

STUDENT ATTENDANCE, K-12

1.0. SCHOOL ATTENDANCE - STUDENT ABSENCES AND EXCUSES

The Milford Board of Education requires that all students attend school regularly and in accordance with the laws of the State of Delaware. The Milford Board of Education expects every person residing in the Milford School District who has legal custody, guardianship, or legal control of students enrolled in Milford School District Schools to be informed and responsible for the regular and punctual patterns of attendance of all enrolled students in the District. Therefore, **at the beginning of every school year, each school shall notify each student and their parent/guardian of the school attendance requirements of 14 Del. Code, Chapter 27 and Section 615, and the Milford School District, and where they can find this information on the district's website.** In addition, the district shall annually review the student attendance policy with all educators and support staff.

The Superintendent of Schools of the Milford School District is charged with maintaining a comprehensive system of attendance records. **Classroom teachers and building principals or their designees are to maintain accurate records of student attendance, absences and tardies throughout the entire school day.**

School sponsored activities are considered excused and will not count toward the student's absentee record. However, once a student has obtained more than 15 unexcused absences, they may be prohibited from participating in school-sponsored activities, unless otherwise required by Federal or State law. The final decision will be made by the building principal.

The parent/guardian and the student share the responsibility of developing the best possible attendance pattern. Parents/guardians can assist in this by doing the following to minimize absences from school:

1. Schedule medical and dental appointments after regular school hours.
2. Schedule family vacations at times that do not interfere with school.
3. Contact the school if a student absence will extend longer than three days.
4. Contact the school if your child is medically certified as unable to attend school for more than 5 days.

Communication in the form of letters, phone calls, and electronic messaging (using the most recent contact information that is provided to the school) will be used throughout the school year to inform parents/guardians and students of the accumulation of both EXCUSED and UNEXCUSED absences. Parents/Guardians are also encouraged to contact the school to inquire about student absences if questions arise. The goal of the Milford School District is to apply best practices in supporting students and families who demonstrate difficulties in adhering to attendance guidelines.

2.0. EXCUSED ABSENCES

The Milford Board of Education defines absences from school as either "**excused**" or "**unexcused.**" The following will be considered excused absences with proper written documentation (for the purposes of absence excusals, emails, and/or text messaging is not sufficient):

- a. absence associated with student illness where a medical note is provided;
- b. absence associated with a student illness where a parent note is provided (maximum of 7 combined parent notes per semester and 14 per school year);
- c. absence associated with a family emergency with acceptable explanation;
- d. absence associated with a subpoenaed court appearance;

- e. absence associated with an appointment for treatment by a doctor or dentist, providing evidence of such is provided;
- f. absence associated with a suspension;
- g. one (1) excused absence per school year for students in grades 6 through 12 to attend civic engagements with a detailed parent note submitted to the school at least three (3) days prior to the student's absence. (Examples of civic engagements are described in **14 Del. Code, Section 615**);
- h. up to three (3) excused absences for mental health or behavioral health reasons (parent note is required. These absences are not included in maximum allowable parent notes per school year);
- i. absence associated with other reasons such as religious holidays (the Department of Education shall annually release a list of religious holidays for each school year and shall also keep an updated list on the Department of Education website), family vacations (will count towards maximum of 7 combined parent notes per semester and 14 per school year), college visits (11th & 12th grades only), IDEA related testing, or as approved by the principal;
- j. absence associated with a community sponsored event or trip

Students who miss school due to a qualifying excused absence will be allowed to make up any missed schoolwork and/or assessments within 5 school days upon return. The Milford School District discourages teachers from scheduling major grading events, such as tests, examinations, presentations, or project due dates on religious holidays.

Students may be excused for documented chronic medical conditions verified by a doctor's letter of explanation on the school district form. This type of medical excuse is not valid for excusing acute medical conditions such as colds, flu, or seasonal allergies.

After the second and subsequent excused absence for mental or behavioral health of the student, the student must be referred to a school based mental or behavioral health specialist.

