

OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION

NOTICE OF PROPOSED RULEMAKING

The State Superintendent of Education, pursuant to the authority set forth in section 302 of the South Capitol Street Memorial Amendment Act of 2012, effective June 7, 2012 (D.C. Law 19-141, 59 D.C. Reg. 3083, (April 20, 2012); to be codified at D.C. Official Code § 38-203(j)); Mayor's Order No. 2012-116, dated July 26, 2012; sections 3(b)(11) and 7c of the State Education Office Establishment Act of 2000, as amended, effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code §§ 38-2602(b)(11), -2609(c)(2)) (2001 & 2012 Supp.)); section 403 of the State Board of Education Establishment Act of 2007, effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code §38-2652(a)(14) (2001 & 2012 Supp.)); and Article II of An Act to provide for compulsory school attendance, for the taking of a school census in the District of Columbia, and for other purposes, as amended, effective February 4, 1925 (43 Stat. 806; D.C. Official Code § 38-202(d) (2012 Supp.)) hereby gives notice of her intent to amend, in not less than thirty (30) days after the publication of this notice in the *D.C. Register*, chapter 21 (Compulsory Education and School Attendance) of subtitle A (Office of the State Superintendent of Education) of title 5 (Education) of the District of Columbia Municipal Regulations (DCMR). The Office of the State Superintendent of Education ("OSSE") is responsible for enforcing compliance with the compulsory education and attendance laws in the District of Columbia and ensuring that all school-age children regularly attend school. Truancy has been identified as an early warning sign that youth are experiencing behavioral health issues and may potentially be heading for delinquent activity.

With the implementation of these rules, school attendance data will be used as a source of early warning signs to identify students at risk in the District of Columbia and provide opportunities for them to receive early intervention services. A student who intermittently attends school misses key steps in the instructional process. After a period of absence, a student returning to the classroom often falls behind his/her peers. Student absence affects student performance and progressive ability to master concepts in math, science and reading. Further, data indicates that a student who is not in school is more likely to be without adult supervision, resulting in increased potential for delinquent or even criminal behavior.

This proposed rulemaking enforces the goals of early identification and intervention by: (1) standardizing how truancy and absenteeism will be tracked and calculated across the District; (2) monitoring whether each school designates an attendance monitor and implements a school-based student support team as an early absenteeism intervention; (3) utilizing attendance data to analyze and report on how effectively schools are addressing truancy; and (4) revising and implementing approval of private school programs. The proposed rules maintain the integrity and substance of the amendments to the DCMR made by the South Capitol Memorial Amendment Act of 2012, while also expanding and renumbering existing attendance rules to address the rulemaking mandated by the Act and to combine compulsory education regulations that currently exist in a different part of the DCMR.

Chapter 21 (Compulsory Education and School Attendance) of subtitle A (Office of the State Superintendent of Education) of title 5 (Education) of the DCMR is amended in its entirety to read as follows:

Chapter 21 COMPULSORY EDUCATION AND SCHOOL ATTENDANCE

2100 GENERAL PROVISIONS

- 2100.1 The legal authority for this chapter is based upon section 302 of the South Capitol Street Memorial Amendment Act of 2012, effective June 7, 2012 (D.C. Law 19-141, 59 DCR 3083; to be codified at D.C. Official Code § 38-203(j)); Mayor’s Order No. 2012-116, dated July 26, 2012; sections 3(b)(11) and 7c of the State Education Office Establishment Act of 2000, as amended, effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code §§ 38-2602(b)(11), -2609(c)(2)) (2001 & 2012 Supp.); section 403 of the State Board of Education Establishment Act of 2007, effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code §38-2652(a)(14)) (2001 & 2012 Supp.); and Article II of An Act to provide for compulsory school attendance, for the taking of a school census in the District of Columbia, and for other purposes, as amended, effective February 4, 1925 (43 Stat. 806; D.C. Official Code § 38-202(d)) (2001 & 2012 Supp.).
- 2100.2 Each school-age child who is a resident of the District of Columbia shall attend a public, independent, private, or parochial school or shall receive private instruction.
- 2100.3 A school-age child and his or her parents or guardians shall be exempt from the requirements of this chapter if the child:
- (a) Has earned a high school diploma or its equivalent; or
 - (b) Participates in a home schooling program that complies with all District of Columbia laws and regulations.
- 2100.4 A school year for attendance purposes shall include a minimum of one hundred eighty (180) regular instructional days.
- 2100.5 An instructional day shall be at least six (6) hours in length for students, including time allotted for lunch periods, recess, and class breaks; provided, the six (6)-hour minimum instructional day requirement shall not be applicable to an evening school program, prekindergarten program, or kindergarten program.
- 2100.6 Student attendance shall be based upon the number of days the student is in attendance during the entire year.

