

OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION
NOTICE OF EMERGENCY AND PROPOSED RULEMAKING

The State Superintendent of Education, pursuant to authority set forth in 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 § 38-201 et seq. (2012 Repl.)); as amended by Section 302 of the “South Capitol Street Memorial Amendment Act of 2012”, effective June 7, 2012 (D.C. Law 19-141: 59 DCR 3083; Mayor’s Order No. 2012-116, dated July 26, 2012; Sections 3(b)(11), 3(b)(15) 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), 2602(b)(15) and 2609(c)(2) (2012 Repl. & 2013 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) (2012 Repl.)), and the “Attendance Accountability Amendment Act of 2013”, effective September 19, 2013 (D.C. Law 20-17) codified at D.C. Official Code §§ 38-201 et seq. and § 38-2602(b)(19), hereby gives notice of the adoption, on an emergency basis, of the following amendments to Chapter 21 (Compulsory Education and School Attendance), Subtitle A (Office of the State Superintendent of Education) of Title 5 (Education), of the District of Columbia Municipal Regulations (DCMR).

The purpose of the emergency and proposed rulemaking is to: 1) amend the definition of “present” for the purpose of attendance by shifting away from the 80/20 rule (as it is colloquially known); 2) regulate the process by which a student can attend school via distance learning instruction; and 3) for other purposes.

On March 11, 2022, at the urging of the Council of the District of Columbia and the DC State Board of Education, the State Superintendent of Education announced her intent to reduce the amount of time a student is required to be present for the instructional day in order to be considered legally “present” for compulsory attendance purposes. Through this rulemaking, OSSE is redefining what constitutes the definition of “present” from requiring students to be present in school for 80 percent of the instructional day to requiring students be present for 60 percent of the instructional day. This shift will allow school-based student support teams to focus intervention resources on students who are missing the most school. The Council, State Board of Education, and Local Education Agencies (LEAs) across the District expressed an urgent desire for these changes to be made well before the beginning of the 2022-23 school year – thus providing LEAs and educational intuitions adequate time to alter their attendance collection and data systems. Further, in the wake of the COVID-19 pandemic, which forced schools to switch to distance learning, some school leaders and community members have expressed increased interest in expanded distance learning instructional models for the 2022-23 school year and moving forward. Yet, the District currently lacks regulations to govern attendance collection procedures for distance learning. In addition, public testimony at the hearing on the Student Attendance Amendment Act of 2021 identified conflicting, confusing definitional language in Chapter 21, so the emergency and proposed rulemaking also revises language to provide greater clarity and consistency throughout this Chapter.

[HOLD FOR SUMMARY OF ENGAGEMENT WITH STATE BOARD OF EDUCATION]

Broadly, this emergency and proposed rulemaking shifts the definition of *present* from requiring that a student be present for 80 percent of the instructional day to requiring that a student be present for 60 percent of the instructional day, and creates new sections, 2101.11 through 2101.18, which regulate attendance procedures for routine and situational distance instruction. Attendance procedures for routine distance instruction require schools to visually authenticate a student's presence during a synchronous module at least one time per day and for students to be marked present for at least 60 percent of the instructional day to avoid an absence. If asynchronous instruction is offered, a student must complete an instructional activity that is part of the asynchronous module to be considered present during the applicable asynchronous module. For situational distance learning, schools must follow LEA developed procedures for making one-on-one contact with a student, and the student must complete at least one applicable instructional activity to be marked as present. In addition, this rulemaking, among other smaller changes, clarifies that adult programs are exempt from the 6-hour instructional day requirement and that referrals to student support teams and to government agencies are for full day, unexcused absences. OSSE adopted the emergency rules on [DATE], and they became effective on that date. The emergency rules shall remain in effect until [DATE], one hundred twenty (120) days after the rules were adopted and made effective, unless superseded by publication of a Notice of Final Rulemaking in the *D.C. Register*.

The State Superintendent of Education also gives notice of her intent to take final rulemaking action to adopt these amendments in not less than thirty (30) days from the date of publication of this notice in the *D.C. Register*.

