



DISTRICT OF COLUMBIA

OFFICE OF THE STATE SUPERINTENDENT OF

EDUCATION

**ANNUAL NOTICE OF D.C. ATTENDANCE
AND REPORTING REQUIREMENTS**

TO: Local Education Agency (LEA) Leaders

FROM: Hanseul Kang, State Superintendent

DATE: July 1, 2019

SUBJECT: Annual Notice of Attendance and Reporting Requirements

The School Attendance Clarification Amendment Act of 2016 (DC Law 21-140; 63 DCR 8207) (Attendance Clarification Act) became effective on July 26, 2016. The Attendance Clarification Act changed a number of requirements related to attendance and truancy in the District of Columbia, including requiring the Office of the State Superintendent of Education (OSSE) to send written notice by July 1 of each year to each educational institution outlining the attendance and reporting requirements in “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 Feb. 4, 1925 (43 Stat. 806; D.C. Official Code § 38-201 et seq. (2012 Repl. & 2016 Supp.)).

This notice includes:

1. A listing and copy of attendance and truancy laws that apply to LEAs;
2. Information regarding specific reporting requirements; and
3. Selected attendance, truancy, and dropout prevention resources.

Please direct any questions regarding the content of this document to Whitney Meagher at Whitney.Meagher@dc.gov. Thank you for your continued efforts to support the education of children in the District of Columbia.

Attendance and Truancy Requirements

Attendance and truancy-related laws are found in Title 38, Subtitle I, Chapter 2, Subchapter I of the D.C. Official Code, “School Attendance” (D.C. Code §§ 38-201 through 213). The DC Code is available at: <https://code.dccouncil.us>.

Please review and refer to the requirements outlined in each of the following code sections:

- § 38-201. Definitions.
- § 38-202. Establishment of school attendance requirements.

- § 38-203. Enforcement; penalties.
- § 38-204. Census of minors.
- § 38-205. Report of enrollments and withdrawals.
- § 38-206. Penalty for failure to provide correct information.
- § 38-207. Authority of police over truant child.
- § 38-208. Truancy procedures; inter-agency coordination.
- § 38-209. Reporting requirements.
- § 38-210. [Does not exist in D.C. Code]
- § 38-211. [Repealed].
- § 38-212. [Repealed].
- § 38-213. Court jurisdiction.
- § 38-236.04. Limitations on exclusion as a disciplinary action.

Attendance and truancy-related regulations are found in Chapter 21 of Title 5-A of the District of Columbia Municipal Regulations, “Compulsory Education and School Attendance” (5-A DCMR § 2100 *et seq.*). The DCMR is available online at: <http://www.dcregs.dc.gov>. Please review and refer to the requirements outlined in each of the following regulatory sections:

- 5-A DCMR § 2100 General Provisions
- 5-A DCMR § 2101 Attendance Records and Reporting
- 5-A DCMR § 2102 Absences
- 5-A DCMR § 2103 Absentee Intervention & School-Based Student Support Teams
- 5-A DCMR § 2199 Definitions

Key Requirements

1. A valid excuse for an absence must be provided within five school days.
All absences must be recorded as unexcused unless the parent, guardian, or other person who has custody or control of a minor student provides the school with a valid excuse for the minor’s absence within five school days of returning to school. *See* § 38-203(c)(2).
2. No student may be expelled or receive an out-of- school suspension due to attendance.
No student of compulsory school age may be expelled or receive an out-of-school suspension due to an unexcused absence or due to a late arrival to school. *See* § 38-236.04.
3. No student may be unenrolled from an LEA due to attendance unless 20 consecutive full school day unexcused absences are accumulated. No student of compulsory school age may be unenrolled from an LEA because of an unexcused absence or due to a late arrival to school unless the minor has accumulated 20 or more full school day consecutive unexcused absences or the minor is enrolled in an adult education program. *See* § 38-236.04.

4. Report only full school day unexcused absences to child welfare and juvenile justice.
Only the accrual of 10 (ages 5-13) or 15 (ages 14-17) **full school day** unexcused absences are required to be counted for the purposes of making referrals to child welfare and juvenile justice. A full school day is defined as the entirety of the instructional hours regularly provided on a single school day. Educational institutions also now have discretion regarding making a referral if the 10th or 15th unexcused full day absence is accrued during the final 10 school days of the school year. See § 38-201(2B) and § 38-208(c)(1).
5. Reporting to the Metropolitan Police Department is no longer required.
Educational institutions are no longer required to notify the Metropolitan Police Department (MPD) regarding the accumulation of unexcused absences. MPD is now required to take into custody minor students suspected of being truant during school hours and deliver them to the public, independent, private, or parochial school in which they are enrolled. If the student is enrolled, the school is required to receive the minor from the MPD officer. For minors not currently enrolled in school, MPD is required to take the minor to the District of Columbia Public Schools placement office. See § 38-207 and § 38-208.
6. Use data feeds to report enrollment, and changes in enrollment, to OSSE.
Each education institution is required to report the information (name, address, sex and date of birth) of all DC minors to OSSE by Oct. 5 of each year and to report to OSSE by the 5th of every month any enrollment changes (new enrollments and withdrawals). LEAs will fulfill this ongoing obligation through existing data feeds. See § 38-205.
7. Report truant students to OSSE within two business days.
DC law requires educational institutions to notify OSSE, within two business days, of the 10th unexcused absence of any minor student. OSSE is then required to provide the student's parent with a truancy prevention resource guide that covers certain topics. You will receive additional information from OSSE regarding secure submission options by early September. See § 38-208(b)
8. Report to OSSE and publicly share a required summary of annual attendance data.
Educational institutions must send the report required by § 38-203(i) to OSSE within 60 days of the end of each school year and must make the report readily available.

