

BOARD OF TRUSTEES
HUMBOLDT COUNTY SCHOOL DISTRICT

Regulation 5030

PUPILS

Student Enrollment and Attendance (Compulsory Education Compliance)

Background

The Board of Trustees believes it is important for all students to attend class on a regular basis. Positive attendance habits are the cornerstone of a high-quality educational experience. School staff and parents must work together to make regular attendance a priority, to minimize school-time conflicts, and to reward good attendance habits.

When feasible, non-school and extra-curricular activities will be scheduled outside of the regular school day. Students who are absent from a class because they are involved in a school activity will not be considered away from school.

Definitions

- **Enrolled Pupil:** A student registered and scheduled for classes in the District.
- **Excused Absence:** An absence is considered excused if it is a lawful absence as defined by NRS 392.130, including:
 - **Student illness or physical/mental inability to attend:** The parent or legal guardian, or other person having control or charge of the pupil, shall notify the teacher or principal of the school orally or in writing, in accordance with district policy, **within three (3) days after the pupil returns to school** (NRS 392.130(3)).
 - **Medical/dental appointments.**
 - **Approved religious holidays:** The parent or legal guardian, or other person having control or charge of the pupil, shall notify the teacher or principal of the school in writing, in accordance with district policy, **at least three (3) days before the absence**. An absence for which such notice is provided shall be deemed an approved absence, except that **not more than five (5) absences within one (1) school year may be approved pursuant to this subsection** (NRS 392.130(6)).
 - **Emergency situations:** A teacher or principal may give written approval for a pupil to be absent if an emergency exists (including, without limitation, a medical emergency concerning a family member, compliance with a court order, a funeral or similar event of grieving, a family emergency, or temporary homelessness), upon the request of a parent or legal guardian made during the absence or within the three (3) days immediately preceding or the three (3) days immediately following the requested absence. **A teacher or principal may not approve**

absences pursuant to this subsection in excess of 10 percent of the number of school days in the school year (NRS 392.130(2)).

- **Other reasons:** As allowed by district policy or law, determined by the principal or designee based on NRS guidelines and district regulations."
- **Unexcused Absence:** Any absence not authorized by statute or District policy.
- **Truant:** Any unapproved or unexcused absence from school, or any unapproved absence for at least one period or the equivalent of a school day, as defined by NRS 392.130. A pupil is deemed truant who is absent from school without the written approval of the pupil's teacher or the principal of the school, unless the pupil is physically or mentally unable to attend school or is absent from school for the observance of a religious holiday.
- **Habitually Truant:** Any child who has been declared a truant three or more times within one school year (NRS 392.140). A child who has once been declared a habitual truant and who in an immediately succeeding year is absent from school without the written approval of the child's teacher or the principal of the school pursuant to subsection 1 or 2 of NRS 392.130 may again be declared a habitual truant, unless the child is physically or mentally unable to attend school.
- **Attendance Officer:** The District official designated to enforce compulsory attendance laws (NRS 392.144).

Policy

NRS 392.040 requires that parents of kindergarten and/or first grade students must receive a written copy of the district's attendance and withdrawal policies. Parents are required to acknowledge receipt of these policies prior to the start of the first day of school. This policy shall be shared with parents upon initial enrollment in the Humboldt County School District and in accordance with NRS 392.040

It is the policy of Humboldt County School District that enrolled students attend regularly in accordance with the Nevada Revised Statutes. It is the position of the Board of School Trustees that regular attendance is critical to the educational development of students and if a student is absent or misses instruction, the learning process is adversely affected since interaction in the classroom setting can seldom be duplicated by make-up work.

1. **Parental Acknowledgment of Attendance Policy:** Upon a child's initial enrollment in kindergarten or first grade, the district shall provide the parent or legal guardian with a written document describing the district's attendance requirements and withdrawal policies for early grades. **Before the child's first day of attendance**, the parent/guardian must sign a statement (or complete an online acknowledgment) confirming that they have read and understand these attendance policies. This ensures parents are aware that once a child is enrolled (even if under age 7), regular attendance is obligatory, and withdrawal procedures must be followed if they later decide to remove the child from school.
2. **Mandatory School Attendance:** In accordance with NRS 392.040, every parent or guardian in Nevada must enroll and send their child to school during the entire time school is in session if the child is between **6 and 18 years of age** (unless the child has already graduated). This requirement applies to children attending public school, private school, or an approved homeschool program. All enrolled students are required to attend

for the full school day on all day's school is convened, and the district shall enforce attendance laws diligently.

