

## EXCUSED AND UNEXCUSED ABSENCES

### Definition of absence from in-person learning

WAC 392-401-015 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:
    - Instruction;
    - Any instruction-related activity; or
    - 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. 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 appropriately 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 shall govern the development and administration of attendance procedures within the district:

**Valid excuses for absences**

1. Illness, health condition or medical appointment, (including, but not limited to, medical, counseling, dental or optometry, pregnancy, and in-patient or out-patient treatment for chemical dependency of 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 or serving on a jury;
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 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.

The school principal (or designee) has the authority to determine if an absence meets the above criteria for an excused absence.

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.
3. 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 10 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 shall 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. A conference with the parent or guardian shall be held after three unexcused absences within any month during the current school year. A conference shall be scheduled to determine what corrective measures should be taken to ameliorate the cause for the student's absences from school. 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 parent shall be notified 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
      - 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.
      - 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.
  6. Not later than the student's fifth 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 board or file a petition and affidavit with the juvenile court alleging a violation of RCW 28A.225.010.
  7. 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 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 shall 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.
4. A student shall be considered absent if they are on school grounds but not in their assigned setting.

### **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.

### **Tiered response system for student absences**

WAC 392-401A-045 states:

1. 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.

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Cross References:	Board Policy	3120 3230 3200 4218	Enrollment Student Privacy Student Rights & Responsibilities Language Access Plan
Legal References:	RCW	13.34.300	Relevance of failure to cause juvenile to attend school to

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	28A.225	neglect petition Compulsory School Attendance
WAC	392-400-235	Discipline--Conditions and limitations
	392-400-260	Long-term suspension— Conditions and limitations
	392-401A	Statewide definition of absence for the 2020-21 school year.

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Revised: 05/07/96; 08/05/97; 11/15/00; 04/23/13; 02/04/20; 09/15/20

## Procedure - Excused and Unexcused Absences

Students are expected to attend all assigned classes each day. School staff will keep a record of absence and tardiness, including a call log and/or a record of excuse statements submitted by a parent/guardian or, in certain cases, students, to document a student's excused absences.

### Excused Absences

The following are valid excuses for absences and tardiness. Assignments and/or activities not completed because of an excused absence or tardiness may be made up in the manner provided by the teacher.

1. Absence due to:
  - a. 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;
  - b. Family emergency including, but not limited to, a death or illness in the family; religious purposes; court, judicial proceeding court-ordered activity, or serving on a jury;
  - c. post-secondary, technical school or apprenticeship program visitation, or scholarship interview;
  - d. State recognized search and rescue activities consistent with RCW 28A.225.055;
  - e. directly related to the student's homeless or foster care/dependency status;
  - f. absences related to deployment activities of a parent or legal guardian who is an active duty member consistent with RCW 28A.705.010;
  - g. 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;
  - h. Absences due to student safety concerns, including absences related to threats, assaults, or bullying;
  - i. Absences due to a student's migrant status;
  - j. Absences related to the student's illness, health condition, or medical appointments due to COVID-19;
  - k. Absences related to caring for a family member who has an illness, health condition, or medical appointment due to COVID-19;
  - l. 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; Absences due to the student's parent's work schedule or other obligations during regularly scheduled school hours, until other arrangements can be made;

- m. Absences due to the student's lack of necessary instructional tools, including internet broadband access or connectivity, and
- n. Other COVID-19 related circumstances as determined between school and parent or emancipated youth.

When possible, the parent/guardian is expected to notify the school office on the morning of the absence by phone, e-mail, or written note, and to provide the excuse for the absence. If no excuse is provided with the notification, or no notification is provided, the parent/guardian will submit an excuse via phone, e-mail or written note upon the student's return to school. Adult students (those over eighteen) and emancipated students (those over sixteen who have been emancipated by court action) will notify the school office of their absences with a note of explanation. Students fourteen years old or older who are absent from school due to testing or treatment for a sexually transmitted disease will notify the school of their absence with a note of explanation, which will be kept confidential. Students thirteen years and older may do the same for mental health, drug or alcohol treatment; and all students have that right for family planning and abortion.

A parent/guardian may request that a student be excused from attending school in observance of a religious holiday. In addition, a student, upon the request of his/her parent, may be excused for a portion of a school day to participate in religious instruction provided such is not conducted on school property. A student will be allowed one makeup day for each day of absence.

**Absence for parental-approved activities.**

This category of absence will be counted as excused for purposes agreed to by the principal and the parent/guardian. An absence may not be approved if it causes a serious adverse effect on the student's educational progress. The student may not be able to achieve the objectives of the unit of instruction as a result of absence from class. In such a case, a parent or guardian-approved absence would have an adverse effect on the student's educational progress, including the grade for the course. A student, upon the request of his/her parent/guardian, may be excused for a portion of a school day to participate in religious instruction provided such is not conducted on school property or otherwise involves the school to any degree.

