

Senate File 2435: Chronic Absenteeism FAQs

[Senate File 2435](#) (pp. 22-27) was effective July 1, 2024. Division VII of SF2435 details public school attendance requirements. The following is a summary of frequently asked questions from the field.

Please also see Senate File 2435 summarized in [SF2435 Summary for Schools](#), [2024-25 Attendance Coding technical assistance document](#), [Absenteeism Prevention Plan sample template](#) and [Absenteeism Prevention Plan completed sample](#).

General

1. How is compulsory school age defined?

A compulsory attendance age child is a child who has reached the age of six and is under sixteen years of age by September 15. Iowa Code 256C.3.1.a states "A child who is a resident of Iowa and is four years of age on or before September 15 of a school year shall be eligible to enroll in the preschool program under this chapter. If such a child is enrolled under this chapter, the child shall be considered to be of compulsory attendance age as provided in section 299.1A, subsection 3."

Children enrolled in Statewide Voluntary Preschool Programs (SWVPP) are considered compulsory attendance age children. Students over the age of 16 are beyond compulsory attendance age and are excluded from the chronic absenteeism requirement under SF2435.

2. What is the difference between Average Daily Attendance and Chronic Absenteeism?

Average Daily Attendance is the percentage of all students' attendance on a given day aggregated for the year.

Chronic Absenteeism is the percent of students missing $\geq 10\%$ of scheduled school days.

3. What must be included in local board policies relating to children who are chronically absent?

Policies must include the determination of whether a child is chronically absent, interventions used to support a child who is chronically absent, and the consequences associated with a child being chronically absent.

4. Can a local school board establish policies relating to children who are chronically absent that are "more stringent" than the state statutory requirements?

Yes. The local school board may establish and enforce a policy that meets and exceeds the statutory requirements in SF2435

Attendance Exemptions

5. What are the six exemptions?

Local school board chronic absenteeism policies must not apply to any child:

1. Who has completed the requirements for graduation in a public school district or has obtained a high school equivalency diploma under chapter 259A.
2. Who is excused for sufficient reason by any court of record or judge.
3. While attending religious services or receiving religious instructions.
4. Who is unable to attend school due to legitimate medical reasons.
5. Who has an individualized education program that affects the child's attendance.
6. Who has a plan under section 504 of the federal Rehabilitation Act, 29 u.s.c. §794, that affects the child's attendance.

6. How is the statutory exemption for “religious services” determined?

This is locally determined. Decisions are made on a case-by-case basis according to the local board-adopted policy based on the available information. Religious services may include holiday services, weddings, funerals and other celebrations of life, and other rite of passage religious services.

7. How is the statutory exemption for “legitimate medical reasons” determined?

This is locally determined. Decisions are made on a case-by-case basis according to the local board-adopted policy based on the available information. If a school official determines the child must go home due to a legitimate medical reason, the school has already determined the absence is for a legitimate medical reason.

Documentation of a legitimate medical reason could range from a parent/guardian affirmation to a doctor's note. District decisions regarding a doctor's note may be informed by the length of absence due to the legitimate medical reason. Please note not all legitimate medical reasons require a doctor's visit and requiring a doctor's visit may create greater barriers to families. If a school official determines the child must go home due to a legitimate medical reason, the school has already determined the absence is for a legitimate medical reason.

8. Are “legitimate medical reasons” related only to the student or to other members of the family?

This is locally determined. Decisions are made on a case-by-case basis according to the local board-adopted policy based on the available information, including the connection between the family member's legitimate medical reason and the child's absence.

9. Is mental health included in “legitimate medical reasons?”

SF2435 does not draw a distinction between physical health and mental/behavioral health when determining “legitimate medical reasons,” and mental and behavioral health cannot be categorically excluded from this exemption. Decisions are made on a case-by-case basis according to the local board-adopted policy and based on the available information.

10. How is it determined that an Individualized Education Plan (IEP) or 504 plan affects a child's attendance?

This is locally determined and may be based on the connection between the child's absence and the child's IEP or 504 plan.

11. May the local school board or district “excuse” certain absences?

A local school board or district may not establish exemptions beyond those specified in SF2435 for purposes of calculating absenteeism and truancy under Iowa Code chapter 299. A district may establish "excuses" applicable only to relevant local district policies.

12. How are school’s local criteria for “excused” and “unexcused” related to the six SF2435 exemptions?

The six exemptions in SF2435 are not incorporated into chronic absenteeism and truancy decisions.