2100.7 Daily attendance shall include participation in school-sponsored field trips; participation in an off-site school sponsored or approved activity during a regularly scheduled school day; in-school suspensions; and the number of days a student receives instructional services while expelled or while serving an out-of-school suspension.

2101 ATTENDANCE RECORDS AND REPORTING

2101.1 Each educational institution operating in the District of Columbia, whether public, chartered, private, parochial, private instruction, or home-schooled instruction shall maintain an accurate, contemporaneous, and daily attendance record for each student enrolled in the educational institution.

2101.2 The requirement to maintain an attendance record for a student who has completed the enrollment process for an educational institution shall begin on the educational institution's first official school day and continue throughout the school year, including summer school as applicable, unless the student officially withdraws from the educational institution or transfers to another educational institution. Expulsion of a student during the school year does not relieve the educational institution of the duty to record and report the student's daily attendance for the school year in which the expulsion occurred until such time as the student officially enrolls in another educational institution.

2101.3 The attendance record for each student shall contain the following:

- (a) Date(s) of enrollment;
- (b) Daily legible or machine-readable record of whether the student was present or absent for a full or partial school day;
- (c) Determination of the nature of each absence whether excused, unexcused, suspension-related, or expulsion-related;
- (d) Date of withdrawal from the educational institution or confirmed transfer to another educational institution, including the name and location of the educational institution to which the student transferred and follow up notation(s) to confirm the child's new placement;
- (e) Dates and numbers of referral to the school-based student support team, the Child and Family Services Agency ("CFSA"), the Court Social Services Division of the Superior Court of the District of Columbia ("Court Social Services"); or the Office of the Attorney General Juvenile Section ("OAG-Juvenile Section") related to absenteeism or truancy;

- (f) Dates of marking periods;
- (g) Dates on which the student was returned to the educational institution by a law enforcement officer enforcing compulsory attendance laws;
- (h) Daily late arrival time with an explanation from parents or guardians, if provided;
- (i) Dates and times of early dismissals from the school day;
- (j) Date and brief description of communications with student, parent(s) or guardian(s) with regard to school attendance and absences, including the record of or a cross-reference to the record documenting:
 - (1) Contact with parents, guardians, or other primary caregivers; and
 - (2) Interventions, services, and service referrals related to absences other than those listed in subparagraph (d);
- (k) Determination of the reason(s) underlying each excused absence using the categories described in § 2102.2;
- (l) Underlying causes for student's absenteeism or truancy as determined by the school-based student support team;
- (m) Action plans and strategies implemented by the school-based student support team to eliminate unexcused absences; and
- (n) Services utilized by the student to reduce unexcused absences.

2101.4 Prior to the beginning of each school year, the principal or chief school administrator of each educational institution shall designate an attendance monitor(s) to be responsible for collecting, maintaining, and reporting the attendance records required for each student. Such attendance monitor(s) shall:

- (a) Receive training on the compulsory attendance laws, regulations, and policies of the District of Columbia and OSSE;
- (b) Establish a procedure for recording whether a student is present or absent in each class throughout the school day, which procedure specifies that attendance may not be recorded by a student or

volunteer and ensures that a complete record is entered in every instance;

- (c) Establish a procedure for all attendance records to be collected and maintained comprehensively, centrally and, as feasible, electronically;
- (d) Submit to OSSE all attendance records described in paragraphs 2101.3 (a)-(g) of this chapter in conformance with the format and timeframes established by OSSE policy;
- (e) Review the accuracy and reliability of attendance records submitted to OSSE via an automated, electronic feed, and make corrections as needed within five (5) business days of submission;
- (f) Timely respond to OSSE requests for clarification of submitted attendance records; and
- (g) Periodically monitor the effectiveness of attendance procedures and make recommendations to the principal or chief school officer for improvement.

2101.5 The name and contact information of the designated attendance monitor(s) shall be reported by the educational institution to OSSE prior to the first official school day of each school year.

