

## CSCE Attendance Policy

School Attendance is required by law. The Community School for Creative Education with its Board of Directors believes that regular attendance plays an important role in student achievement and success in school. 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. The Board recognizes its responsibility under the law to ensure that students attend school regularly. CSCE students attend school every day. Every day is significant.

State Law requires parents/guardians of children ages 6 to 18 to send their children to school, unless otherwise provided by law. Parents who fail to meet this obligation may be subject to prosecution. The Board shall abide by all attendance laws and may use appropriate legal means to correct the problems of excessive absence or truancy.

### Reporting Absences

If a student is absent, **parents or guardians are required to call the school at (510) 686 - 4131** each day that the child is absent. Absences not cleared within 48 hours will be officially recorded as unexcused. Both Excused and Unexcused absences and tardies are subject to the truancy policy.

### First Day of School Policy

Students who are not in attendance due to an unexcused absence by the third day of school without notification will be dis-enrolled from the school roster. CSCE will attempt to reach the Parent/Guardian on a daily basis for each of the first three days to determine whether the student has an excused absence. If the student has a basis for an excused absence, parents/family members must notify the school of the absence and provide documentation.

### Absences and Tardies Allowed by Law

It is important for parents/family members to inform the school whenever their child is absent. An absence is considered “excused” only for the following reasons:

- **Illness-** A child is too ill to attend school if he or she has a contagious condition, a temperature of over 100, symptoms of vomiting or diarrhea, or written orders from a doctor to stay home. Keep sick children at home for at least 24 hours *after* they no longer have fever, without using fever-reducing medications. Keeping children with a fever at home will reduce the number of
- people who may get infected.

- Quarantine – Student is quarantined under the direction of a county or city health officer.
- Appointments- Student’s medical, dental or chiropractic appointments, verified with documentation from the provider. Insofar as class participation is an integral part of students’ learning experiences, parents/guardians and students are encouraged to schedule medical appointments during non-school hours, and, whenever possible, to encourage students to return to school after a non-emergency appointment.
- Funeral Services - for immediate family (1 day in State, 3 days out of State).
- Court Appearance - Verified with documentation from the court or other appropriate body or official, such as an attorney.
- Religious Holiday - With a note and approval by the school prior to the holiday. Attendance at religious retreats shall not exceed 8 hours per year.

### **Independent Study**

Independent Study is a voluntary instructional strategy that may be requested at least two weeks in advance by CSCE parent(s) or guardian(s) based on unique educational needs of their child. CSCE is not required to provide an Independent Study but will consider the option on a case by case basis. Independent Study will only be considered as a short-term option (not less than five days) or to accommodate for student travel. Parent(s) or guardian(s) who wish to request an independent study must submit a written request to their child(ren)’s classroom teacher at least two weeks prior to the requested dates for independent study. The classroom teacher will then get final approval from the Community School Principal.

### **Unexcused Absences**

Absences for most other reasons are considered unexcused. Some examples of unexcused absence are: out of town, personal day, family vacation, other family member’s illness, and car problems.

### **Tardy policy**

All students are expected to arrive at school on-time, school begins at 8:30. Any student who arrives to school after the official start of the school day. Yet less than 30 minutes into the instructional school day, will be considered “tardy”. Tardiness is only excused if a student has a medical, dental, legal appointment or a death in the family (see above). All excused tardies require appropriate documentation. Three tardies of 30 minutes constitutes truancy. It is during the first two and a half hours of each school day that our students participate in Main Lesson. This time is extremely valuable and crucial to your student’s education.

All students are required to check in at the front office upon arriving after 8:30 a.m. to receive a tardy slip to notify the teacher of their tardiness. Any student arriving after 8:45 a.m. must receive a tardy slip from the office and notify the attendance clerk if they need a school lunch.

### **CSCE’s Student Attendance Review Team (SART)**

We have implemented a Student Attendance Review Team (SART). This team is designed to meet with parent/guardians of children who have exceeded the allowable amount of excused or unexcused absences. The purpose of the

meeting is to discuss the child's attendance record and develop a plan for the child's regular participation in school and improved attendance.

CSCE's SART will hold a hearing with the parent/guardian and truant student to resolve attendance and truancy problems. At that time if the student continues to be truant and does not follow the school's SART directive, the matter will be referred to the district attorney. A Certified Delivery Confirmation letter will be sent to the parent/guardian informing them of this action.

The school's SART will consist of:

- The Principal or designee
- The Dean of School Culture
- The student's classroom teacher;
- Other relevant members, including: another CSCE administrator, attendance clerk, other teachers or staff as appropriate, counselor, police officer, etc.

# Notification of Truancy or Excessive Absences

## Definitions of Truancy

The statewide average absence rate for typical childhood illness is 5 days per school year. Detailed below is the process that CSCE Charter follows when a child is truant or has excessive absences.

**Truant** means a student who is absent from school without a valid excuse for three full days in one school year, or tardy more than any 30-minute period during the school day without valid excuse on three occasions in one school year, or any combination thereof.

