

## **Policy Outline**

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### **I. Policy Value Statement**

The Board of Education (Board) is committed to ensuring that a quality education is provided for each student in a welcoming environment. Daily attendance is essential to student achievement and required in order to demonstrate mastery of material and receive credit for a course. The Board recognizes the strong correlation between regular attendance, academic achievement, and the completion of school and future success. The Board further believes that regular attendance is a shared responsibility of the family, the student, and the school.

### **II. Purpose**

The purpose of this policy is to establish the requirements for student attendance, provide guidance for attendance monitoring and recording, and identify structures that support students' attendance.

### **III. Standards**

- A. Annual Notification

Attendance guidelines will be communicated annually to all students, parents, and Howard County Public School System (HCPSS) school-based employees.

B. Attendance Expectations

All students are expected to attend school regularly in accordance with state law and regulation and this policy and may be excused from class or school only for reasons as specified in state law and regulation and this policy.

C. Discipline

Disciplinary consequences for unlawful/unexcused absences will be applied as outlined in the HCPSS Student Code of Conduct. Students cannot be suspended or expelled solely for attendance-related offenses.

D. Entry/Exit

For enrollment purposes, students will be entered and exited using the procedures outlined in the Maryland Student Records System Manual.

E. Make-up Work

1. A student may make up work missed due to lawful absence and receive a recorded grade in accordance with Policies 8010 Grading and Reporting: Prekindergarten through Grade 5 and 8020 Grading and Reporting: Middle and High School.
2. Pregnant or parenting students may choose one of the following alternatives to make up work that the student missed for a lawful, excused absence:
  - a. Home and hospital teaching;
  - b. Retake a semester;
  - c. Participate in an online course credit recovery program; or
  - d. Allow the student six weeks to continue at the same pace and finish at a later date.

F. Monitoring of Attendance

Teachers will maintain daily/period attendance records for all students.

G. Retention of Attendance Source Documents

Attendance source documents will be retained in accordance with guidelines outlined in the Maryland Student Records System Manual.

H. Support for Students

Proactive supports and interventions will be provided through the HCPSS attendance strategies and school problem-solving teams for all students.

**IV. Responsibilities**

- A. The Superintendent/designee will monitor standards and procedures related to attendance as set forth in state law and policy.
- B. Principals will inform students, HCPSS employees, and parents annually of the provisions of this policy.
- C. Principals will assign and oversee designated HCPSS employees to monitor the recording of daily/period attendance, report student absences (lawful and unlawful), and enter and withdraw students for purposes of enrollment.
- D. Teachers will maintain daily/period attendance electronically in accordance with guidelines outlined in the Maryland Student Records System Manual.
- E. The Technology Department will retain attendance source documents in accordance with the guidelines outlined in the Maryland Student Records System Manual.
- F. Teachers will provide make-up work for students who are lawfully absent.
- G. Students will be in school or attend a school-related activity each day school is in session.
- H. School-based problem-solving teams will develop interventions and provide support to students who are chronically absent or habitually truant.

**V. Delegation of Authority**

The Superintendent is authorized to develop appropriate procedures for the implementation of this policy.

**VI. Definitions**

Within the context of this policy, the following definitions apply:

- A. Absence – The failure of a student to be present in school/class or at a school-related activity.
- B. Attendance – The act of being present at school or school-related activities.
- C. Attendance Source Documents – Electronic records that are maintained by classroom teacher, homeroom teacher, substitute or other HCPSS school-based employee that document the student’s attendance.
- D. Chronically Absent – A year-to-date absence rate of 10% or more, including both lawful and unlawful absences.

- E. Civic Engagement – Student participation in activities off of school property relating to improving the quality of life in one’s community, addressing issues of public concern, and other matters of civic engagement, including but not limited to voting, volunteerism, advocacy, testimony, and peaceful demonstrations.
- F. Discretionary Absence – Absence requested by a parent and approved by a school administrator that satisfies the criteria in J.11. below.
- G. Emancipated Student – A student who meets one or more of the following conditions:
1. The student is under age 21 and married,
  2. The student is under age 18 and has been declared emancipated by the court,
  3. The student is age 18-21 and is living independently of the student’s parents.
- H. Habitual Truant – A student who met ALL of the following criteria during the school year:
1. The student was age 5 through 20.
  2. The student was enrolled in the Howard County Public School System (HCPSS) for 91 or more days.
  3. The student was unlawfully absent for 20% or more of the days of enrollment.
- I. HCPSS Employee – Any individual who is a permanent or temporary employee of the HCPSS whose compensation is paid in whole or part by the Board, including but not limited to, teachers, substitute teachers, paraeducators, and other school-based and Central Office support staff.
- J. Lawful Absence – An excused absence for any portion of the day under the following conditions:
1. Death in the immediate family
  2. Illness of the student, including mental illness or behavioral health needs
  3. Pregnancy and parenting needs
  4. Court summons
  5. Hazardous weather conditions
  6. Work approved or sponsored by the school
  7. Observance of a religious holiday
  8. State emergency
  9. Suspension
  10. Lack of authorized transportation
  11. Other emergency or set of circumstances which, in the judgment of the Superintendent or designee, constitutes a good and sufficient cause for absence from school include student discretionary days referenced in Policy 9010 implementation procedures, such as visits to post-secondary institutions, participation in college orientation programs, scheduled interviews with prospective employers, special family events, and civic engagement opportunities.