Title 5, EDUCATION, Subtitle A, OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION, Chapter 21, COMPULSORY EDUCATION AND SCHOOL ATTENDANCE, is amended to read as follows:

Sections 2100.3 through 2100.5 are repealed in their entirety and replaced with the following:

2100.3 Unless otherwise approved by the Office of the State Superintendent of Education (OSSE), a school year for attendance purposes, whether in-person or distance, shall include a minimum of one hundred eighty (180) regular instructional days and the following requirements:

- (a) An instructional day shall be at least six (6) hours in length for students, including time allotted for lunch periods, recess, and class breaks;
- (b) The six (6)-hour minimum instructional day requirement shall not be applicable to an evening school program, adult program, prekindergarten program, or kindergarten program.

2100.4 (Reserved)

2100.5 (Reserved)

Sections 2101.2 through 2101.10 are repealed in their entirety and replaced with the following:

2101.2 Records shall be maintained as follows:

- (a) 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 (1st) official school day and continue throughout the school year, unless the student officially withdraws from the educational institution; fails to attend at least one (1) day of school in the first three (3) weeks of school without notification to the educational institution for such absence; or enrolls in another educational institution; and
- (b) Expulsion or suspension 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 or suspension occurred until such time as the student officially withdraws from or enrolls in another educational institution; or such time as the educational institution determines that, despite best efforts, it is unable to contact the parent(s) or guardian(s).

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

- (a) Dates of enrollment;
- (b) Daily legible or machine-readable records of daily attendance, noting the student as: fully present, partially present, fully absent, or partially absent;
- (c) Determination of the nature of each absence as excused, unexcused, suspension-related, or expulsion-related;
- (d) Dates of withdrawal from the educational institution or confirmed enrollment in another educational institution, including the name and location of the educational institution in which the student enrolled and follow up notation(s) to confirm the child's new educational institution, if applicable;
- (e) Dates of each referral to the school-based student support team, the Child and Family Services Agency, the Court Social Services Division of the Superior Court of the District of Columbia; or the Office of the Attorney General Juvenile Section related to absenteeism or truancy;
- (f) Dates of marking periods;
- (g) Dates on which a law enforcement officer enforcing compulsory attendance laws returns the student to the educational institution, if applicable;
- (h) Daily late arrival time, if applicable;
- (i) Dates and times of early dismissals from the school day, as authorized by the educational institution, if applicable;
- (j) Dates and brief description of communications with the student's 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 parent(s) or guardian(s); and
 - (2) Interventions, services, and service referrals related to absences other than those listed in subparagraph (e), if applicable;
- (k) Underlying causes for student's absenteeism or truancy as determined by the school-based student support team;
- (l) Action plans and strategies implemented by the school-based student support team to eliminate unexcused absences; and
- (m) Services utilized by the student to reduce unexcused absences, if applicable.

- 2101.4 Prior to the beginning of each school year, an educational institution shall designate an attendance monitor(s) to be responsible for collecting, maintaining, and reporting the attendance data required for each student consistent with federal and District requirements. An attendance monitor shall:
- (a) Ensure timely submission of attendance in conformance with this chapter;
 - (b) Submit corrected attendance records via an automated, electronic feed, or such other format; and provide any corrections to attendance records within fifteen (15) business days of submission; and
 - (c) Timely respond to requests for clarification of submitted attendance records.
- 2101.5 The name and contact information of the designated attendance monitor(s) shall be reported by the educational institution prior to the first (1st) official school day of each school year to OSSE and posted in a conspicuous space on the educational institution's website.
- 2101.6 Within sixty (60) days after the completion of each school year, an educational institution shall submit to OSSE the report described in D.C. Official Code § 38-203(i). Such report shall include attendance information in aggregate form, excluding individual student data.
- 2101.7 By November 30th of each year, OSSE shall issue a report including the following information:
- (a) Truancy rates and chronic absenteeism 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.
- 2101.8 An educational institution shall maintain attendance records as part of the student's permanent record and for such periods of time as may be otherwise specified by applicable laws and regulations.
- 2101.9 Within two (2) business days of a student's tenth (10th) full day unexcused absence during a school year, the educational institution shall:
- (a) [REPEALED];
 - (b) Send the student's parent(s) or guardian(s) a letter, under signature of the Chief of the Metropolitan Police Department, notifying the parent(s) or guardian(s) that they may be in violation of the school attendance requirements and subject to prosecution under District of Columbia laws; and