- a. In accordance with NRS 392.165, Humboldt County School District shall not allow a child to be permanently enrolled in any school in the district until the parent or guardian provides a birth certificate, or other document suitable as proof of the child's identify, as well as proof of immunizations.
 - i. Students identified as Homeless, per the McKinney-Vento Act, must be immediately enrolled, even if they do not have the required immunization records or other documentation at the time of enrollment.
 - b. **A child must be enrolled in a school under the child's name as it appears in the identifying document or records required, unless the parent or guardian furnishes a court order or decree authorizing a change of name or directing the Board of Trustees to enroll the child under a different name** (NRS 392.165(2)). Furthermore, a child in the custody of the agency which provides child welfare services may be enrolled under a name other than the one appearing in the identifying document if a court determines it to be in the best interests of the child (NRS 392.165(3)). A parent or guardian who has legal custody of a child may petition the appropriate district court for an order directing the Board of Trustees to enroll that child in a public school under a name other than the name which appears in the identifying document if it is in the best interests of the child (NRS 392.167). Failure to comply within the designated 30 days after the child is conditionally enrolled, a district designee shall notify local law enforcement and request a determination as to whether the child has been reported as missing as designated in NRS 392.165(4).
3. **Minimum Entrance Ages:** A child must meet the state's age requirements for school entry. A child who is **5 years old on or before August 1** of a given year may be admitted to kindergarten at the start of that school year. A child who is **6 years old on or before August 1** must be admitted to first grade (or to kindergarten if the child has not completed kindergarten) at the beginning of that school year. Children who do not meet these age cut-off dates cannot be enrolled in kindergarten or first grade until the following school year (NRS 392.040).
4. **Waiver of Kindergarten Attendance:** A parent or guardian of a child who is age-eligible for kindergarten (5 years old by the cut-off date) may elect to **delay enrollment** for that year. To exercise this option, the parent/guardian must file a formal **waiver with the Board of Trustees** as prescribed by NRS 392.040. The district will provide the required waiver forms and guidance. If a waiver is filed, the child will not be enrolled until the next school year. Prior to the child's later enrollment, the district may evaluate the child's readiness in line with any state guidelines to determine appropriate grade placement.
5. **Transfers and Grade Placement:** If a student transfers into Humboldt County School District from another state or school system, the district will honor the student's prior

grade level placement in accordance with NRS 392.040(7)-(8). **Any child who has completed kindergarten or begun first grade in another state** (in line with that state's laws) will be admitted to the appropriate grade here, regardless of age. This includes children of military families who relocate to Nevada – they will be placed in the grade they were attending (or would be eligible to attend) in the previous state. The only exception is if the Board of Trustees determines a family deliberately attempted to circumvent Nevada's age requirements, in which case the normal age rules may be enforced.

6. **Minimum Attendance Requirements:** Students who are enrolled for a full school year in the Humboldt County School District must be in attendance for a minimum of 162 days (90%) on a 180-day calendar and 142.5 days (90%) on a 150-day calendar in order to be promoted to the next higher grade or earn high school credit. Students who are enrolled for less than a full year must be in attendance for ninety (90) percent of the period of their enrollment in order to be promoted to the next higher grade. **For the purposes of this section, days on which a pupil is not in attendance because the pupil is absent for the observance of a religious holiday must be credited towards the required days of attendance if the absence was approved pursuant to subsection 6 of NRS 392.130 and the pupil has completed coursework requirements (NRS 392.122(4)).**
7. **Procedures for Denial of Credit or Promotion (NRS 392.122):** Before a pupil is denied credit or promotion to the next higher grade for failure to comply with the attendance requirements prescribed pursuant to this policy, the principal of the school in which the pupil is enrolled or the principal's designee **shall provide written notice of the intended denial to the parent or legal guardian of the pupil.** The notice **must include:**
 - a. A statement indicating that the pupil and the pupil's parent or legal guardian may request a review of the absences of the pupil.
 - b. A statement of the procedure for requesting such a review. Upon the request for a review by the pupil and the pupil's parent or legal guardian, the principal or the principal's designee **shall review the reason for each absence of the pupil** upon which the intended denial of credit or promotion is based. If the documentation provided is accurate and the principal or principal's designee finds that any absence of the pupil was entered in error, the error **must be corrected**, and the absences of the pupil **must be recalculated** for the purposes of determining whether the pupil may obtain credit or be promoted to the next higher grade.
 - c. A pupil and the pupil's parent or legal guardian **may appeal a decision of a principal or the principal's designee** regarding the denial of credit or promotion to the Board of Trustees of the school district in which the pupil is enrolled.
8. **Monitoring Attendance and Absences:** Schools will **monitor daily attendance** and maintain accurate records of excused and unexcused absences. Parents/guardians should report a student's absence in accordance with district procedures as defined in NRS 392.130(2) (e.g. a written note or call within three days, describing the reason for

