

## February 2025 Amendment

### WHAT IS THE PURPOSE OF THE CHRONIC ABSENTEEISM INDICATOR?

The Chronic Absenteeism indicator has three purposes:

- To highlight the importance of regular school attendance to student success in school and beyond
- To encourage schools to actively engage with students and their families in eliminating barriers to regular attendance
- To ensure students receive the supports to attend school every day, including, if needed, a behavior intervention plan

Because chronic absenteeism has been linked to lower academic performance, higher dropout rates and diminished success after high school, Oklahoma has included Chronic Absenteeism as an indicator in the school accountability system adopted under the requirements of the “Every Student Succeeds Act” (ESSA-Section 1111(h)(C)(viii)(I) Reports – Minimum Requirements).

The Chronic Absenteeism school accountability indicator is **different** from the local district attendance policy. Local attendance policies vary in how they code absences (excused or unexcused, school activity, medical, etc.). It is important to note “excused” absences count toward the Chronic Absenteeism indicator to identify and support students whose absences put them at academic risk. Absences such as two days per month put a student at risk of falling behind academically. To maximize instructional time, the state accountability system accounts for **all** absences – excused and/or unexcused – regardless of a student having a “valid” excused absence. Therefore, “excused” absences that are valid (e.g., parent checking the child out of school for an appointment with a licensed medical professional) will have no penalty toward the student. District administrators would not contact the truancy officer for a student excused for a valid reason.

Further, Chronic Absenteeism is not a zero-tolerance indicator. Students are considered chronically absent only if they have missed 10 percent or more of instructional time during the school year (e.g., a standard academic calendar of 180 days 10% equates to approximately 18 days). For example, a student who misses a week due to the flu is not immediately identified as chronically absent. This student must miss an additional 13 days in a traditional school calendar year to be identified as chronically absent. The goal of this indicator is to identify and support students who have missed enough school that the absences could place them at risk of academic failure.

However, special circumstances may exist for students with significant medical conditions. Oklahoma law, at 70 O.S. 1210.545(L), requires the State Board of Education to promulgate rules to implement the provisions of this annual report. In March 2018, the State Board of Education approved rules, which included medical exemptions, and were signed by the governor. The rule at [Oklahoma Administrative Code 210:10-13-25](#) Medical exemptions from chronic absenteeism, outlines the criteria for an exempted absence.

**(O.A.C. § 210:10-13-25(c)(2)-** *"Significant medical condition" means, for the purposes of this Section, a severe, chronic, or life-threatening physical or mental illness, infection, injury, disease, or emotional trauma."*

**(O.A.C. § 210:10-13-25(d)** *"In order to be eligible for consideration under a chronic absenteeism medical exemption policy, an absence **must fall under the definition of 'significant medical condition'** given in this Section."*

### WHAT IS CONSIDERED A CHRONIC ABSENTEEISM MEDICAL EXEMPTION?

Examples of medical or mental health “significant medical conditions,” which may be considered as an exemption from the district’s Chronic Absenteeism report are outlined below:

- Example: The documented condition by a licensed physician affects the student so severely as to incapacitate the student from attending school for an identifiable time period, or number of school days, or for which the student must receive regular medical care requiring absence from school such as:
  - The student has a serious chronic medical condition (a condition lasting three months or more), and is absent for the purpose of receiving condition-related treatment such as chemotherapy or dialysis; or
  - The student has a terminal disease or degenerative illness, or the student has been placed in hospice care; or
  - The student is in and out of mental health facilities such as residential treatment or partial hospitalization day treatment facilities.
- Example: The student with a disability is unable to receive instruction through their identified service type on the IEP for the location of “Home/Hospital” from the district’s provider for special education and related services during an identifiable time period or number of school days due to the medical condition or its treatment, or the Home Instruction educational services are not appropriate due to brief recurring absences for the purpose of receiving treatment; such as:
  - The student has a terminal disease/life threatening condition, or degenerative illness, or the student has been placed in hospice care in the home or hospital; or
  - The student is in and out of the hospital due to severe infection or disease or severe injury; or
  - The student is in and out of psychiatric hospital due to severe emotional trauma.

