

Superintendent's Regulation 5100-R

STUDENT ABSENCES, EXCUSES, and WITHDRAWAL REGULATIONS

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Approved Upon Superintendent's Initials

10/1/2020
Date

Part I: Student Absences and Excuses

All registered students are expected to attend classes as scheduled. Any time that students are in a remote learning mode, the mechanism to collect and report daily teacher/student engagement or attendance, including excused and unexcused absences, will be specified in the then applicable, published Academic Continuity Plan.

In ordinary circumstances, parents/legal guardians have the obligation to inform the school of his/her child's absence from school or from classes for the student's absence to be considered excused. An absence is considered to be excused if the parent/legal guardian notifies the school with one of the following reasons: child's illness, doctor appointment, sickness or bona fide religious observance and education pursuant to Section 109.2 of the Commissioner's Regulations or death of an out-of-town family member for up to three days within New York State or five days outside the state.

The parent/legal guardian of any student who has been absent for three days (need not be consecutive) during a specific attendance reporting period shall be notified concerning the number of absences and instances of truancy or tardiness for that register period by school personnel (e.g., teacher, administrator or principal designee). Any unexplained absence of a full day or selective truancy from classes shall be investigated by the principal or his/her designee. The school staff designated will submit information in the comment field on the Student Attendance or Student Note page in the electronic student management attendance system regarding truancy.

A. Excuses

The parent/legal guardian must submit a verbal or written excuse to the appropriate school personnel as soon as practicable. If a verbal or written excuse is not provided, the school must consider the absence "unexcused." The written excuse or the transcribed verbal explanation from the parent/legal guardian shall be placed in the student's cumulative records. The designated school staff will submit information in the comment field on the Student Attendance or Student Note page in the electronic student management system.

If an excessive pattern of absence is identified by the principal or his/her designee, the school shall investigate the validity of the excuses and reasons for absences. If the absences are found to be unexcused, the student's attendance shall be marked accordingly

and parent/legal guardian shall be notified. The school staff designated will submit information in the comment field on the Student Attendance or Student Note page in the electronic student management system.

B. Tardiness

Tardy students are required to sign in at the appropriate office upon arrival and cannot be admitted to class without a completed late slip.

If an excessive pattern of tardiness is identified by the principal or his/her designee, the school shall investigate the reasons for the tardiness. If the tardiness is found to be unexcused, the student's attendance shall be marked accordingly and the parent/legal guardian shall be notified. The school staff designated will submit information in the comment field on the Student Attendance or Student Note page in the electronic student management system.

C. Attendance Referrals

1. Prior to referring a student to Central Office for non-attendance, school staff shall make diligent efforts to resolve the non-attendance issue, in accordance with the Attendance and Withdrawals Procedures. School staff should explain to parents/legal guardians the consequences of non-participation in the conference and of persistence of absences and/or truancy. It is imperative to document in writing all attempts to contact the parent or legal guardian as well as outcomes. **In accordance with the Attendance and Withdrawals procedures**, all principals and designees must engage in diligent efforts as soon as attendance becomes an issue.
2. If in spite of school staff efforts, a secondary student has accumulated 20 days (need not be consecutive) of unexcused absences from school, the principal or designee shall generate an attendance referral to the Office of Attendance, **in accordance with the Attendance and Withdrawals Procedures**.
3. If in spite of school staff efforts, an elementary student has accumulated 20 days (need not be consecutive) of unexcused absences from school, the principal or designee shall generate a referral to Child Protective Services for Educational Neglect, **in accordance with the Attendance and Withdrawals Procedures**.

