

Waiver Policy for Student Retention Policy

The Waterbury School District will establish and maintain the highest standards required for each grade level and monitor student performance in a continuous and systematic manner. Social promotion is not an acceptable practice. However, the Board recognizes that when a student does not meet the minimum criteria for promotion and mitigating circumstances are present then the following procedures will apply:

1. A teacher will submit waiver requests to principals.
2. The building principal will review all waiver requests with the teacher and other personnel as needed for appropriate input. Teacher will support a waiver request with student data.
3. The following criteria must be taken into consideration when requesting a waiver:
 - a. Age appropriateness.
 - b. Ability to learn.
 - c. The number of times a child has been retained.
 - d. Evaluation and analysis of student performance utilizing test data and teacher input.
 - e. Attendance records.
4. The building principal will review each case based on the criteria affecting a student's performance and recommend an appropriate placement for the student based on the student's need and forward all requests to the Superintendent and/or designee for final approval.
5. All waiver decisions by the principal must be submitted to the Superintendent by May 15th of each year. At a Board of Education meeting in June, the Superintendent will report on the number of waivers granted for each school.
6. This policy will be reviewed annually by the Board of Education.

Legal Reference:

Connecticut General Statutes

P.A. 99-288 An Act Concerning Education Accountability

10-221(b) Boards of education to prescribe rules.

10-265g Summer reading programs required for priority school districts. Evaluation of student reading level. Personal reading plans.
(as amended by PA 01-173 and PA 06-135)

10-2651 Requirements for additional instruction for poor performing students in priority school districts; exemption. Summer school required; exemption (as amended by PA 99-288, PA 01-173, PA 03-174 and PA 06-135)

Policy adopted by the Waterbury Board of Education on September 6, 2012

Attendance Requirements for Course Credit or Promotion**Attendance**

Connecticut state law requires parents to cause their children, ages five through eighteen inclusive, to attend school regularly during the hours and terms the public school is in session. Parents or persons having control of a child five years of age have the option of not sending the child to school until ages six or seven. Mandatory attendance terminates upon graduation or withdrawal with written parent/guardian consent at age seventeen.

A student is considered to be “in attendance” if present at his/her assigned school, or an activity sponsored by the school (e.g., field trip), for at least half of the regular school day. A student who is serving an out-of-school suspension or expulsion should always be considered absent. A student not meeting the definition of “in attendance” shall be considered absent.

Classroom learning experiences are the basis for public school education. Time lost from class is lost instructional opportunity. The Board of Education requires that accurate records be kept of the attendance of each child, and students should not be absent from school without parental knowledge and consent.

1. Definitions (related to chronic absenteeism)

Chronically absent child: An enrolled student whose total number of absences at any time during a school year is equal to or greater than ten percent of the total number of days that such student has been enrolled at such school during such school year.

Absence: An excused absence, unexcused absence or disciplinary absence, as those terms are defined by the State Board of Education pursuant to C.G.S. 10-198b.

District chronic absenteeism rate: The total number of chronically absent children in the previous school year divided by the total number of children under the jurisdiction of the Board of Education for such school year.

School chronic absenteeism rate: The total number of chronically absent children for a school in the previous school year divided by the total number of children enrolled in such school for such school year.

Excuses: A student’s absence from school shall be considered “excused” if written documentation of the reason for such absence has been submitted within ten (10) school days of the student’s return to school and meets the following criteria:

Note: *The use of the state approved definitions of “excused” and “unexcused” absences are for state purposes for the reporting of truancy. Districts are not precluded from using separate definitions of such absences for their internal uses such as involving decisions on areas such as promotion and grading.*

A. For absences one through nine, a student’s absences from school are considered “excused” when the student’s parent/guardian approves such absence and submits appropriate documentation to school officials.

Such documentation includes a signed note from the student’s parent/guardian, a signed note from a school official that spoke in person with the parent/guardian regarding the absence, or a note confirming the absence by the school nurse or by a licensed medical professional, as appropriate. Documentation should explain the nature of and the reason for the absence as well as the length of the absence. Separate documentation must be submitted for each incidence of absenteeism.

