

CALPADS Update Flash #148



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To: Local Educational Agency (LEA) Representatives

From: California Department of Education (CDE) —
California Longitudinal Pupil Achievement Data System (CALPADS) Team

Enrollment and Attendance Accounting Guidance for Students Attending Hospital/Health Facility Programs in Another LEA

Assembly Bill 2109 (Chapter 167, Statutes of 2018):

- Authorizes local educational agencies (LEAs), including charter schools, to continue to enroll pupils with temporary disabilities who are receiving individual instruction in hospitals or other residential health facilities that are located in another LEA on a temporary or ongoing partial week basis.
- Requires supervisors of attendance to ensure that absences from students' regular schools are excused until students are able to return to regular school programs.
- Requires LEAs to accept such students back after the hospitalization or need for partial week attendance has ended, if they return on a full time basis during the same school year.
- Specifies that LEAs may claim average daily attendance (ADA) for only the days the student was in attendance at a school in the LEA.

LEAs should refer to California Education Code (EC) Sections 48206.3 – 48208 and 48240 for the specific additions and amendments to current law. It should also be noted that under current law, charter schools cannot generate home/hospital attendance for apportionment. Therefore the references to LEAs providing home/hospital do not include charter schools. The following guidance is provided regarding how to enroll/exit and submit chronic absenteeism data for these students in CALPADS in order to ensure that the impact on accountability metrics is neutral:

Scenario 1

A student is primarily enrolled in LEA 1 for 3 days a week, and receives Home and Hospital instruction from LEA 2, in a school that is not an alternative school, for 2 days a week. (Note: LEA 2 cannot be a charter school because charter schools cannot generate home/hospital attendance for apportionment.)

Guidance:

- LEA 1 should enroll the student with a primary enrollment where the student is scheduled to attend school three days in a week.
- LEA 1 should mark the student with an excused absence (or some designation that does not result the student being identified as truant) on the days that the student attends LEA 2.
- LEA 1, when reporting expected attendance days in Field 13.15 – *Expected Attendance Days* to CALPADS on the Student Absence Summary (STAS) File, should only count the days the student attends LEA 1 as days expected. LEA 1 is only held accountable for the student's attendance for the days the student is expected at LEA 1.
- LEA 2 should enroll the student with a secondary enrollment for the two days in the week that the student is receiving home/hospital instruction from LEA 2.
- LEA 2 is not required to submit the STAS.

Note:

- There is no concurrent enrollment issue; LEA 1 maintains ownership of the student. LEA 2 may submit or update Student Program records following rules outlined in the SSID and Enrollment Procedures document.
- LEA 1 and LEA 2 can claim ADA based on the student's attendance at their respective schools.

Scenario 2

A student is primarily enrolled in LEA 1. The student becomes ill and requires home/hospital instruction in a facility located in the geographic area of LEA 2. The student will require home/hospital for a temporary period of time of 30 days or less and expects to return to LEA 1 within the school year. It is the desire of the student to maintain his/her enrollment in LEA 1. (Note: LEA 2 cannot be a charter school because charter schools cannot generate home/hospital attendance for apportionment.)

Guidance:

- LEA 1 should enroll the student with a primary enrollment and should not exit the student when he/she leaves for home/hospital instruction.
- LEA 1 should mark the student with an excused absence (or some designation that does not result in the student being identified as truant) on the days that the student is enrolled in and attending LEA 2 for home/hospital instruction.
- LEA 1, when reporting expected attendance days in Field 13.15 – *Expected Attendance Days* to CALPADS on the Student Absence Summary (STAS) File, should only count as days expected, the days the student could have attended before becoming ill necessitating enrollment in LEA 2. LEA 1 is only held

accountable for the student's attendance for the days the student is expected at LEA 1.

- **LEA 2 With an Alternative School:** LEA 2 should enroll the student with a short term enrollment in an alternative school in LEA 2. The short term enrollment allows LEA 1 to maintain the enrollment for 30 days without creating a concurrent enrollment (CCE).