**Absence resulting from disciplinary actions — or short-term suspension.**

As required by law, students who are removed from a class or classes as a disciplinary measure or students who have been placed on short-term or long-term suspension will have the right to make up assignments or exams missed during the time they were denied entry to the classroom if the effect of the missed assignments will be a substantial lowering of the course grade.

**Extended illness or health condition.**

If a student is confined to home or hospital for an extended period, the school will arrange for the accomplishment of assignments at the place of confinement whenever practical. If the student is unable to do his/her schoolwork, or if there are major requirements of a particular course which cannot be accomplished outside of class the student may be required to take an incomplete or withdraw from the class without penalty.

**Excused absence for chronic health condition.**

Students with a chronic health condition that interrupts regular attendance may qualify for placement in a limited attendance and participation program. The student and his/her parent will apply to the principal or counselor, and a limited program will be written following the advice and recommendations of the student's medical advisor. The recommended limited program will be approved by the principal. Staff will be informed of the student's needs, though the confidentiality of medical information will be respected at the parent's request.

**Required conference for elementary school students**

If an elementary school student 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 district will schedule a conference with the student and their parent(s) at a reasonably convenient time. The conference is intended to identify barriers to the student's regular attendance and to identify supports and resources so the student may regularly attend school.

The conference must include at least one school district employee, preferably a nurse, counselor, social worker, teacher or community human service provider, and may occur on the same day as the scheduled parent-teacher conference, provided it takes place within thirty days of the absences. If the student has an Individualized Education Program or a Section 504 Plan, the team that created that program must reconvene. A conference is not required if prior notice of the excused absences was provided to the district or if a doctor's note has been provided and a plan is in place to ensure the student will not fall behind in their coursework.

**Tiered response system for students who are absent from remote learning**

Students who are marked absent from remote learning will receive interventions and services consistent with the tiered response system for student absences implemented by the district pursuant to WAC 392-401A-045. Under the tiered response system, the district will:

- Monitor daily attendance data for all students who are absent from remote learning, whether excused or unexcused;
- Make multiple attempts to contact the families regarding student absences using multiple modalities and in the parent's home language;
- Provide daily notification of absences to parents;
- Provide outreach from the student's school to determine student needs, such as basic needs, connectivity and hardware, connection with health and social services as necessary;
- Provide differentiated supports to students that address the barriers to attendance and participation, including universal supports for all students and tiered interventions for students at-risk of and experiencing chronic absence; and
- When feasible and appropriate, transition students to full-time in-person learning or other program to accommodate the student's needs.

**Unexcused Absences**

An “unexcused absence” means that a student has failed to attend the majority of hours or periods in an average school day, has failed to comply with a more restrictive school district policy on absences, or has failed to comply with alternative learning experience program attendance requirements.

Unexcused absences occur when:

1. The parent, guardian, or adult student submits an excuse that does not meet the definition of an excused absence as defined above; or
2. The parent, guardian, or adult student fails to submit any type of excuse statement, whether by phone, e-mail or in writing, for an absence.

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.

Each unexcused absence within any month of the current school year will be followed by a letter or phone call to the parent informing them of the consequences of additional unexcused absences. The school will make reasonable efforts to provide this information in a language in which that parent is fluent. A student’s grade will not be affected if no graded activity is missed during such an absence.

After three unexcused absences within any month of the current school year, the school will hold a conference with the principal, student, and parent to analyze the causes of the student’s absenteeism. If a regularly scheduled parent-teacher conference is scheduled to take place within thirty days of the third unexcused absence, the district may schedule the attendance conference on the same day. If the parent/guardian does not attend the scheduled conference, the school may hold the conference with the student and principal. However, the school will notify the parent of the steps to eliminate or reduce the student’s absences.

At some point after the second and before the fifth unexcused absence, the district will take data-informed steps to eliminate or reduce the student’s absences.

1. In middle school and high school, these steps will include application of the Washington Assessment of the Risks and Needs of Students (WARNS) or other assessment by the district’s designated employee.
2. For any student with an existing Individualized Education Program (IEP) or Section 504 Plan, these steps will include convening the student’s IEP team or Section 504 team, including a behavior specialist or mental health specialist where appropriate, to consider the reasons for the student’s absences. If necessary, and if the student’s parent gives consent, the district will conduct a functional behavior assessment and will complete a detailed behavior plan to explore the function of the absence behavior.

