

# GOVERNMENT OF THE DISTRICT OF COLUMBIA

## Child and Family Services Agency



### School Year 2021-2022 Operating Procedures for Local Education Agencies (LEAs), DC Public Schools (DCPS), DC Public Charter Schools (DCPCS), DC private schools and DC Child and Family Services Agency (CFSA) in Response to Student Attendance Concerns

**August 30, 2021**

This document outlines the processes DC public schools, public charter schools, private schools, and the DC Child and Family Services Agency (CFSA) will undertake in response to concerns of students ages five to 13 who miss 10 or more full unexcused school days (whether in remote learning, in-person learning, or a combination of both) during School Year 2021-2022.

#### PLEASE NOTE THE FOLLOWING:

- **For children ages 0-4**, school attendance is not compulsory. Per D.C. Code §38-202, a child must be five years of age on or before September 30<sup>th</sup> of the current school year to be required by law to attend school. Children under that age threshold should not be reported to CFSA for attendance matters.
- **For children ages 14-17**, schools are not required by law to report attendance matters to CFSA. These matters are presumed to be the result of truancy and not educational neglect, and the school is therefore required to make a report to Court Social Services and the Office of the Attorney General Juvenile Section. However, if a school suspects that a student 14 years of age through 17 years of age is not attending school as a direct result of a parent not allowing them access to school, then a report should be made through the CFSA Educational Neglect Reporting Form (click [HERE](#)).
- **For children of any age** for whom there are safety concerns outside of attendance, call CFSA's 24-hour Child Protection Services Hotline at 202-671-7233.
- **Definition of parent.** In this document, the word "parent" refers to the parent, guardian, or legal custodian of a child who is legally responsible for ensuring the child attends school.

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*Under all circumstances, CFSA's Educational Neglect Reporting Form should only be used to report attendance concerns. Suspected child abuse or neglect must be called into CFSA's 24-hour Child Protection Services Hotline at 202-671-7233.*

### Shared Operational Framework for CFSA and LEAs (DC Public Schools, DC public charter schools and DC private schools)

1. **Agencies' Core Roles.** Schools are the entity likely to have the most direct and positive impact on a student's attendance. By contrast, child welfare agency involvement can be an invasive and traumatic experience for families. Therefore, when it comes to engaging families in a child's school participation, schools should take the lead role, and CFSA's involvement should be considered a last resort that is only appropriate when a parent's actions or inactions directly impact their child's attendance.
2. **Current Attendance Law.** D.C. Code §38-208 requires students five years of age through 13 years of age who have accrued 10 or more full school day unexcused absences at any point in a school year to be referred to CFSA. The public health emergency due to the COVID-19 pandemic, and consequent adjustments to educational operations in the District of Columbia, have not resulted in changes to DC law regarding school attendance and unexcused absences from school.
3. **Attendance Data Collection & Determination of Absences.** The Office of the State Superintendent of Education (OSSE) sets policies related to the collection and reporting of student-level attendance data. You can find guidance on the collection and reporting of attendance data for the 2021-22 school year [here](#). Regulations put forth by OSSE determine what constitutes an excused or unexcused absence and how attendance is taken and data reported:
  - 5-A DCMR §2100, *et. seq* outlines these procedures.
  - 5-A DCMR §2012 outlines what constitutes an excused absence.

LEAs may make a determination of what constitutes an excused or unexcused absence, but their policies and procedures must conform to the regulations. Note that excused absences include those that are due to an emergency, or other circumstances, as approved by an educational institution

4. **Continuous Education Plans.** Due to the ongoing and unpredictable nature of the COVID-19 Pandemic, in SY 2021-22, LEAs' operating procedures regarding attendance

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and determination of absences may vary and/or change over time. The Office of the State Superintendent of Education (OSSE) requires LEAs to submit Continuous Education Plans to communicate these procedures. CFSA will rely on the submitted Continuous Education Plans to inform its response to reports of 10 or more unexcused full school day absences during the school year.

5. **Remote Learning.** In the SY 2021-22, an educational institution shall provide remote instruction to a student who has an OSSE [medical certification form](#) submitted to, and approved by, the LEA of enrollment. For more on the use of medical certification forms refer to [“COVID-19 Medical Consent & Certification for Distance Learning Frequently Asked Questions for Local Education Agencies/Schools.”](#) If a child with an approved medical certification form experiences difficulties in successfully utilizing remote learning strategies, the school should encourage them to attend school in person, as long as they are medically cleared to do so.

