

School absenteeism

A school can file a waiver to recoup the average daily attendance (ADA) loss from an emergency such as an epidemic (Education Code Section 46392[a][4]). To do this, they need to have a "material decrease in attendance (see below). While the code does not specify the need for declaration of an epidemic by the health department, the person reviewing the request at the Dept of Education will need some evidence that the absence was likely due to a disease outbreak, such as influenza.

As discussed at the recent CCLHO Communicable Disease Committee meeting, this requires only a statement by the health officer or designee that there was an outbreak of disease as defined by the California Code of Regulations: "The occurrence of cases of a disease (illness) above the expected baseline level, usually over a given period of time, in a geographic area or facility, or in a specific population group." (Title 17, §2500 (20))

This does not need any specific objective measure. In addition to school absenteeism, it may be based on various factors, such as, information of heightened activity in clinics and emergency departments, EMS activity and diversions, and other institutional outbreaks.

Dept of Education Code

46392. (a) Whenever the average daily attendance of any school district, county office of education, or regional occupational center or program during any fiscal year has been materially decreased during any fiscal year because of any of the following, the fact shall be established to the satisfaction of the Superintendent of Public Instruction by affidavits of the members of the governing board of the school district or county office of education, and the county superintendent of schools:

- (1) Fire.
- (2) Flood.
- (3) Impassable roads.
- (4) An epidemic.
- (5) An earthquake.
- (6) The imminence of a major safety hazard as determined by the local law enforcement agency.
- (7) A strike involving transportation services to pupils provided by a nonschool entity.

California Code of Regulations, Title 5

§428. Material Decrease - A decrease in the average daily attendance is material for the purposes of Education Code Section 46392 when at least ten percent of the students who would normally attend a school do not attend on any one day. Any decrease in attendance at a necessary small school, as defined in Education Code Section 42283 is material for the same purpose. The average daily attendance of the school during either the month of May or the month of October of the same school year, at the District's option, shall be used to determine the normal attendance of a school for purposes of this section.