3.0. UNEXCUSED ABSENCES

Following the 10th unexcused absence by a student, the parents will receive a letter regarding the possibility of a referral to truancy court and a building level attendance meeting will be scheduled. After the 15th unexcused absence, a certified letter will be sent to the parent/guardian notifying them of a truancy referral.

The following will be considered unexcused absences:

- a. absence for which no written note was provided by the person in control of the student;
- b. absence not considered excused by the principal;
- c. absence where a parent note was provided that exceeds the maximum allowable 7 per semester or 14 per school year.

4.0 PARENT NOTES

Parent notes may be used to document a student's EXCUSED absence from school with the following limitations:

- a. Written notes from Parents/Guardians will be permitted to excuse up to seven (7) days of absence per semester course or fourteen (14) for year-long programs. Additional documentation is required to excuse additional days as described in section 2.0. Emails and text communications are not considered acceptable documentation for the purpose of excusals.
- b. Written notes from parents/guardians will be permitted to excuse up to three (3) mental or behavioral health days. These days are excluded from the notes in section 4.0a.
- c. Parent/Guardian notes must be presented to the school within 5 days of the absence in order to be considered EXCUSED.

- d. Parent/Guardian notes for late to school or early dismissals will be counted as one of the limited number of notes as listed in section 4.0a.

5.0 RETENTION/DENIAL OF CREDIT FOR EXCESSIVE ABSENCES

Students are required to attend class regularly in order to receive academic credit for a course in grades 9-12. Students in grades K-8 are required to attend class regularly in order to receive the instruction necessary to meet grade level content standards.

- a. Following the 7th day of an unexcused absence in a semester/class or the 14th day of an unexcused absence in an entire year course, a building representative will contact the parent/guardian to discuss and attempt to rectify the attendance issue and provide support and resources when necessary.
- b. Unless otherwise required by IDEA or Delaware law, after the 10th unexcused absence in a semester (for any reason) or 20th unexcused absence in an entire year course (for any reason), the student may be denied credit for that course (grades 9-12) or retained in the current grade (K-8).
- c. An attendance appeal process is established to provide reasonable explanation for extreme cases.
- d. If a student is denied credit for a course, he or she is expected to remain in the course to establish the needed pre-requisite coursework for future courses.

6.0. TARDINESS

The term “tardy” will be defined as being late to school, class, or an activity, with or without permission of parents/guardian or school personnel. The District, in consultation with building staff, will establish a specific definition of what constitutes “being late to school, class or an activity.” Consequences for violation of tardiness will be included in the district code of conduct. The teacher will counsel with those students who are developing a pattern of being tardy. The teacher will refer to the principal those students who in the teacher’s judgment are not making progress towards correcting the problem. **Students who accumulate more than twelve (12) lates to school shall be referred to the attention of the visiting teacher/home-school liaison just as excessive absence is reported. For reporting purposes (i.e. Truancy Court) four (4) tardies is the equivalent of one unexcused absence from school.**

7.0. DELAWARE REGULATIONS

‘Truancy’ or ‘truant’ shall refer to a pupil enrolled in grades kindergarten through twelve of a public school who has been absent from school for more than three school days during a school year without a valid excuse as defined in regulations of the board of education of the school district in which the pupil is or should be enrolled. The ***Delaware Code-Truancy, Title 14, Chapter 27, Subchapter II*** is as follows:

- 1. Notification to parents and students (§ 2724) of the school attendance requirements, including the procedures and penalties applicable to truancy, including notification of absences without an excuse (§ 2725) and truancy conferences
- 2. A policy that states that if a student has been absent from school without a valid excuse one or more days, the principal of the school may take such action as the principal considers appropriate. (§ 2726)
 - a. Following the 10th day of unexcused absence by a student, the school shall immediately notify the parent or parents or guardian and a visiting teacher for the district shall visit the student's home.
 - b. Following the 15th day of unexcused absence by a student, the student's parent or parents or guardian shall be notified by certified mail to appear at the school within 10 days of notification for a conference and counseling;
 - c. Following the 30th day of unexcused absence by a student, the school shall refer the case for prosecution; Following the completion of prosecution of the case and the

subsequent failure of the student to return to school within 5 school days thereof, the school shall immediately notify the Department of Services for Children, Youth and Their Families requesting intervention services by the Department. The Department shall contact the family within 10 business days.

