

## **STUDENT ATTENDANCE**

### **INTRODUCTION**

Every person in this State who has legal custody, guardianship of the person, or legal control of a child between 5 and 16 years of age, including any person acting as a caregiver shall enroll the child in a public school in the school district of the person's residence.

For the purpose of this policy, "caregiver" refers to "Relative Caregiver" as defined in [14 DE Code § 202](#)

Distribution of Attendance Policy:

- This attendance policy shall be posted on the district website.
- The school principal or designee shall distribute the school's attendance policy to their educators and support staff at the beginning of each school year.
- The school principal or designee will notify the parents/guardians/caregivers, of students, in writing, where this policy can be accessed, and will provide a hard copy of this policy to a parent, guardian, or relative caregiver upon request or when absences have exceeded ten (10) unexcused absences. This hard copy will include phone numbers to area supports and a school contact number.
- The school principal or designee shall distribute and explain these policies to every student at the beginning of each school year, and to each student enrolling or re-enrolling during the school year.

Letters to the parents/guardians/caregivers (address on file) and phone calls will be utilized throughout the school year to inform parents and students of accumulation of absences. If for any reason, a period of absence extends beyond three (3) consecutive days, the parents/guardians/caregivers should contact the school office to determine if supportive instruction is warranted.

It is the philosophy of the Indian River School District that students are expected to attend school if they are to succeed within the educational process. Parents/guardians/caregivers can assist in this by doing the following to minimize absences from school:

- Schedule medical and dental appointments after regular school hours.
- Schedule family vacations at times that do not interfere with school.

### **DEFINITION OF EXCUSED ABSENCE**

The following will result in an excused absence:

- Illness of the student, within ten (10) parent notes, 2 of which can be used for Mental or Behavioral Health, or with a documented note by a medical provider
- Death in the immediate family, including grandparents, absence not to exceed one week; funerals of other relatives or close friends, not to exceed three (3) days. Documentation is required. If extended travel is required, notification and documentation must be provided to the school
- Contagious disease in the home of the child subject to regulations of the Division of Public Health, Department of Health and Social Services
- Legal business requiring the student's presence
- Suspension or expulsion from school
- Emergency situations as determined by the principal

- A student shall be excused for observance of religious holidays when the school receives a signed, written excuse from the student's parents/guardians/caregivers within 2 days of the absence including, but not limited to the religious holidays listed in 14 Delaware Administrative Code Section 615, School Attendance.
  - Rosh Hashanah (Jewish)
  - Yom Kippur (Jewish)
  - Dussehra (Hindu)
  - Sukkot (Jewish)
  - Diwali (Hindu)
  - Birth of Bahá'u'lláh (Baha'i)
  - Sangha Day (Buddhist)
  - Maha Shivaratri (Hindu)
  - Naw- Rúz (Baha'i)
  - Holi (Hindu)
  - Ram Navami (Hindu)
  - Beginning of Ramadan (Islamic)
  - Theravada (Buddhist)
  - Laitlat Ul Qadr (Islamic)
  - Eid al-Fitr (end of Ramadan) (Islamic)
  - Vesak (Buddhist)
  - Shavuot (Jewish)

An excused absence from school or class is an absence for one of the previously listed reasons and for which the required parental note of explanation has been presented within five (5) days of the student's return to school or class. Any notes provided beyond the five (5) day period will not be accepted. Providing documentation of a valid excused absence, the student will be allowed to make up all work missed, to take tests which were missed, and to submit any assignments which became due during the absence. Following an excused absence from school or class, the time allowance for taking tests or turning in assignments shall be equal to the number of school days or number of class meetings missed due to the absence. A teacher may extend the time allowance for making up work missed if the specific circumstances of the situation merit such action. The responsibility for initiating make-up work and turning in assignments rests with the student.

**Parent Note:** An absence must be accompanied by a note from the parents/guardians/caregivers within five (5) days of the student's return to school. This absence policy allows for a maximum of ten (10) parent notes per school year, with no more than five days allocated for prearranged absences.

