



## **CLASSROOM-BASED ATTENDANCE POLICY**

It is the intent of the Governance Council ("Board") of the Nevada City School of the Arts ("NCSOTA" or the "Charter School") to ensure that students attend school every day on time. Consistent school attendance is critical to school success. Being present for classroom instructional time is essential for a student's adequate academic progress. Chronic absenteeism has been linked to an increased likelihood of poor academic performance, disengagement from school and behavior problems.

### **Definitions**

- *"Tardy"*: NCSOTA starts at 8:30 am. Students shall be classified as tardy if the student arrives after that time.
- *"Unexcused Absence"*: A student shall have an unexcused absence if the student is absent or is tardy for more than thirty (30) minutes without a valid excuse.
- *"Truant"*: A student shall be classified as a truant if the student is absent from school without a valid excuse three (3) full days in one school year, or if the student is tardy or absent for more than any 30-minute period during the school day without a valid excuse on three (3) occasions in one school year, or any combination thereof. Any student who has once been reported as a truant and who is again absent from school without valid excuse one or more days, or tardy on one or more days, shall again be deemed a truant. Such students shall be reported to the Director or designee.
- *"Habitual Truant"*: A student shall be classified as a habitual truant if the student is reported for truancy three (3) or more times within the same school year. This generally occurs when the student is absent from school without a valid excuse for five (5) full days in one school year or if the student is tardy or absent for more than any 30-minute period during the school day without a valid excuse on five (5) occasions in one school year, or any combination thereof.
- *"Chronic Truant"*: A student shall be classified as a chronic truant if the student is absent from school without a valid excuse for ten (10) percent or more of the school days in one school year, from the date of enrollment to the current date.

### **Excused Absences for Classroom Based Attendance**

Absence from school shall be excused only for health reasons, mental health, medical appointments, bereavement, court or jury duty, military leave and religious holidays as required by law or permitted under this Attendance Policy.

A student's absence shall be excused for the following reasons:

1. Personal illness, including an 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, optometric, or chiropractic appointments:



- a. Students in grades 7-12, inclusive, may be excused from school for the purpose of obtaining confidential medical services without the consent of the student's parent or guardian.
4. For the purpose of attending the funeral services or grieving the death of either a member of the student's immediate family, or of a person that is determined by the student's parent or guardian to be in such close association with the student as to be considered the student's immediate family, so long as the absence is not more than five (5) days per incident. "Immediate family" means the parent or guardian, brother or sister, grandparent, or any other relative living in the household of the student.
5. For any of the following reasons, if an immediate family member of the student, or a person that is determined by the student's parent or guardian to be in such close association with the student as to be considered the student's immediate family, has died:
  - a. To access services from a victim services organization or agency.
  - b. To access grief support services.
  - c. To participate in safety planning or to take other actions to increase the safety of the student or an immediate family member of the student, or a person that is determined by the student's parent or guardian to be in such close association with the student as to be considered the student's immediate family, including, but not limited to, temporary or permanent relocation.

Absences under this section shall not be excused for more than three (3) days per incident, unless extended on a case-by-case basis at the discretion of the school administrator. "Immediate family" means the parent or guardian, brother or sister, grandparent, or any other relative living in the household of the student.

6. Participation in religious instruction or exercises as follows:
  - a. The student shall be excused for this purpose
7. Due to the illness or medical appointment during school hours of a child of whom the student is the custodial parent, including absences to care for a sick child. (The school does not require a note from the doctor for this excusal.)
8. To permit the student to spend time with an immediate family who is an active-duty member of the uniformed services, as defined in Education Code Section 49701, and has been called to duty for, is on leave from, or has immediately returned from, deployment. Absences granted pursuant to this paragraph shall be granted for a period of time to be determined at the discretion of the Charter School.
9. Attendance at the student's naturalization ceremony to become a United States citizen.
10. Authorized parental leave for a pregnant or parenting student for up to eight (8) weeks, which may be extended if deemed medically necessary by the student's physician
11. Authorized at the discretion of a school administrator, based on the facts of the students' circumstances, and are deemed to constitute a valid excuse. A student who holds a work permit to work for a period of not more than five consecutive days in the entertainment or allied industries shall be excused from school during the period that the student is working in the entertainment or allied industry for a maximum of up to five absences per school year subject to the requirements of Education Code Section 48225.5.