A student may also participate in remote learning under the following circumstances:

- To comply with District of Columbia laws, regulations, executive actions, or public health guidance in order to implement public health measures relating to the spread of COVID-19. For example, a student may need to quarantine due to a positive case of COVID-19 or be excluded from in-person instruction because of close contact with an infected person.
- Due to a temporary closure of the school to protect the health and safety of all enrolled students. For example, if a school closes due to high rates of COVID-19 or other illness, or due to inclement weather, remote learning may need to occur.
- If the school has been approved by the Public Charter School Board to provide a remote program, consistent with its authorizing powers.

LEAs' approved continuous education plans (described in point #4 above) include the steps they will take to provide continuous education to students through remote means under the circumstances listed above. Students who are eligible for remote learning are expected to attend school through those means. Schools will track attendance in these instances with fidelity to OSSE guidance (see point #3 above). Schools also will ensure that students have the instructional materials that they need for remote learning. If the student does not attend remote sessions, they should be counted as absent, per the LEA's attendance policy.

If DCPS students are having difficulty accessing the DCPS virtual platform, parents will be advised that they should notify their attendance point-of-contact for support abating the challenge, and students will be marked as excused using the confirmed virtual code.

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6. **Role of CFSA's Educational Neglect Triage Unit.** Although schools are required by law to report the accrual of 10 unexcused absences, these absences alone do not necessarily constitute educational neglect. Through its triage and investigative processes, CFSA's Educational Neglect Unit will determine whether there is alleged educational neglect requiring a child welfare agency response. If a child welfare agency response is required, a referral for a CPS investigation will be made. In all cases, the reporter will be notified of the outcome of each report (see section below on CFSA's response).

### Required Outreach for Attendance Concerns

As soon as an individual school determines that a student is not meeting the LEA's attendance standards for its current learning plan, and well before ten unexcused absences have accrued, the school will work diligently to engage the student and family. To maximize the possibility of effective engagement and resolution of attendance concerns, LEAs will follow all applicable laws in this regard. Before submitting a report about the accrual of 10 or more unexcused absences, CFSA *requires* that all LEAs take, and document, as many of the following action steps as possible:

- Contact individuals on the student's emergency contact list.
- Exhaust community-based interventions/referrals.
- Conduct school-based support team meetings and follow-up student interventions.
- Call, email, and text both parents and the individuals on the student's emergency contact list to explore and document barriers to attendance.
- When instruction is in person, talk to families at drop-off and pick-up times.
- Involve the student in reaching out to their parent(s) in order to address attendance issues.
- Robocall the student and family members.
- Mail postcards/letters to the home with messaging from the school.
- Schedule attendance meetings with the parents (in person or remotely).
- Make home visits, following DC Health guidelines for such activities (this is a recommended best practice).

In making these outreach efforts, schools should be actively collaborating with — or otherwise drawing resources from — all partners within and outside the school community who may have contact or relationships with the child and family. This includes the school's behavioral health team, as well as any Department of Behavioral Health clinicians and/or community-based organizations that provide mental health and other services in and outside of schools. Collaboration also includes regular cross-checking between teachers and with siblings' schools and teachers regarding contact with the student.

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**Note:** For all LEAs, any report submitted to CFSA that does not document exhaustion of efforts to engage the family in overcoming attendance challenges will be returned to the reporter for further follow-up and then resubmission.

While LEAs each have their own engagement protocols, as a point of reference, the DC Public Schools Beginning of Year (BOY) attendance protocol is included below:

