

## Mandatory School Attendance—Excused and Unexcused Absences

### **Mandatory School Attendance (RCW 28A.225.010):**

(1) All parents in this state of any child eight years of age and under eighteen years of age shall cause such child to attend the public school of the district in which the child resides and such child shall have the responsibility to and therefore shall attend for the full time when such school may be in session unless:

(a) The child is attending an approved private school for the same time or is enrolled in an extension program as provided in RCW [28A.195.010](#)(4);

(b) The child is receiving home-based instruction as provided in subsection (4) of this section;

(c) The child is attending an education center as provided in chapter [28A.205](#) RCW;

(d) The school district superintendent of the district in which the child resides shall have excused such child from attendance because the child is physically or mentally unable to attend school, is attending a residential school operated by the department of social and health services, is incarcerated in an adult correctional facility, or has been temporarily excused upon the request of his or her parents for purposes agreed upon by the school authorities and the parent:

PROVIDED, That such excused absences shall not be permitted if deemed to cause a serious adverse effect upon the student's educational progress: PROVIDED FURTHER, That students excused for such temporary absences may be claimed as full-time equivalent students to the extent they would otherwise have been so claimed for the purposes of RCW [28A.150.250](#) and [28A.150.260](#) and shall not affect school district compliance with the provisions of RCW [28A.150.220](#);

(e) The child is excused from school subject to approval by the student's parent for a reason of faith or conscience, or an organized activity conducted under the auspices of a religious denomination, church, or religious organization, for up to two days per school year without any penalty. Such absences may not mandate school closures. Students excused for such temporary absences may be claimed as full-time equivalent students to the extent they would otherwise have been so claimed for the purposes of RCW [28A.150.250](#) and [28A.150.260](#) and may not affect school district compliance with the provisions of RCW [28A.150.220](#); or

(f) The child is sixteen years of age or older and:

(i) The child is regularly and lawfully employed and either the parent agrees that the child should not be required to attend school or the child is emancipated in accordance with chapter [13.64](#) RCW;

(ii) The child has already met graduation requirements in accordance with state board of education rules and regulations; or

(iii) The child has received a certificate of educational competence under rules and regulations established by the state board of education under RCW [28A.305.190](#).

(2) A parent for the purpose of this chapter means a parent, guardian, or person having legal custody of a child.

(3) An approved private school for the purposes of this chapter and chapter [28A.200](#) RCW shall be one approved under regulations established by the state board of education pursuant to RCW [28A.305.130](#).

(4) For the purposes of this chapter and chapter [28A.200](#) RCW, instruction shall be home-based if it consists of planned and supervised instructional and related educational activities, including a curriculum and instruction in the basic skills of occupational education, science, mathematics, language, social studies, history, health, reading, writing, spelling, and the development of an appreciation of art and music, provided for a number of hours equivalent to

the total annual program hours per grade level established for approved private schools under RCW [28A.195.010](#) and [28A.195.040](#) and if such activities are:

(a) Provided by a parent who is instructing his or her child only and are supervised by a certificated person. A certificated person for purposes of this chapter and chapter [28A.200](#) RCW shall be a person certified under chapter [28A.410](#) RCW. For purposes of this section, "supervised by a certificated person" means: The planning by the certificated person and the parent of objectives consistent with this subsection; a minimum each month of an average of one contact hour per week with the child being supervised by the certificated person; and evaluation of such child's progress by the certificated person. The number of children supervised by the certificated person shall not exceed thirty for purposes of this subsection; or

(b) Provided by a parent who is instructing his or her child only and who has either earned forty-five college level quarter credit hours or its equivalent in semester hours or has completed a course in home-based instruction at a postsecondary institution or a vocational-technical institute; or

(c) Provided by a parent who is deemed sufficiently qualified to provide home-based instruction by the superintendent of the local school district in which the child resides.

(5) The legislature recognizes that home-based instruction is less structured and more experiential than the instruction normally provided in a classroom setting. Therefore, the provisions of subsection (4) of this section relating to the nature and quantity of instructional and related educational activities shall be liberally construed.

