

## **Attendance**

### **A. Exceptions to Compulsory Attendance Law**

Any student who has applied through the district and obtained prior written approval to be instructed at home in an established system of home study approved by the State Board of Education and monitored by the district, is exempt from complying with the School Attendance Law.

Also exempt from compliance with this law is any student who has graduated from the 12<sup>th</sup> grade, who has current age and school certificate or work permit issued pursuant to the Colorado Youth Employment Opportunity Act of 1971, or who is attending, for the same number of days, an independent or parochial school which provides a basic academic education comparable to that provided in the public schools of the State of Colorado.

In the event a senior has three or fewer requirements to complete for graduation the student may apply for released time for employment purposes.

The request for released time must be accompanied by written parental or guardian approval and written employment notification.

When part-time employment is approved, the Board shall not be responsible for the student except during those periods of time when he is a bona fide enrollee attending classes in school.

In all cases, release from school must have the prior approval of the administration.

### **B. Truancy**

Studies show there is a high correlation between truancy and delinquent activity, social isolation, and educational failure via low achievement, expulsion or dropping out. A history of truancy is also associated with adult criminality, marital and employment problems, and early childbearing. District regulations reflect a strong concern regarding the risk that truancy presents, and has adopted guidelines and practices aimed at reducing truancy throughout the district.

An “habitual truant” shall be defined as a student of compulsory attendance age who has four or more unexcused absences from school or from class in any one month or ten or more unexcused absences during any year. Absences due to

suspension or expulsion shall not be counted in the total of unexcused absences. Unexcused absences, in this context, shall be defined as cumulative class hours totaling four days in one month or ten days in a school year or calendar year.

In order to reduce the incidence of truancy, parents of all students shall be notified in writing at the beginning of each school year of their obligation to ensure that all children of compulsory attendance age attend school. Parents shall be required to acknowledge in writing awareness of their obligations and to furnish the school with a telephone number or other means of contacting them during the school day.

C. Notification of Absences

Schools shall establish a system of monitoring individual absences. Notice shall be as to each absence individually, and schools shall make reasonable efforts to notify parents or guardians by phone of such absences each time a student is absent without authorization or in a case of excessive excused absences. Computer generated calls may be utilized, but periodic personal contact is encouraged. Form letters may be used in addition to, though not in lieu of, phone contact. Such letters should be explicit as to the district's definition of excused absences and the primary concern of motivating the student to attend school. Attendance information regarding a student shall be made available to that student or their parent(s) or guardian upon their request.

D. Notification by Parent to School

Parents or guardians have the responsibility to contact the school on the day of a student's absence or on the first day of a series of anticipated absences if at all possible. Parental explanation of absences must be provided to the school no later than 48 hours from the time of the absence. If no explanation is given, the absence will be unexcused.

E. Absences Defined

1. Excused Absences (as defined in Board Policy). The school administrator or his or her designee has the authority to determine whether an absence is excused or unexcused. However, excused absences shall include the following:
  - a. illness;
  - b. death of an immediate family member;
  - c. danger to health from exposure;
  - d. time required for medical and dental appointments;

- e. an absence as approved by the administration of the school;
  - f. extended absences due to physical, mental, or emotional disabilities.
2. Readmission. Students will be re-admitted to school after an absence. When a student had been under a physician's treatment, the school may require a physician's statement that the student is sufficiently recovered to return to school without creating any risk to the other students or to school staff.
3. Pre-Arranged Absences. The school administrator or his or her designee has the discretion to excuse absences on a pre-arranged basis in the following circumstances:
- a. Interviews with college admissions officials.
  - b. Interviews with career employer representatives.
  - c. Special family activities.
  - d. Extenuating circumstances determined by the principal or designee.

Such absences that are not pre-arranged will not be excused. Pre-arranged absences may necessitate a parent conference. Prior knowledge and approval of an absence by the student's parent or guardian and/or prior knowledge of an absence by any school employee shall not excuse the absence without acceptance by the principal or the principal's designee.

4. Unexcused Absences. Unexcused absences are those absences not defined as excused. Examples of unexcused absences include but are not necessarily limited to the following:
- a. Absences due to suspension or expulsion. (Although these absences are unexcused, they are not counted in determining a student's status as habitually truant for the purposes of initiating legal action.)
  - b. Truancy for an entire school day or one or more class periods during the school day.
  - c. Working, other than employment specifically excused as outlined above.