2101.6 During the school year, OSSE shall periodically review submitted attendance records to determine whether each student who should have been referred for absenteeism or truancy intervention pursuant to this chapter were actually referred to the appropriate entities identified in this chapter for absenteeism or truancy intervention by the educational institution, and will provide its findings to each educational institution. Discrepancies noted by OSSE shall be addressed by the educational institution through a corrective action plan that shall be submitted to OSSE within ten (10) business days of receipt of OSSE's findings.

2101.7 Within thirty (30) days after the end of each school year, the principal or chief school administrator shall verify the accuracy of attendance records provided to OSSE for that school year and certify to OSSE the accuracy of such records. Certified attendance records shall not be subject to amendment without approval of the Superintendent for good cause shown by the educational institution.

2101.8 Within sixty (60) days after the end of each school year, each educational institution shall submit to OSSE the report described in D.C. Official Code § 38-203(j). Such report shall not contain student-level data, but shall report attendance information in aggregate form.

- 2101.9 Prior to the beginning of each school year, OSSE will use the certified attendance records submitted by the educational institution for the prior school year to determine and publish OSSE's findings related to the following:
- (a) Truancy rates for each educational institution;
 - (b) Progress in improving attendance and reducing truancy for each educational institution; and
 - (c) Each educational institution's compliance with key attendance and truancy requirements.

2101.10 Attendance records required by this section shall be maintained by the educational institution for a period of at least five (5) years.

2102 ABSENCES

2102.1 Any absence, including an absence from any portion of the instructional day, without a valid excuse shall be presumed to be an unexcused absence.

2102.2 An educational institution shall define categories of valid excuses for an absence, which shall include the following:

- (a) Illness or other bona fide medical cause experienced by the student;
- (b) Exclusion, by direction of the authorities of the District of Columbia, due to quarantine, contagious disease, infection, infestation, or other condition requiring separation from other students for medical or health reasons;
- (c) Death in the student's family;
- (d) Necessity for a student to attend judiciary or administrative proceedings as a party to the action or under subpoena;
- (e) Observance of a religious holiday;
- (f) Lawful suspension or exclusion from school by school authorities;
- (g) Temporary closing of facilities or suspension of classes due to severe weather, official activities, holidays, malfunctioning equipment, unsafe or unsanitary conditions, or other condition(s) or emergency requiring a school closing or suspension of classes;

- (h) Employment or other volunteer work approved by the school, provided that the student is seventeen (17) years of age, and provided further that any excused absences under this paragraph shall not adversely impact the student's academic performance or timely graduation;
- (i) Failure of the District of Columbia to provide transportation in cases where the District of Columbia has a legal responsibility for the transportation of the student;
- (j) Medical or dental appointments for the student; and
- (k) An emergency or other set of circumstances approved by a local educational agency (LEA), independent, private or parochial school in conformance with published policies distributed to parents and guardians.

2102.3 An educational institution shall publish and make available to parents and students the list of valid excused absences.

2102.4 An educational institution shall require a written statement from the student's parent or guardian verifying the reason for an absence and shall require that the written statement be provided in advance, if practicable, and, if not practicable, upon the student's return to school.

2103 TRUANCY INTERVENTION AND SCHOOL-BASED STUDENT SUPPORT TEAMS

2103.1 Each school-age child who resides in the District of Columbia shall attend a public, private, and/or parochial educational institution, or shall otherwise receive a thorough and regular education through private instruction or home schooling pursuant to rules established by OSSE.

2103.2 An educational institution shall implement a specific protocol for absenteeism (absenteeism protocol) that focuses on prevention of unexcused absences, also referred to as truancy, including academic and behavioral interventions to address the needs of students. Development of the protocol may occur at the educational institution level or at the LEA level, as appropriate.