absence). Acceptable **excused absences** typically include student illness, medical appointments, certain family emergencies, approved religious holidays, or other reasons allowed by district policy or law, and is limited to a maximum of 10% of the absences. Principals or their designees will determine whether an absence is excused based on NRS guidelines and district regulations. Students are required to make up missed work after an excused absence. If a parent fails to provide notice or a valid reason for an absence within the required timeframe, the absence will be recorded as unexcused (truant).

- a. State regulation deems a student absent when they miss 50% or more of the scheduled school day.
- b. Absences due to the observance of religious holidays will not be considered towards site-based attendance awards or mandatory credit for attendance (NRS 392.122, 392.124, 392.130).
- c. Attendance Codes, as defined by the State and District, will be used to accurately track student attendance.

9. Truancy Definition and Chronic Absenteeism Prevention: Schools will make reasonable efforts to intervene early and work with families to address attendance issues before they become chronic. This includes notifying parents promptly when a student has an unexcused absence. **In the event of an unapproved absence, the teacher, attendance officer, or other school official shall deliver or cause to be delivered a written or electronic notice of truancy to the parent, legal guardian, or other person having control or charge of the child, in a form specified by the Department (NRS 392.130(7)).** The District shall communicate its truancy policy and the definition of chronic absenteeism (as adopted by the Department pursuant to NRS 392.150) through various means, in a format and, to the extent practicable, in a language that parents and legal guardians can understand.

- a. **Chronic Absenteeism:** The District shall also provide a parent or legal guardian of a pupil notice when the pupil is approaching the limit of 10 percent in the number of absences that may be approved pursuant to NRS 392.130(2) (NRS 392.130(9)). All approved and unapproved absences are counted for determining whether a student is chronically absent for the purposes of promotion or earning credit.

10. Truancy Reporting and Enforcement: If a student becomes habitually truant (e.g., after the third unexcused absence without sufficient justification), the school is required to enhance its level of response. Per NRS 392.144, the principal of the school shall take one of the following actions, based on criteria adopted by the Board of Trustees:

- a. Report the pupil to an attendance officer, a school police officer, or the local law enforcement agency for investigation and issuance of a citation, if warranted.
- b. Refer the student to the district's attendance review board or truancy intervention program for support and remediation. If the principal makes an initial determination to submit a referral to the advisory board, the principal shall notify the parent or legal guardian of the pupil and request their written or electronic consent for the release of the pupil's records to the advisory board. This consent

must comply with the applicable requirements of 20 U.S.C. § 1232g(b) and 34 C.F.R. Part 99. If the parent or legal guardian refuses to sign such consent, the principal shall then report the pupil to an attendance officer, school police officer, or local law enforcement agency, or refer the pupil for the imposition of administrative sanctions.

- c. Refer the pupil for the imposition of administrative sanctions.
- d. For older students (e.g., middle and high school), a law enforcement officer or school police officer may issue a truancy citation, which could require the student and parent to appear before a truancy court or judge. For elementary students, habitually truant behavior may trigger a report to Child Protective Services for educational neglect. The district will document all interventions and notifications made regarding truancy.