- d. Absences occurring after a student arrives at school (either single or multiple periods) will be considered unexcused unless previously arranged and excused through the normal procedures.
  - e. Absences for which medical documentation is required or has been requested, but has not been provided.
5. Medical Letter. In cases in which students have been excused by a parent in an amount that is excessive or considered to place the student at educational risk, the school may request that the parent produce a “medical letter” to determine whether the student’s absences are justified. The school may also request that the parent bring the child to the school building for a nurse or designee to determine if the student is well enough to attend school.
6. In-School Activities. Involvement in approved school-related activities causing a student to miss an occasional class will not be considered absences for the purpose of these regulations. Such circumstances include but are not limited to student council, field trips, early dismissal for athletic travel, isolation, counselor or administrator appointments, and “in-school” restriction.
7. Home School
- Per Colorado Law. (22-33-104.5) any child who is habitually truant... during the last six months that the child attended school before proposed enrollment in a non-public home-based educational program may not be enrolled in the program unless the child’s parents first submit a written description of the curricula to be used in the program...” This will be enforced for any student who meets the legal definition of “habitually truant” and/or for whom an attendance plan has been developed in the last six months.

The law also states, “The records of each child participating in a non-public home-based educational program shall be maintained on a permanent basis by the parent in charge...of said program. The records shall include, but need not be limited to, attendance data, test and evaluation results, and immunization records...Such records shall be produced to the local school district of residence upon fourteen days’ written notice if the...school district has probable cause to believe that said program is not in compliance with the guidelines established...”

F. Positive Recognition

Schools are encouraged to recognize good attendance and improvements in attendance by students. Personal comments, letters or calls home, or certificates of attendance are all positive approaches that may be used.

G. School Procedures

Students are responsible for all classwork missed due to absence. The teacher shall make educationally appropriate provisions for completion of missed classwork.

Whenever a student becomes subject to reduction or loss of credit due to absence, the school will make a reasonable effort to notify the parent or guardian so that remedial action may be considered. However, school attendance is the joint responsibility of the student, his or her parent or guardian, and the school, and the inability to give such notice shall not bar the imposition of the sanction.

1. Missed Work. Students are responsible for all classwork missed due to any absence either excused or unexcused. After his or her return to class following an excused absence, the student has two school days for each day missed in which to complete all work.
2. Make-Up Work. The teacher shall make appropriate provisions for completion of missed classwork or make-up work. At the minimum, teachers will compile a packet of work for the first day missed. When that packet is returned, completed, more make-up work will be provided.
3. Credit for Excused Absences. Credit for classwork missed due to excused absences shall be allowed when satisfactorily completed within the two-day make-up period. Teachers may give credit for work turned in after the two-day make-up period.
4. Credit for Unexcused Absences. Credit for classwork missed during a suspension or other period of unexcused absence shall be at the Administrator's discretion. Students will be allowed to make up work missed during a suspension or other period of unexcused absence. Teachers may give up to 100% credit for class work missed during a suspension or other period of unexcused absence. When there is a conflict concerning the amount of credit to be given, a conference will be held with the principal or his designee, the parents and student, and the teacher. A final determination will then be made as to the amount of credit to be given

by the school's Principal or designee.

5. Procedures for High School Students. The following procedures shall be followed in the case of a student having unexcused absences or excessive absences of any kind:
  - a. Parents receive a nightly computerized call notifying them of any absence
  - b. After the 3rd unexcused absence from a class, the teacher will make every effort to contact the parent/guardian.
  - c. On the 4th and 6th unexcused absence from a class, a computer generated letter is mailed home to inform the parents of the absences and that the student is at risk of losing credit in a class or classes or that other consequence(s) will result.
  - d. After the 10<sup>th</sup> unexcused absence in one class, an Administrator or counselor will make every effort, to set up a meeting to develop an attendance intervention plan. Participants may include: an Administrator, student's teachers, and the Special Education primary provider, if applicable, and any service providers from outside agencies (i.e. Probation Officers). Every effort will be made to include the parent and the student. At this time consequences for any continued absence will be discussed. The Colorado School Attendance Law requires that the policies and procedures of the district shall include provisions for the development of a plan that should be developed with the goal of assisting the child to remain in school and when practicable, with the full participation of the child's parent(s) or guardian(s). Appropriate school personnel shall make reasonable efforts to review and evaluate the reasons for truancy with the family. If the parent does not attend the meeting to develop the plan, a copy of the plan and a copy of a Confidential Release of Information for an Interagency meeting shall be mailed to the parent to obtain parent signature. If the parent does not return the Plan with a signature, the plan shall be implemented to the best of the school's ability.
  - e. If the attempts to alleviate the problem through the original Attendance Intervention Plan fail, the student will be referred to the CARE Team for further attendance intervention. Students who are referred to the CARE Team who are under 16 years of age will be placed in the pre-interagency referral process for attendance intervention. If these interventions are not effective in remedying the student's attendance issues the students will be recommended to the interagency process. Students who are 16 years of age or older

