



DISTRICT OF COLUMBIA

OFFICE OF THE STATE SUPERINTENDENT OF

**EDUCATION**

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**Guidance: Collecting Attendance for the 2020-21 School Year**

**UPDATED: Oct. 13, 2020**

**Background**

As a part of the District of Columbia’s response to the coronavirus (COVID-19) pandemic, the Office of the State Superintendent of Education (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. OSSE will move forward to emergency and proposed rulemaking based on the policy outlined in this document.

**Scope**

This document contains guidance for local education agencies (LEAs) on how to define attendance during the 2020-21 school year, a year in which it is anticipated that 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.

**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 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 amended 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.<sup>1</sup>

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<sup>1</sup> In-person means “instruction that takes place when the student is physically present and is delivered by the school in which the student is enrolled.” Remote(ly) means “instruction that takes place with the student not physically present and delivered by the school in which the student is enrolled.”

- For in-person attendance, consistent with existing regulations a student will be marked present<sup>2</sup> or absent. For the 2020-21 school year, OSSE will not use a fractional part to determine whether a student is present. In short, OSSE will not apply the 80/20 Rule.
- 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),<sup>3</sup> 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.<sup>4</sup>

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, using the realigned attendance codes which are summarized in the table below and available in detail in the [2020-21 School Year OSSE LEA Data Collections Template](#).

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<sup>2</sup> 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 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.”

<sup>3</sup> 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.

<sup>4</sup> 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.

## 2020-21 School Year Attendance Types & Minimum Standards

Attendance Type	Attendance Entries <sup>5</sup>	Standard	Appropriate For	Minimum Requirement
In-person	Present or Absent	There is no fractional part definition of present. No 80/20 Rule.	Synchronous	LEAs would mark students “present - in person” if they come physically to school for any portion of the school day.
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  <b>AND</b>  Student must provide evidence of education engagement consistent with LEA policy.

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

Education for students would still be compulsory<sup>6</sup>, and a failure to attend school would remain unlawful.<sup>7</sup> A daily record would need to be kept by each institution.<sup>8</sup> Schools and LEAs would collect and report attendance data daily<sup>9</sup>, and make the statutorily required truancy referrals under existing law.<sup>10</sup> OSSE is required to send a written notice on attendance and reporting requirements to the upcoming school year annually on July 1.<sup>11</sup> The proposal below would require OSSE to promulgate regulations governing attendance collection for the 2020-21 school year.

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

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<sup>5</sup> 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 [2020-21 School Year OSSE LEA Data Collections Template](#).

<sup>6</sup> D.C. Code §38-202

<sup>7</sup> D.C. Code §38-203 (c)(1)-(2)

<sup>8</sup> D.C. Code §38-203(a)

<sup>9</sup> D.C. Code 38-203 (i)

<sup>10</sup> D.C. Code 38-208

<sup>11</sup> D.C. Code 38-208

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 distance learning 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.***<sup>12</sup>

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

***Definitions for excused and unexcused absences are still applicable in remote learning 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, LEAs, and schools with information needed to intervene when students and families that are missing school.

***OSSE will waive the seat hour and community service requirement from the graduation requirements for the 2020-21 school year.***

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 the 2019-20 school year through legislation. OSSE will work with the State Board of Education to provide this flexibility in the 2020-21 school year.

***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 is still presumed to encompass 180 instructional days, yet because of the constraints inherent to social distancing, an instructional day may not be 6 hours.<sup>14</sup> 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 physical learning 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.

**Steps Taken for Implementation**

- OSSE has issued guidance on the collection of attendance for the start of school.

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<sup>12</sup> D.C. Code §38-208

<sup>13</sup> 5-A DCMR §2102

<sup>14</sup> 5-A DCMR §2100

- OSSE has collected and reviewed LEA attendance policies through continuous education plans.

#### **Anticipated Next Steps for Implementation**

- The emergency and proposed rulemaking will go into effect for attendance. The rulemaking will be open for public comment for 30 days.
- 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. OSSE will also seek approval from the SBOE regarding flexibility of the graduation requirements for the 2020-21 school year.