

Date of Hearing: April 12, 2023

ASSEMBLY COMMITTEE ON EDUCATION  
Al Muratsuchi, Chair  
AB 1510 (Jones-Sawyer) – As Amended March 28, 2023

**SUBJECT:** Pupil attendance: excused absences: civic or political events

**SUMMARY:** Requires a student to provide at least one day’s notice to their school in order to be considered an excused absence for the purpose of participating in a civic or political event. Specifically, **this bill:**

- 1) Requires a middle or high school student to notify their school at least one day ahead of an absence for the purpose of engaging in a civic or political event, for the absence to be considered excused.

**EXISTING LAW:**

- 1) Requires a student between the ages of 6 through 18 to attend school 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) Defines the reasons that a student will be excused from school:
  - 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 medical, dental, optometrical, or chiropractic services rendered;
  - d) For the purpose of attending the funeral services of a member of the student’s immediate family;
  - 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 appearance in court, attendance at a funeral service, observance of a holiday or ceremony of the student’s religion, attendance at religious retreats, attendance at an employment conference, or attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization;
  - 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 the purpose of attending the student's naturalization ceremony to become a United States citizen;
- k) For the purpose 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, as defined, provided that the student notifies the school ahead of the absence; and
- m) Authorized at the discretion of a school administrator. (EC 48205)

**FISCAL EFFECT:** The Office of Legislative Counsel has keyed this bill as non-fiscal.

**COMMENTS:**

***Need for the bill.*** According to the author, "In order for laws to be enforced, they must be clear and consistent. The ambiguity in the current law can lead to misunderstandings and arguments. AB 1510 provides clarity to both parents and schools by creating a definitive timeline for when a school should be notified of an upcoming absence. In doing so, this bill will provide a mutually understood expectation which will prevent potential disputes between schools and parents."

***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 children 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, 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, medical, 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.

Current law also allows an excused absence for the purpose of a middle or high school student engaging in a civic or political event, provided that the student notifies the school ahead of the absence, and is limited to only one schoolday-long absence per school year. A civic or political event includes, voting, poll working, strikes, public commenting, candidate speeches, political or civic forums, and town halls. This bill would clarify that the required notification to the school ahead of an absence for this purpose must be made at least one day in advance.

California schools are funded on the basis of the ADA of enrolled pupils. The level of absenteeism, whether excused or unexcused, negatively impacts an LEA's overall funding.

***Access to civic education.*** A literature review of over 600 studies of civic education conducted from 2009 to 2019 notes that “Despite overall increases in youth civic engagement in the United States, structural inequities and corresponding barriers and gaps in opportunity can lead youth of marginalized backgrounds to participate less in civic life than their more privileged peers – a phenomenon often called the civic engagement gap.” (Fitzgerald, 2021)

***Six Proven Practices for Effective Civic Learning.*** The Education Commission of the States (ECS) has identified Six Proven Practices for Effective Civic Learning.

- 1) Provide instruction in government, history, law, and democracy;
- 2) Incorporate discussion of current local, national, and international issues and events in the classroom, particularly those that young people view as important to their lives;
- 3) Design and implement programs that provide students with opportunities to apply what they learn through performing community service that is linked to the formal curriculum and classroom instruction;
- 4) Offer extracurricular activities that provide opportunities for young people to get involved in their schools or communities;
- 5) Encourage student participation in school governance; and
- 6) Encourage students’ participation in simulations of democratic processes and procedures.

***Voting as a sign of civic participation.*** According to The Center for Information and Research on Civic Learning and Engagement at Tufts University, 37% of California voters aged 18-29 voted in the 2016 Presidential election and 54% did so in the 2020 election. Nationally, 39% of voters in this age group voted in 2016 and 50% in 2020. Additional national data on the 2020 election shows:

- White youth voted at a higher rate (61%) than young people of other races/ethnicities;
- Young white people have historically had higher turnout than Asian and Latino youth, Asian youth especially appear to be closing the gap; and
- Young women (55%) voted at a higher rate than young men (44%), and that was true for every racial/ethnic group.

***Related legislation.*** AB 1503 (Lee) of the 2023-24 Session would extend the time permitted for an excused absence for attending a religious retreat from four hours to one schoolday.

SB 350 (Ashby) of the 2023-24 session would authorize a student’s excused absence for the purpose of attending the funeral services or grieving the death of either a member of the student’s immediate family, or of 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, so long as the absence is not more than 5 days.

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 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.

**REGISTERED SUPPORT / OPPOSITION:**

**Support**

None on file

**Opposition**

None on file

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