will be referred to the CARE Team and if attendance interventions are found to be ineffective will be referred to their counselor to explore alternative education options.

6. Procedures for Elementary and Middle School

The following procedures shall be followed in the case of a student having excessive absences of any kind:

- a. The parent is responsible for calling the school to make them aware of the absence and the reason for the absence. If the parent does not call the school, a school secretary will call the parent.
- b. After the 3rd absence in one class, the teacher will make every effort to contact the parent/guardian.
- c. After the 5th absence in one class, the teacher will make the Administration aware of the attendance concerns. The school will send a letter home stating its concern about excessive absences and an explanation of the Compulsory Attendance Law.
- d. After the 10th absence in one class, the classroom teacher contacts the parent to set up a meeting to develop an Interagency Prereferral Plan and Goal. The meeting may be held during the teachers' plan time, or as part of the school's SIT/CARE team. Teacher(s), a counselor, an Administrator, and the Special Education primary provider if applicable, shall participate. Every effort will be made to include the parent and the student. The Colorado School Attendance Law requires that the policies and procedures of the district shall include provisions for the development of a plan that should be developed with the goal of assisting the child to remain in school and when practicable, with the full participation of the child's parent(s) or guardian(s). School personnel shall make reasonable efforts to review and evaluate the reasons for truancy with the family. If the parent does not attend the meeting to develop the plan, a copy of the plan and a copy of a Confidential Release of Information for an Interagency meeting shall be mailed to the parent by the counselor or a designee of the Principal to obtain parent signature. If the parent does not return the Plan with a signature, the plan shall be implemented to the best of the school's ability.
- e. If the attempts of the school to remediate the situation fail, and if the student's goal on the Interagency Prereferral Plan and Goal are not

met and/or the student is absent an additional 5 or more times from a class, the student shall be referred to the District Interagency Committee for Nonattendance.

H. Due Process

During the meeting in which the Interagency Prereferral Plan and Goals are developed, the student, parent, and school staff will have the opportunity to dialogue the specifics of the situation. Discussion regarding grade sanctions and/or the impact on credits shall be discussed at that time. If the attendance issues are regarding a student with special needs, consideration must be given to the student's IEP and disabling condition.

I. Remediation of Attendance Problems

1. Referral Once a student has been identified as a habitual truant, the school should proceed with steps dictated by policy to encourage regular and consistent attendance. When the school has exhausted its resources, and completed all steps outlined in Section G above, a referral to the Interagency Committee on Nonattendance shall be made.
2. Interagency Meeting At least the Administrator and/or the counselor who have been working with the student will attend the Interagency meeting. Parents and students will be strongly encouraged to participate. At the meeting, the committee members, including representatives from Adams County Department of Social Services, Adams Community Mental Health, local police departments, Probation, Diversion, the District Attendance Officer/Interagency Coordinator and others, will attempt to problem-solve with the family regarding the underlying issues impacting the students' attendance and make recommendations for services that may assist the situation.
3. Compulsory Attendance Letter. At the Interagency Meeting, the District Attendance Officer will issue a Compulsory Attendance Letter (Notice Pursuant to Sec 22-33-108 (5) CRS 1973). Once a Compulsory Attendance Letter is issued, the student and family are on notice. This step need not be repeated if the student improves, but at a later date develops further attendance problems. In such a case, the school may develop a further Plan, or may move directly to a request for court action.
4. Request for Legal Action. Once a student and family's situation has been heard by the Interagency Committee, and the Compulsory Letter has been

issued and the student has had additional unexcused absences with at least one (1) unexcused absence falling after the compliance date in the Compulsory Attendance Letter, the school may request a referral to the Adams County District Courts' Truancy Case Manager. To request a referral to the Adams County District Court, notify the District Attendance Officer/Interagency Coordinator. It is recommended that, beyond the minimum stated here, schools use a standard of "substantial compliance within a reasonable time" to gauge whether the contract is being violated and further action is required.