Or:

LEA 2 Without an Alternative School: LEA 2 should enroll the student as a primary enrollment in a school in LEA 2. A CCE is created; however, it is only temporary and LEAs may have up to 2 percent CCEs in order to certify Fall 1. After two weeks, LEA 1 loses ownership of the student and can no longer update or submit Student Information (SINF) data for the student, except for the time period in which LEA 1 owned the student.

- LEA 2, when submitting the STAS file, should populate Field 13.13 – *Student Absence Summary Data Collection Exemption Indicator* with “Y” indicating that the student is exempt from the STAS data collection.
- Before 30 days has elapsed, the student returns to LEA 1, and LEA 2 should exit the student which gives ownership back to LEA 1.

Note: LEA 1 and LEA 2 can claim ADA based on the student's attendance at their respective schools.

Scenario 3

A student is primarily enrolled in LEA 1. The student becomes ill and requires home/hospital instruction in a facility located in the geographic area of LEA 2. The student will require home/hospital for a temporary period of time that is more than 30 days but expects to return to LEA 1 within the school year. It is the desire of the student to maintain his/her enrollment in LEA 1. (Note: LEA 2 cannot be a charter school because charter schools cannot generate home/hospital attendance for apportionment.)

Guidance:

- LEA 1 should enroll the student with a primary enrollment and should not exit the student when he/she leaves for home/hospital instruction.
- LEA 1 should mark the student with an excused absence (or some designation that does not result in the student being identified as truant) on the days the student is enrolled in and attending LEA 2 for home/hospital instruction.
- LEA 1, when reporting expected attendance days in Field 13.15 – *Expected Attendance Days* to CALPADS on the Student Absence Summary (STAS) File, should only count as days expected, the days the student could have attended before becoming ill necessitating enrollment in LEA 2. LEA 1 is only held accountable for the student's attendance for the days the student is expected at LEA 1.

- LEA 2 should enroll the student as a primary enrollment in a school in LEA 2. A CCE is created; however, LEAs may have up to 2 percent CCEs in order to certify Fall 1. After two weeks, LEA 1 will lose ownership of the student and can no longer update or submit Student Information (SINF) data for the student, except for the time period in which LEA 1 owned the student.
- LEA 2, when submitting the STAS file, should populate Field 13.13 – *Student Absence Summary Data Collection Exemption Indicator* with “Y” indicating that the student is exempt from the STAS data collection due to Home/Hospital attendance.
- When the student returns to LEA 1, LEA 2 should exit the student giving ownership back to LEA 1.

Enrollment and Attendance Accounting Guidance for Students While on Paternity Leave

Assembly Bill 2289 codifies federal and state regulations related to the rights of pregnant or parenting students. Some of the provisions related to enrollment and attendance accounting include the following:

- Entitles pregnant and parenting students to eight weeks of parental leave, which may be taken before the birth of the infant if there is a medical necessity and after childbirth during the school year in which the birth takes place.
- Entitles pregnant and parenting students to receive more than eight weeks of parental leave if deemed medically necessary by the student’s physician.
- Entitles pregnant and parenting students to return to the school and the course of study in which he or she was enrolled before taking parental leave, and upon return be provided opportunities to make up work missed during the leave.
- Entitles pregnant and parenting students who choose not to return to the school in which they were enrolled before taking parental leave, to alternative education options offered by the LEA, which have programs, activities, and courses equal to those they would have been participating in at the regular school program.
- Requires supervisors of attendance to ensure that absences due to parental leave are marked as excused absences.

LEAs should review California *EC* Sections 221.51, 222.5 and 46015 for the full rendering of the new law. The following guidance is provided regarding how to enroll/exit and submit chronic absenteeism data for these students in CALPADS in order to ensure that the impact on accountability metrics is neutral:

- LEAs should not dis-enroll pregnant or parenting students when they leave on their paternity leave, and should mark them with an excused absence, or some designation that does not result in the students being identified as truant, on the days that the students are on paternity leave.