- d. Following the tenth unexcused day of attendance by a student in grades 6 through 12 inclusive, the building principal shall notify a visiting teacher of such unexcused days.
- e. If contacted by the school pursuant to paragraph (d)(2) of this section, each parent or guardian of a student shall sign a contract with the district agreeing they will make every reasonable effort to:
 - (1) Have their child or children abide by the school code of conduct;
 - (2) Make certain their child attends school regularly and on time; and
 - (3) Provide written documentation for the reasons for any absence.

8.0. TRUANCY

A student will be considered truant if the student:

- a. fails to arrive at school when directed to attend by the person in control of the student;
- b. leaves school property without permission of the principal or designee; or
- c. is present on school property but not present at place or class assigned;
- d. has accumulated more than twelve (12) tardies to school during the school year.

A truant and the parent of a truant are subject to the administrative procedures, Truancy Court referral, and Court proceedings as established in 14 Del. Code, Chapter 27, Subchapter II. A parent who is determined to have violated Section 2702 of this title is guilty of an unclassified misdemeanor and the penalties are specified in Section 2729 of this title.

A student who is truant will be disciplined by the principal as appropriate to the circumstance associated with the truancy. A truancy conference will be held by the school principal as specified in Sections 2725 & 2726 of 14 Del. Code, Chapter 27.

9.0. ATTENDANCE OFFICER

The **Delaware Code** identifies the Superintendent of Schools as the attendance officer of the Milford School District and authorizes that person to investigate reasons for student absenteeism in order to seek ways to return the student to school.

The Milford School District is authorized to employ a visiting teacher/home-school liaison whose responsibility is to assist the superintendent by serving as a liaison between the school and home in matters of attendance.

The visiting teacher/home school liaison can be assigned to act as an enforcement officer to uphold the truancy laws of the State of Delaware if prior actions do not correct a school attendance problem.

10.0 ATTENDANCE APPEAL PROCESS

1. Each school building in the Milford School District shall establish an Attendance Appeal Committee, of no less than 5 people, comprised of the following personnel:
 - Building Administrator
 - Guidance Counselor
 - Teacher
 - Nurse
 - Visiting Teacher/Attendance Officer
 - Dean of Students (where applicable)
 - Other building staff as needed

2. Upon notification of credit denial (Grade 9-12) or retention (K-8) due to a violation of the attendance policy, parents/guardians have five (5) school days to respond to the building principal in writing with the desire to appeal the decision of the administration.
3. The parent/guardian must notify the building principal, in writing, within five (5) school days from the delivery of the notification from the attendance review committee if he/she requests to appeal the decision of the building attendance review committee. The parent should also include any relevant information and/or documentation necessary for the committee to make an informed decision.
4. After an appeal is requested, the Building Attendance Review Committee will convene within five (5) school days to review the information provided. A formal written decision of the building attendance review committee will be delivered to the parent/guardian within three (3) days of the appeal review. The Building Attendance Review Committee may affirm, reverse, or modify the decision of the administration.
5. The decision of the Building Attendance Appeal Committee may be appealed to the Superintendent or Superintendent's designee by providing written notification to the building principal within five (5) school days of receiving the written decision of the building attendance review committee. The Superintendent or designee will meet with the parents/guardians and student within five (5) school days to hear the case. A decision will be rendered and written notification provided to the parent/guardian within three (3) school days of hearing the case. The Superintendent or designee may affirm, reverse, or modify the decision of the building attendance review committee. The decision of the Superintendent or designee shall be final.

ADOPTED: 5/21/01

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