August 2025

## **Attendance and Chronic Absenteeism FAQs**

<u>Senate File 2435</u> and <u>Senate File 277</u> describe public school required activities related to student attendance requirements. The following is a summary of frequently asked questions.

Please also see the Attendance requirements and coding recommendations summarized in the following documents:

- 2025-26 Attendance and Chronic Absenteeism Summary for Schools
- 2025-26 Attendance Coding Technical Assistance
- Absenteeism Prevention Plan (Blank Template)
- Absenteeism Prevention Plan (Completed Sample Template)

#### General

1. How did the 2025 Iowa Acts, Senate File 277, amend the existing state attendance and chronic absenteeism requirements?

lowa's attendance and truancy laws were modified in 2024 through the enactment of 2024 lowa Acts, Senate File 2435. In 2025, the lowa Legislature enacted Senate File 277 and House File 870. SF277 included the following provisions:

- Four exemptions are added to the existing six. The new exemptions include a student who (1) is a military applicant undergoing military entrance processing, (2) is engaged in military service, (3) is traveling to attend a funeral, or (4) is traveling to attend a wedding.
- Previously, certified mail was required for communication to parents, guardians or legal custodians. Now, additional methods, including ordinary mail, electronic mail, or electronic message, or in-person delivery, may be used. Additionally, the school shall now maintain a copy of the notice until the child graduates, turns twenty-one years of age, or is no longer enrolled in the school, whichever occurs first.
- Previously, schools were required to hold school engagement meetings when a child is absent (for non-exempt reasons) from school for 15% of the days or hours in a grading period. Now, the school is required to hold these meetings if a child is absent (for non-exempt reasons) from school for 15% of the days or hours in a grading period and the school determines the absences are negatively affecting the academic progress.

2025 Iowa Acts, House File 870, will be discussed in question 8.

#### 2. 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 <u>256C.3.1.a</u> 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 the compulsory attendance age and are excluded from the chronic absenteeism requirement.

## 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.

## **Attendance Exemptions**

#### 5. What are the attendance 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.
- (7) Who is a military applicant undergoing military entrance process.
- (8) Who is engaged in military service.
- (9) Who is traveling to attend a funeral.
- (10) Who is traveling to attend a wedding.

#### 6. How do schools make a decision if a parent's report is sufficient for an exemption?

Local school teams will use the available information to make the best, informed decision if an exemption under state law, as discussed in the prior question, applies to a student's absence. Teams should accurately and objectively determine the rate at which students are absent and additional attendance-related interventions are warranted to ensure students receive the supports they need. Local school teams are encouraged to work on early warning data to provide interventions and supports to prevent chronic absences and truancy.

#### 7. 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 rites of passage religious services.

# 8. How is HF870 - Courses in Religious Instruction, Compulsory Education, and Chronic Absenteeism related to the attendance expectations and exemptions?

Effective July 1, 2025, HF870 modifies the definition of chronically absent to account for a student attending a course in religious instruction, and adds attending a course in religious instruction to Iowa Code sections 299.1 and 299.2 regarding compulsory education.

It establishes a new section under lowa Code chapter 299, clarifying that section 299.1 related to attendance requirements and policies adopted by the board of directors of a school district shall not apply to a student attending a course in religious instruction if the following conditions are satisfied:

- The parent or guardian of the student submits notification to the school that the child will be attending a course in religious instruction during the school day (an emancipated minor may provide this notification to the school).
- The course in religious instruction does not require the student to be absent from school for more than five hours per week.
- The private organization offering the course in religious instruction maintains attendance records and makes the records available to the school district or accredited nonpublic school.
- Transportation is provided by the parent or guardian of the child, the child, or the private organization providing the course in religious instruction.
- The private organization providing the course in religious instruction assumes liability for the student during the time in which the student is attending the course.
- The school district or accredited nonpublic school must not expend funds on the course of religious instruction, except de minimis costs associated with necessary administrative functions of the school district or accredited nonpublic school.
- The course of religious instruction must not be held on school district property unless authorized by the board of directors of the school district.
- The child attending the course in religious instruction must agree to complete any school work missed while attending the course.

A school district or accredited nonpublic school shall excuse the child from school for at least one hour but not more than five hours per week upon receiving a request from the child's parent or guardian or from the emancipated minor. Authorizes the pursuit of civil action against the school district if it is alleged that the school district has violated the terms of this section.

HF870 is consistent with the existing "religious education" exemption in SF2435 and provides additional detail for decision-making.

#### 9. 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. Please note that 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.