*In the event absenteeism exceeds ten (10) days within the given school year, any subsequent parent notes received will be considered Unexcused Absences.*

**Documented Note:** An absence followed by a documented note from a member of the medical or professional community for services such as: medical, dental, mental health, court system, or attorney, or death within the student's immediate family, etc...

Examples of Documented Notes from the Medical or Professional Community:

- Hospitalization, as noted by the hospital or medical profession
- Written physician's excuse

- Known chronic illnesses or contagious diseases, as noted by a medical professional
- Nurse's Office excuse in the event a student is sent home for medical reasons
- In the care of any approved social agency, whether public or private, as noted by that agency
- Legal business; legal professional or court.

### **Prearranged Absence**

A prearranged absence is a student's absence from school for one or more days to visit a college or university, other educational activities, family activities or medical reason approved by the principal. The absence should be prearranged by writing the principal, giving the full particulars of the absence. Upon the development of a plan by the student and teacher for making up the assignments to be missed, the plan should be submitted to the principal for review. Missed assignments can be made up before the prearranged absence or after but no more than 10 school days after the absence.

Parents/guardians/caregivers may request up to five (5) days of prearranged absences each year. These days will count toward the annual limit of ten (10) parent notes, provided that the school grants prior written approval at least two weeks before the intended start date of the absence. The school will consider approval for prearranged absences under the following conditions:

- Student is in good standing
- Student has a prior record of good attendance
- Missed work is completed and turned in within the allotted time period
- Passing marks in Core classes
- Absence is not during standardized testing dates

For any student who moves out of state for more than ten (10) school days, the parents/guardians/caregivers are required to provide documentation confirming the relocation. The District will assess whether the student should be withdrawn from school or if the absence will be classified as an extended vacation. Should the decision be made to withdraw the student from school, the parents/guardians/caregivers must re-enroll the student in the District upon the family's return to the area. An unapproved vacation request will be considered an unexcused absence.

### **Civic Engagements**

Each grade 6-12 student shall be permitted one excused absence per school year to attend civic engagements, such as visits to the United States Capitol, Delaware Legislative Hall, politically or culturally significant sites, to advocate or testify on behalf of legislation, or to participate in a rally, march, or protest. The student's parent, guardian, or relative caregiver must submit a signed, written excuse which is received by the school at least three (3) days before the student's absence.

### **School Sponsored Events**

School-sponsored activities are exempt and will not count toward the student's absentee record. However, students who approach the maximum number of allowable absences may be prohibited from participating in school-sponsored activities. The final decision will be made by the building principal.

### **Mental Health**

IRSD recognizes the importance of student's mental and physical health. At times, students may miss school for reasons related to their mental well-being. When students miss school for mental health reasons, it is essential to connect them to resources based on their needs, similarly to going to a doctor for a physical illness. After the second and subsequent excused absence for the mental or behavioral

health of the student, the student must be referred to a school-based mental or behavioral health specialist.

This policy defines behavioral and mental health and provides resources to support students' absences due to social, emotional and behavioral wellness.

The following words and terms, when used in this policy, have the following meaning:

**Behavioral health** encompasses mental health and relates to habits that have an impact on the overall mental and physical health. Behavioral health issues may include, but are not limited to, examples such as substance abuse, eating disorders, self-harm and addiction.

**Mental health** is the emotional, psychological, and social well-being of a person. Mental health issues may include, but are not limited to, mood, anxiety, and post-traumatic stress.

***Students, who are also parents, may provide any of the documentation stated above when caring for their own children.***

### **UNEXCUSED ABSENCE**

1. An absence which does not include a parents/guardians/caregivers note within the two (2) day time frame of the student's return to school.
2. Any absence in excess of ten (10) days without a documented note for a medical/professional reason.