The public school district has been provided with written documentation of the condition verified in writing by a physician licensed to practice in the State of Oklahoma, or by a physician licensed in another state if the student has received related treatment out of state. A copy of the documentation verifying the student's condition shall be filed in the student's educational record. For qualifying circumstances such as sexual assault or other events of emotional trauma that may not include official documentation, a letter from a school counselor or administrator explaining the student's qualifying circumstances may be accepted as documentation. A medical or mental health exemption review committee shall take care to respect and safeguard the privacy of students and others in its review of the details surrounding the medical or mental health condition exemption requests.

NOTE: The term "significant medical condition" must **not** include minor incidents such as:

- Minor illnesses or injuries that do not incapacitate the student or require recurring treatment;
- Short term illnesses or injuries resulting in absences of ten (10) or fewer consecutive instructional days, including those that require an isolated short-term hospitalization of ten (10) or fewer consecutive instructional days;
- Refusal of a parent/guardian to permit the student to attend school or receive home instruction services or virtual services due to illness, injury, or trauma.

### ARE ALL EXCUSED ABSENCES CONSIDERED A MEDICAL EXEMPTION?

**(O.A.C. § 210:10-13-25(d))** *“Not all excused absences qualify for a medical exemption. Certain student absences are classified as “excused” under state law and/or school policies, meaning that **a student is considered absent for a valid reason under law or policy and the absence may not be associated with any penalties to the student.** Examples include medically documented absences, which are considered excused under 70 O.S. § 10-105(B), and absences related to the military deployment activities of a student's parent or guardian, which are excused under 70 O.S. § 510.1(V)(E). If a student is absent in relation to their own or their household's homeless status, such related absences should be excused pursuant to the federal McKinney-Vento Act so the related absences do not serve as a barrier to enrollment or retention. These and other types of absences considered under law or policy as a valid basis to be absent from school should be indicated as “excused” in a school's student information system. However, the classification of an absence as “excused” such that no penalties accrue to a student in relation to the absence does not automatically qualify the absence for a medical exemption for purposes of the chronic absenteeism indicator. In order to be eligible for consideration under a chronic absenteeism medical exemption policy, an absence must fall under the definition of “significant medical condition” given in this Section.”*

### HOW CAN THE IEP OR SECTION 504 TEAM ADDRESS THE NEEDS OF STUDENTS WITH DISABILITIES WHO ARE CHRONICALLY ABSENT?

- Conduct an IEP or Section 504 meeting to address the student’s chronic absences to review the individual needs and determine appropriate interventions/strategies and/or accommodations to support the student so they are able to make progress towards their IEP goals/objectives, including their general education assignments.
- Formally document health or related issues that interfere with school attendance and indicate steps to mitigate adverse outcomes from absences.
- Recognize barriers or underlying causes of the student’s chronic absences.
- Make modifications to existing IEPs or Section 504 plans as a result of monitoring, reviewing, and providing oversight of the student’s progress in light of the number of absences.
- Consider how the student can be provided with instruction and supportive services by qualified personnel during periods of extended absence, when possible.
- Consider how students who are unable to be tutored or otherwise receive instruction during their absence from school can be provided supplemental instruction.
- Act quickly to address absences directly related to a student’s disability, such as anxiety or depression, that lead to refusal to attend or stay in school. Students may need a behavior intervention plan or attendance incentives incorporated in their Section 504 Plan or IEP to help them overcome issues that interfere with attendance.
- At the high school level, where rates of absenteeism often increase involve students in developing solutions and strategies for reducing absences and improving the school climate.

### WHEN DO YOU COUNT A STUDENT WITH DISABILITIES PRESENT?

If a student is receiving specific services (even out-of-school) as outlined in an IEP or 504 Accommodation Plan **in order to receive a Free Appropriate Public Education (FAPE)**, that student should be marked present.

Whenever an IEP team determines a type of service for a student to receive FAPE, this means at no cost to the parent, the child will receive these services as outlined/documented on the child's IEP. In this situation, the student will be counted as "present" because this is an IEP service the child must receive for FAPE; and therefore, the district will pay or is paying for this service.

For example, an IEP team determines based on an evaluation that the child needs to add speech therapy to the child's IEP as a related service; however, the district does **not** have a speech-language pathologist. The district is now obligated to pay for the speech therapy either by contracting with a private speech-language pathologist or reimbursing the parent for the cost of the parent's private speech-language pathologist. If the IEP states the child must be provided speech therapy certain times and frequencies each week, then the times the child leaves the school building to go to the private speech therapy is considered part of the child's instructional day. In this example, the student will be counted "present" as they are receiving the required service of the IEP the district is providing.

