

Draft Board Policy Language to Address AB 1101 Requirements

The Board of Trustees believes that all children should have the opportunity to receive educational services. Staff shall encourage parents/legal guardians to enroll all school-aged children in school.

The Superintendent/designee shall maintain procedures, consistent with applicable laws and regulations, for reasonable evidence that the pupil meets residence requirements for school attendance in the District. These requirements shall include all enrollment requirements regarding foster students and homeless students, including unaccompanied youth. If an employee of the District reasonably believes that the parent or legal guardian of a pupil has provided false or unreliable evidence of residency, the District may make reasonable efforts to determine that the pupil actually meets the residency requirements.

In the event the Superintendent/designee reasonably believes false or unreliable evidence of residency has been provided by a parent/legal guardian, the following procedures apply:

1. The Superintendent/designee shall identify the circumstances upon which the District may initiate an investigation, which shall, at a minimum, require the District employee to be able to identify specific, articulable facts supporting the belief that the parent/legal guardian of the pupil has provided false or unreliable evidence of residency. Examples of such situations include, but are not limited to: altered documents; credible information from the property owner or neighbor that the student does not reside at the address provided; results of a home visit by a District employee indicating the student does not reside at the address provided; credible information from the student stating s/he does not reside at the address provided; and/or mail sent by the school returned from the address provided.
2. The Superintendent/designee may use reasonable investigatory methods, as appropriate, to determine residency. These methods may include, but are not limited to:
 - a. Review of documentation;
 - b. Home visit by District personnel;
 - c. Interview of student and parent/legal guardian;
 - d. Contacting the landlord or neighbors regarding whether or not the student resides at the address provided;
 - e. [INSERT MORE AS NEEDED].
3. The Superintendent/designee may hire a private investigator if the investigatory methods described above are inconclusive to determine whether the pupil resides in the school district.
4. For any investigation conducted pursuant to this policy, the District shall:
 - a. Prohibit the surreptitious photographing or video-recording of pupils who are being investigated. For purposes of this policy, “surreptitious photographing or video-recording” means the covert collection of photographic or videographic images of

- persons or places subject to an investigation. For purposes of this policy, the collection of images is not covert if the technology is used in open and public view.
- b. Require that the employees and contractors of the District engaged in the investigation must identify themselves truthfully as such to individuals contacted or interviewed during the course of the investigation.
5. If the District determines that the pupil does not meet the residency requirements for school attendance in the District, the District shall provide the parent/legal guardian with the basis for the determination. The parent/legal guardian may appeal this determination to _____ within ___ days of the determination. If an appeal is made, the burden shall be on the parent/legal guardian to show why the decision of the District should be overruled.

Legal References:

EDUCATION CODE

- | | |
|---------|---|
| 48204 | Residency requirements for school attendance |
| 48204.1 | Reasonable evidence of residency; false or unreliable evidence; unaccompanied youth |
| 48204.2 | Pupil school enrollment; residency requirements; policy on investigations |

Dear State SARB Members:

As you know, a "chronic absentee" has been defined in *Education Code (EC)* Section 60901(c) (1) as "a pupil who is absent on 10 percent or more of the school days in the school year when the total number of days a pupil is absent is divided by the total number of days the pupil is enrolled and school was actually taught in the regular day schools of the district, exclusive of Saturdays and Sundays." This is different than the Office of Civil Rights definition of a chronic absentee as a pupil who has missed fifteen days of school for any reason during the course of the school year.

A new question I have been getting recently is not about California's definition of a "chronic absentee," but about California's definition of the "chronic absenteeism rate." There is confusion about what number is the denominator used in the fraction to calculate the rate of chronic absentees?

The definition of "chronic absenteeism rate" is found in *California Code of Regulations Title 5*, Section 15497.5 appendix:

(a) "Chronic absenteeism rate" shall be calculated as follows:

(1) The number of pupils with a primary, secondary, or short-term enrollment during the academic year (July 1 – June 30) who are chronically absent where "chronic absentee" means a pupil who is absent 10 percent or more of the schooldays in the school year when the total number of days a pupil is absent is divided by the total number of days the pupil is enrolled and school was actually taught in the total number of days the pupil is enrolled and school was actually taught in the regular day schools of the district, exclusive of Saturdays and Sundays.

(2) The unduplicated count of pupils with a primary, secondary, or short-term enrollment during the academic year (July 1 – June 30).

(3) Divide (1) by (2).

The divisor is not the number of students enrolled on the first Wednesday in October, which is designated as "Information Day" for the California Basic Educational Data System (CBEDS).

The divisor is the unduplicated count of all pupils enrolled during the whole academic year (July 1 through June 30). This makes the denominator of the fraction for the rate a more accurate reflection of how many pupils enrolled in the school or district during the school year.

If the same student enrolls in a school twice in one school year, that student will only be counted once. The word "unduplicated" in the definition is not referring to the unduplicated count of students who are classified as either poor, English learners, or foster youth.

If the rate of a subgroup is being calculated, the number of unduplicated chronic absentees in that subgroup should be divided by the number of unduplicated students in that subgroup who have been enrolled in that school or district so far during the course of the school year.

Please contact me if you have any questions about what number to use as the denominator in calculating the "chronic absenteeism rate."

David Kopperud

Dear State SARB Members:

As you know, attendance awareness is not just for September. To keep up the motivation for good attendance, Attendance Works is sponsoring a free webinar about positive parent messaging that includes ideas from the Ad Council, the California Attorney General's toolkit, and from Harvard Professor Todd Rogers.

This webinar is designed to provide you with strategies you can use right now to achieve your chronic absence reduction goals, as well as help you get ready for Attendance Awareness Month at the start of the next school year.



ATTENDANCE AWARENESS 2016

Don't let absences add up!

Tuesday
April 12, 2016

2-3:30 ET
11-12:30 PT

[REGISTER](#)

Motivating Good Attendance All Year Long

*Attendance Awareness Month 2016
Kickoff Webinar*

Interested in the latest strategies for leveraging positive messaging to prevent and reduce chronic absence? Join us for our **April 12th** webinar featuring the new Ad Council campaign from the US Department of Education, California Attorney General Kamala Harris's Positive Parent Messaging toolkit, low-cost, scalable approaches from Harvard Professor Todd Rogers and tips for teachers from the Parent Teacher Home Visit Project.

Attendance Works will also unveil its 2016 Count Us In toolkit to help communities plan for September Attendance Awareness Month. We invite new communities to launch Attendance Awareness Month in September

as a step towards a year-round Attendance Awareness Campaign. Our special guests and toolkit offer many ideas to help you plan your activities in the fall, and to develop tools and messaging to keep up a steady drumbeat about the importance of attendance throughout the course of an entire school year.

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