Local Attendance, Truancy and Dropout Prevention Resources

DC Attendance Report: SY 2017-18

<https://osse.dc.gov/publication/dc-attendance-report-2017-18-school-year>

OSSE encourages LEA leaders to review the District of Columbia Attendance Report SY 2017-18, which discusses the daily attendance data reported to OSSE for the 2017-18 school year. This report shows that 29.3 percent of all public students in the District were chronically absent and 27.4 percent of students were truant. Both measures represent an increase in comparison to the 2016-17 school year, when 27.3 percent and 25.5 percent of students were chronically absent and truant, respectively.

While some student absences are situational, driven by illness or other extenuating circumstances, the data indicate that much of the absenteeism observed in the District reflect chronic patterns. Seventy three percent of students who were chronically absent during the 2016-17 school year were chronically absent again in 2017-18.

OSSE Data Resources

<https://osse.dc.gov/service/office-data-management-and-applications>

OSSE provides LEAs with the following three Qlik applications for the purposes of attendance management:

1. Sector Level Attendance

This application facilitates data validation for daily attendance submissions by LEAs. The application displays the daily attendance codes for all students with a stage 5 enrollment at the LEA. The attendance data are displayed in daily, weekly, and monthly snapshots. Year to date submission rate and in-seat attendance rates are also provided in data that are refreshed daily and exportable.

2. Chronic Absence

This application provides an analysis of absenteeism for all students with a stage 5 enrollment at the LEA. The application categorizes absences in the below groupings.

- Satisfactory Attendance: Students who missed 0% - 4.99% of school days
- At-Risk Attendance: Students who missed 5% - 9.99% of school days
- Moderate Chronic Absence: Students who missed 10% - 19.99% of school days
- Severe Chronic Absence: Student who missed 20% or more of school days
- Profound Chronic Absence: Students who missed 30% or more of school days.

3. Unified Data Errors

This application serves as the hub for all data errors for the following categories: Enrollment, Duplicative Enrollments, Assessment, Attendance and Special Education. LEAs are expected to resolve all data errors within five business days of their creation.

Attendance and Truancy Resources

The truancy prevention resources OSSE is required to send to parents can be found on the OSSE website here: <https://osse.dc.gov/page/attendance-and-truancy-support-leas>

Show Up, Stand Out www.showupstandout.org

Show Up, Stand Out is a free program from the DC Office of Victim Services and Justice Grants. Show Up, Stand Out has partners working with more than 50 DC elementary and middle schools in DC to help get children to school every day.

Every Day Counts! Attendance Resources <https://attendance.dc.gov>

This Every Day Counts! website is sponsored by the Truancy Taskforce, a partnership of diverse District of Columbia agencies and stakeholders that collectively advance and coordinate strategies to increase student attendance and reduce truancy. The taskforce is co-chaired by the Deputy Mayor of Education and Deputy Mayor for Health and Human Services.

National Attendance, Truancy and Dropout Prevention Resources

Attendance Works www.attendanceworks.org

Attendance Works is a national and state initiative that promotes better policy and practice around school attendance. This organization promotes tracking chronic absence data for each student beginning in kindergarten, or ideally earlier, and partnering with families and community agencies to intervene when poor attendance is a problem for students or schools. They offer free tools and fee-for-service consulting to build capacity to monitor and address chronic absence. A collection of success stories from programs and districts across the country can be found in the “What Works” section. Key reports and work include:

- Preventing Missed Opportunity: Taking Collective Action to Confront Chronic Absence, Attendance Works and Everyone Graduates Center, September 2016. Available at: <http://new.every1graduates.org/preventing-missed-opportunity-taking-collective-action-to-confront-chronic-absence/>
- Portraits of Change: Aligning School and Community Resources to Reduce Chronic Absence, Attendance Works and Everyone Graduates Center, September 2017. Available at: <http://www.attendanceworks.org/portraits-of-change/>

Everyone Graduates Center <http://new.every1graduates.org>

The Everyone Graduates Center is a research program of the Johns Hopkins University School of Education that seeks to identify the barriers that stand in the way of all students graduating from high school prepared for adult success, develop strategic solutions to overcome the barriers, and build local capacity to implement and sustain them. The center is involved in a number of projects including the development and evaluation of “tools and models that prevent students from falling off the graduation track and enable schools and communities to intervene effectively if they do.” Key reports and work include:

- Balfanz, R. and Byrnes, V. (2012). The Importance of Being in School: A Report on Absenteeism in the Nation’s Public Schools. Baltimore, MD: Johns Hopkins University Center for Social Organization of Schools. Retrieved from: http://new.every1graduates.org/wp-content/uploads/2012/05/FINALChronicAbsenteeismReport_May16.pdf
- Balfanz, R. and Byrnes, V. (2013). Meeting the Challenge of Combating Chronic Absenteeism: Impact of the NYC Mayor’s Interagency Task Force on Chronic Absenteeism and School Attendance and Its Implications for Other Cities. Johns Hopkins University School of Education and the Everyone Graduates Center. Retrieved from: <http://new.every1graduates.org/wp-content/uploads/2013/11/NYC-Chronic-Absenteeism-Impact-Report.pdf>