Attendance Requirements for Course Credit or Promotion, continued

- B. For the tenth absence and all absences thereafter, a student's absences from school are considered excused for the following reasons:
1. Student illness (must be verified by a licensed medical professional to be deemed excused, regardless of the length of the absence);
 2. Student's observance of a religious holiday;
 3. Death in the student's family or other emergency beyond the control of the student's family;
 4. Mandated court appearances (documentation required);
 5. The lack of transportation that is normally provided by a district other than the one the student attends (no parental documentation required);
 6. Extraordinary educational opportunities pre-approved by District administration and to be in accordance with Connecticut State Department of Education guidance.
- C. A student's absence from school shall be considered unexcused unless:
1. The absence meets the definition of an excused absence and meets the documentation requirements; or
 2. The absence meets the definition of a disciplinary absence, which is the result of school or District disciplinary action and are excluded from these State Board of Education approved definitions.

When the school in which a child is enrolled receives no notification from a parent or other person having control of the child is aware of the child's absence, a reasonable effort shall be made by school personnel or volunteers under the direction of school personnel to notify by telephone and by mail such parent or other person having control of the child.

Responsibility for completion of missed classwork lies with the student, not the teacher. Unless a student has an extended illness, all make-up work will be completed within five days after the student returns to school.

Excused Absences for Children of Service Members

An enrolled student, age five to eighteen, inclusive, whose parent or legal guardian is an active duty member of the armed forces, as defined in section 27-103, and has been called to duty for, is on leave from, or has immediately returned from deployment to a combat zone or combat support posting, shall be granted ten days of excused absences in any school year and, at the discretion of the Board of Education, additional excused absences to visit such child's parent or legal guardian with respect to such leave or deployment of the parent or legal guardian. In the case of such excused absences such child and parent or legal guardian shall be responsible to obtaining assignments from the student's teacher prior to any period of excused absence, and for ensuring that such assignments are completed by such child prior to his or her return to school from such period of excused absence.

Chronic Absenteeism

The Board of Education, in compliance with statute, requires the establishment of attendance review teams when chronic absenteeism rates in the District or at individual schools in the District meet the following circumstances:

Attendance Requirements for Course Credit or Promotion, continued

1. A team for the District must be established when the District chronic absenteeism rate is 10 percent or higher.
2. A team for the school must be established when the school chronic absenteeism rate is 15 percent or higher.
3. A team for either the District or each school must be established when (a) more than one school in the District has a school chronic absenteeism rate of 15 percent or higher or (b) a District has a District chronic absenteeism rate of 10 percent or higher and one or more schools in the District have a school chronic absenteeism rate of 15 percent or higher.

Each attendance review team shall be responsible for reviewing the cases of truants and chronically absent children, discussing school interventions and community referrals for such truants and chronically absent children and making any additional recommendations for such truants and chronically absent children and their parents or guardians. Each established attendance review team shall meet at least monthly.

The District shall utilize the chronic absenteeism prevention and intervention plan developed by the State Department of Education. Such plan must include the means for collecting and analyzing data relating to student attendance, truancy and chronic absenteeism. The data must be disaggregated by school district, school grades and subgroups such as race, ethnicity, gender, eligibility for free and reduced priced lunches, students whose primary language is not English, and students with disabilities.

The District shall annually include in information for the strategic school profile report for each school and the District that is submitted to the Commissioner of Education, data pertaining to truancy and chronically absent children.

The Principal or his/her designee of any elementary or middle school located in a town/city designated as an alliance district may refer to the children's truancy clinic established by the Probate Court serving the town/city, a parent/guardian with a child defined as a truant or who is at risk of becoming a truant. *(An attendance officer or a police officer shall deliver the citation and summons and a copy of the referral to the parent/guardian.)*

Dismissal

No school, grade, or class may be dismissed before the regularly scheduled dismissal time without the approval of the Superintendent or his/her designee.

No teacher may permit any individual student to leave school prior to the regular hour of dismissal without the permission of the Principal.

No student may be permitted to leave school at any time other than at regular dismissal without the approval of the student's parent/guardian. If a court official with legal permission to take custody of a child, or if a police officer arrests a student, the parent/guardian should be notified of these situations by the administration.

The classroom or homeroom teacher or administrative assistant or administrative designee determines the legitimacy of an excused absence, and final determination will be made by building principal.