12. In order to participate with a not-for-profit performing arts organization in a performance for a public-school student audience for a maximum of up to five days per school year provided the student's parent or guardian provides a written note to the school authorities explaining the reason for the student's absence.
13. For the purpose of a middle school student engaging in a civic or political event as indicated below, provided that the student notifies the school ahead of the absence. A "civic or political event" includes, but is not limited to, voting, poll working, strikes, public commenting, candidate speeches, political or civic forums, and town halls.
  - a. A middle school student who is absent pursuant to this provision is required to be excused for only one school day long absence per school year.
  - b. A middle school student who is absent pursuant to this provision may be permitted additional excused absences in the discretion of a school administrator.
14. For the following justifiable personal reasons for a maximum of five (5) school days per school year (unless otherwise indicated), upon advance written request by the student's parent or guardian and approval by the school director or designee pursuant to uniform standards:
  - a. Appearance in court.
  - b. Observation of a holiday or ceremony of the student's religion.
  - c. Attendance at religious retreats (not to exceed one school day per semester).
  - d. Attendance at an employment conference,

Attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization

A student who is absent due to an excused absence will be allowed to complete all assignments and tests missed during the excused absence that can be reasonably provided and will receive full credit upon satisfactory completion within a reasonable period of time. The teacher of the class from which a student is absent shall determine which tests and assignments are reasonably equivalent to, but not necessarily identical to, the tests and assignments that the student missed during the excused absence.

### **Method of Verification**

When students who have been absent return to school, they must present a satisfactory explanation verifying the reason for the absence. The following methods may be used to verify student absences:

1. Signed, written note 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 or dates of absence; and
  - 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. A written recording shall be made, including information outlined above.
4. Healthcare provider verification:
  - a. When excusing students for confidential medical services or verifying such appointments, Charter School staff shall not ask the purpose of such appointments but may contact a medical office to confirm the time of the appointment.
  - b. A healthcare provider's note of illness will be accepted for any reported absence. When a student has had fourteen (14) absences in the school year for illness verified by methods listed in #1-#3 above without a healthcare provider's note, any further absences for illness must be verified by a healthcare provider.

Insofar as class participation is an integral part of students' learning experiences, parents/guardians and students shall be encouraged to schedule medical appointments during non-school hours.

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

### **Absences/Truancy for Classroom Based Attendance**

The Director, or designee, shall implement positive steps to reduce truancy, including working with the family in an attempt to resolve the attendance problem. A student's progress and learning may be affected by excessive absences. In addition, NCSOTA is fiscally dependent on student attendance and is negatively impacted by excessive absences. If all attempts to resolve the student's attendance problem are unsuccessful, NCSOTA will implement the processes described below.

### **Process for Addressing Truancy**

1. Each of the first five (5) absences or tardies over 30 minutes will result in an initial email notifying parents that they are close to receiving an official 1<sup>st</sup> letter. The Attendance Review Team will email the teacher, families and director.
  - i. Exception – if a student chronically absent the year before, they will receive an email from the Attendance Review Team to review how we can support you at the beginning of the school year and only be allowed 3 unexcused absences before the 2<sup>nd</sup> letter is sent
2. Each of the eight (8) absences or tardies over 30 minutes will result in the parent/guardian will receive **“Official Letter - #1 - Attendance Outreach”** from NCSOTA notifying the parent/guardian of the student's “Truant” status. This letter will be uploaded to ParentVUE in the student information system. This letter shall also be accompanied by a copy of this Attendance Policy. This letter, and all subsequent letter(s) sent home, shall be sent by electronic Mail, and attached to ParentVUE/Student VUE student information system for.
3. Upon reaching Eleven (11) absences or tardies over 30 minutes, the parent/guardian will receive **“Official Letter #2 - “Conference Request”** notifying the parent/guardian of the student's “Habitual Truant” status and a parent/guardian conference will be scheduled with the SART to review the student's records and develop an intervention plan/contract.