**Mandatory School Attendance Six or seven-year olds (RCW 28A.225.015):**

(1) If a parent enrolls a child who is six or seven years of age in a public school, the child is required to attend and that parent has the responsibility to ensure the child attends for the full time that school is in session. An exception shall be made to this requirement for children whose parents formally remove them from enrollment if the child is less than eight years old and a petition has not been filed against the parent under subsection (3) of this section. The requirement to attend school under this subsection does not apply to a child enrolled in a public school part-time for the purpose of receiving ancillary services. A child required to attend school under this subsection may be temporarily excused upon the request of his or her parent for purposes agreed upon by the school district and parent.

(2) If a six or seven-year-old child is required to attend public school under subsection (1) of this section and that child has unexcused absences, the public school in which the child is enrolled shall:

(a) Inform the child's custodial parent, parents, or guardian by a notice in writing or by telephone whenever the child has failed to attend school after one unexcused absence within any month during the current school year;

(b) Request a conference or conferences with the custodial parent, parents, or guardian and child at a time reasonably convenient for all persons included for the purpose of analyzing the causes of the child's absences after three unexcused absences within any month during the current school year. If a regularly scheduled parent-teacher conference day is to take place within thirty days of the third unexcused absence, then the school district may schedule this conference on that day; and

(c) Take steps to eliminate or reduce the child's absences. These steps shall include, where appropriate, adjusting the child's school program or school or course assignment, providing more individualized or remedial instruction, offering assistance in enrolling the child in available alternative schools or programs, or assisting the parent or child to obtain supplementary services that may help eliminate or ameliorate the cause or causes for the absence from school.

(3) If a child required to attend public school under subsection (1) of this section has seven unexcused absences in a month or ten unexcused absences in a school year, the school district shall file a petition for civil action as provided in RCW [28A.225.035](#) against the parent of the child.

(4) This section does not require a six or seven-year-old child to enroll in a public or private school or to receive home-based instruction. This section only applies to six or seven-year-old children whose parents enroll them full time in public school and do not formally remove them from enrollment as provided in subsection (1) of this section.

### **Conferences to identify barriers to child's school attendance of Elementary Students (RCW 28A.225.018).**

(1) Except as provided in subsection (2) of this section, in the event that a child in elementary school is required to attend school under RCW [28A.225.010](#) or [28A.225.015](#)(1) and 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 school district shall schedule a conference or conferences with the parent and child at a time reasonably convenient for all persons included for the purpose of identifying the barriers to the child's regular attendance, and the supports and resources that may be made available to the family so that the child is able to regularly attend school. If a regularly scheduled parent-teacher conference day is to take place within thirty days of the absences, the school district may schedule this conference on that day. To satisfy the requirements of this section, the conference must include at least one school district employee such as a nurse, counselor, social worker, teacher, or community human services provider, except in those instances regarding the attendance of a child who has an individualized education program or a plan developed under section 504 of the rehabilitation act of 1973, in which case the reconvening of the team that created the program or plan is required.

(2) A conference pursuant to subsection (1) of this section is not required in the event of excused absences for which prior notice has been given to the school or a doctor's note has been provided and an academic plan is put in place so that the child does not fall behind.

### **School's duties upon child's failure to attend school (RCW 28A.225.020).**

(1) If a child required to attend school under RCW [28A.225.010](#) fails to attend school without valid justification, the public school in which the child is enrolled shall:

(a) Inform the child's parent by a notice in writing or by telephone whenever the child has failed to attend school after one unexcused absence within any month during the current school year. School officials shall inform the parent of the potential consequences of additional unexcused absences. If the parent is not fluent in English, the school must make reasonable efforts to provide this information in a language in which the parent is fluent;

(b) Schedule a conference or conferences with the parent and child at a time reasonably convenient for all persons included for the purpose of analyzing the causes of the child's absences after three unexcused absences within any month during the current school year. If a regularly scheduled parent-teacher conference day is to take place within thirty days of the third unexcused absence, then the school district may schedule this conference on that day. If the child's parent does not attend the scheduled conference, the conference may be conducted with the student and school official. However, the parent shall be notified of the steps to be taken to eliminate or reduce the child's absence; and

(c) At some point after the second and before the fifth unexcused absence, take data-informed steps to eliminate or reduce the child's absences.

