

# Compulsory School Attendance

## The Laws You Need to Know

### What are the school attendance requirements in California?

- Every person between the ages of six (6) years and eighteen (18) years of age is required to attend school. (Education Code 48200)
- Students are expected to attend school regularly and on time.
- Parents and guardians are required to send their children to school.

### What is considered a valid, legal absence?

- Absences are allowed for the following causes, when verified (Education Code 48205):
  - A student's illness (not parent's or another family member).
  - Quarantine by a county or city health officer.
  - Medical, dental or eye appointments.
  - Attending the funeral of an immediate family member: one (1) day in California; three (3) days out of California. Immediate family member means student's mother/father, brother/sister, child, grandmother/grandfather, or spouse, spouse's mother/father, spouse's child, spouse's brother/sister, or any relative living the immediate household of the student.
  - Court appearance when the student has subpoena with his/her name on it.
  - Religious holiday/retreat/ceremony (max of four (4) hours per semester) with prior written request from parent and approval from school.
  - Employment conference attended by student's parent/guardian with prior written request from parent and approval from school. Student who attends such a conference with parent/guardian is expected to complete all assignments and tests which can reasonably be provided.
  - Students can spend time with an immediate family member on active duty when they are deployed, home on leave, or have just returned.
  - A valid excuse includes, but is not limited to, the previously listed reasons and may include other reasons that are within the discretion of school administrators and, based on the facts of the pupil's circumstances, are deemed to constitute a valid excuse.
- **Verified absence due to illness or quarantine is allowed.** Verification may be by one of the following: school/public health nurse, attendance supervisor, physician, teacher, or any other qualified employee of the school district. (Education Code 46011, CCR Title 5, Sec. 421)

**Parents cannot verify an absence!**

## **What are the consequences for parents and students when a student does not attend school?**

- Parents who fail to send their children to school can be criminally prosecuted under Penal Codes 272 and 270.1 and Education Codes 48291/48293 and 48453/48454. The penalties can range from a fine of \$50 to \$2,500 plus a penalty assessment and can be sentenced to up to a year in jail. Parents can be ordered by a judge to personally deliver their child to school.
- Students who fail to attend school can be criminally prosecuted in Juvenile Court under Education Code section 48265.5. Students can be given a \$100 fine, community service up to 40 hours, and can be forced to attend an approved truancy education program. If the student has gone through SARB or truancy mediation, their license can be suspended or revoked pursuant to Vehicle Code section 13202.7.

## **What are the best ways for parents to avoid a violation of the compulsory education laws?**

- When your child is ill, either bring the child to school to have the illness verified by school personnel/school nurse or take the child to a health care provider for verification and obtain written documentation of the illness. Keep a copy of the documentation for yourself.
- Discuss ongoing medical conditions with school personnel and, if necessary, sign a release of information to the school from the doctor.
- Make sure that your child is on time and in school every day.
- Schedule medical and dental appointments after school or on school holidays.
- Seek assistance from a school counselor if you are having problems getting your child to school. They can direct you to resources that will help you.

**REGULAR SCHOOL ATTENDANCE IS THE  
MOST VALUABLE GIFT YOU CAN GIVE  
YOUR CHILDREN**

Revised December 3, 2012/Effective January 1, 2013