

Date of Hearing: March 18, 2026

ASSEMBLY COMMITTEE ON EDUCATION
Darshana Patel, Chair
AB 1763 (Lee) – As Introduced February 9, 2026

SUBJECT: Pupil attendance: excused absences: religious observance

SUMMARY: Requires a student to be excused from school when the absence is for the observance of a holiday or ceremony of the student's religion, rather than requiring the student's absence to be requested in writing by the parent and approved by the principal. Specifically, **this bill:**

- 1) Requires a student to be excused from school when the absence is for the observance of a holiday or ceremony of the student's religion.

EXISTING LAW:

- 1) Requires a student between the ages of 6 through 18 to attend school full-time, in the school district where either parent or legal guardian resides, except as specified. (Education Code (EC) 48200)
- 2) Specifies that excused absences are deemed to be absences in computing average daily attendance (ADA) and do not generate state apportionment payments. (EC 48205)
- 3) Requires that a student be excused from school when the absence is:
 - a) Due to the student's illness, including an absence for the benefit of the student's mental or behavioral health;
 - b) Due to quarantine under the direction of a county or city health officer;
 - c) Having a medical, dental, optometrical, or chiropractic appointment;
 - d) For purposes of attending the funeral services or grieving the death of either a member of the pupil's immediate family, or of a person that is determined by the pupil's parent or guardian to be in such close association with the pupil as to be considered the pupil's immediate family, so long as the absence is not more than five days per incident;
 - e) For the purpose of jury duty;
 - f) Due to the illness or medical appointment during school hours of a child of whom the student is the custodial parent;
 - g) For justifiable personal reasons, including, but not limited to, an attendance or appearance in court, attendance at a funeral service, observance of a holiday or ceremony of the pupil's religion, attendance at a religious retreat, attendance at an employment conference, or attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization, when the pupil's absence is requested in writing by the parent or guardian and approved by the principal or a designated

representative pursuant to uniform standards established by the governing board of the school district;

- h) For the purpose of serving as a member of a precinct board for an election;
 - i) For the purpose of spending time with a member of the student's immediate family who is an active duty member of the uniformed services, and has been called to duty for, is on leave from, or has immediately returned from, deployment to a combat zone or combat support position;
 - j) For purposes of attending the pupil's naturalization ceremony to become a United States citizen;
 - k) For purposes of participating in a cultural ceremony or event;
 - l) For the purpose of a middle or high school student engaging in a civic or political event for no more than one schoolday per year, provided that the student notifies the school ahead of the absence;
 - m) Due to the pupil's participation in military entrance processing;
 - n) For any of the following purposes, if an immediate family member of the student, or a person that is determined by the student's parent or guardian to be in such close association with the student as to be considered the student's immediate family, has died, so long as the absence is not more than three days per incident:
 - i) To access services from a victim services organization or agency;
 - ii) To access grief support services; and
 - iii) To participate in safety planning or to take other actions to increase the safety of the student or an immediate family member of the student, or a person that is determined by the student's parent or guardian to be in such close association with the student as to be considered the student's immediate family, including, but not limited to, temporary or permanent relocation.
 - o) Absences beyond three days for the reasons described above subject to the discretion of the school administrator, or their designee; and
 - p) Authorized at the discretion of a school administrator. (EC 48205)
- 4) Defines "immediate family" for purposes of excused absences as the parent or guardian, brother or sister, grandparent, or any other relative living in the household of the pupil. (EC 48205)
- 5) Defines a "truant" as any pupil subject to compulsory full-time education or to compulsory continuation education who is absent from school without a valid excuse on any day or is tardy for more than 30 minutes, or any combination thereof, for three days in a school year. (EC 48260)

- 6) Provides that a valid excuse includes, but is not limited to, the reasons specified in the "excused absences" sections of law, and may include other reasons that are within the discretion of school administrators and based on the facts of the pupil's circumstances. (EC 48260)
- 7) Prohibits an employer, as specified, to refuse to grant a request by an employee to take up to 5 days of bereavement leave upon the death of a family member. (Government Code (GOV) 12945.7)

FISCAL EFFECT: This bill has been keyed as a possible state-mandated local program by the Office of Legislative Counsel.