(i) In middle school and high school, these steps must include application of the Washington assessment of the risks and needs of students (WARNS) or other assessment by a school district's designee under RCW [28A.225.026](#).

(ii) For any child with an existing individualized education plan or 504 plan, these steps must include the convening of the child's individualized education plan or 504 plan team, including a behavior specialist or mental health specialist where appropriate, to consider the reasons for the absences. If necessary, and if consent from the parent is given, a functional behavior assessment to explore the function of the absence behavior shall be conducted and a detailed behavior plan completed. Time should be allowed for the behavior plan to be initiated and data tracked to determine progress.

(iii) With respect to any child, without an existing individualized education plan or 504 plan, reasonably believed to have a mental or physical disability or impairment, these steps must include informing the child's parent of the right to obtain an appropriate evaluation at no cost to the parent to determine whether the child has a disability or impairment and needs accommodations, related services, or special education services. This includes children with suspected emotional or behavioral disabilities as defined in WAC 392-172A-01035. If the school obtains consent to conduct an evaluation, time should be allowed for the evaluation to be completed, and if the child is found to be eligible for special education services, accommodations, or related services, a plan developed to address the child's needs.

(iv) These steps must include, where appropriate, providing an available approved best practice or research-based intervention, or both, consistent with the WARNS profile or other assessment, if an assessment was applied, adjusting the child's school program or school or course assignment, providing more individualized or remedial instruction, providing appropriate vocational courses or work experience, referring the child to a community truancy board, requiring the child to attend an alternative school or program, or assisting the parent or child to obtain supplementary services that might eliminate or ameliorate the cause or causes for the absence from school.

(2) For purposes of this chapter, an "unexcused absence" means that a child:

(a)(i) Has failed to attend the majority of hours or periods in an average school day or has failed to comply with a more restrictive school district policy; and

(ii) Has failed to meet the school district's policy for excused absences; or

(b) Has failed to comply with alternative learning experience program attendance requirements as described by the superintendent of public instruction.

(3) If a child transfers from one school district to another during the school year, the receiving school or school district shall include the unexcused absences accumulated at the previous school or from the previous school district for purposes of this section, RCW [28A.225.030](#), and [28A.225.015](#). The sending school district shall provide this information to the receiving school, together with a copy of any previous assessment as required under subsection (1)(c) of this section, history of any best practices or researched-based intervention previously provided to the child by the child's sending school district, and a copy of the most recent truancy information including any online or written acknowledgment by the parent and child, as provided for in RCW [28A.225.005](#). All school districts must use the standard choice transfer form for releasing a student to a nonresident school district for the purposes of accessing an alternative learning experience program.

#### **Definition of Absence (WAC 392-401-105)**

(1) An absence is defined as when a student is:

(a) Not physically present on school grounds; and,

(b) Not participating in the following activities at an approved location:

- a. Instruction;
  - b. Any instruction-related activity; or,
  - c. Any other district or school approved activity regulated by an instructional/academic accountability system, such as participation in district-sponsored sports.
- (2) Students shall not be absent if:
- (a) They have been suspended, expelled, or emergency expelled pursuant to chapter 392-400 WAC;
  - (b) Are receiving educational services as required by RCW 28A.600.015 and chapter 392-400 WAC; and
  - (c) The student is enrolled in qualifying "course of study" activities as defined in WAC 392-121-107.
- (3) A full day absence is when a student is absent for fifty percent or more of their scheduled day.
- (4) A school or district shall not convert or combine tardies into absences that contribute to a truancy petition.

### **Chronic Absenteeism**

Chronic absenteeism is defined as a student who misses 10% of school or a total of 18 days in a single school year, including both excused and unexcused absences.

### **Excused Absences (WAC 392-400-325)**

A. The following are valid excuses for absences (WAC 392-401-020):

1. Illness, health condition or medical appointment (including, but not limited to, medical, counseling, dental, optometry, pregnancy, and in-patient or out-patient treatment for chemical dependency or mental health) for the student or person for whom the student is legally responsible;
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 (for up to two days per school year without any penalty);
4. Court, 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. Absence 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 district policy and is mutually agreed upon by the principal or designee and parent, guardian, or emancipated youth.

