

Recognizing that regular school attendance is the foundation for learning and that the North Carolina Attendance Law requires attendance of students between the ages of seven (7) and sixteen (16), these regulations are intended to inform, to encourage regular attendance, and to hold students and parents responsible for attendance. Children under age seven (7) are subject to the compulsory attendance law as long as they are enrolled in public school (G.S. 115C-378).

## **DEFINITIONS**

### **Attendance Defined**

To be considered in attendance, a student must be present in the school for at least one-half (½) of the school day or at a place other than the school with the approval of the principal to attend an authorized school activity. These activities include field trips, athletic contests, student conventions, music festivals or similar activities.

### **Attendance Lawful**

The school shall consider an absence lawful when a student provides satisfactory written evidence based on one of the following:

1. Illness or injury prevents the student from being physically able to attend school.
2. The local health officer or the State Board of Health orders the isolation of the student.
3. The student is absent due to the death of a member of the immediate family.
4. The student has a medical or dental appointment.
5. The student is a party to or is under subpoena as a witness in the proceedings of a court or administrative tribunal.
6. The student has obtained prior approval by the principal to be absent due to the observance of an event required or suggested by the religion of the student or the student's parents.
7. The student/parent obtains prior approval from the principal to take advantage of a valid educational opportunity, such as travel.

Note: All lawful and unlawful absences are included as part of the ten (10) elementary and middle school absences and five (5) high school absences allowed by this policy.

### **Enforcement**

Each LEA must enforce the state laws and regulations that relate to compulsory attendance.

**Out-of-School Suspensions**

The absence of a student, which results from the suspension of that student for misconduct, will count as an absence from school and in any missed classes.

**Lawful/Unlawful Absences**

Absences shall be coded "lawful" or "unlawful" as determined by the principal/designee based upon available information. Absences not defined as lawful and absences for which there is no given explanation shall be coded unlawful.

One-half day is defined as one-half ( $\frac{1}{2}$ ) of the instructional time scheduled in the student's day.

School term is defined as one-hundred eighty (180) school days.

**ABSENCE ACCOUNTING REQUIREMENTS**

Absences shall be reported to the State of North Carolina according to attendance regulations and procedures.

**CHRONIC ILLNESSES/CONDITIONS**

A dated doctor's verification of an illness/condition that is likely to result in the frequent absence of a student shall be placed in the student's health file. Parents' notes are still required for student absences.

**Elementary School Regulations****A. Reason for Absence**

Parent notes and/or other verification, including doctor's notes, for student absences shall be given within two (2) school days after the student's return to school or the absence shall be coded unlawful by default.

**B. Makeup Work - Lawful Absences**

Students who are absent from school shall be allowed to make up work for the first 10 absences from school except for truancy. This work shall be completed within five (5) school days of the absence unless more time is granted by the principal/designee from the date of the absence(s). Arrangements for makeup work must be made with the classroom

teacher and completed on the terms of the teacher involved. The principal/designee will work with students having extenuating circumstances.

- With the occurrence of the 11<sup>th</sup> absence (which must be for a lawful reason), the principal/designee will allow the student to make up work.
- The student also will be allowed to make up work for absences 12 and 13 if these absences are deemed lawful.
- At the occurrence of the 14<sup>th</sup> lawful absence, only the principal can grant permission for makeup work.
- **Failure to make up work after the 10<sup>th</sup> absence will result in non-promotion.**

#### **C. Makeup Work - Educational Travel**

Parents shall request prior approval for educational travel at least five (5) days in advance to allow teachers time to prepare makeup work.

#### **D. Excessive Absences**

Students exceeding ten (10) absences (lawful and/or unlawful) in one school year shall not be promoted to the next grade except by a determination of the principal/designee upon review of the student's records and/or gains derived from summer school attendance. Retention may be required when excessive absences interfere with the student's educational progress and it is determined that the child would benefit from such. If an exceptional student exceeds ten (10) absences, promotion and/or summer school attendance shall be determined by the school-based IEP Team after consultation with the principal.

#### **E. Appeals Process**

An appeals committee shall be established in each elementary school. Any parent/guardian whose child is in violation of the absence policy may seek relief through the appeals process. Any absence after the 10<sup>th</sup> school absence must be a lawful absence with valid documentation to be considered for an appeal. Any decision of the appeals committee shall be reviewed by the principal upon request from the student's parent(s).

## Middle/High School Regulations

### Required Attendance

Students must attend at least two-thirds (2/3) of class to be counted as present.

#### 1. Middle School

Any student who misses more than ten (10) days (lawful and/or unlawful) in a year long class has exceeded the Transylvania County attendance policy requirements and will not receive credit for that class unless permission is granted to make up work and the following conditions are met:

- With the occurrence of the 11<sup>th</sup>, 12<sup>th</sup>, and 13<sup>th</sup> absence(s) from class, the student shall obtain permission from the principal/designee prior to making up work. The principal/designee will grant permission for makeup work only if the 11<sup>th</sup>, 12<sup>th</sup>, and 13<sup>th</sup> absence(s) are for lawful reasons. These excessive absences shall be made up hour for hour, and the student must have proper notes on file and have completed all makeup work. The assignments must be completed to the teacher's satisfaction in order to be considered for credit. All makeup work shall be completed within five (5) school days of the absence unless more time is granted by the principal.
- With the occurrence of the 14<sup>th</sup> lawful absence only the principal can grant permission for makeup work.