**Habitual truant** means a student who has been reported as a truant three or more times within the same school year, provided the school has made a conscientious effort to hold as least one conference with the student and his/her parent/guardian.

**Chronic truant** means a student who has been 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.

**Chronic absentee** means a student who is absent for any reason for 10 percent or more of the school days in the school year, when the total number of days the student is absent is divided by the total number of days the student is enrolled and school was actually taught. The school principal may require an official medical or judicial verification in order to excuse an absence. Students with such an excess of absences will be notified in writing of the official verification requirement. Any teacher may change the grade of a student who has accrued 10 unexcused absences per semester or 7 unexcused absences per trimester to a failing grade for their courses at the marking period.

**Truant students and their parents/guardians are in violation of the law and are subject to prosecution and other penalties.**

An attendance supervisor or designee, peace officer, probation officer, or school administrator or designee may, as applicable, arrest or assume temporary custody during school hours of any minor student found away from his/her home who is absent from school without a valid excuse. Any person arresting or assuming temporary custody of a minor student shall deliver the student and make reports in accordance with California Law.

## First Notification of Truancy or Excessive Absences

Letter #1 will be sent regular and Certified Delivery Confirmation mail when a student has accrued three (3) truancy events. The letter shall include:

- a) That the student is truant
- b) That the parent or guardian is obligated to compel the attendance of the pupil at school.
- c) That parents or guardians who fail to meet this obligation may be guilty of an infraction and subject to prosecution.
- d) That alternative educational programs are available in the district.
- e) That the parent or guardian has the right to meet with appropriate school personnel to discuss solutions to the pupil's truancy.
- f) The parent or student may be subject to arrest or held in temporary custody by a probation officer, a peace officer, a school administrator or attendance supervisor or his/her designee under if found away from home and absent from school without a valid excuse.
- g) The attendance supervisor may notify the district attorney and/or probation officer of the student's name and the name and address of his/her parents/guardians.
- h) That it is recommended that the parent or guardian accompany the pupil to school and attend classes with the pupil for one day.

### **Second Notification of Truancy or Excessive Absences**

A student must be notified a second time if he/she is absent from school without a valid excuse one or more days or is tardy on one or more days during the school year. The parent(s) or guardian(s) will receive a phone call from the Dean of School Culture to notify and inquire about student's attendance.

In addition, letter #2 will be sent regular and Certified Delivery Confirmation mail. The letter shall note:

- a) An Attendance Contract will be entered into which must be signed at this meeting to abate truancy.
- b) The student may be assigned to an after-school or weekend study program within the county. If the student fails to successfully complete this study program may be referred to the SARB Board.
- c) The student may be given a written warning by a peace officer. A record of that warning may be kept at the school for not less than two years or until the student graduates or transfers from the school. If the student transfers, the record may be forwarded to the new school.
- d) The attendance supervisor may notify the district attorney and/or probation officer when the student continues to be classified as a truant after the parents/guardians have been notified by letter.

### **Notification of Determination as a Habitual Truant - Referral to CSCE SART**

A student must be notified a third time once he/she is absent from school without a valid excuse one or more days or is tardy on one or more days during the school year following the second notification. Student is identified Habitual Truant. At this time, the Dean of School Culture will schedule a home visit with the parent(s) or guardian(s).

In addition, letter #3 will be sent regular and Certified Delivery Confirmation mail. Letter shall contain:

- a) Mandatory SART meeting with student, parent, teacher advisor, and Principal within 5 days. If not already on file, an Attendance Contract must be signed at this meeting.
- b) If the parent fails to respond in 5 days or does not attend the scheduled conference, the student may be referred to the District Attorney, students 12 years of age and older may be referred to the juvenile court for adjudication

### **Removal from Charter School**

If, after the above procedures have been followed, the student continues to have unexcused absences, the parent/guardian may receive notice that the student is in violation of the SART contract. The student will then be required to appear before the SART panel again to discuss the unexcused absences. After such meeting, or after two (2) attempts by the SART panel to schedule the meeting if the parent/guardian is nonresponsive, the SART panel will recommend that the student be deemed to have voluntarily disenrolled from the Charter School. The parent will receive written notice of the SART panel's recommendation.

The SART panel shall then forward its recommendation to the Governing Board for review of the matter and final decision. The parent/guardian will receive written notice of the date and time of the Governing Board review. Such notice shall be sent at least five (5) days prior to the Board review. The Board's decision shall be final as to that recommendation.

If there is a Board decision to dis-enroll, notice will be sent to the student's district of residence within thirty (30) days.

A Board decision not to dis-enroll the student does not prevent the SART panel from making a similar recommendation in the future.

### **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 School will explore every possible option to address student attendance issues with the family. For any unexcused absence, the School may refer the family to appropriate school-based and/or social service agencies.

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.

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).

**Withdrawal due to Excessive Unverified Absences (AWOL)**

If student is absent ten (10) or more consecutive school days without valid excuse and parent/guardian cannot be reached at the number, email or mailing 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 deemed to have voluntarily disenrolled and notification of the disenrollment be sent to the student's district of residence.