



DISTRICT OF COLUMBIA

OFFICE OF THE STATE SUPERINTENDENT OF

EDUCATION

Guidance: Collecting Attendance for the 2020-21 School Year

Background

As a part of the District of Columbia's response to coronavirus (COVID-19), OSSE is issuing this guidance document to lay out the attendance collection for the 2020-21 school year. This guidance is being issued to prepare local education agencies (LEAs) and schools for attendance collection for the beginning of the 2020-21 school year. The Office of the State Superintendent of Education (OSSE) will move forward to emergency and proposed rulemaking based on the policy outlined in this document.

Scope

This document contains guidance for LEAs on how to define attendance during the 2020-21 school year, a year in which it is anticipated compulsory education will take place both in-person and via distance learning. This policy provides background on the context in which attendance policy is administered. The policy also outlines the intent of OSSE to collect daily student attendance for both in-person and distance learning, and provides the framework through which this will happen. Note that the technical guidance is provided separately, in the [20-21 School Year Data Connectivity Start of School Guidance](#).

2020-21 School Year Attendance Collection Policy

Background

Broadly, D.C. Code §38-201, *et. seq.* makes education for any child between the age of 5 and 18 compulsory, requires schools to take, collect and report daily attendance, and requires referrals to other District agencies when a defined number of unexcused absences are reached. The response to the COVID-19 pandemic necessitates social distancing procedures that will likely be in place for the 2020-21 school year.

OSSE will amend existing regulations to accommodate distance learning through emergency and proposed rulemaking.

Existing regulations governing the collection of attendance assumes physical presence, yet due to social distancing, physical presence will not be possible every day for every student. Attendance will be collected as follows:

- For the 2020-21 school year, schools will report daily attendance using the following types: in-person and remote.¹
- For in-person attendance, consistent with existing regulations a student will be marked present², partial, or absent.

¹ In-person means the student accesses instruction within the physical school building. Remote means that the student accesses instruction outside of the physical school building.

² 5-A DCMR §2199 defines "present" as "a single school day on which the student is physically in attendance at scheduled periods of actual instruction at the educational institution in which she or he was enrolled and registered for at least eighty

- For remote attendance, regulations create a remote attendance type. The student would be marked present or absent.
 - For a student to be marked present when attending school remotely, they would have to meet **EITHER** of the following standards:
 - If the LEA uses a learning management system (LMS),³ the student will need to be authenticated and engaged in education consistent with the LEA’s prescribed policy.
 - If the LEA does not use an LMS, the LEA must make one-on-one contact with a student for the day to authenticate their presence AND provide daily evidence of engagement consistent with the LEA’s policy.⁴

The table below outlines the type and standards for each type. OSSE will collect the type of daily attendance recorded using a nightly student information system (SIS) feed with the realigned attendance codes, which are summarized in the table below and available in detail in the [2020-21 School Year LEA Data Collections Template](#).

2020-21 School Year Attendance Types & Minimum Standards

Attendance Type	Attendance Entries ⁵	Standard	Appropriate For	Minimum Requirement
In-person	Present or Partial or Absent	Defined in existing regulations- 5-A DCMR §2199	Synchronous	LEAs would mark students “present-in person” based on their current implementation of attendance regulations.
Remote	Present or Absent	LMS Authentication	Synchronous/ Asynchronous	LMS Authentication and Engagement authenticated through the LMS consistent with the LEA policy.
		NO LMS Authentication	Asynchronous	LEAs must make one-on-one contact with student daily to authenticate presence through a medium defined in an LEA policy AND Student must provide evidence of education engagement consistent with LEA policy.

percent (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.”

³ A learning management system (LMS) is a software application for the administration, documentation, tracking, reporting, automation and delivery of educational courses, training programs, or learning and development programs.

⁴ LEAs will need to describe their attendance policies and what constitutes sufficient authentication and engagement to constitute attendance in a remote environment. OSSE will be collecting information on LEAs’ plans against these guiding principles for purposes of instructional calendar waivers.

⁵ Note these are the basic entries; there are multiple other permutations including whether full and partial absences are excused. All of the technical details are provided in the [2020-21 School Year Data Connectivity Start of School Guidance](#).