Timeline	School Responsibilities
Each unexcused absence	<b>Robo-call</b> (sent from Blackboard) sent to family at night on each day a student has the equivalent of one day of unexcused absence.
3 cumulative days of unexcused absences	Send <b>3-Day Universal Absence Letter</b> to parent from Aspen. For virtual students only: call the student's home to complete a <b>wellness check</b> .
4 cumulative days of absences (excused or unexcused)	<b>Teacher calls the student's home</b> to discuss the student's attendance.
5 cumulative days of unexcused absences	Send <b>5-Day Universal Absence Letter</b> from Aspen to the student's home notifying the parent/guardian that a Student Attendance Conference (SAC) will be held.  <b>Hold Student Attendance Conference (SAC) with the parent</b> and the student, if appropriate, to determine and document root causes of absences and provide related interventions and develop an Attendance Action Plan within 5 days of the referral. If the student has an IEP, alert the local education agency representative designee (LEARD) and Case Manager.
7 cumulative days of unexcused absences	Send <b>Metropolitan Police Department (MPD) Warning Letter</b> to parent using Aspen.
10 cumulative days of unexcused absences	Send <b>10-Day Universal Absence Letter</b> to parent from Aspen.  <b>Review students (ages 5-17) who have reached the 10-day unexcused absence threshold</b> to consider whether more targeted support is needed.  <i>Note for students aged 5 – 13 only who have 10 cumulative <b>full-day</b> absences:</i> If all attendance interventions have been executed and documented in Aspen, <b>refer student to CFSA</b> for educational neglect.
15 cumulative days of unexcused absences	Send <b>15-day Universal Absence Letter</b> to parent from Aspen.  <i>Note for students aged 14 – 17 only who have 15 cumulative <b>full-day</b> absences:</i> If all interventions have been executed and documented in Aspen, <b>refer student/family to the Court Social Services Division</b> and the Office of the Attorney General.
20 consecutive days of full-day unexcused absences <sup>29</sup>	Send <b>initial withdrawal letter</b> to parent and <b>call student's home</b> to notify parent/guardian that the student is eligible to be withdrawn from school.  Send a <b>final withdrawal letter</b> to parent after all out-reach has been completed notifying parent of intent to withdraw. Schools <i>must</i> have executed all required interventions before withdrawing a student, and schools must record all documentation in Aspen and have received approval by the principal and Instructional

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Superintendent. Students receiving special education services through an IEP cannot be withdrawn without the school demonstrating additional reasonable efforts to contact the parent and receiving approval from the DCPS Division of Specialized Instruction.

### CFSA's Response

Following a review of submitted reports, CFSA will pursue one of these four response tracks:

1. **DENIED/RETURNED TO REPORTER to complete required outreach efforts.** A report will be denied when the reporting school has not demonstrated exhaustive efforts to make contact with a student and family in order to resolve attendance matters, and/or the report is missing critical information. In these instances:
  - Reporters are notified of denied reports via email.
  - Denials are sent back to the reporter for follow-up and resubmission.
  - Reporters can contact the Triage Unit Supervisor, Joseph Osiecki (at [joseph.osiecki@dc.gov](mailto:joseph.osiecki@dc.gov)), for further discussion.
  - Reporters or other school personnel can also attend CFSA's new weekly "Education Neglect Consultation Meeting"
2. **SCREENED-OUT.** A report will be screened out if it contains all required information (including documentation of exhaustive efforts to engage the student and family) and it is determined that it does not require Child Protective Services (CPS) involvement. Such instances might include, for example, a report submitted by the school due to statutory reporting requirements only, in which there are no concerns among school personnel about the student's academic performance.

If the CFSA triage worker (in consultation with the supervisor) determines that the report does not rise to the level of a child welfare response:

  - Reporters are notified of the decision via email.
  - Reporters should continue to work with the identified student and family to improve attendance and re-report if needed.
3. **ACCEPTED FOR AN INVESTIGATION OF EDUCATIONAL NEGLECT ("Screen In"):** A report will be accepted for a CPS Investigation when it contains all required information (including documentation of exhaustive efforts to engage the student and family) and contains sufficient information to support an allegation of educational neglect. An allegation of educational neglect

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is identified when a student has missed an excessive amount of school as a direct result of action or inaction by the parent or caregiver. In these instances:

- Reporters are notified of the screening decision via email.
- Reporters will be contacted by the assigned Educational Neglect Social Worker to obtain additional information, and to support school collaboration with CFSA in intervention planning with the family.

### Questions for CFSA?

Questions regarding screening decisions should be directed to the Educational Neglect Triage Unit Supervisor, Joseph Osiecki, at [joseph.osiecki@dc.gov](mailto:joseph.osiecki@dc.gov)

Questions regarding service provision and investigations should be directed to Educational Neglect Social Work Unit Supervisor, Shaneena Robertson, at [Shaneena.robertson@dc.gov](mailto:Shaneena.robertson@dc.gov)