

# Chapter 392-401 WAC

## STATEWIDE DEFINITION OF ABSENCE, EXCUSED AND UNEXCUSED

### WAC

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392-401-015	Definition of absent or absence.
392-401-020	Excused absences.
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**WAC 392-401-005 Purpose.** The purpose of this chapter is to provide a definition of absence to districts that supports accurate and consistent attendance data collection across the state. This effort will support the state and districts to address the challenge of chronic absenteeism, in an effort to improve learning outcomes and success in school for all students and to support the whole child.

[Statutory Authority: RCW 28A.300.046. WSR 18-11-011, § 392-401-005, filed 5/3/18, effective 8/1/18.]

**WAC 392-401-010 Authority.** The authority for this chapter is RCW 28A.300.046, which requires the superintendent of public instruction to adopt rules establishing a standard definition of student absence from school.

[Statutory Authority: RCW 28A.300.046. WSR 18-11-011, § 392-401-010, filed 5/3/18, effective 8/1/18.]

### **WAC 392-401-015 Definition of absent or absence.**

- (1) A student is absent when they are:
  - (a) Not physically present on school grounds; and
  - (b) Not participating in the following activities at an approved location:
    - (i) Instruction;
    - (ii) Any instruction-related activity; or
    - (iii) Any other district or school approved activity that is regulated by an instructional/academic accountability system, such as participation in district-sponsored sports.
- (2) Students shall not be absent if:
  - (a) They have been suspended, expelled, or emergency expelled pursuant to chapter 392-400 WAC;
  - (b) Are receiving educational services as required by RCW 28A.600.015 and chapter 392-400 WAC; and
  - (c) The student is enrolled in qualifying "course of study" activities as defined in WAC 392-121-107.
- (3) A full day absence is when a student is absent for fifty percent or more of their scheduled day.
- (4) A school or district shall not convert or combine tardies into absences that contribute to a truancy petition.

[Statutory Authority: RCW 28A.300.046. WSR 18-11-011, § 392-401-015, filed 5/3/18, effective 8/1/18.]

**WAC 392-401-020 Excused absences.** Absences due to the following reasons must be excused:

- (1) Illness, health condition or medical appointment (including, but not limited to, medical, counseling, dental, optometry, pregnancy, and in-patient or out-patient treatment

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for chemical dependency or mental health) for the student or person for whom the student is legally responsible;

(2) Family emergency including, but not limited to, a death or illness in the family;

(3) Religious or cultural purpose including observance of a religious or cultural holiday or participation in religious or cultural instruction;

(4) Court, judicial proceeding, court-ordered activity, or jury service;

(5) Post-secondary, technical school or apprenticeship program visitation, or scholarship interview;

(6) State-recognized search and rescue activities consistent with RCW 28A.225.055;

(7) Absence directly related to the student's homeless or foster care/dependency status;

(8) Absences related to deployment activities of a parent or legal guardian who is an active duty member consistent with RCW 28A.705.010;

(9) Absences due to suspensions, expulsions or emergency expulsions imposed pursuant to chapter 392-400 WAC if the student is not receiving educational services and is not enrolled in qualifying "course of study" activities as defined in WAC 392-121-107;

(10) Absences due to student safety concerns, including absences related to threats, assaults, or bullying;

(11) Absences due to a student's migrant status; and

(12) An approved activity that is consistent with district policy and is mutually agreed upon by the principal or designee and a parent, guardian, or emancipated youth.

A school principal or designee has the authority to determine if an absence meets the above criteria for an excused absence. Districts may define additional categories or criteria for excused absences.

[Statutory Authority: RCW 28A.300.046. WSR 18-11-011, § 392-401-020, filed 5/3/18, effective 8/1/18.]

**WAC 392-401-030 Unexcused absences.** Any absence from school is unexcused unless it meets one of the criteria provided in WAC 392-401-020.

[Statutory Authority: RCW 28A.300.046. WSR 18-11-011, § 392-401-030, filed 5/3/18, effective 8/1/18.]