No changes to existing statutes governing attendance are required for this proposal.

Education for students would still be compulsory⁶, and a failure to attend school would remain unlawful.⁷ A daily record would need to be kept by each institution.⁸ Schools and LEAs would collect and report attendance data daily⁹, and make the statutorily required truancy referrals under existing law.¹⁰ OSSE is required to send a written notice on attendance and reporting requirements to the upcoming school year annually on July 1.¹¹ The proposal below would require OSSE to promulgate regulations governing attendance collection for the 2020-21 school year.

LEAs have flexibility in their delivery options and schedules to make decisions on how to best serve and protect their students through the pandemic.

In an LEA's plans provided to OSSE for school calendar waivers in the 2020-21 school year, the LEA would need to clearly outline the LEA-defined policies it is using to meet the standards to mark students present when in a remote posture. LEAs must articulate with specificity their policies for when and how they will use LMS login and non-LMS authentication and/or policies for switching from one form of authentication to another. This policy requires that attendance is collected daily, reported and the compulsory education requirements are preserved.

Unexcused absences would result in the same reporting of truancy required under existing law.¹²

Absences would need to be entered as either excused or unexcused consistent with definitions defined in existing regulations.¹³

Definitions for excused and unexcused absences are still applicable in remote settings and can respond to student needs unique to the pandemic.

OSSE received feedback expressing the need for excused absences for when a student cannot attend remote courses due to a lack of access to technology, broken technology, or the illness of a family member charged with helping them access education. 5-A DCMR §2102 outlines reasons for an excused absence. Under existing regulations, educational institutions may excuse absences for "an emergency or other circumstances approved by an educational institution." We encourage LEAs and schools to utilize this existing flexibility in the regulation to work with families because they are best poised to engage families on their unique needs that may lead to a student's absence. Further, collecting attendance daily provides OSSE, LEA's, and schools with information needed to intervene when students and families that are missing school.

OSSE would need to waive the seat hour and community service requirement from the graduation requirements for the 2020-21 school year.

⁶ D.C. Code §38-202

⁷ D.C. Code §38-203 (c)(1)-(2)

⁸ D.C. Code §38-203(a)

⁹ D.C. Code 38-203 (i)

¹⁰ D.C. Code 38-208

¹¹ D.C. Code 38-208

¹² D.C. Code §38-208

¹³ 5-A DCMR §2102

Changes related to waiver of Carnegie Units for seat hours counting toward high school graduation and the community service hour requirement are codified in 5-A DCMR § 2203. The DC Council waived these regulatory requirements for SY 2019-20 through legislation.

OSSE would use existing regulation to waive the 6-hour day requirement when LEAs submit a continuous learning plan aligned to the continuous learning guidance.

The school year would still be presumed to encompass 180 instructional days, yet because the constraints inherent to social distancing an instructional day may not be 6 hours.¹⁴ Upon submission and approval of its plan as part of its school calendar waiver, the Superintendent will allow an LEA's calendar to meet the 180 minimum day requirement through in-person and distance learning and waive the 6 hours instructional day requirement. This first submission would occur prior to the school year. Further waivers of days due to closures or unforeseen challenges with recovery would be considered later in the year. LEAs will submit school calendars to OSSE that comply with existing regulations as they do in the status quo.

Anticipated Next Steps for Implementation

- OSSE issues final [Guiding Principles for Continuous Education](#) and corresponding [LEA application](#) for school calendar waivers.
- OSSE issues emergency and proposed regulations on these attendance changes for the 2020-21 school year. The emergency regulations would remain in effect for 120 days.
- LEAs submit SY 2020-21 instructional calendar waiver applications by July 31st, 2020 with plans that are aligned to the Guiding Principles for Continuous Education.
- State rules for enforcing attendance requirements are reviewed and approved by the State Board of Education (SBOE), consistent with D.C. Code §38-2651. OSSE anticipates seeking SBOE approval on the attendance rules to make them effective for the entirety of the 2020-21 school year.

¹⁴ 5-A DCMR §2100