

CLIENT NEWS BRIEF

Legislative Update: Governor Signs Two Attendance-Related Bills

On July 25, 2016, Governor Jerry Brown signed two Assembly bills related to K-12 school district student attendance. Assembly Bill (AB) 2537 indefinitely extends Education Code section 48204 subdivision (b), which permits a student to attend school near where their parent works. Assembly Bill (AB) 1593 makes a student's attendance at a naturalization ceremony an excused absence.

AB 2537: Interdistrict Transfers Because of Parent Employment to Continue Indefinitely

AB 2537 eliminates the July 1, 2017 expiration date for Education Code section 48204 subdivision (b), commonly referred to as the "Allen Bill." Section 48204 authorizes a school district to allow a non-resident student to attend school in that district so long as at least one of the student's parents or legal guardians works within the district's attendance boundaries. In order for a student to seek a transfer or establish residency, the student's parent or legal guardian must be employed for at least 10 hours per school week within the boundaries of the district. Previously, this provision was due to sunset, or expire, on July 1, 2017. AB 2537 eliminates this expiration date, meaning that school districts can allow Allen Bill attendance to continue indefinitely.

AB 1593: Excused Absence to Attend Naturalization Ceremony

AB 1593 amends Education Code section 48205 to make it easier for students to attend their naturalization ceremony to become a United States citizen. Under existing law, school districts are required to excuse absences for students who are sick, to attend a doctor's appointment, to attend a funeral or observe a religious holiday, among other delineated reasons. Beyond the expressly permissible reasons for an excused absence, school administrators have discretion to designate any absence as "valid" and excused on a case-by-case basis. Schools are not required to give a student with an unexcused absence an opportunity to make up missed homework, quizzes or tests. Furthermore, three or more unexcused absences could lead to truancy and a referral to the district attorney for possible prosecution, fines, and even jail time for the parent or guardian. AB 1593 adds a provision to section 48205 that requires school districts to grant students an excused absence so they can attend their own naturalization ceremony. The bill goes into effect on January 1, 2017.

If you have questions about student attendance or any other issues impacting California students, please contact the authors of this Client News Brief or an attorney at one of our [nine offices](#) located statewide. You can also visit our [website](#), follow us on [Facebook](#) or [Twitter](#), or download our [Client News Brief App](#).

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