5. Adams County District Courts' Truancy Case Manager The District Attendance Officer will assure that a Summons is delivered to the student's home via the Adams County Sheriff's Department. The purpose of the meeting with the Truancy Case Manager (TCM) is to design stipulations to address problems that affect the child's school attendance and order the student to attend school on time, every day will be imposed. In addition to ordering consistent attendance, the Truancy Case Manager may order the family to comply with the recommendations that were given in the Interagency Meeting, supply the school with a Doctor's note for each absence; participate in drug or mental health evaluations; complying with previously arranged or recommended therapy/counseling for family and/or student; parenting classes; mandatory summer school, or others.

Parents are given the opportunity by the TCM to not participate in the TCM program and go directly to court for an Initial Hearing.

A school secretary shall fax or email attendance and discipline reports to the TCM for each student on the TCM's caseload on a weekly basis.

The student is given no more than 12 weeks to comply with the stipulations issued by the TCM. The TCM will meet with the student and family periodically throughout the 12 weeks to assist the student in complying with the court order and make recommendations/accommodations, in collaboration with the school, as needed. If the student does not comply with the order, the school will make the district Attendance Officer and the TCM aware. The district attendance officer will then request a Termination and a referral for an Initial Hearing before the Judge/Magistrate. As with other steps in the process, schools should look for "substantial compliance within a reasonable time."

6. Initial Hearing. At an initial hearing, the attendance officer will seek an order from the Court compelling regular school attendance of the student and compelling parents to ensure their child's attendance to the best of their ability. From this point on, failure to abide by the Court's Order constitutes

contempt of Court. An administrator from the school who is familiar with the student and his or her attendance must be present at the hearing, and should plan on talking with the district attendance officer a few days before the hearing, as well as gathering necessary information, such as attendance and discipline data, and submitting copies to the Court.

At an initial hearing, the court also may impose treatment plans that are designed to address problems that affect the child's school attendance. Schools are encouraged to make recommendations for treatment plans to the Attendance Officer when they are preparing for a Court Hearing. A factual basis to support the recommendations should also be included.

Possible treatment plans might include: alcohol, or mental health evaluations; complying with previously arranged or recommended therapy/counseling for family and/or student; parenting classes; mandatory summer school, or others.

7. Monitor Student Attendance. After the Court has entered an order, the school should continue to monitor the student's attendance. If the student starts to attend school on a regular and consistent basis, the school should recognize the student and the parent(s) guardian(s)/legal custodians for the improvement. If the student continues to have unexcused absences, the school should encourage the student/parent(s)/guardian(s)/legal custodian(s) to obey the Court Order. Any additional steps taken by the School to ensure attendance should be documented.
8. Request a Contempt of Court Hearing. After the school has made several attempts to encourage the student to obey the Court's Order and the student still continues to be truant, the school should contact the District Attendance Officer/Interagency Coordinator to request a Contempt of Court Hearing.

The student must have at least one (1) unexcused absences (not including suspensions) after the date of the initial Order before a contempt of court can be requested. As in the case of gauging compliance with the previous steps employed to address the attendance issue, technically a single unexcused absence violates the Court's Order, contempt proceedings are more appropriately used when all efforts have failed to change a pattern of non-attendance, or a negative pattern is re-emerging.

Once the student and/or the parent are found in contempt of the Court's Order, the Court may impose punitive sanctions, either at that time or at a Sanctions hearing. Sanctions may include, but are not limited to: In Home Detention, Community Service, inability to obtain a driver's permit or

license, mandatory summer school, drug and alcohol or mental health counseling, or confinement of a parent in the county jail for a term to be set by the Court.

Once the student has violated the court order of the Adams County District Court to attend school, they may remain under the Court's jurisdiction until the court order has been purged, or the determination is made by the school district or the Court to dismiss the case. Students sixteen and over who are in violation of a Court Order to attend school may continue to have to obey that court order if the court so chooses.

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