4. Upon reaching seventeen (17) absences or tardies over 30 minutes, the parent/guardian will receive a **“Official Letter #3 – Referral to SARB Meeting”** and the student will be referred to a Student Success Team (SST) and the SARB.
2. If the conditions of the SARB plan are not met, the student may incur additional administrative action up to and including disenrollment from NCSOTA, consistent with the Involuntary Removal Process described below. If the student is disenrolled after the Involuntary Removal Process has been followed, notification will be sent within thirty (30) days to the student’s last known district of residence.
3. For all communications set forth in this process, NCSOTA will use the contact information provided by the parent/guardian in the registration packet. It is the parent’s or guardian’s responsibility to update NCSOTA with any new contact information.
4. If student is absent ten (10) or more consecutive school days without valid excuse and parent/guardian cannot be reached at the number or address provided in the registration packet and does not otherwise respond to NCSOTA’s communication attempts, as set forth above, the student will be in violation of this policy and the SART plan (of any), and may be subject to disenrollment in compliance with the Involuntary Removal Process described below.
5. Any documentation received by the Charter School regarding a student’s enrollment and attendance at another public or private school (i.e., CALPADS report) shall be deemed evidence of a voluntary disenrollment and shall not trigger the Involuntary Removal Process below.

### **School Attendance Review Team Process**

The School Attendance Review Team (“SART”): The SART panel will be composed of The School Director, Parent Resources Coordinator and School Counselor. The SART panel will discuss the absence problem with the Parent/Guardian to work on solutions, develop strategies, discuss appropriate support services for the student and his/her family, and establish a plan to resolve the attendance issue.

1. The SART panel shall direct the parent/guardian that no further unexcused absences or tardies can be tolerated.
2. The parent shall be required to sign a plan formalizing the agreement by the parents to improve the child’s attendance or face additional administrative action. The contract will identify the corrective actions required in the future, and indicate that the SART panel shall have the authority to order one or more of the following consequences for non-compliance with the terms of the plan:
  - a. Parent/guardian to attend school with the child for one day
  - b. Student retention
  - c. Required school counseling
  - d. Loss of field trip privileges



- e. Loss of school event privileges
  - f. Required remediation plan as set by the SART
  - g. Notification to SARB Board
3. The SART panel may discuss other school placement options.
4. Notice of action recommended by the SART will be provided in writing to the parent/guardian.

### **Process for Students Who Are Not in Attendance at the Beginning of the School Year**

When students are not in attendance on the first five (5) days of the school year, NCSOTA will attempt to reach the parent/guardian on a daily basis for each of the first five (5) days to determine whether the student has an excused absence, consistent with the process outlined in this policy. If the student has a basis for an excused absence, parents must notify NCSOTA of the absence and provide documentation consistent with this policy. However, consistent with process below, students who are not in attendance due to an unexcused absence by the sixth (6<sup>th</sup>) day of the school year will be disenrolled from NCSOTA roster after following the Involuntary Removal Process described below, as it will be assumed that the student has chosen another school option.