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- K. Parent – Any one of the following, recognized as the adult(s) legally responsible for the student:
1. Biological Parent – A natural parent whose parental rights have not been terminated.
  2. Adoptive Parent – A person who has legally adopted the student and whose parental rights have not been terminated.
  3. Custodian – A person or an agency appointed by the court as the legal custodian of the student and granted parental rights and responsibilities.
  4. Guardian – A person who has been placed by the court in charge of the affairs of the student and granted parental rights and responsibilities.
  5. Caregiver – An adult resident of Howard County who exercises care, custody or control over the student, but who is neither the biological parent nor legal guardian, as long as the person satisfies the requirements of the Education Article, §7-101(c) (Informal Kinship Care) or has been issued a U.S. Department of Health and Human Services' Office of Refugee Resettlement (ORR) Verification of Release form entering into a custodial arrangement with the federal government.
  6. Foster Parent – An adult approved to care for a child who has been placed in their home by a state agency or a licensed child placement agency as provided by the Family Law Article §5-507.
- L. Parenting Student – A student who is a parent of a child. This includes the mother and father.
- M. Religious Holiday – A traditional and customary day of religious observance, excluding regular weekly prayer, services, or practices. (Policy 3000 Religious Observances)
- N. School-Related Activity – Any school system activity, whether held on or off school property, in which a student directly participates (e.g., school field trip, athletic event, or class/graduation activity), or in which the student does not directly participate but represents the school or student body simply by being there (e.g., spectator at a school event).
- O. Truant – A student who is absent for a day or any portion of a day for any reason other than those cited as lawful in COMAR 13A.08.01.03 and/or failure to bring a note written by a parent to verify a lawful absence.
- P. Unlawful Absence – An unexcused absence, including absence for any portion of the day, for any reason other than those cited as lawful are presumed as unlawful and may

constitute truancy. Students unlawfully absent are considered truant. (COMAR 13A.08.01.04).

## VII. References

- A. Legal
  - Md. Ann. Code, Education Article, §§7-301 through 7-305
  - COMAR 13A.08.01.02, Age for School Attendance
  - COMAR 13A.08.01.03, Lawful Absence
  - COMAR 13A.08.01.04, Unlawful Absence
  
- B. Board Policies
  - Policy 3000 Religious Observances
  - Policy 8010 Grading and Reporting: Prekindergarten through Grade 5
  - Policy 8020 Grading and Reporting: Middle and High School
  - Policy 8100 Field Trips
  - Policy 9000 Student Residency, Eligibility, Enrollment and Assignment
  - Policy 9020 Students' Rights and Responsibilities
  - Policy 9100 Educational Programs for Pregnant and Parenting Students
  - Policy 9200 Student Discipline
  
- C. Relevant Data Sources
  
- D. Other
  - Maryland Student Records System Manual
  - Interstate Compact on Educational Opportunity for Military Children
  - HCPSS Student Code of Conduct

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**VIII. History<sup>1</sup>**

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<sup>1</sup> Key: *Adopted*-Original date the Board took action to approve a policy; *Reviewed*-The date the status of a policy was assessed by the Superintendent's Standing Policy Group; *Modified*-The date the Board took action to alter a policy that based on the recommendation of the Superintendent/designee did not require a comprehensive examination; *Revised*-The date the Board took action on a policy that based on the recommendation of the Superintendent/designee needed a comprehensive examination; *Effective*-The date a policy is implemented throughout the HCPSS, typically July 1 following Board action.