Districts may have additional categories of “excused” absences; however, those additional categories are not a factor in determining whether a student is chronically absent, truant, etc. Please note all non-exempt absences are counted as absences for SF2435 decision-making, regardless of local definitions of "excused" or "unexcused".

13. Why are the new exemptions set forth in 299.1(4)(b) different from those set out in 299.2 and what is the consequence of this difference?

Although the two statutory lists have overlaps, they serve different purposes. Section 299.1(4)(b) addresses consequences for chronic absenteeism. Section 299.2 addresses who is and is not subject to compulsory attendance laws.

Attendance Coding

14. Code states that local school board policies must not apply to children when the absence is a result of one of the six exemptions. How are the six exemptions used in the determination of chronic absenteeism?

Student absences that the school determines are exempt based on its local board-adopted policy are removed from a student’s total absence count. The remaining, non-exempt absences are used to calculate the percentage for the grading period to determine individual student chronic absenteeism.

District-identified exempt absences **do not** count towards:

- **Notice** sent by certified mail to the child’s parent/guardian when a child becomes chronically absent (absent from school for more than 10% of days or hours in the grading period),
- **School engagement meeting** and **absenteeism prevention plan** when a child is absent 15% or more of the days or hours in the grading period, and
- **Truancy proceedings** when a child is truant (absent 20% or more of the days or hours in the grading period for any reason, noting the local school board’s policy must not apply to any child meeting any of the six exemptions).

15. Is the [2024-25 Attendance Coding technical assistance](#) advisory?

The technical assistance document states, “Iowa Department of Education technical assistance should be viewed as advisory...” The technical assistance document was provided at the request of school districts and schools to support them in meeting their statutory requirements and to increase consistency in coding and decision-making within and between districts.

16. How will absences be coded and calculated?

This is locally determined. The [2024-25 Attendance Coding technical assistance document](#) provides definitions and shares best practices in attendance coding.

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17. Are days/hours absent determined by the local school board/district or the attendance center/school?

This is locally determined.

18. What counts as "present" for attendance (field trips, school sponsored activities, college visits, work experience, job shadowing, etc?)

This is locally determined. The [2024-25 Attendance Coding technical assistance document](#) provides definitions and shares best practices in attendance coding.

19. What entity determines what a grading period is? Are calculations and required actions reset at each grading period or do they run the entire year?

Grading periods are locally determined. Chronic absenteeism determinations, the need for school engagement meetings and absenteeism prevention plans, and truancy determinations are reset at the beginning of each grading period.

20. Why are the five scenarios in Table 3 of the 2024-25 Attendance Coding technical assistance identified as "Local" decisions?

The five scenarios in Table 3 of the [2024-25 Attendance Coding technical assistance](#) identified as "Local" are too broad to make a single determination applicable to all cases. By necessity, the school must gather more information to decide if one of the six exemptions apply to the specific case. For example, a parent citing a "family reason" could have widely varying reasons - some which would be exempt and others not.

21. How does this law affect students enrolled in a concurrent enrollment course? Is the student counted as absent?

The student is considered present, given the student is attending a concurrent enrollment class through the school district under the direction, instruction and supervision of educational staff.

22. Will Panorama Student Success support school districts and schools in identifying students who have been absent from school for 10%, 15%, or 20% or more days or hours in the grading period?

Panorama Student Success includes the 10% threshold. Teams can sort the attendance column to determine individual student attendance. Given its role as an Early Warning System (EWS) the earlier thresholds (e.g., 5% absent) are useful in the identification of students prior to becoming chronically absent.

23. What are the consequences if a district does not code students correctly?

Based on board-adopted policies relating to children who are chronically absent, schools are to accurately code student attendance.

Notices and Communications with Parents/Guardians

24. Does the notice sent to the child's parent/guardian when a child becomes chronically absent need to be sent via certified mail?

The statute requires the notice to be sent via certified mail. Iowa Code 299.12(2)(a) states, "*When a child becomes chronically absent, a school official shall send a notice by ordinary mail or electronic mail to the county attorney of the county in which the public school's central administrative office is located, and a **notice by certified mail** to the child's parent, guardian, or legal or actual custodian of the child.*"

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25. If a school chooses to send an optional notice to a child at risk of becoming chronically absent prior to becoming chronically absent, must a notice sent by certified mail to the child’s parent/guardian still be sent if a child becomes chronically absent?

Yes. A notice must be sent by certified mail to the child’s parent/guardian when a child becomes chronically absent (absent from school for more than 10% of days or hours in the grading period), regardless of whether a school chose to send an optional notice to a child at risk of becoming chronically absent prior to becoming chronically absent.