### **TARDIES AND EARLY DISMISSALS**

All students are expected to be punctual to school. A student who arrives to school more than halfway through the school day or leaves early before completing half of the school day will be counted absent. Students who arrive at their first class assignment after the final bell of the first class assignment are tardy. A student who is late to school should present a written explanation for the tardiness on the first or second day following the tardiness. Students should recognize that a written explanation from home does not automatically cause the tardiness to be excused. Such reasons as car trouble, personal business, heavy traffic, home obligations, etc., while understandable, are not acceptable excuses and will be listed as unexcused. Reasons such as personal illness, medical appointments, and appearances in court will be considered as excused tardiness when verified by a note from doctor or court. Students who are absent for more than fifteen (15) minutes of a class will be referred to the principal/dean or designee for cutting class unless excused by proper authority. Any disciplinary consequences for tardiness and/or absences are subject to consideration of special education laws.

Definition of Excused Tardy/Early Dismissal - A documented note for a medical/professional reason.

Definition of Unexcused Tardy and Early Dismissal - A tardy and/or early dismissal without a documented note for a medical/professional reason. The tardy period is defined as a student arriving late to school 1 minute after the student arrival bell, up to 60 minutes. An early dismissal is defined as 60 minutes prior to the end of the day student dismissal bell.

Each building will monitor students who arrive late to school or leave school early. Students are limited to no more than four (4) tardies/early dismissals within a single calendar month. Accumulating a total of four (4) tardies or four (4) early dismissals, within a single calendar month, will be considered equivalent to a half-day absence. Students accumulating tardies/dismissals in excess of this limitation shall be subject to disciplinary consequences according to the district code of conduct.

**SCHOOL ASSIGNMENTS AND ASSESSMENTS DURING ABSENCES**

A student whose absence is unexcused shall receive no credit for assignments missed or tests given during the period of the unexcused absence unless otherwise permitted by the teacher. While an unexcused absence may result in no credit for assignments or tests missed, students may request assignments from their teacher, at the initiation of the student. If the teacher provides assignments after an unexcused absence, the time allowance for requesting the instructional materials or assignments from the teacher shall be equal to the number of school days or number of class meetings missed due to the absence. A teacher may extend this time allowance if the specific circumstances of the situation merit such action.

**RETENTION/LOSS OF CREDITS FOR DAYS ABSENT**

Once a student has exhausted the maximum number of ten (10) days absenteeism with the use of parent notes and continues to be absent without a medical/professional documented note, the student may be considered for retention or denial of credits by the Building Attendance Review Committee for that particular school year.

**BUILDING ATTENDANCE REVIEW COMMITTEE**

1. Each school building in the Indian River School District shall establish a Building Attendance Review Committee which may be comprised of the following personnel:
  - Principal and/or Assistant Principal
  - School Counselor
  - Classroom Teacher
  - Nurse
  - Visiting Teacher
  - Special Education Coordinator
  - School Climate Personnel
  - Other staff members as may be needed
  
2. The responsibility of the Building Attendance Review Committee is to review the record of any student who has exceeded the provisions of the attendance policy. Any student with a history of poor attendance as substantiated by either a "Notice of Prosecution" for a violation of Delaware school attendance law or a parents/guardians/caregivers meeting with the Building Attendance Review Committee may be subject to more restrictive attendance criteria as established by the Building Attendance Review Committee per IRSD regulation.
  
3. If the Review Committee determines that the student has violated the Indian River School District Policy, then the committee shall follow the due process procedure as outlined in this policy.

**DISTRICT ATTENDANCE REVIEW COMMITTEE**

1. The Indian River School District shall establish a District Attendance Review Committee which may be comprised of the following personnel:
  - District-level administrator designated by the superintendent
  - High school administrator
  - Middle school administrator
  - Elementary school administrator
  - Elementary counselor
  - Secondary counselor

- Nurse
  - Other staff members as needed
2. The responsibility of the District Attendance Review Committee is to review the decisions of each school's Building Attendance Review Committee to determine that decisions are in accordance with the district's student attendance policy.
  3. The District Attendance Review Committee shall hear student appeals.
  4. In those cases where appeals are upheld, the committee shall follow the due process procedures as outlined in this policy.