Part II: Student Withdrawal

A. Student Planning Exit Interview and Withdrawal Meeting

1. The principal or his/her designee must schedule and conduct a student planning exit interview for all students who request to be withdrawn from a RCSD school or program. The purpose of the Student Planning Exit interview is to ensure that students who leave

school prior to being granted a diploma are provided with counseling, guidance, and information concerning the consequences of the decision and current and future educational options **in accordance with the Attendance and Withdrawals Procedures.**

After every procedure listed in the Attendance and Withdrawal Procedures has been followed to keep the student in school or to continue his/her education in a program that would lead to the attainment of a diploma, the school shall send all documentation verifying the contacts made with the student and his/her parent/legal guardian, along with the student's attendance record, and a copy of the Student Planning Exit Interview signed by the principal or his/her designee to the Coordinator of Attendance. All documentation should be sent electronically from the schools to the Coordinator of Attendance at studentwithdrawals@rcsdk12.org.

The Office of Student equity and Placement will be responsible for withdrawing the student from the Rochester City School District (RCSD) in the electronic student management system **in accordance with the Attendance and Withdrawal Procedures.**

Once the withdrawal is completed, the school will be able to confirm the withdrawal within 15 days on the electronic student management system.

B. School Responsibilities

1. The principal or designee will ensure that the regulations and student withdrawal procedures outlined in this document and the Attendance and Withdrawal Procedures are followed by the school.
2. The principal and his/her designee who oversees the processes at the school level outlined in this regulation must be thoroughly familiar with the record keeping standards as they relate to the withdrawal documentation process and attend all orientation training sessions pertaining to the electronic student management system. The principal or designee of each building is responsible for verifying and assuring that accurate withdrawal data is reported in the electronic student management system and supporting documentation is included in the student's cumulative folder as outlined in this regulation.
3. The school must show due diligence in compliance with Board Policy 5100 and this regulation (5100R) pertaining to the support procedures administered regarding efforts to locate students and support student attendance at school.
4. The principal or his/her designee will notify and stay in contact with the Coordinator of Attendance to determine the location of a student who was enrolled in the District in the prior year and failed to return to school in the current school year, whose official documentation has not been received by the school of transfer in accordance with this regulation, or who has been absent 20 or more consecutive days **in accordance with the Attendance and Withdrawal Procedures.**

5. The principal or his/her designee will send a copy of the graduation program that includes the list of students that graduated to the Student Records Department after each graduation ceremony.
6. Electronic copies of all completed documentation to withdraw a student will be sent to the Office of Placement in accordance with this regulation and supporting procedures.
7. Schools will retain student records in accordance with Board Policy 1120(A).

C. Central Office Responsibilities

1. The Office of Student Attendance and Responsibilities

After due diligence on the school's behalf:

- a. Upon request of the school principal or designee, when documentation is not recorded by the school of transfer, an investigation will take place to verify that the transfer has/has not occurred and a report will be sent to the school principal or designee.
- b. Upon request of the school principal or designee, an investigation will take place to report to the school principal or designee the location of a student who was enrolled in the District in the prior school year and failed to return in the current school year.
- c. Upon request of the school principal or designee, an investigation will take place for a student who has been absent 20 or more days and a report of the findings will be submitted to the school principal or designee in accordance with the Attendance and Withdrawal Procedures.
- d. Upon request of the school principal or designee, an investigation will take place to determine the location of unknown students and report the findings to the school principal or designee. For students whose location cannot be determined, a request shall be generated to the Office of Safety and Security to investigate to ascertain the student's location **in accordance with the Attendance and Withdrawal Procedures.**
- e. **In accordance with the Attendance and Withdrawal Procedures**, the principal's designee will submit to the Office of Student Placement and Equity all required documentation received from the school along with the documentation that was discovered during the investigations in order for the appropriate withdrawal code to be determined and will contact the school with the withdrawal code

2. Office of Student Placement and Equity Responsibility

The Office of Student Placement and Equity will record the appropriate withdrawal code in the electronic student management system as outlined in the Attendance and Withdrawal Procedures.

3. The Office of Accountability (OOA) Responsibilities

- a. OOA will monitor compliance of this regulation.
- b. OOA will develop modules to facilitate the training of principals regarding the procedures and data standards that support this regulation.
- c. The Student Records Department will keep on file the graduation program with the list of students who graduated or received IEP diplomas sent by each high school.
- d. The Student Records Department will house and archive student records as outlined Board Policy 1120(A).