3. For any student who does not have an IEP or Section 504 Plan, but who is reasonably believed to have a mental or physical disability or impairment, these steps will include informing the student's parent/guardian of the right to obtain an appropriate evaluation at no cost to the parent to determine whether the student has a disability or impairment and needs accommodations, special education services, or related services. This includes students with suspected emotional or behavioral disabilities. If the school obtains consent to conduct an evaluation, time should be allowed for the evaluation to be completed, and if the student is found to be eligible for accommodations, special education services, or related services, a plan will be developed to address the student's needs.

The district will designate a staff member to apply the Washington Assessment of the Risks and Needs of Students (WARNS) and, where appropriate, provide the student with best practice or research-based interventions consistent with WARNS. As appropriate, the district will also consider:

- Adjusting the student's course assignments;
- Providing the student more individualized instruction;
- Providing appropriate vocational courses or work experience;
- Requiring the student to attend an alternative school or program;
- Assisting the parent or student to obtain supplementary services; or
- Referring the student to a community truancy board.

### **Transfers**

In the case of a student who transfers from one district to another during the school year, the sending district will provide to the receiving district, together with a copy of the WARNS assessment and any interventions previously provided to the student, the most recent truancy information for that student. The information will include the online or written acknowledgment by the parent and student. The sending district will use the standard choice transfer form for releasing a student to a nonresident school district for the purposes of accessing an alternative learning experience program.

Not later than a student's fifth unexcused absence in a month, the district will:

1. Enter into an agreement with the student and parents/guardians that establishes school attendance requirements;
2. Refer the student to a community truancy board; or
3. File a petition to juvenile court (see below).

### **Community Truancy Board**

A "community truancy board" means a board established pursuant to a memorandum of understanding (MOU) between a juvenile court and the school district and composed of members of the local community in which the student attends school. The district will enter into an MOU with the juvenile court in Grays Harbor County to establish a community truancy board prior to the 2017-2018 school year.

The district will designate and identify to the juvenile court (and update as necessary) and to the Office of the Superintendent of Public Instruction a staff member to coordinate district efforts to address excessive absenteeism and truancy, including outreach and conferences, coordinating the MOU, establishing protocols and procedures with the court, coordinating trainings, sharing evidence-based and culturally appropriate promising practices. The district will also identify a person within each school to serve as a contact regarding excessive absenteeism and truancy and assisting in the recruitment of community truancy board members.

### **Petition to juvenile court**

Not later than a student's seventh unexcused absence within any month during the current school year, or a tenth unexcused absence during the current school year, if the district's attempts to substantially reduce a student's absences have not been successful and if the student is under the age of seventeen, the district will file a petition and supporting affidavit for a civil action in juvenile court.

The petition will contain the following:

1. A statement that the student has unexcused absences in the current school year. (*While petitions must be filed if the student has seven or more unexcused absences within any month, or ten or more unexcused absences in the current school year, a petition may be filed earlier. Unexcused absences accumulated in another school or school will be counted when preparing the petition*);
2. An attestation that actions taken by the school district have not been successful in substantially reducing the student's absences from school;
3. A statement that court intervention and supervision are necessary to assist the school district to reduce the student's absences from school;
4. A statement that RCW 28A.225.010 has been violated by the parent, student or parent and student;
5. The student's name, date of birth, school, address, gender, race and ethnicity; and the names and addresses of the student's parents/guardians, whether the student and parent are fluent in English, whether there is an existing individualized education program (IEP) and the student's current academic status in school;
6. A list of all interventions that have been attempted, a copy of any previous truancy assessment completed by the student's current school district, the history of approved best practices intervention or research-based intervention(s) previously provided to the student by the district, and a copy of the most recent truancy information document provided to the parent.
7. Facts that support the above allegations.

Petitions may be served by certified mail, return receipt requested, but if such service is unsuccessful, personal service is required. At the district's choice, it may be represented by a person who is not an attorney at hearings related to truancy petitions.

If the allegations in the petition are established by a preponderance of the evidence, the court shall grant the petition and enter an order assuming jurisdiction to intervene for a period of time determined by the court, after considering the facts alleged in the petition and the circumstances of the student, to most likely cause the student to return to and remain in school while the student is subject to the court's jurisdiction.

If the court assumes jurisdiction, the school district will periodically report to the court any additional unexcused absences by the student, actions taken by the school district, and an update on the student's academic status in school at a schedule specified by the court. The first report must be received no later than three (3) months from the date that the court assumes jurisdiction.

All sanctions imposed for failure to comply with the attendance policies and procedures will be implemented in conformance with state and district regulations regarding discipline or corrective action.