Likewise, if a school chooses to host an optional school engagement meeting prior to a child being absent from school for 15% or more of a grading period, a school engagement meeting and corresponding absenteeism prevention plan, must occur when a child is absent from school for 15% or more of the days or hours in the grading period.

School Engagement Meetings and Absenteeism Prevention Plans

26. Is the Sample Absenteeism Prevention Plan advisory?

The [Absenteeism Prevention Plan sample template](#) and [Absenteeism Prevention Plan completed sample](#) state, “This **sample** Absenteeism Prevention Plan is solely advisory in nature and is provided at the request of education stakeholders to support school districts in meeting their statutory requirements.”

27. SF2435 states: “The school official shall contact the participants at least once each week during the remainder of the school calendar to monitor the performance of the participants under the plan.” Can automated calls or emails to the parents meet the requirements of the statute?

How and in what form the statutorily required weekly contact occurs is locally determined. To ensure effective implementation of the Absenteeism Prevention Plan, meaningful, weekly, two-way communication with parents/guardians is considered best practice.

28. Does the term “school official” encompass non-administrative staff, including teachers, paraeducators, counselors and at-risk coordinators?

SF2435 defines "school official" as “an employee of a public school whose job duties involve identifying children who are at risk for becoming chronically absent, creating interventions to limit the rate of student absenteeism, and participating in the legal process related to student absenteeism.” Designation of the appropriate school official(s) who will serve in this role is a local decision.

29. What is the purpose of the school engagement meetings?

The purpose of the school engagement meeting is to “identify the child's barriers to attendance and the interventions that may be used to improve the child's attendance.”

30. Who is required to participate in the school engagement meeting?

SF2435 states “All of the following individuals shall participate in the school engagement meeting: (1) The child. (2) The child's parent, guardian, or legal or actual custodian, if the child is not an emancipated minor. (3) A school official.”

31. Can the parent sign the agreement plan on behalf of the child?

SF2435 describes the participants in the school engagement meeting and that the participants sign the agreement. It is age appropriate for a child to sign this agreement when it is generally accepted that children of the same chronological age or level of maturity have the ability to understand what they are signing. See, e.g., Iowa Admin. Code r. 441-113.2.

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32. When should schools sunset a student's Absenteeism Prevention Plan?

Student attendance rates reset after each district-identified grading period. Per SF2435, attendance plans and family communication continue throughout the school year.

33. What are the consequences for noncompliance with the school engagement meeting and Absenteeism Prevention Plan requirements?

SF2435 states "If the participants in the school engagement meeting fail to enter into an absenteeism prevention plan, or if the child or the child's parent, guardian, or legal or actual custodian violates a term of the absenteeism prevention plan or fails to participate in the school engagement meeting, the county attorney may initiate a proceeding under section 299.6."

Truancy and Engagement with County Attorney Offices

34. What school officials should engage with the county attorneys?

The appropriate school official(s) to engage with the county attorneys is a local decision.

35. SF2435 states, "The county attorney of the county in which the public school's or accredited nonpublic school's central administrative office is located shall be responsible for the enforcement of this chapter, as described in this chapter." Does code require county attorneys to enforce truancy laws throughout the state?

The typical interpretation of the word "shall" in code is that it is not optional. The county attorney is the point of contact and decision-maker, retaining the discretion inherent in the office in enforcing this statute.

36. Should the county attorney choose not to respond, investigate, or prosecute truancy, what recourse and responsibility do school officials have?

School officials are encouraged to engage in dialogue with county attorneys. Although county attorneys have discretion over charging determinations, there is also an expectation that they will enforce or cause to be enforced all violations of state law.

37. Can county attorneys bill the school district/schools for their work to address chronic absenteeism?

No. The statute provides no mechanism for this cost recovery.

38. Is there a connection between Iowa's new school accountability system and SF2435?

Supporting educators, families and students in reducing chronic absenteeism is a priority across Iowa and the nation. Iowa's new accountability system, which includes chronic absenteeism as defined under the federal Every Student Succeeds Act (ESSA), was proposed, consulted on and submitted to the U.S. Department of Education before the introduction and enactment of SF2435.

39. Does SF2435 impact Iowa's new school accountability ratings?

State law does not impact federal chronic absenteeism calculations in Iowa's new school accountability system in which a student who misses 10% or more is considered chronically absent regardless of the reason for the absence. This federally required data is submitted by the district through the Student Reporting in Iowa collection.

State exemptions under SF2435 do not apply to federal chronic absenteeism calculations under ESSA. However, SF2435 impacts local chronic absenteeism and truancy decisions, including support for students and families who are chronically absent and interventions outlined in local board policies.

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