11. Consequences for Truancy: The focus of truancy enforcement is on correcting behavior and ensuring the student attends school, rather than punishment. However, state law provides potential consequences to compel attendance. A student who is found by the truancy court to be habitually truant may be assigned community service, required to attend counseling/educational programs, or face suspension of their driver's license privileges if applicable (for secondary students). **Parental Responsibility:** Nevada law holds parents accountable for their child's attendance. **If a parent/guardian has been notified that their child is a habitual truant and the child continues to have unexcused absences, the parent/guardian may be charged with a misdemeanor offense.** In such cases, or in cases of extreme neglect of schooling, the matter may be referred to juvenile court and/or child welfare authorities. Humboldt County School District will work with law enforcement and the courts as needed to enforce attendance laws, while also offering families resources and support to improve student attendance. Our priority is to get students back in school through positive means, and legal action is used as a last resort when cooperation fails.

12. Students with Disabilities: A student with a disability shall be excused from attendance required by this policy if satisfactory written evidence is presented to the Board of Trustees that the child's physical or mental condition or behavioral health is such as to prevent or render inadvisable attendance at school or application to study, as certified in writing by any qualified physician, mental health professional, or behavioral health professional acting within his or her authorized scope of practice, in accordance with NRS 392.050.

- a. **If a pupil is excused from attendance pursuant to NRS 392.050, the District shall make available to the child a free appropriate public education in compliance with the Individuals with Disabilities Education Act (20 U.S.C. §§ 1400 et seq.).** Additionally, a student may be excused from specific attendance requirements of this policy if their Individualized Educational Program (IEP) or Section 504 Accommodation Plan specifically requires an attendance schedule different from the general requirements stated herein.

13. Recognition of Religious Observances: In accordance with NRS 392.124, a pupil enrolled in a public school who is absent from school for the observance of a religious holiday, and whose absence is approved pursuant to subsection 6 of NRS 392.130, **shall not be deprived of any award that is based on perfect attendance or any eligibility or opportunity to compete for such an award by reason of such absence.** Furthermore, such approved absences **shall be credited towards the required days of attendance** for promotion or credit if the pupil has completed coursework requirements (NRS 392.122(4)).

LEGAL REFERENCE:

NRS Chapter 392.040-220
NRS Chapter 392.050
NRS Chapter 392.122
NRS Chapter 392.124
NRS Chapter 392.130
NRS Chapter 392.140
NRS Chapter 392.144
NRS Chapter 392.167
McKinney-Vento Act

REVISED: 8/10/99, 1/8/19

REVISED : 8/12/25

Kindergarten/First Grade Attendance & Withdrawal Policy Acknowledgment

Student Name: _____

Date of Birth: _____

School Year: _____

Parent/Guardian Name: _____

I acknowledge that I have received and reviewed the Humboldt County School District's:

- Attendance Policy for Kindergarten and First Grade
- Withdrawal Policy for Kindergarten and First Grade

I understand the expectations and procedures outlined and agree to comply with them.

☐ I am submitting this acknowledgment electronically via the district's online portal.

☐ I am submitting this acknowledgment in hard copy.

Signature of Parent/Guardian: _____

Date: _____

Kindergarten/First Grade Enrollment Waiver

Student Name: _____

Date of Birth: _____

School Year for Intended Enrollment Delay: _____

Parent/Guardian Name: _____

Pursuant to NRS 392.040, I elect to delay enrollment for my child in:

☐ Kindergarten

☐ First Grade

I understand that by submitting this waiver, my child will not be enrolled until the following school year and may be subject to a developmental screening before entering first grade.

Reason for Delayed Enrollment (optional):

Signature of Parent/Guardian: _____

Date: _____

Developmental Screening Consent Form

Student Name: _____

Date of Birth: _____

Intended Grade for Enrollment: _____

Parent/Guardian Name: _____

Your child has not completed kindergarten due to a parent-initiated waiver and is seeking enrollment in first grade. In accordance with NRS 392.040, Humboldt County School District will administer a developmental screening to assess readiness for first grade.

I hereby authorize Humboldt County School District to administer a readiness assessment to my child prior to first grade enrollment.

Signature of Parent/Guardian: _____

Date: _____