D. Rochester City School Compulsory Age Requirement for Withdrawal

Board Policy 5100 states that “the Board is committed to doing everything within its power to provide a quality education that ensures our students graduate with the skills to be successful in this global economy. To that end, except for students who are employed full time, all students must complete (at a minimum) the school year in which they reach 17 years of age before initiating the paperwork required to officially drop out of school.”

E. Requirements and Reasons for Withdrawing a Student

For each student who intends to withdraw from the Rochester City School District (“District”), under the circumstances described in #s 1, 3, 4, and 6(b) below, the principal or designee must conduct a Withdrawal Meeting between the student’s parent/legal guardian and the student in accordance with the Attendance and Withdrawal Procedures.

Reasons for withdrawing include:

1. Students transferring to an accredited school inclusive of public, charter, private and/or parochial, both inside and outside of the State of New York;
2. Student has graduated;
3. Student attending GED or Job Corps Program;
4. Student has completed the school year in which the student turned 17 and has initiated the paperwork to officially drop out of school;
5. Student has died;
6. Student may be involuntarily withdrawn from school if the student:

- a. Has reached the maximum legal age and has not earned a diploma or certificate; or
- b. Is over compulsory age (has completed the school year in which student turned 17) and has missed 20 consecutive school days, provided:
 - i. The principal or superintendent shall schedule and notify, in writing and at the last known address, both the student and the person in parental relation to the student of an informal conference.
 - ii. At the conference, the principal or superintendent shall determine both the reasons for the pupil's absence and whether reasonable changes in the pupil's educational program would encourage and facilitate his or her re-entry or continuance of study.
 - iii. The pupil and the person in parental relation shall be informed both orally and in writing of the pupil's right to re-enroll at any time in the public school maintained in the district where he or she resides, if otherwise qualified under this policy.
 - iv. If the pupil and the person in parental relationship fail, after reasonable notice, to attend the informal conference, the pupil may be dropped from enrollment provided that he or she and the person in parental relation are notified in writing of the right to re-enter at any time, if otherwise qualified under this policy.
- c. Has been permanently expelled (students who have completed the school year in which they turned 17); or
- d. Has been ordered by the courts to attend school elsewhere; or
- e. Has been transferred in compliance with NYS Education Law 3214(5).

F. Students who fail to attend school without notice from the parent/legal guardian for students of compulsory age or the emancipated student.

- 1. In accordance with Part One of Article 65 of NYS Education Law, “any student, regardless of age, who is not attending school, shall be investigated to determine the nature of such absence.”
- 2. For a student who was expected to enroll in a school, but has not attended, an enrollment record is required. This enrollment record should be made in accordance with the Attendance and Withdrawal Procedures.
- 3. A student of compulsory age shall not be withdrawn from the District because the student’s location is unknown without showing diligence and proper documentation that every effort was exhausted to locate the student, in accordance with the Attendance and Withdrawal Procedures.
- 4. In accordance with §3202 of NYS Education Law, a student seventeen years of age and older who has failed to attend school for 20 consecutive days without any notice cannot be dropped from the District unless all of the applicable conditions outlined in Section E(6)(b) of this regulation are met.

Part III: Records Retention

- A. In accordance with Section 185.12, 8NYCRR and Board Policy 1120(A), all student records must be maintained in accordance with the District Records Retention Procedures and the Attendance and Withdrawal Procedures.
- B. Unless authorized by the Superintendent of Schools or his/her designee, and in accordance with §225 of the Education Law, no student record (electronic, hard copy, or any medium) or part thereof, shall be altered falsely, destroyed, or deleted for any reason.
- C. Any employee that falsely alters, destroys or deletes a student record (electronic, hard copy, or any medium) shall be subject to disciplinary action.

Part IV: Procedures to Implement Regulation

The Superintendent directs the Office of Student Attendance and the Office of Accountability to develop procedures to implement this regulation. The procedures shall be incorporated by reference into this regulation.

Enacted August 20, 1998; Amended August 10, 2009; Amended July, 2010; Amended December 10, 2015; Amended September, 2020.