2103.3 Each educational institution shall include as part of its absenteeism protocol the following:

- (a) A description of valid excused absences consistent with this chapter;

- (b) A process for informing, training, and educating school staff, students, parents, guardians, and the community with regard to enhancing school attendance, implementing truancy reduction methods, administering attendance policies and procedures, and related collaborative services; and
- (c) Procedures for monitoring, reporting, addressing, and evaluating attendance and absences consistent with District of Columbia attendance and absence reporting requirements including:
 - (1) A procedure requiring reasonable and diligent attempts to make personal contact with the parent or guardian of a student, each time a student has the equivalent of one (1) day of unexcused absence the same day, with daily follow-ups as necessary;
 - (2) A continuum of school practices and services including meaningful supports, incentives, intervention strategies, and consequences for dealing with absenteeism and consultation with parents or guardians, both at the onset of absenteeism and in those circumstances where chronic absenteeism persists, which continuum shall not include off-site suspension and/or expulsion as intervention strategies;
 - (3) A referral process whereby within two (2) school days after a student has accumulated five (5) or more unexcused absences in one (1) marking period or other similar time frame, the student shall be referred to a school-based student support team which will meet within two (2) school days of the referral and regularly thereafter to:
 - (A) Review and address the student's attendance and determine the underlying cause(s) for the student's unexcused absences;
 - (B) Employ reasonable and diligent efforts to communicate and to collaborate with the student and parent(s)/guardian(s);
 - (C) Communicate and/or collaborate with the student's existing IEP team, as applicable;
 - (C) Provide timely response to the student's truant behavior;

- (D) Make recommendations for academic, diagnostic, or social work services;
- (E) Use school and community resources to abate the student's truancy including referral to a community-based organization when available; and
- (F) Develop and implement an action plan in consultation with the student and student's parents or guardian;

- (4) If a student accumulates ten (10) unexcused absences at any time during a school year, the school-based student support team assigned to the student shall notify the school administrator within two (2) school days after the tenth (10th) unexcused absence with a plan for immediate intervention including delivery of community-based programs and any other assistance or services to identify and address the student's needs on an emergency basis;
- (5) A process at the educational institution including specific due process procedures, for a parent, guardian, or student to appeal any attendance violation decisions made by the educational institution; and
- (6) A process to ensure that the LEA (or educational institution for those institutions not governed by an LEA) maintains complete, accurate, and contemporaneous records of the work of the school-based student support team to reduce unexcused absences, including records of all meetings that take place after a student accumulates five (5) or more unexcused absences in one (1) marking period or other similar time frame and after a student accumulates ten (10) unexcused absences at any time during a school year.

2103.4 In addition to the report required at the end of each school year pursuant to D.C. Official Code § 38-203(j), OSSE may request, and an educational institution shall provide to OSSE, student-level data and records evidencing the work of school-based student support teams.

2103.5 Composition of a school-based student support team convened to address a particular student's absenteeism shall be guided by the following principles:

- (a) Prior to performing school-based student support team functions, appointed team members shall be provided training on the

compulsory attendance laws, regulations, and policies of the District of Columbia and OSSE; absenteeism and truancy intervention strategies and best practices; and available remedies and services to ameliorate the causes of absenteeism and truancy;

- (b) A school-based student support team shall include the educational institution's designated attendance monitor;
- (c) Core school-based student support team membership should typically include:
 - (1) General education teacher;
 - (2) School nurse, psychologist, counselor, and/or social worker, if applicable; and
 - (3) School administrator with decision-making authority.
- (d) Selection of additional members of a team should be guided by the needs of the particular student, such as:
 - (1) IDEA/Section 504 coordinator and/or special education personnel;
 - (2) Early learning/Head Start teacher;
 - (3) Bilingual or English as a second language teacher;
 - (4) Representatives of CFSA and/or Department of Youth Rehabilitation Services (DYRS);
 - (5) McKinney-Vento homeless liaison; and/or
 - (6) Guardian *ad litem*.

2103.6 Each educational institution shall develop a process to refer students to District of Columbia entities under the following circumstances:

- (a) Students ages five (5) through thirteen (13) shall be referred by the educational institution to the CFSA no later than two (2) school days after:
 - (1) The accrual of ten (10) unexcused absences within one (1) school year; or
 - (2) Completion of the procedures specified in § 2103.3; or,

- (3) Immediately at any time that educational neglect is suspected;
- (b) Until the 2014-15 school year, students age fourteen (14) and over shall be referred by the educational institution to the Court Social Services and to the OAG-Juvenile Section no later than two (2) school days after the accrual of twenty-five (25) unexcused absences at any time within one (1) school year. Beginning with the 2014-15 school year, such referral shall be made after the accrual of twenty (20) or more unexcused absences; and
- (c) Development of the referral process and the individual referrals made pursuant to that process may occur at the educational institution level or at the LEA level, as appropriate.