- (c) Notify OSSE that the student has accrued ten (10) full day unexcused absences.
- 2101.10 Upon notification from the educational institution under Section 2101.9, OSSE shall provide the parent(s) or guardian(s) with a copy of the Truancy Prevention Resource Guide published by OSSE.
- 2101.11 An educational institution that is approved to offer instruction through a distance learning model on a regular or otherwise routine basis must submit an attendance plan to OSSE for approval on an annual basis. This attendance plan shall:
 - (a) Comply with the instructional day requirements defined in Section 2100.3 by dividing the instructional day into modules;
 - (b) Identify modules as synchronous or asynchronous;
 - (c) Have at least one (1) module per day that is synchronous;
 - (d) Identify how the educational institution will document and preserve attendance records that demonstrate compliance with Sections 2101.12 and 2101.13; and
 - (e) Identify how the educational institution will communicate attendance expectations to parents, including an expectation for adequate supervision of child(ren) during distance learning instruction.
- 2101.12 To be considered present in a synchronous module, a student's physical presence must be verified by an instructor via a synchronous video camera where the instructor can temporarily visually verify the student's presence through a responsive action by the student.
- 2101.13 To be considered present in an asynchronous module, a student must complete an output during the module.
- 2101.14 For routine distance learning, a student shall be marked "fully present" if the student satisfies the requirements in 2101.12 for 100 percent of the instructional day's synchronous modules and satisfies the requirements in 2101.13 for 100 percent of the instructional day's asynchronous modules.
- 2101.15 For routine distance learning, a student shall be marked "partially present" if the student:
 - (a) Is present for at least one (1) synchronous module, as defined in 2101.12, and
 - (b) Is present for modules that account for between 60 percent and 99.9 percent of the instructional day.

- 2101.16 For routine distance learning, a student shall be marked “partially absent” if the student:
- (a) Is present for at least one (1) asynchronous module but absent for all synchronous modules scheduled on that day, or
 - (b) Is marked as present for modules that account for between one (1) and 59.9 percent of the instructional day.
- 2101.17 For routine distance learning, a student shall be marked as “fully absent” if the student is marked as present for zero (0) percent of the instructional day.
- 2101.18 An educational institution that uses situational distance learning must submit an attendance plan to OSSE for approval on an annual basis. This attendance plan shall include:
- (a) A description of the way a student is considered present that includes:
 - 1) A process in which the educational institution shall authenticate the student’s identity for the instructional day. The process shall include:
 - (i) The manner in which the educational institution makes one-on-one contact with the student to authenticate presence; and
 - (ii) The medium(s) used to make one-on-one contact with the student to authenticate presence; and
 - (2) A description of the expected level of engagement that includes at least one output for the instructional day;
 - (b) The method the educational institution will document and preserve attendance records that demonstrate compliance 2101.18(a); and
 - (c) The manner in which the educational institution will communicate attendance expectations to parents, including an expectation for adequate supervision of child(ren) during distance learning instruction.

Sections 2102.2 through 2102.3 are repealed in their entirety and replaced with the following:

- 2102.2 An educational institution shall define categories of valid excuses for an absence, which shall include the following categories:
- (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 suspension of classes due to severe weather, official activities, holidays, malfunctioning equipment, unsafe or unsanitary conditions, or other condition(s) or emergency requiring a suspension of classes;

(h) 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;

(i) Medical or dental appointments for the student;

(j) Absences to allow students to visit their parent or guardian, who is in the military during, immediately before, or immediately after deployment; and

(k) An emergency or other circumstances approved by an educational institution.

2102.3 An educational institution shall publish and make available to students, parents, and guardians the attendance policies and procedures of the educational institution, including a list of valid excused absences.

Sections 2103.1 through 2103.6 are repealed in their entirety and replaced with the following:

2103.1 An educational institution shall implement a specific protocol for absenteeism (absenteeism protocol) including a focus on preventing unexcused absences and academic and behavioral interventions to address the needs of students.