The district must also ensure this student, who is receiving an outside service as dictated by the IEP team for FAPE during the instructional day, continues to have access to and make progress toward their IEP goals/objectives and the general education curriculum. The IEP team or 504 team must determine what accommodation(s) will be provided regarding the subject areas missed while leaving the school building or during instructional time to receive the private therapy service as noted in this example. The district must ensure that all responsible parties (e.g., general education teachers, attendance personnel, etc.) are aware of the outside services and when the student is receiving the services to know the student is to be counted present.

Another example is a student with a disability who has a documented "significant medical condition" identified as a physical or mental impairment, no matter the type of service, are considered "exempt." Their absences from school do **not** accrue toward chronic absentee status. A student on an IEP or Section 504 Plan whose condition worsens or who requires more frequent treatment should have their IEP or Section 504 Plan updated accordingly. If any lack of progress is identified, the IEP team or 504 team should meet to review, and if appropriate, revise the IEP or 504 to reflect the changes needed to support the student with a disability.

## WHEN DO YOU COUNT A STUDENT WITH DISABILITIES ON AN IEP OR SECTION 504 PLAN ABSENT (WHETHER EXCUSED OR UNEXCUSED) FOR THE PURPOSE OF ACCRUING CHRONIC ABSENTEE STATUS?

Here are a few examples:

- If a parent takes a child out of school for services (i.e., speech, occupational therapy, physical therapy, counseling, or other therapy) but the IEP team determines those services are **not needed for educational purposes to receive FAPE** and are **not documented on the IEP/504 plan**, the student should be marked as an “**excused**” absence. In this example, the district may have provided a reevaluation to document the student does not need the specific therapy (e.g., speech therapy); and therefore, the child’s IEP does not have the specific therapy documented as a related service need.
- If a parent takes a child out of school for services (i.e., speech, occupational therapy, physical therapy, counseling, or other therapy) but the IEP team determines **comparable services can be provided by the district** and have been offered by the district, the student should be marked as an “**excused**” absence. In this example the parent is taking their child to a private therapist such as, a speech-language pathologist for articulation therapy; however, the district employs a speech-language pathologist who is either currently providing speech therapy as a related service on the child’s IEP; or the district proposed to initiate a reevaluation for communication/language to determine the need for possible speech therapy as a related service and the parent declined consent.
- If a student is on an IEP/504 for general anxiety and is absent from school due to an anxiety attack but is **not** receiving a specific service from the district during this absence, the student should be marked as an “excused” absence. The IEP/504 team obtained documentation by the student’s qualified professional who is seeing this student indicating the student may have intermittent anxiety attacks which may prevent the student from attending school as identified as a disability-related condition; and therefore, it is an excused absence and no penalty to the student will occur. If the anxiety worsens and the student is absent more and more, then the IEP or 504 team should meet when they notice any lack of progress to determine if the student’s condition has risen to a severe or chronic level of anxiety, then this student may meet the exceptions to Chronic Absenteeism as outlined in O.A.C. § 210:10-13-25(c)(2) as “*a severe, chronic, or life-threatening physical or mental illness, infection, injury, disease, or emotional trauma.*”

## ARE THERE OTHER CONSIDERATIONS TO KEEP IN MIND REGARDING THE CHRONIC ABSENTEEISM INDICATOR?

- If the reason for absences is not documented in the IEP/504 and the absences are **not** related to the disability, the school can still request a medical exemption if the student absence(s) meet(s) the required criteria. Medical exemptions are only available for a student with a documented severe or chronic health condition (including mental health). Examples of absences that may be eligible for a medical exemption are recurring treatments like chemotherapy or dialysis, doctor or therapist appointments related to an ongoing condition and other severe or chronic condition-related absences.
- Whether a student’s absence is unexcused or excused is determined by state law and district policy.
- The impact of a student’s absence (regarding grades, completion of coursework, etc.), whether excused or unexcused, should be determined by district policy.



## RESOURCES

*Students with Disabilities and Chronic Absenteeism* – National Center on Educational Outcomes

- <https://nceo.umn.edu/docs/OnlinePubs/NCEOBrief15.pdf>

*Chronic Absenteeism and Students with Disabilities: Health Issues of Students with Disabilities: Impact on Attendance* – National Center on Educational Outcomes

- <https://nceo.umn.edu/docs/OnlinePubs/ChronicAbsenteeismHealthIssuesSWD.pdf>