attendance and behavior on a regular basis;
4. check in daily with a designated school staff member to ensure student is on time and ready to learn;
5. consult with designated school staff for referral to obtain health services, social services, or any other assistance to help sustain ongoing good attendance; and
6. arrange for the necessary transportation of the student to campus or communicate with staff if transportation is an insurmountable challenge to regular attendance.

VI. School Attendance Review Board

Upon receiving the **Withdrawal Notice**, the third and final notice withdrawing the student from ABLÉ, the parent and/or student may request a hearing before the School Attendance Review Board (SARB) within 10 calendar days of the date of the final notice by calling the school office and speaking to the ABLÉ Attendance Assistant.

The SARB consists of the Chief Compliance Officer, one school administrator, and one principal or teacher, as designated by the Superintendent or designee. The SARB members will be chosen on the basis of achieving an independent and objective process. Upon receiving a hearing request, a SARB hearing will be held no sooner than 10 calendar days from the date of the receipt of the request. The **SARB Hearing Notice**, to be provided to the parent/guardian, will describe or state the following:

- date and time of the hearing, the name of the presiding hearing officer, the location of the hearing, and the reasons for and the purpose of the hearing;
- attendance by the parent/guardian and student is mandatory and they may bring a representative to the hearing;
- contact information in case the parent/guardian needs to re-schedule the hearing upon a showing of good cause as determined by the presiding hearing officer;
- evidence (verbal or written) may be submitted at the hearing to show why the student will discontinue being absent;
- that the sole issue to determine at the hearing is whether there is a reasonable belief (objective standard) that it is more likely than not the student will continue to miss future days of school without an acceptable excuse;
- failure to appear at the hearing could result in a decision by the SARB without the opportunity for any further input;
- a final decision by the SARB or the Superintendent may result in the student being immediately disenrolled from ABLÉ;
- the decision may be appealed to the Superintendent within 10 calendar days of serving the decision and, if no appeal is made, the decision is final and not subject to any further appeal to ABLÉ;

- an appeal to the Superintendent is limited to whether there is substantial evidence to support the decision and whether the notice and hearing process complied with current procedures;
- the Superintendent will decide whether to sustain or modify a decision within ten (10) calendar days after receiving full and complete information including meeting(s) with the parent/guardian, the student, and the ABLÉ staff, if deemed necessary or appropriate by the Superintendent; and
- the decision of the Superintendent is final and not subject to any further appeal to ABLÉ.

Revised: May 17, 2023