### **DUE PROCESS**

1. The Building Attendance Review Committee shall meet once a student has exceeded the provisions of the attendance policy.
2. If the Building Attendance Review Committee determines that a student in grade K-12 has violated the Indian River School District student attendance policy and determines the student is being retained or denied credit, the committee shall notify the parents/guardians/caregivers by certified mail.
3. The student or parents/guardians/caregivers must notify the building principal, in writing, within five (5) school days from the delivery of the certified mailing to appeal the decision of the Building Attendance Review Committee.
4. Once the appeal is requested, the District Attendance Review Committee shall meet within five (5) school days of the hearing request for the purpose of hearing the student's appeal. The District Attendance Review Committee shall have the right to affirm, reverse, or modify the decision of the building Attendance Review Committee.
5. The District Attendance Review Committee shall inform the parent/guardian of its decision by a certified mail within three (3) school days of the hearing.
6. If the District Attendance Review Committee affirms the decision of the building Attendance Review Committee, the student may appeal to the Office of the Superintendent.
7. If all appeals are denied, the student may appeal to the Board of Education. The Board of Education shall have the right to affirm, reverse, or modify the decision of the Office of the Superintendent.

*Students who follow the due process procedures of this policy as a result of receiving notification that they are in violation of the Indian River School District Student Attendance policy shall continue to attend school under the guidelines of this policy.*

**TRUANCY**

The District is responsible for reporting violations of the attendance laws of the state of Delaware per Delaware Code, Title 14, Chapter 27.

No student under the age of 18 may withdraw from school unless the student's parent/guardian/caregiver signs a formal withdraw form. A member of the school counseling staff will meet with the student to advise them of the resources available to assist and encourage the student to complete his/her education.

Parent/guardians/caregivers who are determined to have violated [14 Del.C. § 2702](#) are guilty of an unclassified misdemeanor and will be sentenced as outlines in [Delaware Code, Title 14, Chapter, Subchapter 2, Section 2729](#).

**CONNECTING WITH SUPPORTS & RESOURCES WITHIN THE SCHOOL**

It is important to establish and maintain communication with your student's school counselor when absences are related to social, emotional or behavioral wellness. The school counselor can assist with supporting the student in school, as well as connect them to additional supports outside the school. School counselors can also help students communicate with teachers and return to school successfully. The school counselor can be reached by calling the school directly. Additional outside resources can be found below:

**RESOURCES OUTSIDE OF SCHOOL****EMERGENCY (LOCAL)**

Police/Fire/Ambulance	911
Child Mental Health Crisis Line	1-800-969-HELP (4357)
Crisis Text Line	Text <b>DE</b> to 741741
Sexual Assault Crisis Services (Contact Lifeline)	1-800-262-9800

**NATIONAL HOTLINES & RESOURCES**

LGBT National Help Center	1-800-246-7743 <b>call/online chat</b>
LGBTQ Youth Crisis Line	1-866-488-7386 <b>call/text START to 678-678/online chat</b>
National Eating Disorders Association	1-800-931-2237 <b>Call/text/online chat</b>
National Domestic Violence Hotline	1-800-799-SAFE (7233) <b>Call/text/online chat</b>
National Human Trafficking Resource Center	1-888-373-7888 <b>call/text/online chat</b>
National Sexual Assault Hotline	1-800-656-HOPE (4673) <b>call/online chat</b>
National Teen Dating Abuse Hotline	1-866-331-9474 <b>call/text LOVEIS to 678-678/online chat</b>

S.A.F.E. Alternatives (cutting/self-injury)	1-800-DONTCUT (366-8288)
SAMHSA National Helpline (substance abuse)	1-800-662-HELP (4357)
Suicide Prevention Lifeline	1-800-273-TALK (8255)

Adopted 7/26/88

Revised 9/23/92, 3/22/94 (effective 7/1/94), 10/25/94, 7/25/95, 9/24/96, 7/1/97, 11/26/02, 6/17/03, 7/27/04, 6/20/06, 6/17/08, 6/23/09, 6/29/10, 7/24/12, 5/23/16, 5/24/17, 5/21/18, 5/20/19, 8/22/22, 8/25/25