

Regulation 5113.12: District School Attendance Review Board

Status: ADOPTED

Original Adopted Date: 10/01/2017 | **Last Reviewed Date:** 10/01/2017

Upon receiving a referral of a student with attendance and/or behavior problems, a designated member of the school attendance review board (SARB) shall review the case and may meet with school personnel to determine whether the school has provided sufficient information about the student's attendance record or behavior. If the referral is complete and is an appropriate matter for the SARB to consider, the SARB chairperson shall provide written notification to the student's parents/guardians stating the reasons a referral has been made, explaining the SARB process, advising whether additional information is needed, and describing school-level interventions that have previously been attempted.

The SARB shall meet with the student and his/her parents/guardians, give them an opportunity to present their understanding of the problem, and discuss the school and/or community resources appropriate for the student's circumstances.

Any SARB meeting to consider matters related to an individual student shall be held in closed session unless the parent/guardian requests, in writing, that the meeting be held in open session.

The SARB shall have access to relevant student records, but shall not provide access to others without written consent of the student's parent/guardian. (Education Code 49076)

For the limited purpose of making a proper disposition of the referral of a student, the SARB may issue subpoenas pursuant to Code of Civil Procedure 1985-1997 or may request the juvenile court to issue subpoenas to require the attendance of the student, parents/guardians or other person having control of the student, the school authority referring the student, or any other person who has pertinent or material information concerning the matter. The SARB shall not issue any subpoena that includes a request for production of written materials, but may request a juvenile court to issue such subpoena for the production of written materials. (Education Code 48263, 48321.5)

The SARB shall issue written directives stating the responsibilities of all persons involved, detailed resource referrals, and follow-up dates for the school's reports on the student's progress. The written directives shall include an agreement that the student will attend school or improve classroom behavior as applicable, and shall be signed by the student, his/her parents/guardians, the SARB chairperson, and the Superintendent or designee.

When referred by the SARB, a student may be assigned to a community day school or a county community school. (Education Code 1981, 48662)

At any time it deems proper, the SARB may require the student or his/her parents/guardians to furnish satisfactory evidence of participation in any available community services that the student or parents/guardians have been directed to use. (Education Code 48263)

Based on progress reports submitted by the school, the SARB may terminate the agreement upon

the successful completion of the terms of the agreement, extend the time for completion of the agreement, or schedule another meeting with the student and his/her parents/guardians.

If the student's attendance or behavior problems cannot be resolved by the SARB, or if the student and/or the student's parents/guardians continually and willfully fail to respond to SARB directives or the services provided, the student or parents/guardians shall be referred to the appropriate agency, including law enforcement agencies when necessary. (Education Code 48263, 48290-48291)

Policy Reference Disclaimer:

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State	Description
5 CCR 306	<u>Explanation of absence</u>
5 CCR 420-424	<u>Record of verification of absence due to illness and other causes</u>
Code of Civil Procedure 1985-1997	<u>Production of evidence; means of production</u>
Ed. Code 1740	<u>Employment of personnel to supervise attendance</u>
Ed. Code 1980-1986	<u>County community school</u>
Ed. Code 46010-46015	<u>Absences</u>
Ed. Code 48200-48208	<u>Children ages 6-18; compulsory full-time attendance</u>
Ed. Code 48240-48246	<u>Supervisors of attendance</u>
Ed. Code 48260-48273	<u>Truants</u>
Ed. Code 48290-48297	<u>Failure to comply; complaints against parents</u>
Ed. Code 48320-48325	<u>School attendance review boards</u>
Ed. Code 48340-48341	<u>Improvement of student attendance</u>
Ed. Code 48400-48403	<u>Compulsory continuation education</u>
Ed. Code 48660-48666	<u>Community day schools</u>
Ed. Code 49067	<u>Unexcused absences as cause of failing grade</u>
Gov. Code 54950-54963	<u>The Ralph M. Brown Act</u>
Pen. Code 270.1	<u>Chronic truancy; parent/guardian misdemeanor</u>
Pen. Code 272	<u>Parent/guardian duty to supervise and control minor child; criminal liability for truancy</u>

Pen. Code 830.1	Peace officers
Veh. Code 13202.7	Driving privileges; minors; suspension or delay for habitual truancy
W&I Code 11253.5	Compulsory school attendance; eligibility for aid
W&I Code 256-258	Juvenile hearing officer
W&I Code 601-601.5	Habitually truant minors
Management Resources	Description
California Department of Education Publication	School Attendance Review Boards Handbook & Forms
California Department of Education Publication	School Attendance Improvement Handbook, 2000
Court Decision	L.A. v. Superior Court of San Diego County (2012) 209 Cal.App.4th 976
Website	CSBA District and County Office of Education Legal Services
Website	Attendance Works
Website	California Association of Supervisors of Child Welfare and Attendance
Website	California Department of Education
Website	CSBA

Cross References

Code	Description
5030	Student Wellness
5112.5	Open/Closed Campus
5113	Absences And Excuses
5113	Absences And Excuses
5113.1	Chronic Absence And Truancy
5113.1	Chronic Absence And Truancy
5113.11	Attendance Supervision
5117	Interdistrict Attendance
5117	Interdistrict Attendance
5125	Student Records

5125	<u>Student Records</u>
5126	<u>Awards For Achievement</u>
5126	<u>Awards For Achievement</u>
5131	<u>Conduct</u>
5131.2	<u>Bullying</u>
5131.2	<u>Bullying</u>
5137	<u>Positive School Climate</u>
5141.6	<u>School Health Services</u>
5141.6	<u>School Health Services</u>
5145.3	<u>Nondiscrimination/Harassment</u>
5145.3	<u>Nondiscrimination/Harassment</u>
5146	<u>Married/Pregnant/Parenting Students</u>
5147	<u>Dropout Prevention</u>