2103.7 Copies of the following documents shall be provided with a referral made pursuant to this chapter:

- (a) The student's attendance and absence record;
- (b) Any prevention and intervention plans;
- (c) Documentation related to referrals and outcome of such referrals;
- (d) Documentation representing evidence of communications, services, and attendance related interventions taken by the school;
- (e) Documentation of suspected educational neglect;
- (f) Documentation of personal contacts with, and written notification to, parents or guardians with regard to the unexcused absences; and
- (g) If applicable, the student's Individualized Education Program with any supporting evaluations or assessments.

2104 APPROVAL OF NON-PUBLIC EDUCATIONAL INSTITUTIONS

2104.1 This section applies to all private or parochial educational institutions in the District of Columbia that seek to offer elementary/secondary educational services to school-age children, but does not apply to schools in the District of Columbia Public Schools system, public charter schools, or licensed day care centers.

- 2104.2 The purpose of this section is to ensure that all school-age children in the District comply with compulsory education and school attendance laws by regularly attending an institution whose educational program is sufficient to be deemed an elementary/secondary educational program.
- 2104.3 Beginning with the 2014-15 school year, attendance by school-age child at private, independent, or parochial educational institution operating in the District of Columbia shall be deemed to fulfill the compulsory attendance requirements of D.C. Official Code § 38-202(a) only if the educational institution has been approved by OSSE pursuant to this section.
- 2104.4 An educational institution covered by this section shall submit to OSSE, upon request and in the format designated by OSSE, evidence of the following aspects of its program:
- (a) Governance: names and contact information for governing board members, if any, and principal(s) and executive director(s);
 - (b) Facilities: physical location of all campuses; valid certificate of occupancy; evidence of compliance with fire, lead, and other health and safety codes;
 - (c) Scope: educational mission and goals; identified curricular specialization (for example, performing/visual arts; science, technology, engineering, mathematics (“STEM”)); maximum enrollment; grade levels offered;
 - (d) Instruction Time: school year calendar; standard operating hours; daily, weekly, monthly, and yearly instruction hours; dates of scheduled breaks; summer school and extended learning hours;
 - (e) Curriculum: subjects offered and course codes; instruction methods; assessments used; curricular alignment with OSSE-enacted content standards, Common Core State Standards, or other identified academic standards;
 - (f) Staff: training and educational standards for teachers and supervisory staff; teaching credentials; employment contracts;
 - (g) Policies governing school operations; enrollment; admission; attendance and truancy; student code of conduct, including suspension, expulsion, and other disciplinary actions; health and safety; parent engagement and consultation; discrimination and civil rights; and

- (h) Supplemental Education Services: continuum of services available to students with disabilities; services available to English language learners.
- 2104.5 OSSE will review evidence submitted pursuant to § 2104.4 to determine whether the program described is sufficient to be deemed an elementary/secondary educational program. OSSE shall issue a written determination within sixty (60) days of the submission that either certifies that OSSE has approved the educational institution or denies approval, stating with specificity the elements of the educational program that are not acceptable to OSSE.
- 2104.6 An educational institution whose educational program is not approved by OSSE may request a reconsideration of a denial of approval for the following reasons:
 - (a) Subsequent to denial of approval by OSSE, the educational institution made modifications to the elements of the educational program that were deemed unacceptable by OSSE and has new evidence for OSSE's consideration that was not previously submitted; or
 - (b) Subsequent to the denial of approval by OSSE, the educational institution obtained accreditation by one of the accrediting bodies listed in § 2104.7.
- 2104.7 An educational institution covered by this section that submits evidence that the educational institution is currently accredited by one of the following accrediting bodies shall be deemed by OSSE to have an approved elementary/secondary educational program:
 - (a) Middle States Association of Colleges and Schools;
 - (b) Association of Independent Maryland Schools;
 - (c) Southern Association of Colleges and Schools;
 - (d) Virginia Association of Independent Schools;
 - (e) American Montessori Society;
 - (f) American Montessori Internationale;
 - (g) National Academy of Early childhood Programs; or
 - (h) Any other accrediting body approved by OSSE.

2104.8 OSSE’s approval of an educational institution pursuant to this section shall be contingent upon the maintenance and submission by the educational institution of attendance data and records to OSSE that are required by compulsory education and attendance laws, regulations, and OSSE policies.

2199 DEFINITIONS

“Absence”--A full or partial school day on which the student is not physically in attendance at scheduled periods of actual instruction at the educational institution in which s/he was enrolled and registered, and is not in attendance at a school-approved activity that constitutes part of the approved school program.

