

VENTURA COUNTY BOARD OF EDUCATION

ADMINISTRATIVE REGULATION NO. 5113

ADOPTED: 07/28/14

CLASSIFICATION: Students

REVISED: 08/28/23

SUBJECT: Absences and Excuses

The County Superintendent and County Board share the belief that regular attendance plays an important role in student achievement and shall implement policies and measures to ensure the County Office of Education's (COE) compliance with all state attendance laws and to correct problems of chronic absence or truancy.

EXCUSED ABSENCES

Subject to any applicable limitation, condition, or other requirement specified in law, a student's absence shall be excused for any of the following reasons:

1. Personal illness, including absence for the benefit of the student's mental or behavioral health.
2. Quarantine under the direction of a county or city health officer.
3. Medical, dental, optometrical, or chiropractic service or appointment.
4. Attendance at funeral services for a member of the student's immediate family.

Such absence shall be limited to one day if the service is conducted in California or three days if the service is conducted out of state.

5. Jury duty in the manner provided by law.
6. The illness or medical appointment of a child to whom the student is the custodial parent.
7. Upon advance written request by the parent/guardian and the approval of the principal or designee, justifiable personal reasons including, but not limited to:
 - a. Appearance in court
 - b. Attendance at a funeral service
 - c. Observation of a religious holiday or ceremony
 - d. Attendance at religious retreats not to exceed four hours per semester

- e. Attendance at an employment conference
 - f. Attendance at an educational conference on the legislative or judicial process by a nonprofit organization
8. Service as a member of a precinct board for an election pursuant to Elections Code 12302.
 9. To spend time with an immediate family member who is an active-duty member of the uniformed services, as defined in Education Code 49701, and has been called to duty for deployment to a combat zone or a combat support position or is on leave from or has immediately returned from such deployment.

Such absence shall be granted for a period of time to be determined at the discretion of the County Superintendent or designee.

10. Attendance at the student's naturalization ceremony to become a United States citizen.
11. Participation in a cultural ceremony or events which relates to the habits, practices, beliefs, and traditions of a certain group of people.
12. For a middle school or high school student, engagement in a civic or political event, provided that the student notifies the school ahead of the absence. Unless otherwise permitted by the County Superintendent or designee, students shall be limited to one such school day-long absence per school year.
13. Participation in religious exercises or to receive moral and religious instruction at the student's place of worship or other suitable place away from school.

Absence for student participation in religious exercises or instruction shall not be considered an absence for the purpose of computing average daily attendance if the student attends at least the minimum school day and is not excused from school for this purpose on more than four days per school month.

14. Work in the entertainment or allied industry.

Work for a student who holds a work permit authorizing work in the entertainment or allied industries for a period of not more than five consecutive days. For this purpose, student absence shall be excused for a maximum of up to five absences per school year.

15. Participation with a nonprofit performing arts organization in a performance for a public school audience.

A student may be excused for up to five such absences per school year provided that the student's parent/guardian provides a written explanation of such absence to the school.

16. Other reasons authorized at the discretion of the principal or designee based on the student's specific circumstances.

For the purpose of the absences above, immediate family means the student's parent/guardian, brother or sister, grandparent, or any other relative living in the student's household.

METHOD OF VERIFICATION

Student absence to care for a child for whom the student is the custodial parent shall not require a physician's note.

For other absences, the student shall, upon returning to school following the absence, present a satisfactory explanation, either in person or by written note, verifying the reason for the absence. Absences shall be verified by the student's parent/guardian, other person having charge or control of the minor, or the student, if aged 18 or older.

When the absence is planned, the principal or designee shall be notified prior to the date of the absence when possible.

The following methods may be used to verify student absences:

1. Written note, fax, email, or voice mail from parent/guardian or 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(s) of absence
 - e. Reason for absence
3. Visit to the student's home by the verifying employee, or any other reasonable method which establishes the fact that the student was absent for the reasons stated. The employee shall document the verification and include the information specified in item #2 above.
4. Physician's verification.
 - a. When excusing students for confidential medical services or verifying such appointments, VCOE staff shall not ask the purpose of such appointments but may request a note from the medical office to confirm the time of the appointment.
 - b. If a student shows a pattern of chronic absenteeism due to illness, COE staff may require physician verification of any further student absences.

PARENTAL NOTIFICATIONS

At the beginning of each school year, the County Superintendent or designee shall:

1. Notify parents/guardians of the right to excuse a student from school in order to participate in religious exercises or to receive moral and religious instruction at their places of worship, or at other suitable places away from school property designated by a religious group, church, or denomination.)
2. Notify students in grades 7-12 and the parents/guardians of all students enrolled in COE schools and programs that school authorities may excuse any student from school to obtain confidential medical services without the consent of the student's parents/guardian.
3. Notify parents/guardians that a student shall not have a grade reduced or lose academic credit for any excused absence if missed assignments and tests that can reasonably be provided are satisfactorily completed within a reasonable period of time. Such notice shall include the full text of Education Code 48205.

Legal Reference:

EDUCATION CODE

1740	Employment of personnel to supervise attendance
37201	School month
37223	Weekend classes
41601	Reports of average daily attendance
42238-42250.1	Apportionments
46000	Attendance records
46010-46014	Absences
46110-46119	Attendance in kindergarten and elementary schools
46140-46147	Attendance in junior high and high schools
48200-48208	Children ages 6-18; compulsory full-time attendance
48210-48216	Exclusions from attendance
48225.5	Work permit; excused absence; entertainment or allied industries; participation in not-for-profit performing arts organization
48240-48246	Supervisors of Attendance
48260-48273	Truants
48292	Filing complaint against parent
48320-48324	School attendance review boards
48340-48341	Improvement of school attendance
48980	Parent/Guardian notifications
49067	Unexcused absence as cause of failing grade

49701 Provisions of the Interstate Compact on Educational Opportunities for
Military Children

ELECTIONS CODE

12302 Student participation on precinct boards

FAMILY CODE

6920-6929 Consent by minor for medical treatment

WELFARE AND INSTITUTIONS CODE

601-601.5 Habitually truant minors

11253.5 Compulsory school attendance

CODE OF REGULATIONS, TITLE 5

306 Explanation of Absence

420-421 Record of verification of absence due to illness and other causes

ATTORNEY GENERAL OPINIONS

87 Ops.Cal.Atty.Gen. 168 (2004)

66 Ops.Cal.Atty.Gen. 244 (1983)

COURT DECISION

American Academy of Pediatrics et al v. Lungren et al (1997) 16 Cal.4th 307