Attendance Requirements for Course Credit or Promotion, continued

2. **TWENTY ABSENCE LIMIT for any student enrolled in the Waterbury School System in grades K – 12:** No student may receive course credit for a full-year course after having been absent from that course more than twenty (20) class periods during the school year. These absences will be pro-rated for other than full-year courses and for courses meeting other than five (5) periods per week. All absences in a class will be counted except those incurred while a student participates in school-sponsored activities and/or essential administrative business and/or for an absence that meets the definition of a disciplinary action.

3. **TARDINESS/EARLY DISMISSAL:** For the purpose of tardiness and early dismissal, “excused” is defined the same as “excused” absence. A pupil who is tardy or dismissed early must report to the office before reporting to his/her classroom. Regardless whether the tardy or early dismissal is excused or unexcused, the student must be present in school for at least half of the regular school day in order to receive attendance credit for the day.

For High School and Middle School: Pupils are considered tardy or dismissed early if not in class when the bell rings. For every three unexcused tardies to school or for every three unexcused early dismissals from school, one unexcused day of absence will be assessed to the student’s academic record for that class period specifically affected by the tardy or early dismissal

At the high school level, the unexcused tardy or unexcused absence applies to each individual class the student is late for or absent from. This may apply to more than one class. In addition, when homeroom is dissolved, the student’s previous unexcused absences and unexcused tardies will be reflected in the student’s first period class.

For Elementary Schools: Total unexcused tardy and unexcused early dismissal time accumulated throughout the year will be assessed to the student’s academic record as determined by the school administrator.

4. The Board of Education’s policy “Attendance Requirements for Students under 18 Years of Age with Respect to Truancy, #5113.2, will be strictly enforced.

5. The school administrator or administrative designee will be responsible for administering policy.

6. **WAIVER POLICY:** A student who has accumulated more absences than allowed by the policy, but who feels that the situation warrants special consideration, may appeal to the administration for a waiver increasing the number of allowable absences for that particular student. At the discretion of the administration, the parent may be requested to appear at the hearing to verify the legitimacy of the appeal.

A. If extenuating circumstances exist, parents and students have the right to a waiver of the denial of credit and/or promotion. The waiver must be requested in writing within five (5) days after notification of credit withdrawal and directed to the school principal.

Attendance Requirements for Course Credit or Promotion, continued

- B. Each school will set up an Appeals Board to consider the waiver, consisting of the principal and two teachers to informally hear all requests. Other pupil personnel faculty may be invited by the Appeals Board to participate when appropriate. All parties directly involved may attend the informal hearing. The Appeals Board will meet as soon as possible after individual students have exceeded their absences.
- C. The Appeals Board will consider:
1. Presentation by parent/legal guardian
 2. Documentation from medical personnel
 3. The student's attendance record
 4. The student's request to earn back lost credit
 5. Other information deemed appropriate by the administration
- D. A student may be allowed an attendance appeal hearing on a yearly basis. However, a successful waiver for promotion or restoration of credit may only be granted twice in grades K-5, once in grades 6-8, and once in grades 9-12.
- E. Decisions of the Appeals Board are final. Waivers granted or denied must become a part of student's permanent cumulative file and recorded into the computer data base.

Legal Reference Connecticut General Statutes:

10-220(c) Duties of boards of education (as amended by PA 15-225)

10-184 Duties of parents (as amended by PA 98-243 and PA 00-157)

10-185 Penalty

10-198a Policies and procedures concerning truants (as amended by PA 11-136, An Act Concerning Minor Revisions to the Education Statutes and PA 14-198, An Act Concerning Excused Absences from School for Children of Service Members, and PA 16-147, An Act Concerning the Recommendations of the Juvenile Justice Policy and Oversight Committee)

10-198b State Board of Education to define "excused absence," "unexcused absence," and "disciplinary absence"

10-198c Attendance review teams.

10-198d Chronic absenteeism (as amended by PA 17-14 and PA 18-182)

45a-8c Truancy clinic. Administration. Policies and procedures. Report. (as amended by PA 15-225)

10-199 through 10-202 Attendance, truancy - in general

Action taken by State Board of Education on January 2, 2008, to define "attendance."

Action taken by State Board of Education on June 27, 2012, to define "excused" and "unexcused" absences.

PA 17-14 An Act Implementing the Recommendations of the Department of Education