#### 2. High School

Any student who misses more than five (5) days (lawful and/or unlawful absences) in any one class per semester has exceeded the Transylvania County attendance policy requirements and will not be considered for credit unless the following conditions are met:

- With the occurrence of the 6<sup>th</sup> absence, which must be for a lawful reason, **the student will be required to sign an attendance contract and have the principal/designee's permission prior to making up work.** All work must be made up within five (5) school days of the absence, made up hour for hour, and all assignments must be completed to the teacher's satisfaction. The attendance contract will cover makeup work for any additional lawful absences up the 8<sup>th</sup> lawful absence.

- With the 9<sup>th</sup> lawful absence, only the principal can grant permission for makeup work and will require appropriate supporting documentation for this absence.

## Attendance Procedures (All Schools)

### A. Reporting Attendance

1. After three (3) accumulated daily absences, a parent or guardian shall be notified by the school by mail.
2. After five (5) accumulated daily absences, a parent or guardian shall be notified by mail that there may be a violation of the Compulsory Attendance Law or Board of Education policy, as appropriate.
3. After ten (10) accumulated daily absences at the elementary and middle school levels and eight (8) accumulated absences at the high school level, the principal/designee shall review the record for compliance with G.S. 115C-378 to determine if there is a *prima facie* case that the child's parent/guardian is responsible for the absences.
4. High school teachers will notify parents by phone when their child has accumulated three (3) absences in that teacher's class. A high school student's parent/guardian again will be notified by phone when their child has reached five (5) absences in a teacher's class.
5. Parents of all students will be notified of student absences through mid-term reports and quarterly report cards.
6. All teachers and attendance personnel are required to report attendance each day to maintain accurate attendance records.
7. Each school will determine procedures for reporting absences.
8. Students will present a written excuse from a parent or guardian within two (2) days after returning from each absence. Personnel will code absences as lawful or unlawful based on the state coding guidelines. Failure to produce a note within two (2) days shall result in the absence being coded as unlawful by default.
9. Students attending an authorized school activity, with the approval of the appropriate school official, will not be considered absent. Such activities may include field trips, athletic contests, student conventions, musical festivals, or any similar activities.

**B. Makeup Work (Middle and High Schools)**

1. Students with **LAWFUL** absences will have an opportunity to make up work and tests missed based on the provisions outlined in these regulations.
2. Students who are absent with parent permission but with **UNLAWFUL** cause (first 10 absences during the school year at the middle schools; first 5 absences in a semester at the high schools) may be provided makeup work with the permission of the principal/designee.
3. Students suspended from school shall be provided an opportunity to take any quarterly, semester, or grading period examinations missed during the suspension period [G.S. 115C-392(b)].
4. Arrangements for makeup work must be made with the classroom teacher and completed on the terms of the teacher involved within five (5) school days of the absence.
5. Students who are truant (absent without permission of the parent and knowledge of the school) shall not be provided makeup work.
6. All makeup work must be completed prior to procedural reviews (middle schools and high schools). Students having unlawful absences after exceeding the number of allowable absences (10 per year for middle schools and 5 per semester for high schools) in these regulations are not eligible for a procedural review.

**Procedural Reviews (Middle Schools and High Schools ONLY)**

1. At the end of the semester in high school or end of the year in middle school, all students who have exceeded the allowed number of absences (5 absences in the high schools and 10 absences in the middle schools) may have benefit of a procedural review. The student is responsible for obtaining a Procedural Review Form from the school attendance officer, having the form completed by the classroom teacher(s) where the student is in violation of this attendance policy, and returning the completed form to the attendance officer. Unlawful absences may not be appealed through the procedural review. Students violating the attendance policy because of absences resulting from a suspension may have an opportunity for the procedural review with their principal's permission. All requirements in the procedural review must be met for this student.

2. The procedural review will determine if 1) all proper notes/verification are on file; 2) all lawful absences have been made up hour for hour; 3) all work has been completed; and 4) the student has a passing grade in the class. High school students also must have their **attendance contract signed and dated by the principal**. Failure to satisfy any of these conditions will eliminate the student's opportunity for the procedural review.
3. Upon completion of the procedural review, the attendance officer will submit his/her recommendation to the school principal for granting credit or promotion.
4. The student and parent/guardian will be notified of the attendance officer's recommendation based on the procedural review. Within three (3) days of receiving this notification, the parent/guardian may submit a request for appeal in writing to the principal. The principal will appoint a committee and schedule an appeals hearing for final determination of the granting or denial of credit or promotion. The appeal will be heard within five (5) days of receipt of the letter. The principal will provide the results of the appeal to the parent/guardian and the student in writing.

## **Tardies (Middle Schools and High Schools)**

1. Tardies to class are cumulative per semester in high school and per year in middle school. If a student is tardy to school, he/she must report to a designated area to receive an admit slip to class. Students who check into school late as a result of medical or dental appointments, court appearances, or reasons approved by the principal will be given a lawful tardy.
2. All tardies accumulate and accrue to absences. Three (3) tardies will equal one (1) absence. These absences will be subject to the attendance rule stated in Section A above.

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