# 10. 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.

#### 11. Is mental health included in "legitimate medical reasons"?

SF2435 and SF277 do 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.

# 12. 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.

# 13. How are the school's local criteria for "excused" and "unexcused" related to the SF2435 and SF277exemptions?

The exemptions are not factored 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 and SF277 decision-making, regardless of local definitions of "excused" or "unexcused".

# 14. 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**

# 15. Code states that local school board policies must not apply to children when the absence is a result of one of the ten exemptions. How are the ten 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 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).

#### 16. Is the 2025-26 Attendance Coding Technical Assistance document advisory?

The technical assistance document states, "lowa 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.

#### 17. How will absences be coded?

This is locally determined. The <u>2025-26 Attendance Coding Technical Assistance</u> document provides definitions and shares best practices in attendance coding.

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

This is locally determined. The <u>2025-26 Attendance Coding Technical Assistance</u> 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 four scenarios in Table 3 of the 2025-26 Attendance Coding technical assistance identified as "Local" decisions?

The four scenarios in Table 3 of the <u>2025-26 Attendance Coding Technical Assistance</u> document 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 ten exemptions applies to the specific case. For example, a parent citing a "family reason" could have widely varying reasons some of 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 that 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?

A school district or school can use the attendance column in the Panorama Student Success system to see exact student attendance to identify students who have been absent from school for 10%,15%, or 20% or more days or hours in the grading period.

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?

No. SF277 now allows for home communication using ordinary mail, email, text message or other electronic message or in person. Schools are empowered to use the communications method best received and understood by the child's parent/guardian.

## **School Engagement Meetings and Absenteeism Prevention Plans**

25. SF277 states, if the school official determines that the child's absences are negatively affecting the child's academic progress, the school official shall initiate and participate in a school engagement meeting. How is the decision of negative impact on the academic process to be determined?

This is a local decision to be made by the school based upon available student progress data. "Academic progress" may entail multiple variables, including behavioral referrals, social skills, grades, test scores, school engagement, etc. A school engagement meeting may be held even if grades are satisfactory, yet school staff identify that overall school performance is impacted, and a meeting is warranted.

#### 26. Is the SAMPLE Absenteeism Prevention Plan advisory?

The Absenteeism Prevention Plan (Blank Template) and Absenteeism Prevention Plan (Completed Sample Template) 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 states 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., lowa Admin. Code r. 441—113.2.

#### 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. Similar to the need to determine negative impact on academic progress for the school engagement meetings, are schools to make the same determination prior to engaging the county attorney's offices?

Yes. Engagement with the County Attorney's office shall be initiated if the child's absences are negatively affecting the child's academic progress, as determined locally.

#### 35. What is the responsibility of the County Attorney's Office?

Pursuant to Iowa Code section 299.12(3)(e), the County Attorney's Office may, in its prosecutorial discretion, initiate a proceeding under Iowa Code section 299.6 when any of the following occur:

- Participants in a school engagement meeting fail to enter into an absenteeism prevention plan;
- Parents, guardians, or legal or actual custodians violate a term of the absenteeism prevention plan; or
- The student's parents, guardian, or legal or actual custodian fails to participate in the school engagement meeting.
- 36. 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 the 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.

37. 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.

38. 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.

## School Accountability, SF2435 and SF277

#### 39. Is there a connection between lowa's new school accountability system and SF2435?

Supporting educators, families, and students in reducing chronic absenteeism is a priority across lowa 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.

#### 40. Does SF2435 or SF277 impact lowa'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 (SRI) collection.

State exemptions under SF2435 and SF277 do not apply to federal chronic absenteeism calculations under ESSA. However, these bills impact local chronic absenteeism and truancy decisions, including support for students and families who are chronically absent and interventions outlined in local board policies.

# 41. What year's chronic absenteeism data will be used for the lowa School Performance Profiles?

The most recently finalized Chronic Absenteeism data will be used for inclusion in the ISPP. The ESSA designations made in the fall must use the previous year's chronic absenteeism data.

#### 42. 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 percentage of students missing ≥10% of scheduled school days.

Average Daily Attendance (ADA) is the percentage of all students' attendance on a given day aggregated for the year. Chronic Absenteeism is the percent of students missing ≥10% of scheduled school days, regardless of the reason for the absence. For example,

	School A	School B
500 Students	100 attend 97% 100 attend 94% 100 attend 93% 100 attend 92% 100 attend 82%	100 attend 98% 100 attend 97% 100 attend 94% 100 attend 86% 100 attend 83%
Average Daily Attendance	91.6%	91.6%
Chronic Absenteeism	20%	40%