**I. Annual Notification**

- A. The HCPSS will publish attendance information annually in the Student/Parent Handbook and post current attendance guidelines and procedures on the school system's website.
- B. The principal will inform all students, parents, and Howard County Public School System (HCPSS) employees of the provisions of this policy annually and at other times as appropriate. This may be done in the following ways:
  - 1. Making announcements via the public address system at the beginning of the school year.
  - 2. Publishing the information in school newsletters and on approved electronic communication platforms.
  - 3. Publishing the information in HCPSS employee/student handbooks.
  - 4. Posting the information on a bulletin board and/or school's website.
  - 5. Making the information available for new students through the registration process.
- C. The principal will communicate to parents that if a student takes an excused absence due to behavioral health reasons that the school can provide information on resources available through the school or community. To access these, the parent should have the student reach out to their school counselor who will be happy to help.

**II. School Procedures**

Recognizing administrators' and teachers' responsibility for maintaining a system to record and report student absences (lawful and unlawful/excused and unexcused), the following procedures are required for all schools:

- A. Monitoring of Attendance:
  - 1. Teachers will maintain daily/period attendance records for all students and report tardiness and absence information as well as suspected truanancies to HCPSS attendance reporting employees. This information will be entered into the student information management system by the end of each period and serve as the attendance source document. The attendance source document is the documentation substantiating a student's attendance. The document must include school name, school year, teacher's name, student's



name, consecutive and chronological dates and a clear indicator of present, absent, and tardy with a legend for the indicators. These elements are required for the Maryland State Department of Education September Enrollment Audit.

2. HCPSS attendance employees will use the following guidelines for determining full day absent, full day present and half day present:
  - a. Students Scheduled for a Full Day  
A student is counted present for a full day if the student is in attendance for more than 50% of the school day. A student is counted present for a partial day of attendance if a student attends for 10% to 50% of the school day, but less than four hours.
  - b. Students Scheduled for a Partial Day  
A student scheduled for less than a full day is to be counted present based on the amount of time the student is scheduled.
    - i. Students enrolled in less than a full day of classes must be present for their full defined day in order to be credited with a full day present.
    - ii. Students enrolled in only one class must be present for the full class in order to receive a full day present, otherwise they are marked absent.
    - iii. Students enrolled for a partial day must be present for at least half of the scheduled hours to receive credit for a half day.
3. Any student who participates during the school day in a school-sponsored activity which is approved by the Superintendent or the principal, or any persons duly authorized by the Superintendent/designee or principal/designee will be considered in attendance at school. This means that when a student is involved in an approved school sponsored activity during the day, they are to be counted “present” and coded as lawfully absent for the time missed eg., GT seminar, sectionals, field trips.
4. Students reporting late to school/class when the day/period begins are considered tardy. Leaving school/class before the day/period ends is considered early dismissal. HCPSS school-based employees will designate tardiness and early dismissal as lawful or unlawful and treat it under the same criteria as a lawful or an unlawful absence. Missing class for more than 20 minutes will be treated as an absence for that class. Missing class for more than 35 minutes of a 90 minute class will also be treated as an absence for that class.
5. Designated HCPSS school employees will contact the parent when a student is absent for two (2) or more consecutive school days or when truancy is suspected.

6. The school must receive notification from the parent or physician explaining the absence/tardiness of a student within five (5) school days of the student's return or the absence/tardiness will be unlawful/unexcused.

Emancipated students may be allowed to write their own notes to verify a lawful absence. When a doctor's note for chronic illness has been required and not provided within five school days of the student's return, the absence/tardiness will be recorded as unlawful/unexcused until a doctor's note is provided.

7. All schools' report cards will report the number of days present and absent from school. High school report cards will also report numbers of absences from each period.
8. Schools (Instructional Intervention Team/Student Support Team) will provide supports/interventions through the problem solving team for students who are habitually late or absent to school/class.

B. Retention of Attendance Source Documents:

Documentation substantiating attendance must be retained for three school calendar years in accordance with the Maryland State Department of Education Student Records System Manual.

C. Retention of Other Documents Related to Attendance:

Tardy logs, early dismissal logs, and parent notes will be retained for three years in a secure location.

D. Entry and Exit for Purposes of Enrollment:

HCPSS school-based employees responsible for maintaining enrollment and attendance information will record entry and exit codes on the Student Record 1 card (Attendance Card) according to standards described in the Maryland Student Records System Manual. In addition, entry and exit codes must be entered into the student information management system when a student enters or leaves the school.

### III. Lawful/Excused Absence

Students presently enrolled in public schools are considered lawfully absent from school, including absence for any portion of the day, and may receive make-up work under the following conditions:

A. Bereavement

1. Immediate family – The number of days absent for a death in the “immediate family” is not to exceed five (5) per instance. “Immediate family” is defined as parents, (step) brother, (step) sister, grandparents, or anyone who has lived regularly in the household of the student.
2. Other – Two (2) days of absence will be allowed for the death of an aunt, uncle, cousin, or classmate.