1. Students who are not in attendance on the first (1<sup>st</sup>) day of the school year and do not have an excused absence will be contacted by phone to ensure their intent to enroll in NCSOTA.
2. Students who have indicated their intent to enroll but have not attended by the third (3<sup>rd</sup>) day of the school year and do not have an excused absence will receive a letter indicating the student's risk of disenrollment.
3. Students who have indicated their intent to enroll but have not attended by the fifth (5<sup>th</sup>) day of the school year and do not have an excused absence will receive a phone call reiterating the content of the letter.
4. NCSOTA will send the Involuntary Removal Notice and the CDE Enrollment Complaint Notice and Form to the Parent/Guardian and follow the Involuntary Removal Process described below for any students who have not attended by the sixth (6<sup>th</sup>) day, and do not have an excused absence.
5. NCSOTA will use the contact information provided by the parent/guardian in the registration packet.
6. Within thirty (30) calendar days of disenrollment, the Charter School will send the student's last known school district of residence a letter notifying it of the student's failure to attend the Charter School.
7. Any documentation received by the Charter School regarding a student's enrollment and attendance at another public or private school (i.e., CALPADS report) shall be deemed evidence of a voluntary disenrollment and shall not trigger the Involuntary Removal Process below.

### **Involuntary Removal Process**

No student shall be involuntarily removed by NCSOTA for any reason unless the parent or guardian of the student has been provided written notice of the Charter School's intent to remove the student ("Involuntary Removal Notice"). The Involuntary Removal Notice must be provided to the parent or



guardian no less than five (5) schooldays before the effective date of the proposed disenrollment date.

The written notice shall be in the native language of the student or the student's parent or guardian or, if the student is a foster child or youth or a homeless child or youth, the student's educational rights holder. The Involuntary Removal Notice shall include:

1. The charges against the student
2. An explanation of the student's basic rights including the right to request a hearing before the effective date of the action
3. The CDE Enrollment Complaint Notice and Form

The hearing shall be consistent with NCSOTA's expulsion procedures. If the student's parent, guardian, or educational rights holder requests a hearing, the student shall remain enrolled and shall not be removed until NCSOTA issues a final decision. As used herein, "involuntarily removed" includes disenrolled, dismissed, transferred, or terminated, but does not include suspensions or expulsions pursuant to NCSOTA's suspension and expulsion policy.

Upon parent/guardian request for a hearing, NCSOTA will provide notice of hearing consistent with its expulsion hearing process, through which the student has a fair opportunity to present testimony, evidence, and witnesses and confront and cross-examine adverse witnesses, and at which the student has the right to bring legal counsel or an advocate. The notice of hearing shall be in the native language of the student or the student's parent or guardian or, if the student is a foster child or youth or a homeless child or youth, the student's educational rights holder and shall include a copy of NCSOTA's expulsion hearing process.

If the parent/guardian is nonresponsive to the Involuntary Removal Notice, the Student will be disenrolled as of the effective date set forth in the Involuntary Removal Notice. If parent/guardian requests a hearing and does not attend on the date scheduled for the hearing the Student will be disenrolled effective the date of the hearing.

If as a result of the hearing the student is disenrolled, notice will be sent to the student's last known school district of residence within thirty (30) calendar days.

A hearing decision not to disenroll the student does not prevent the Charter School from making a similar recommendation in the future should student truancy continue or re-occur.

### **Referral to Appropriate Agencies or County District Attorney**

It is NCSOTA's intent to identify and remove all barriers to the student's success, and NCSOTA will explore every possible option to address student attendance issues with the family. For any unexcused absence, NCSOTA may refer the family to appropriate school-based and/or social service agencies.

If a child's attendance does not improve after a SART contract has been developed according to the procedures above, or if the parents fail to attend a required SART meeting, NCSOTA shall notify the Nevada County Office of Education for referral to a SARB hearing, which then may refer the matter



for prosecution through the court system. Students 12 years of age and older may be referred to the juvenile court for adjudication.

### **Non-Discrimination**

These policies will be enforced fairly, uniformly, and consistently without regard to the characteristics listed in Education Code Section 220 (actual or perceived disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code, including immigration status, pregnancy, or association with an individual who has any of the aforementioned characteristics).

### **Reports**

The Director, or designee, shall gather and report to the Board the number of absences both excused and unexcused as well as students who are truant, and the steps taken to remedy the problem.