

## **EXCUSED AND UNEXCUSED ABSENCES PROCEDURES**

Students are expected to attend all assigned classes each day. Program 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.

#### **Absence due to:**

1. Physical health or mental health symptoms, illness, health condition or medical appointment for the student or person for whom the student is legally responsible. Examples of symptoms, illness, health conditions, or medical appointments include, but are not limited to, medical, counseling, mental health wellness, dental, optometry, pregnancy, and behavioral health treatment (which can include in-patient or out-patient treatment for chemical dependency or mental health);
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, a judicial proceeding, court-ordered activity, or jury service;
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 NWESD 189 policy and is mutually agreed upon by the program administrator or designee and a parent, guardian, or emancipated youth;
13. Absences due to the student's lack of necessary instructional tools, including internet access or connectivity.

In the event of emergency cooperative program facility closure due to COVID-19, other communicable disease outbreak, natural disaster, or other event when districts are required to provide synchronous and asynchronous instruction, absences due to the following reasons are excused:

1. Absences related to the student's illness, health condition, or medical appointments due to COVID-19 or other communicable disease;
2. Absences related to caring for a family member who has an illness, health condition, or medical appointment due to COVID-19, other communicable disease, or other emergency health condition related to cooperative program closures;
3. Absences related to the student's family obligations during regularly scheduled cooperative program hours that are temporarily necessary because of cooperative program facility closures, until other arrangements can be made; and
4. Absences due to the student's parent's work schedule or other obligations during regularly scheduled cooperative program hours, until other arrangements can be made.

A Program administrator or designee has the authority to determine if an absence meets the above criteria for an excused absence.

1. **Parental notification.** When possible, the parent/guardian is expected to notify the program 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 the program. Adult students (those over eighteen) and emancipated students (those over sixteen who have been emancipated by court action) will notify the program office of their absences with a note of explanation. Students fourteen years old or older who are absent from the program due to testing or treatment for a sexually transmitted disease will notify the program 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.
2. A parent/guardian may request that a student be excused from attending the program in observance of a religious holiday. In addition, a student, upon the request of his/her parent/guardian, may be excused for a portion of a program day to participate in religious instruction provided such is not conducted on program 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 program administrator 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/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 program day to participate in religious instruction provided such is not conducted on program property or otherwise involves the program to any degree.
3. **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 or exams will be a substantial lowering of the course grade.

4. **Extended illness or health condition.** If a student is confined to home or hospital for an extended period, the program will arrange for the accomplishment of assignment at the place of confinement whenever practicable. 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.
5. **Excused absence or 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/guardian will apply to the program administrator 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 program administrator and communicated to the cooperative member school district. Staff will be informed of the student's needs, though the confidentiality of medical information will be respected at the parent's/guardian'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 NWESD 189 will schedule a conference with the student and his/her parents/guardians 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 the program.

The conference must include at least one NWESD 189 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 NWESD 189 or if a doctor's note has been provided and a plan is in place to ensure the student will not fall behind in his/her coursework.

#### **Tiered response system for student 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 NWESD 189 pursuant to WAC 392-401A-045. Under the tiered response system, the NWESD 189 will:

1. Monitor daily attendance data for all students who are absent from remote learning, whether excused or unexcused;

2. Make multiple attempts to contact the families regarding student absences using multiple modalities and in the parent's home language;
3. Provide daily notification of absences to parents;
4. Provide outreach from the student's NWESD 189 program to determine student needs, such as basic needs, connectivity and hardware, connection with health and social services as necessary;
5. 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
6. When feasible and appropriate, transition student 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 program day, has failed to comply with a more restrictive NWESD 189 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.

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

**After three (3) unexcused absences within any month of the current school year**, the program will hold a conference with the program administrator, student, and parent/guardian 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 NWESD 189 may schedule the attendance conference on the same day. If the parent/guardian does not attend the scheduled conference, the program may hold the conference with the student and program administrator. However, the program will notify the parent/guardian of the steps to eliminate or reduce the student's absence.

**At some point after the second and before the seventh unexcused absence**, the NWESD 189 will take data-informed steps to eliminate or reduce the student's absences. 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 NWESD 189's or cooperative member district's designated employee.

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/guardian gives consent, the NWESD 189 or cooperative member district will conduct a functional behavior assessment and will complete a detailed behavior plan to explore the function of the absence behavior.

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/guardian 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 program 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 NWESD 189 or cooperative member 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 cooperative member district, in consultation with the NWESD 189, will also consider:

- adjusting the student's course assignments;
- providing the student more individualized instruction;
- providing appropriate vocational courses or work experience;
- transferring the student to another program or member district school;
- requiring the student to attend an alternative school or program;
- assisting the parent/guardian or student to obtain supplementary services; or
- referring the student to a community engagement board.

**Not later than a student's seventh (7<sup>th</sup>) unexcused absence in a month**, the cooperative member district in consultation with the NWESD 189 will:

- 1) enter into an agreement with the student and parents/guardians that establishes attendance requirements;
- 2) refer the student to a community truancy board; or,
- 3) file a petition to juvenile court (see below).

### **Community Engagement Board**

A “community engagement board” means a board established pursuant to a memorandum of understanding (MOU) between a juvenile court and the cooperative member district and composed of members of the local community in which the student resides. The cooperative member district will enter into an MOU with the juvenile court in the county in which the cooperative member district is located to establish a community truancy board prior to the 2017-2018 school year.

The cooperative member 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 cooperative member district will also identify a person to serve as a contact regarding excessive absenteeism and truancy and assisting in the recruitment of community truancy board members.

After the student’s seventh unexcused absence within any month during the current school year, and no later than the fifteenth unexcused absence during the current school year, if the cooperative member 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 cooperative member district will file a petition and supporting affidavit for a civil action in juvenile court.

### **Petition to Juvenile Court**

The petition will contain the following:

1. A statement that the student has unexcused absences in the current school year;
2. An attestation that actions taken by the NWESD 189 and cooperative member district have not been successful in substantially reducing the student’s absences from the program;
3. A statement that court intervention and supervision are necessary to assist the NWESD 189 and cooperative member district to reduce the student’s absences from the program;
4. A statement that RCW 28A.225.010 has been violated by the parent/guardian, student or parent/guardian and student;
5. The student’s name, date of birth, program, address, gender, race and ethnicity; and the names and addresses of the student’s parents/guardians, whether the student and parent/guardian are fluent in English, whether there is an existing individualized education program (IEP) and the student’s current academic status in the program;
6. A list of all interventions that have been attempted, a copy of any previous truancy assessment completed by the student’s cooperative member district, the history of approved

best practices intervention or research-based intervention(s) previously provided to the student by the NWESD 189 and cooperative member district, and a copy of the most recent truancy information document provided to the parent/guardian.

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 member 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 the program while the student is subject to the court's jurisdiction.

If the court assumes jurisdiction, the NWESD 189 and cooperative member district will periodically report to the court any additional unexcused absences by the student, actions taken by the cooperative member district, and an update on the student's academic status in the program 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.

### **Discipline and Corrective Action**

Students are expected to be in class on time. When a student's tardiness becomes frequent or disruptive the student shall be referred to the program administrator. If parent/guardian conferencing or disciplinary action is ineffective in changing the student's attendance behavior, he/she may be withdrawn from the program. The cooperative member district will be notified of any such withdrawals.

All sanctions imposed for failure to comply with the attendance policies and procedures will be implemented in conformance with State and NWESD 189 regulations regarding discipline or corrective action.

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