B. Illness of the student

1. A doctor’s note may be required for chronic illness, which is defined as a physical or mental health disease (condition) of long duration, showing little change or of slow progression, which may be minor or severe in nature. This includes, but is not limited to, medical appointments.
2. A parent note will be accepted for students attending a medical appointment.
3. Students receiving Home and Hospital Teaching will be maintained on the regular school rolls and counted as present except when students are not available for home and hospital teaching, in which case they are marked absent.
4. Health-related exclusion – Students are temporarily excluded from school for the following health-related reasons:
  - a. Failure of parents to abide by the health regulations regarding immunization schedules or failure to provide evidence of appropriate immunizations after 20 calendar days: COMAR 10.06.04.03; or
  - b. Conditions that present a clear and direct health risk to others: COMAR 10.06.01.06.

C. Pregnancy and parenting needs

1. All pregnancy- and parenting-related conditions are lawful/excused absences for:
  - a. Labor
  - b. Delivery
  - c. Recovery
  - d. Prenatal and postnatal medical appointments.
2. A parenting student is allowed ten (10) lawful/excused absent days after the birth of the student’s child. Exceptions can be made for additional lawful/excused absences upon approval of the Superintendent/designee.

3. A parenting student's absences due to an illness or a medical appointment of the student's child are lawful/excused absences. The school may not require a note from a physician for the first four (4) days of absence per school year, but after four days of such absences, during a school year, a physician's note may be required.
  4. A student's absences due to a legal appointment involving the pregnant or parenting student that is related to family law proceedings, including adoption, custody, and visitation are lawful/excused absences.
  5. A student's absences from class due to the use of a lactation space to nurse or express milk are lawful/excused.
  6. Options concerning an appropriate educational program will be in alignment with Policy 9100 Educational Programs for Pregnant and Parenting Students.
- D. Court summons – When a student must report to court by the issuance of a summons, the time absent will be considered a lawful/excused absence.
- E. Hazardous weather conditions – This will be interpreted to mean only those conditions of the weather which would endanger the health or safety of the student when in transit to and from school.
- F. Work – Such work must be approved or sponsored by the school, the local school system, or the Maryland State Department of Education, and accepted by the Superintendent or the principal/designee.
- G. Observance of a religious holiday – Students may be excused when their attendance at school conflicts with participation in traditional and customary religious holidays. In accordance with Standard B. of Policy 3000 Religious Observances, parents/students may request an accommodation to meet a religious obligation that cannot be fulfilled except during the school day.
- H. State emergency – The Governor/designee makes these determinations.
- I. Suspension – Suspension is the denial of a student's right to attend regular classes or school for a specified period of time for cause as outlined in Policy 9200 Student Discipline.
- Note: Suspension is a lawful/excused absence and the days of suspension status cannot be used when determining “habitual truancy.”
- J. Lack of authorized transportation – A student may be excused when school system authorized transportation is not available for reasons beyond the student's control. This does not include students denied authorized transportation for disciplinary reasons.

K. Other emergency or set of circumstances, which, in the judgment of the Superintendent/designee, constitutes a good and sufficient cause for absence from school. The principal, in consultation with the Community Superintendent or designee, as appropriate, will determine whether absences are excused under this provision.

1. Absences of an Emergency Nature

Such absences will be reviewed by the principal in consultation with the Community Superintendent and/or Performance, Equity and Community Response Director to determine whether the absences will be lawful/excused or unlawful/unexcused.

2. Deployment Related Absences

Deployment related absences will be excused for the purpose of visiting with a parent who is an active duty member of the uniformed services and has been called to duty for, is on leave from, or immediately returned from, deployment to a combat zone or support posting.

3. Absences for Discretionary Days

- a. A written request for such absences to be lawful/excused should be submitted at least one week in advance to the principal/designee.
- b. Such absences may not occur during exam or state-mandated testing periods unless authorized by the principal/designee.
- c. For absences of up to three (3) days per year, the principal will determine whether the absences will be lawful/excused or unlawful/unexcused.

Such absences may include, but are not limited to, the following events directly involving the student:

- i. Visits to post-secondary institutions
  - ii. Participation in college orientation programs
  - iii. Scheduled interviews with prospective employers
  - iv. Special family events, including vacations/trips
  - v. Civic engagement
- d. For absences in excess of three (3) days under this provision, the principal in consultation with the Community Superintendent or designee will determine if the absences will be lawful/excused or unlawful/unexcused.
  - e. Requests for absences for religious obligations which are not addressed under Section III.G. of these procedures should be processed in accordance with Policy 3000 Religious Observances.