2103.2 Each educational institution shall incorporate evidence-based practice(s) into its absenteeism protocol, considering procedures to address 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, when applicable, collaborating with related service providers; 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(s) or guardian(s) of a student, on the same day, and each time, a student has the equivalent of one (1) day of unexcused absence, with daily follow-ups as necessary;

(2) A continuum of school practices and services, which shall not include off-site suspension or expulsion as intervention strategies, but shall include—

(A) Meaningful supports, incentives, intervention strategies, and consequences for dealing with absenteeism; and

(B) Consultation with parent(s) or guardian(s), both at the onset of absenteeism and in those circumstances where chronic absenteeism persists;

(3) A referral process whereby, within two (2) school days after a student has accumulated five (5) full day 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 five (5) 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 the student's parent(s) or guardian(s);

(C) Communicate and collaborate with the student's existing Individualized Education Program (IEP) team, as applicable;

(D) Provide timely response to the student's truant behavior;

(E) Make recommendations for academic, diagnostic, or social work services, as applicable;

(F) Use school and/or community resources to abate the student's truancy, including referral to a community-based organization when available; and

(G) Develop and implement an action plan in consultation with the student and student's parent(s) or guardian(s);

(4) The school-based student support team assigned to a student who accumulates ten (10) full day unexcused absences during a school year shall notify the school administrator within two (2) school days after the tenth (10th) full day 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 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 educational institution 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.

2103.3 In addition to the report required at the end of each school year pursuant to [D.C. Official Code § 38-203\(i\)](#), an educational institution shall provide to OSSE, upon request, student-level data and records evidencing the work of school-based student support teams.

2103.4 A school-based student support team 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(s);

(c) Core school-based student support team membership should typically include a:

(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, which may include the following:

(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*.

2103.5 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 Child and Family Services Agency not later than two (2) business days after the accrual of ten (10) full day unexcused absences within a school year; and

(b) Students ages fourteen (14) through seventeen (17) shall be referred by the educational institution to the Court Social Services Division of the Superior Court of the District of Columbia and to the Office of Attorney General Juvenile Section no later than two (2) business days after the accrual of fifteen (15) full day unexcused absences within a school year.

2103.6 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)The student’s action plan;
- (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, parent(s) or guardian(s) with regard to the unexcused absences; and
- (g)If applicable, the student's Individualized Education Program pursuant to IDEA or Section 504 services plan, with any supporting evaluations or assessments.

Section 2104.4 is repealed in its entirety and replaced with the following:

2104.4 An educational institution shall notify the Office of the State Superintendent of Education immediately upon information, reason, or belief that a student of compulsory attendance age, as defined by [D.C. Official Code § 38-202\(a\)](#), who has been withdrawn from a school has not been re-enrolled in a school following withdrawal from school or is not receiving private instruction

Section 2199 is repealed in its entirety and replaced with the following:

2199 ATTENDANCE RECORDS AND REPORTING

2199.1 When used in this chapter, the following terms and phrases shall have the meanings ascribed:

“Absence” -- A school day when a student is either fully absent or partially absent.

“Absenteeism” -- A pattern of a high frequency of 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 unexcused absences as determined by the school-based student support team, and expected attendance goals.

“Asynchronous” -- Non-simultaneous distance instruction where a student completes work independently without a teacher providing real time instruction.

“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 incidence of a student missing more than 10 percent of instructional school days, including excused and unexcused absences.

“Consultation” -- A meeting or conversation between the school-based student support team of an educational institution and a student's parent(s) or guardian(s) in which the team, on the part of the educational institution, engages 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.

“Distance” -- Instruction that takes place when the student is not physically present in the educational institution in which the student is enrolled or where the student is assigned to attend.

“Educational institution” -- A school in the District of Columbia Public Schools system, or a public charter school.

“Educational neglect” -- The failure of a parent or guardian to ensure that a child attends school consistent with the requirements of the law including, without limitation, the failure to enroll a student of compulsory attendance age, as defined by [D.C. Official Code § 38-202\(a\)](#), in an educational institution or provide appropriate private instruction; permitting chronic absenteeism from school; inattention to special education needs; refusal to allow or failure to obtain recommended remedial education services; or the failure to obtain treatment or other special education services without reasonable cause.