COMMENTS:

Need for the bill. According to the author, "California is home to the most diverse population in the nation and became the first to become a "minority-majority" state in 2000. With a broad and diverse range of religious traditions and faiths, our state's schools should better accommodate excused absences for religious reasons. AB 1763 recognizes the State's rich diversity by providing students the academic credit protections for absences for religious observances of holidays and ceremonies, without being subject to administrators' approvals."

Excused absences. California's compulsory education law requires every child between the ages of 6 through 18 to attend school full-time and their parents and legal guardians to be responsible for ensuring that they attend school. A student who is absent from school without a valid excuse on any day or is tardy for more than 30 minutes, or any combination thereof, for three days in a school year is considered a truant.

Current law establishes excused absences for a number of reasons, including illness, quarantine, medical appointments, attending a funeral, jury duty, illness of the student's child, a court appearance, observation of a religious holiday or ceremony, attendance at an educational conference, serving on a precinct board, spending time with an immediate family member who is an active duty member of the military, as well as for other reasons deemed to constitute a valid excuse by a school administrator based upon an individual student's circumstances.

Current law requires some excused absences to be approved by the principal, consistent with school district policy, when the absence is for specified justifiable reasons, including when the absence is for the observance of a holiday or ceremony of the student's religion. This bill would, for an absence related to the observance of a holiday or ceremony of the student's religion, remove the requirement of a justifiable reason approved by the principal and instead add this observance to the list of authorized student excused absences that do not require the approval of the principal.

Absences impact school funding. California schools are funded based on the ADA of enrolled students. The level of absenteeism, whether excused or unexcused, negatively impacts an LEA's overall funding.

Chronic absenteeism has risen significantly in recent years. Chronic absence refers to missing so much school for any reason that a student is academically at risk. Chronic absence is defined

as missing 10% or more of school for any reason, including excused absences, unexcused absences or truancy, and suspensions. According to Attendance Works:

In the 2020-21 school year, at least 10.1 million students nationwide were chronically absent. We estimate chronic absence has more than doubled from the more than 8 million students, pre-COVID-19, who were missing so many days of school that they were academically at risk. Chronic absence can translate into students having difficulty learning to read by the third-grade, achieving in middle school, and graduating from high school.

Children living in poverty are two to three times more likely to be chronically absent—and face the most harm because their community lacks the resources to make up for the lost learning in school. Students from communities of color, as well as those with disabilities, are disproportionately affected.

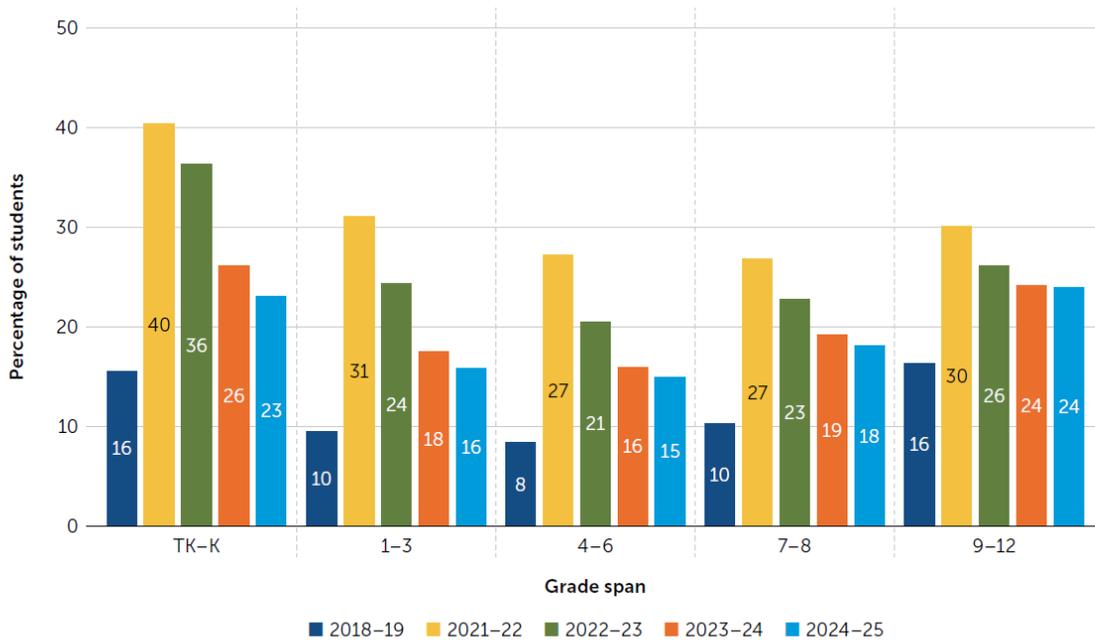
This isn't simply a matter of truancy or skipping school. In fact, many of these absences, especially among our youngest students, are excused. Often, absences are tied to health problems, such as asthma, diabetes, and oral and mental health issues. Other barriers including lack of a nearby school bus, a safe route to school, or food insecurity, make it difficult to attend school every day.