#### IV. Unlawful/Unexcused Absence

An absence for any reason other than those cited as lawful are presumed as unlawful and may constitute truancy (COMAR 13A.08.01.04).

- A. Teachers may assist students with make-up work when a student has an unlawful absence, however, students will not receive credit for such assignments.
- B. Continuing unlawful absences and/or tardiness of the student will result in the initiation of one or more of the following actions:
  - 1. Student conference
  - 2. Parent contact
  - 3. Attendance contract
  - 4. After school detention
  - 5. Saturday School
  - 6. Exclusion from activities
  - 7. Removal of school privileges
  - 8. Restriction of extracurricular activities
  - 9. Referral to PPW/Student Services.
- C. Enrolled students who do not report to school in August/September are marked absent during the first month of the school year until they report to class. By September 30, all enrolled students who have not reported since the first day of school, will be exited with the date of exit July 1.
- D. Students with unlawful absences of ten (10) consecutive school days or more will be withdrawn from school and may be allowed to re-enroll, provided they meet enrollment requirements, upon their return. Upon expiration of the 10-day window, the student will be withdrawn and the date of the exit will be the first day after the last day of attendance. Teachers will not be required to provide make-up work during this time of absence. For these absences to be considered as lawful, parents will need to exercise the option outlined in Section III. of these procedures.
- E. For students receiving special education services and exhibiting behaviors outlined in Sections IV.C. and/or D. of these implementation procedures, the Individualized Education Program (IEP) Team, in consultation with the Department of Special Education, must conduct an IEP meeting to determine if the IEP remains appropriate.
  - 1. If the IEP remains appropriate, the school will proceed with the processes outlined in Sections IV.C. and/or D. of these implementation procedures.
  - 2. If the IEP is not appropriate, the IEP team will revise the IEP.

**V. Supports and Interventions**

- A. School-wide informational sessions will be conducted to share the expectations of the HCPSS Policy 9010 Attendance and its connection and correlation to student's academic and social success. Information sessions can be communicated through new student orientation, student assemblies, information pamphlets, school website, etc. within the first few weeks of school.
- B. The HCPSS attendance strategies will be implemented school-wide to encourage attendance for all students.
- C. Interventions will be put in place for students who need more support to avoid or improve chronic absenteeism.
  - 1. The principal will ensure that designated HCPSS school-based employees will initiate a "call of care and concern" to parents when a student misses two unexcused consecutive days or reaches a 5% absence rate to identify how the school can assist the family.
  - 2. Administrators will identify students with multiple absences and will send letters home at 5%, 10%, and 20% unless the school has notification of a student's chronic medical condition and interventions are currently in place.
  - 3. Members of the team will develop, implement and regularly monitor an attendance improvement plan that may include the following:

A parent/teacher/student conference focused on assessing the needs of the student will be requested if a student experiences absenteeism rates of 15% or more in order to assess the needs of the student in connection with attendance and academic success.
  - 4. The school's problem solving team will create an attendance plan to support students in improving overall attendance and in meeting attendance goals.
  - 5. If attendance barriers are present that are adversely affecting a student's attendance, an SST referral will be made to look at comprehensive supports for the family.
- D. Intensive supports will be implemented for students facing the greatest challenges to getting to school. These supports include:
  - 1. An attendance team or SST to further monitor student attendance.
  - 2. Use of a Pupil Personnel Worker to visit home.
- E. Include quarterly reminders and updates of school attendance with HCPSS employees to share success and identify needs for improvements.

- F. Under the Annotated Code of Maryland, Education Article, §7-301, action may be taken when compulsory attendance issues arise. It is the duty of the parent to see that their student attends school or receives the required instruction.
1. Any person who induces or attempts to induce a child to absent himself unlawfully from school or employs or harbors any child who is absent unlawfully from school while school is in session is guilty of a misdemeanor and on conviction is subject to a fine not to exceed \$500 or imprisonment not to exceed 30 days, or both. (Section 7-301 (e) 1)
  2. Any person who has legal custody or care and control of a child who is 5 years old or older and under 18 who fails to see that the child attends school or receives instruction under this section is guilty of a misdemeanor and: For a first conviction is subject to a fine not to exceed \$50 per day of unlawful absence or imprisonment not to exceed ten (10) days, or both; and For a second or subsequent conviction is subject to a fine not to exceed \$100 per day of unlawful absence or imprisonment not to exceed 30 days, or both. (Section 7-301 (e) 2)

## **VI. Monitoring**

Policy 9010 implementation procedures will be overseen by the Division of Academics.



## VII. History<sup>1</sup>

ADOPTED: April 23, 1992  
REVIEWED: December 13, 2018  
MODIFIED: September 19, 2017  
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