



SACRAMENTO CITY UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION

Agenda Item# 11.1

Meeting Date: May 20, 2021

Subject: Public Hearing: Adopt Revision of Board Policy 5113, Absences and Excuses

- Information Item Only
- Approval on Consent Agenda
- Conference (for discussion only)
- Conference/First Reading (Action Anticipated: _____)
- Conference/Action
- Action
- Public Hearing

Division: Legal Services

Recommendation: Approve revision to Board Policy 5113.

Background/Rationale: Education Code 48205 establishes the conditions under which students may be lawfully absent from school, including personal illness or injury. District students face mental health challenges throughout their education. In order to recognize the mental health issues of students and help reduce stigmatizing attitudes of prejudice and exclusion, revisions to the policies concerning absences and excuses are necessary and specifically, the definition of “health reasons” in the context of excused absences. No prior updates to BP 5113 have occurred since its adoption in 2002. Such updates and enactment include language in the CSBA Gamut model policies. The District plans to adopt AR 6173, which includes language in the CSBA Gamut model regulations.

Documents Attached:

1. BP 5113 (Redlines)
2. BP 5113 (Clean)

<p>Estimated Time of Presentation: 5 Minutes Submitted by: Raoul Bozio, In House Counsel Approved by: Jorge A. Aguilar, Superintendent</p>

Sacramento City USD
Board Policy
BP 5113
Students

Absences And Excuses

The Governing Board believes that regular attendance plays an important role in student achievement. The Board ~~recognizes its responsibility under the law to ensure that students attend school regularly. Parents shall work with parents/guardians of children aged 6 to 18 are obligated to send and students to ensure their children to school unless otherwise provided by law. The Board shall abide by compliance with~~ all state attendance laws and may use appropriate legal means to correct ~~the~~ problems of ~~excessive~~ chronic absence or truancy.

(cf. 5112.1 - Exemptions from Attendance)

(cf. 5112.2 - Exclusions from Attendance)

(cf. 5113.1 - Chronic Absence and Truancy)

(cf. 5121 - Grades/Evaluation of Student Achievement)

(cf. 6154 - Homework/Makeup Work)

Excused Absences

Absence from school shall be excused only for physical and/or mental health reasons, family emergencies, and justifiable personal reasons, as permitted by law, Board policy, and ~~administration regulations~~ administrative regulation. (Education Code ~~46010, 48216, 48205~~) Board Resolution 3174 passed on Dec. 10, 2020 resolved that the Sacramento City Unified School District Board of Education understands the definition of "health reasons" in the context of excused absences under California Education Code 48205 as including mental health reasons. Inasmuch as class participation is an integral part of students' learning experiences, parents/guardians and students shall be encouraged to schedule medical appointments during nonschool hours.

~~At the beginning of each academic year, notifications shall be sent to the parents/guardians of all students, and to all students in grades 7 through 12, informing them that school authorities may excuse any student from school to obtain confidential medical services without the consent of the student's parent/guardian. (Education Code 46010.1)~~

~~(cf. 5145.6 - Parental Notifications)~~

~~Students shall not be absent from school without their parents/guardians' knowledge or consent except in cases of medical emergency or confidential medical appointment.~~

Student absence for religious instruction or participation in religious exercises away from school property may be considered excused subject to law and administrative ~~regulations~~regulation. (Education Code 46014)

~~A student's grades may be affected by excessive unexcused absences in accordance with Board policy.~~

~~(cf. 5121 – Grades/Evaluation of Student Achievement)
(cf. 6154 – Homework/Makeup Work)~~

Inasmuch as school attendance and class participation are integral to students' learning experiences, parents/guardians and students shall be encouraged to schedule mental and physical medical and other appointments during non-school hours if reasonably possible.

Site level attendance teams will take note of students with a pattern of absences. Students who are absent for mental and physical health related reasons will receive outreach and supportive interventions.

The U.S. Department of Health and Human Services' Office of Disease Prevention and Health Promotion closely links mental health and physical health; and the 2008 federal Mental Health Parity and Addiction Equity Act (MHPAEA) put care and treatment of mental health and substance use disorders on equal footing – or “parity” – with physical health care

Students shall not be absent from school without their parents/guardians' knowledge or consent, except in cases of medical emergency or, as authorized pursuant to Education Code 46010.1, for a confidential medical appointment.

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The Board shall, by resolution entered into its minutes, approve reasonable methods that may be used to verify student absences due to illness or quarantine. (5 CCR 421)

Legal Reference:

EDUCATION CODE

1740 Employment of personnel to supervise attendance (county superintendent)

37201 School month

37223 Weekend classes

41601 Reports of average daily attendance

42238-42250.1 Apportionments

46000 Records (attendance)

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46010-46014 Absences
46100-46119 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](#)
48240-48246 Supervisors of attendance
48260-48273 Truants
48292 Filing complaint against parent
48320-48324 School attendance review boards
48340-48341 Improvement of student attendance
[48980 Parental notifications](#)
49067 Unexcused absences 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](#)
VEHICLE CODE
13202.7 Driving privileges; minors; suspension or delay for habitual truancy
WELFARE AND INSTITUTIONS CODE
601-601.4 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. [245, 249, 244](#) (1983)
COURT DECISIONS
American Academy of Pediatrics et al v. Lungren et al (1997) 16 Cal.4th 307

Management Resources:

[CDE MANAGEMENT ADVISORIES](#)
[0114.98 School Attendance and CalWORKS, Management Bulletin 98-01](#)
CSBA [ADVISORIES/PUBLICATIONS](#)
[0520.97 Welfare Reform and Requirements for School Attendance](#)
[Improving Student Achievement by Addressing Chronic Absence, Policy Brief, December 2010](#)

WEB SITES

CSBA: <http://www.csba.org>

[Policy - SACRAMENTO CITY UNIFIED SCHOOL DISTRICT](#)

| ~~adopted: April 15, 2002 — Sacramento, California (11/99 11/11) 3/17~~

Sacramento City USD
Board Policy
BP 5113
Students

Absences And Excuses

The Governing Board believes that regular attendance plays an important role in student achievement. The Board shall work with parents/guardians and students to ensure their compliance with all state attendance laws and may use appropriate legal means to correct problems of chronic absence or truancy.

(cf. 5112.1 - Exemptions from Attendance)
(cf. 5112.2 - Exclusions from Attendance)
(cf. 5113.1 - Chronic Absence and Truancy)
(cf. 5121 - Grades/Evaluation of Student Achievement)
(cf. 6154 - Homework/Makeup Work)

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