

# Board Policy

## Students

BP 5113.1

### Truancy

To improve student attendance, the Superintendent or designee shall implement positive steps to identify the reasons for a student's unexcused absences and to help resolve the problems caused by truancy. Such strategies shall focus on early intervention and may include, but not be limited to, communication with parents/guardians and the use of student study teams.

(cf. 5113 - Absences and Excuses)

(cf. 5147 - Dropout Prevention)

(cf. 5149 - At-Risk Students)

(cf. 6164.5 - Student Success Teams)

(cf. 6176 - Weekend/Saturday Classes)

In addition, the Superintendent or designee shall cooperate with other agencies within the community to meet the needs of students who have serious school attendance or behavior problems and to maintain a continuing inventory of community resources, including alternative programs.

(cf. 1020 - Youth Services)

(cf. 1400 - Relations between Other Governmental Agencies and the Schools)

\*\*\*Note: Depending on the resources available to the district and the number of truanancies committed by the student, a habitually truant student may be referred to a county or district school attendance review board (SARB) established pursuant to Education Code 48321, a truancy mediation program operated by the county's district attorney or probation officer pursuant to Education Code 48260.6, and/or a juvenile court pursuant to Education Code 48264.5. See AR 5113.1. The following optional paragraph should be revised to reflect programs available within the district or county.\*\*\*

Habitually truant students may be referred to a school attendance review board, a truancy mediation program operated by the county's district attorney or probation officer, and/or juvenile court in accordance with law.

\*\*\*Note: Under California's welfare system (Welfare and Institutions Code 11253.5), a county CalWORKS office is required to reduce a family's welfare grant if it is determined that a child is not "regularly attending school as required." However, the law does not provide a definition of this phrase and it is unclear whether it is the responsibility of the school district or county welfare office to provide such a definition. CDE Management Bulletin 98-01 offers the opinion that a county welfare department should not determine that an eligible student is not "regularly attending school" until the district has referred the student to the SARB and the SARB has then referred the student to the district attorney pursuant to Education Code 48263. Under Education Code 48263, if the district and county have no SARB, the district may refer students to the district attorney or probation office. CSBA strongly recommends that districts work closely with county welfare officials in order to help develop a consistent policy for all students, including those impacted by welfare reform. The following optional paragraph provides one definition of

"regularly attending school" and is consistent with the CDE's legal opinion.\*\*\*

For purposes of California's welfare system (CalWORKS), a student shall be determined to be regularly attending school unless he/she has been referred to the county district attorney or probation office pursuant to Education Code 48263.

**Legal Reference:**

**EDUCATION CODE**

1740 Employment of personnel to supervise attendance (county superintendent)

37223 Weekend classes

41601 Reports of average daily attendance

46000 Records (attendance)

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)

48240-48246 Supervisors of attendance

48260-48273 Truants

48290-48296 Failure to comply; complaints against parents

48320-48324 School attendance review boards

48340-48341 Improvement of student attendance

49067 Unexcused absences as cause of failing grade

**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**

66 Ops.Cal.AttyGen. 245, 249 (1983)

**Management Resources:**

**CDE MANAGEMENT ADVISORIES**

0114.98 School Attendance and CalWORKS, Management Bulletin 98-01

**CDE PUBLICATIONS**

School Attendance Review Board Handbook, 1995

**CSBA ADVISORIES**

0520.97 Welfare Reform and Requirements for School Attendance

**WEB SITES**

CDE: <http://www.cde.ca.gov>

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

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**Gravenstein Union School District  
Sebastopol, California**