“Absenteeism”—The total number of school days within one school year on which a student is marked as absent, including excused and unexcused absences.

“Action plan” --A written document that is designed to meet the individual and specialized needs of the student and contains the relevant details of the student’s attendance record, the school-based or third-party-provided interventions toward addressing the underlying causes of truancy as determined by the school-based student support team, and expected attendance goals.

“Attendance monitor” --The person(s) designated by the principal or chief school administrator of an educational institution to be responsible for collecting, maintaining, and reporting attendance records that are required pursuant to District of Columbia compulsory education and school attendance laws, regulations, and OSSE policies for each student enrolled in the educational institution.

“Chronic Absenteeism”—The accumulation within one school year of twenty (20) or more school days on which a student is marked absent, including excused and unexcused absences.

“Consultation” -- Due diligence – when used in the context of consultation with parents by a school-based student support team - on the part of the educational institution to meet with the student’s parent(s) or guardian(s) and to engage in meaningful discussions about the issues underlying the student’s absenteeism prior to making any decision about action plans, interventions, or services to address the student’s absenteeism.

“Educational institution” --Any person or entity in the District of Columbia that advertises, promotes, contracts, or otherwise holds itself out as providing elementary/secondary educational programs or services to a school-age child(ren), including credit-bearing evening programs and services, but does not include

educational services that are provided solely outside of the normal school hours and that do not lead to promotion to the next grade.

“Elementary/secondary educational program” --A course of instruction and study from and including pre-Kindergarten through the end of high school, any portion thereof, or its equivalent.

“IDEA” --The “Individuals with Disabilities Education Act”, approved April 13, 1970 (84 Stat. 191; 20 U.S.C. §1400 *et seq.*), as amended by Pub. L. 108-446, approved December 3, 2004 (118 Stat. 2647).

“Full school day” --The entirety of the instructional hours regularly provided on a single school day.

“Late arrival” --Arrival by a student at the educational institution after the official start of the school day as defined by the educational institution. Late arrival does not include any period of time that would constitute a partial school day as defined by this chapter.

“LEA”—Local Educational Agency, pursuant to 20 USCS § 7801(26)(A), a public board of education or other public authority legally constituted within a State for either administrative control or direction of, or to perform a service function for, public elementary schools or secondary schools in a city, county, township, school district, or other political subdivision of a State, or of or for a combination of school districts or counties that is recognized in a State as an administrative agency for its public elementary schools or secondary schools.

“Marking period” --A portion of a school year between two dates, at the conclusion of which period students are graded or marked.

“McKinney-Vento” --The “McKinney-Vento Homeless Assistance Act of 1987”, as amended, Title VII, Subtitle B; 42 U.S.C. 11431-11435.

“OSSE” --The Office of the State Superintendent of Education.

“Partial school day” --At least twenty percent (20%) of the instructional hours regularly provided on a single school day, the failure of a student to attend which without an excused absence shall be deemed a full “absent” instructional day .

“Present” --A single school day on which the student is physically in attendance at scheduled periods of actual instruction at the educational institution in which s/he was enrolled and registered for at least 80% of the full instructional day, or in attendance at a school-approved activity that constitutes part of the approved school program for that student.

“Section 504” -- Section 504 of the “Rehabilitation Act of 1973”, approved September 26, 1973 (87 Stat 394; 29 U.S.C. § 794).

“STEM” --Educational instruction in science, technology, engineering, and mathematics.

“Truancy rate” --The number of students who are absent without valid excuse as defined by 5 DCMR A2102 on ten (10) or more occasions within a single school year divided by the total number of students enrolled for a single school year as determined by the final enrollment audit conducted by OSSE pursuant to D.C. Official Code § 38-203. Truancy rate may be calculated and reported at the school, LEA, and state levels.

Persons wishing to comment on this rule should submit their comments in writing to Office of the State Superintendent of Education, 810 First Street, NE, 9th Floor, Washington, D.C. 20002, Attention: Jamai Deuberry [phone number (202) 724-7756], Office of General Counsel, or to OSSEcomments.proposedregulations@dc.gov. All comments must be received no later than thirty (30) days after publication of this notice in the *D.C. Register*. Copies of this rulemaking may also be obtained from the OSSE website at www.osse.dc.gov or upon request at the above referenced location.