“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. This does not include an adult education or evening school program.

“Enrollment” -- A process through which a student obtains admission to a District of Columbia Public School or District of Columbia public charter school that includes, at a minimum the following stages:

- (1) Application by student to attend the school;
- (2) Acceptance and notification of an available slot to the student by the school;
- (3) Acceptance of the offered slot by the student (signified by completion of enrollment forms and parent or guardian signature on a “letter of enrollment agreement form”);
- (4) Registration of the student in the Student Information System (SIS) by school upon receipt of

required enrollment forms and letter of enrollment agreement; and

(5) Receipt of educational services, which are deemed to begin on the first official school day.

(6) The LEA's obligation to determine eligibility for special education services or to provide special education services on an existing IEP is triggered upon completion of registration (stage 4).

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

“Fully absent” -- The designation for a school day when a student is not in attendance for the entire instructional day. This designation applies to both excused and unexcused full school day absences.

“Fully present” -- The designation for a school day when a student is present for the entire instructional day.

“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).

“In-Person” -- Instruction that takes place when the student is physically present in the educational institution in which the student is enrolled or at the specified off-site in-person learning location.

“Late arrival” -- Arrival by a student at the educational institution after the official start of the school day as defined by the educational institution.

“LEA” or “Local Educational Agency” -- The District of Columbia Public Schools or a District of Columbia public charter school operator.

“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](#).

“Module” -- A subdivision of the instructional day (as defined in 5-A DCMR § 2100.3) for distance learning.

“Office of the State Superintendent of Education” or “OSSE” -- The State Education Agency (SEA) for the District of Columbia established by the State Education Office Establishment Act of 2000, effective October 21, 2000 (D.C. Official Code §§ 38-2601 et seq.), with all operational

authority for State-level functions, except that delegated to the State Board of Education in D.C. Official Code § 38-2652.

“Output” -- An instructional activity completed by the student during a module of distance learning that reflects the instruction delivered in that module.

“Parent” -- A parent, guardian, or other person who resides in the District of Columbia and who has legal custody or control of a minor five (5) years of age or older.

“Partially absent” -- The designation for a school day when a student is present for less than 60 percent of the instructional day. This applies to both excused and unexcused absence.

“Partially present” -- The designation for a school day when a student is present for at least 60 percent of the instructional day regardless of whether the absent period was excused.

“Present” -- A school day when the student is either fully present or partially present.

“Routine distance” – The use of distance instruction by a school on a regular or otherwise routine and predictable, nonemergency, basis.

“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.

“Situational distance” -- The use of distance instruction by a school otherwise providing in-person instruction to address a temporary, emergency need.

“Synchronous” -- In synchronous modules, teaching and learning occur simultaneously such that the teacher is able to react and respond to students in the moment and vice-versa.

“Truant” -- A student of compulsory attendance age, as defined by [D.C. Official Code § 38-202\(a\)](#), who is not in attendance for an entire instructional school day without a valid excuse for absence pursuant to Section 2102.2 of this chapter.

“Truancy” -- The act or pattern of being truant from school for an entire instructional school day without a valid excuse (an unexcused full school day absence).

“Truancy rate” -- The incidence of students of compulsory attendance age, as defined by [D.C. Official Code § 38-202\(a\)](#), enrolled at a school at any point in a given school year who are absent without valid excuse, as defined by , on ten (10) or more occasions within a single school year, divided by the total number of students of compulsory attendance age ever enrolled during the corresponding school year.

“Unexcused absence” – The designation of a day when a student is either fully absent or partially

absent without a valid excuse.

All persons desiring to comment on the subject matter of this proposed rulemaking should file comments in writing not later than thirty (30) days after the date of publication of this notice in the *D.C. Register* via email addressed to: ossecomments.proposedregulations@dc.gov; or by mail or hand delivery to the Office of the State Superintendent of Education, Attn: Andrew Gall, 1050 First Street, NE 3rd Floor, Washington, DC 20002. Additional copies of this rule are available from the above address and on the Office of the State Superintendent of Education website at www.osse.dc.gov.

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