California's accountability system tracks chronic absenteeism as one indicator of academic engagement on the California School Dashboard. In 2025, 17.1% of students in kindergarten through 8th grade were chronically absent, considered a mid-level of concern. Chronic absenteeism rates peaked at 30% on the 2022 Dashboard. When broken down by subgroups, the following were chronically absent at a disproportionate rate compared to the statewide average in the 2024-25 school year for grades K-8:

- 29.8% of African American students;
- 28.9% of American Indian students;
- 21.3% of English learners;
- 37.3% of foster youth;
- 20.1% of Hispanic students;
- 34.9% of homeless students;
- 24.1% of socioeconomically disadvantaged students; and
- 27.8% of students with disabilities.

The rate of chronic absenteeism in California across all grade levels has declined across all grade levels since the COVID-19 pandemic, as shown below:

Figure 6. Chronic Absence Rates by Grade and Year



Source: Attendance Works

Potential to increase chronic absenteeism by expanding excused absences. Legislation in recent years has added to the list of excused absences for the purposes of a student’s mental health, participating in a cultural ceremony or event, and engaging in a civic or political event. Although each of these is worthwhile in themselves, the overall impact on student attendance must be considered. As noted above, a student’s absence from school for any reason may have negative impacts on their academic achievement over time.

Arguments in support. Jewish California writes, “Currently, some students are not given proper accommodations to miss school without it reflecting poorly on their grades. AB 1763 promotes fairness and religious equity in school attendance policies by ensuring that students are no longer denied excused absences or proper accommodations for the observation of religious holidays and ceremonies. It simplifies the process for families by removing the need for administrative approval – an unnecessary and sometimes uncomfortable process for families simply seeking to practice their faith.”

Related legislation. SB 350 (Ashby), Chapter 601, Statutes of 2023, extends the time permitted for an excused absence for attending a funeral from up to three days to five days for each incident, expands the authorization from a funeral of an immediate family member to include a person determined by the student's parent to be considered immediate family, and includes accessing grief support or victim services due to the death of an immediate family member or close associate as an additional excused absence.

AB 1503 (Lee), Chapter 846, Statutes of 2023, extends the excused absence provision for a student to attend a religious retreat from four hours or a half-day to one full day.

SB 955 (Leyva) Chapter 921, Statutes of 2022, authorizes one excused absence per year for a middle or high school student to participate in a civic or political event provided that the student notifies the school ahead of the absence.

SB 14 (Portantino) Chapter 672, Statutes of 2021, includes, specifically, “for the benefit of the behavioral health of the student” within the “illness” category for excused absences for purposes of school attendance; and requires the CDE to identify an evidence-based and evidence-informed training program for LEAs to address youth behavioral health, including staff and student training.

AB 516 (Megan Dahle) Chapter 281, Statutes of 2021, adds participation in a cultural ceremony or event to the list of reasons that a student must be excused from school.

AB 1949 (Low) Chapter 767, Statutes of 2022, requires private employers with five or more employees and public sector employers to provide employees with at least 30 days of service up to five unpaid days of bereavement leave upon the death of a family member.

AB 1593 (Oberholte) Chapter 92, Statutes of 2016, adds a student's attendance at his or her naturalization ceremony to become a United States citizen to the list of excused absences.

SB 1457 (Morrell) of the 2015-16 Session would have expanded the authority of school districts to authorize a student to be excused from school to receive moral and religious instruction by authorizing a local governing board to adopt a policy, as specified, to allow students to earn up to two elective credits towards high school graduation requirements for the completion of “released time instruction,” excluding any cap on the number of excused absences for this purpose, and would have authorized a school district to generate average daily attendance for these absences. This bill was held on the Senate Floor.

REGISTERED SUPPORT / OPPOSITION:

Support

CFT – a Union of Educators & Classified Professionals, AFT, AFL-CIO
Church State Council
Jewish California (formerly JPAC)
1 individual

Opposition

None on file

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