- When reporting expected attendance days in Field 13.15 – *Expected Attendance Days* to CALPADS on the Student Absence Summary (STAS) File, LEAs should not count as days expected, the days that pregnant or parenting students are on paternity leave.
- LEAs should submit in Field 3.13 – *Education Program Code*, on the Student Program (SPRG) file, Education Program Code 162 – *Pregnant or Parenting Program*, even if the student is not formally participating in a program providing services to students who are pregnant or parenting. This code is used primarily to identify that a student is a pregnant or parenting student.

Further Clarification on Reporting All Incidents Regardless if it Results in a Disciplinary Action of Suspension or Expulsion

In order to enable LEAs to report discipline data for general education students and students with disabilities using a consistent set of rules, and to capture a more comprehensive picture regarding whether discipline policies are being implemented pursuant to legislative intent, Flash 145 announced business rule changes for the submission of discipline data in 2018–19.

This section provides further guidance regarding the announced change in Flash 145 that LEAs must now report all incidents in which a statutory offense is committed, and to use Disciplinary Action Category Code 300 – “*Other Means of Correction or No Action*” for those incidents that did not result in a suspension or expulsion.

Previously, an LEA’s action of suspending or expelling a student helped determine what incidents LEAs were required to report for offenses committed by general education students. Now that LEAs must report all incidents when any student has committed a statutory offense, even when the student is not suspended or expelled, it is sometimes unclear when an incident should be reported. This is particularly true for California *Education Code (EC)* Section 48900 (k) offenses which students commit when they disrupt or defy the valid authority of school personnel in the performance of their duties. It may be unclear, for example, whether incidents of disruptive or defiant behavior that occur in the classroom and which teachers address by taking some type of disciplinary action within the classroom, are reportable.

To help determine whether incidents for which students were not suspended or expelled should be reported, district or school administration should consider the severity of the disciplinary action taken. If the disciplinary action taken was similar to one of the “other means of correction” outlined in *EC* Section 48900.5, which is also contained in the definition of Disciplinary Action Category code 300 (provided below), then the incident should be reported. If, on the other hand, the disciplinary action was taken by the teacher within the classroom setting (such as re-teaching expectations, providing choice, environmental adjustments, etc.) and was not escalated beyond the classroom to administration, then the incident would not be reported.

LEAs that have not done so already should develop clear student discipline policies for administrators, school staff, and teachers to follow. Such policies should describe a continuum of behaviors and appropriate responses to be taken within the classroom by

teachers and outside the classroom, which would include “other means of correction” as described in *EC* Section 48900.5.

Finally, LEAs are reminded that reported incidents that result in “other means of correction” are not included in the Suspension Rate posted on DataQuest or used for the Dashboard. In fact, reporting “other means of correction” shows that a school is following legislative intent by implementing alternatives to suspension so that students do not miss instructional time.

Disciplinary Action Category Code 300

As described in Flash 145, Disciplinary Action Category code 300 has been renamed from “*No Suspension or Expulsion*” to “*Other Means of Correction or No Action*,” and the definition for this code has been changed to the following:

An individual committed an offense as defined in Education Code 48900 or 48915, was not suspended or expelled, but the matter was addressed with either no disciplinary action at all or other means of correction. Other means of correction include but are not limited to:

1. *A conference between school personnel, the pupil’s parent or guardian, and the pupil.*
2. *Referrals to the school counselor, psychologist, social worker, child welfare attendance personnel, or other school support service personnel for case management and counseling.*
3. *Study teams, guidance teams, resource panel teams, or other intervention-related teams that assess the behavior, and develop and implement individualized plans to address the behavior in partnership with the pupil and his or her parents.*
4. *Referral for a comprehensive psychosocial or psychoeducational assessment, including for purposes of creating an individualized education program, or a [Section 504] plan.*
5. *Enrollment in a program for teaching prosocial behavior or anger management.*
6. *Participation in a restorative justice program.*
7. *A positive behavior support approach with tiered interventions that occur during the school day on campus.*
8. *After-school programs that address specific behavioral issues or expose pupils to positive activities and behaviors, including, but not limited to, those operated in collaboration with local parent and community groups.*
9. *Any of the alternatives described in Section 48900.6 [relating to “community service”].*