The school principal (or designee) has the authority to determine if an absence meets the above criteria for an excused absence. The principal (or designee) will require additional documentation after the ninth overall absence to support her/his decision. Such documentation may include, but not be limited to: Licensed Health Practitioner’s note, pre-arranged absence form, summons/subpoena/notice to appear.

If your student is absent more than three days in a row due to illness, a doctor’s note will be required. If your student will be seen by a professional service organization, provide confirmation from that organization of the appointment (including the time of the appointment). If you know in advance that your child will be absent obtain a “pre-arranged absence” form from your child’s school, to be turned in prior to the absence(s). All forms are available at your child’s school or on our website for compliance.

- A. If an absence is excused, the student will be permitted to make up all missed assignments outside of class under reasonable conditions and time limits established by the appropriate teacher; except that in participation-type classes, a student's grade may be affected because of the student's inability to make up the activities conducted during a class period.
- B. An excused absence will be verified by a parent/guardian or an adult, emancipated or appropriately aged student, or school authority responsible for the absence. If attendance is taken electronically, either for a course conducted online or for students physically within the district, an absence will default to unexcused until such time as an excused absence may be verified by a parent or other responsible adult. Absences that are not verified within three days of a student’s return to school will be considered unexcused. If a student is to be released for health care related to family planning or abortion, the student may require that the district keep the information confidential. Students thirteen and older have the right to keep information about drug, alcohol or mental health treatment confidential. Students fourteen and older have the same confidentiality rights regarding HIV and sexually transmitted diseases.

### **Unexcused Absences**

- A. Any absence from school is unexcused unless it meets one of the criteria above for an excused absence.

- B. As a means of instilling values of responsibility and personal accountability, a student whose absence is not excused will experience the consequences of his/her absence. A student's grade may be affected if a graded activity or assignment occurs during the period of time when the student is absent.

**Students dependent pursuant to Chapter 13.34, RCW (RCW 28A.225.023)**

A school district representative or school employee shall review unexpected or excessive absences with a youth who is dependent pursuant to chapter [13.34](#) RCW and adults involved with that youth, to include the youth's caseworker, educational liaison, attorney if one is appointed, parent or guardians, and foster parents or the person providing placement for the youth. The purpose of the review is to determine the cause of the absences, taking into account: Unplanned school transitions, periods of running from care, in-patient treatment, incarceration, school adjustment, educational gaps, psychosocial issues, and unavoidable appointments during the school day. A school district representative or a school employee must proactively support the youth's school work so the student does not fall behind and to avoid suspension or expulsion based on truancy.

**Information for Students and Parents (RCW 28A.225.005(1)):**

Each school within the school district shall inform the students and the parents of the students enrolled in the school about: The benefits of regular school attendance; the potential effects of excessive absenteeism, whether excused or unexcused, on academic achievement, and graduation and dropout rates; the school's expectations of the parents and guardians to ensure regular school attendance by the child; the resources available to assist the child and the parents and guardians; the role and responsibilities of the school; and the consequences of truancy, including the compulsory education requirements under this chapter. The school shall provide access to the information before or at the time of enrollment of the child at a new school and at the beginning of each school year. If the school regularly and ordinarily communicates most other information to parents online, providing online access to the information required by this section satisfies the requirements of this section unless a parent or guardian specifically requests information to be provided in written form. Reasonable efforts must be made to enable parents to request and receive the information in a language in which they are fluent. A parent must date and acknowledge review of this information online or in writing before or at the time of enrollment of the child at a new school and at the beginning of each school year.

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Cross References:	Board Policy 3120	Enrollment
	Board Policy 3230	Student Privacy and Searches
	Board Policy 3240	Student Conduct Expectations and Reasonable Sanctions
	Board Policy 3241	Classroom Management, Discipline and Corrective Action
	Board Policy 4218	Language Access Plan

Legal References: Chapter 28A.225

Compulsory school attendance and admission

RCW 13.34.300

Relevance of failure to cause  
juvenile to attend school to  
neglect petition

WAC 392-400-325

Statewide definition of  
excused and unexcused daily  
absences.

Management Resources: 2017 – July Issue  
2016 - July Issue  
2015 - June Issue  
2012 - December Issue  
2011 - December Issue  
Policy News, June 2001 More  
Tweaking of Becca Petitions