

## **Attendance**

### **Attendance Act 94-782**

Amending Section 16-28-12, Code of Alabama 1975, requiring each local board of education to adopt and distribute to parents, guardians, and others a written policy of its school behavior standards; requiring parents, guardians, and others to document receipt of the plan; and specifying partial application to non-public schools.

Each parent, guardian or other person having control or custody of any child required to attend school or receive regular instruction by a private tutor who fails to have the child enrolled in school or who fails to send the child to school, or has him/her instructed by a private tutor during the time the child is required to attend a public school, private school, church school, denominational school, or parochial school, or be instructed by a private tutor, or fails to require the child to regularly attend the school or tutor, or fails to compel the child to properly conduct himself/herself as a pupil in any public school in accordance with the written policy (VI. Students Section 6.1.4) on school behavior adopted by the local board of education pursuant to this section and documented by the appropriate school official which conduct may result in the suspension of the pupil, shall be guilty of a misdemeanor and, upon conviction, shall be fined not more than one hundred dollars (\$100) and may also be sentenced to hard labor for the county for not more than 90 days. The absence of a child without the consent of the principal/teacher of the public school he/she attends or should attend, or of the tutor who instructs or should instruct the child, shall be prima facie evidence of the violation of this section.

At the commencement of each academic year a copy of the written policy on school behavior will be given to each parent, guardian, or other person having care or control of a child who is enrolled. Included in the written policy shall be a copy of this section. **The signature of the student and the parent, guardian, or other person having control or custody of the child shall document receipt of the policy.**

Any parent, guardian, or other person having control or custody of a child of any age enrolled in public school who fails to require the child to regularly attend the school or tutor, or fails to provide excuses for any absence, or fails to compel the child to properly conduct himself/herself as a pupil in accordance with the written policy on school behavior adopted by the local board of education and documented by the appropriate school official which conduct may result in the suspension of the pupil, shall be reported by the principal to the superintendent of education of the school system in which the suspected violation occurred. The superintendent of education or his/her designee shall report suspected violations to the district attorney within 10 days. Any principal or superintendent of education or his/her designee intentionally failing to report a suspected violation shall be guilty of a Class C misdemeanor. The district attorney shall vigorously enforce this section to ensure proper conduct and required attendance by any child enrolled in public school.

### **Alabama Code 16-28-3**

School attendance is required of all children between the ages of seven and seventeen, inclusive.

### **Why Attendance Matters**

We stress strong attendance at school for the following reasons:

- It builds the foundation for habits essential to success in the workplace.
- Make-up work is a poor substitute for being in class, because the student loses the benefit of the teachers' instruction and experience, as well as the opportunity to ask questions and receive feedback
- Zeroes from missed work drastically pull down grades.
- It hurts everyone when teachers lose instructional time by constantly having to catch up students who have missed class.

### **Excused Absences**

Under Alabama's compulsory attendance law, parents are required to assure their school-aged children are in school each and every day. Absences will be designated as Excused, and make-up work allowed for

- Personal illness of the student
- Court subpoena
- Field trips/Extra-curricular
- Absences pre-approved by the principal

Students are expected to report on time and attend school the full day. Kindergarten students are subject to the same attendance policies as other students in the system. Parents should make every effort to schedule doctors' and dentists' appointments after school hours. **ABSENCES ARE EITHER EXCUSED OR UNEXCUSED.**

### **Unexcused Absences:**

An absence for a reason not covered in the provisions described under "Excused Absence" will be unexcused (example: Overslept, Traffic, Missed Bus, etc.).

### **Written Excuse Requirement:**

It is the parents' responsibility to see that their children attend school regularly and to provide evidence for an excused absence when an absence is necessary. A phone call to the school about an absence is not sufficient documentation. The State of Alabama requires a written note on file; each note must contain the following:

- Child's full name
- Date to be excused
- Reason for absence
- Phone number to contact parent/guardian
- Signature of parent or doctor

All notes will be kept on file and marked valid or invalid upon date and time of receiving the note. When school officials do not know the reason for an absence, they must assume that it is unexcused. It is the parent's responsibility to verify whether written or faxed excuses were received by the school.

Parents must sign their children in or out of school at the office and upon return to school. Three unexcused check-ins or check-outs will be considered one (1) day of unexcused absence counted toward the truancy program. Parents will be notified of unexcused absences by letter.

### **Parent Notes**

Parent notes will be allowed to excuse absences for a maximum of six school days. However, parent notes for reasons other than "personal illness of the student" may not be excused. Parent notes written for reasons that are not excused, and absences with no note, may count toward the six days allowed.

### **Scheduling Personal Matters**

Make-up work never has the same educational value as participating in class with a certified teacher. Parents and students are expected to schedule appointments, vacations, and other personal matters at times that do not conflict with the school calendar.

### **Make-Up Work**

A student will have 3 days after returning to school with an excused absence, to turn in make-up work (unless otherwise approved by the school principal).

### **Student Check-In and Check-Out Procedures (Grades K – 5)**

Students coming to school late must check in at the school office. Parents of students in grades K-5 must accompany their children to the office to check them in.

Students will be allowed to check out of school only if a parent or guardian, or person designated by the parents, comes to pick them up or calls and clears the check-out with the principal or school secretary. Parents are urged to leave students in school the full day.

When checking students out, parents must come directly to the office where the office personnel will call for the student. **Parents are not to go to the classrooms and interrupt a class in session.** This procedure is for the protection and safety of the students, as well as to maintain a quality education for each child. **Checking the student out does not necessarily constitute an excused absence. Upon return to school from a check-out or absence, a note must be presented within three (3) school days or 72 hours to the school. However, three unexcused check-ins or check-outs will be considered (1) day of unexcused absence counted toward the truancy program.**

### **Student Check-In and Check-Out Procedures (Grades 6-12)**

Any student checking in must have a parent/guardian notify the school in person or by phone as to the reason for the tardy unless he/she has an excuse from a doctor's office or hospital.

A "check in" is when a student arrives at school after missing at least one-half of a class period. Students checking in or out will only be excused for the same reasons as absences. Check-ins and check-outs are considered unexcused unless appropriate documentation is submitted to the office of the principal within three days.

A “tardy” to school is when a student is not in his/her first period class at the 7:30 bell, but has not missed half of the class. Students with a pattern of tardiness—exceeding two occurrences per grading period may be required to be signed in by a parent/guardian before attending class and receive disciplinary consequences. For student drivers, excessive tardies may also result in a loss of driving privileges.

All check-outs must be cleared through a school administrator. Students will be allowed to check out of school only with parental permission. Parents may come to the school and check them out, or by telephone designate another person to pick them up. Parents are urged to leave children in school for the full school day.

Parents coming to the school to check students out must come to the main office. A parent checking a student out does not in itself constitute an excused absence. **Upon returning to school from checking out or from an absence, the student must present a note stating the reason for the absence, from a parent, doctor or legal authority, to the office,** then an excused or unexcused absence slip will be issued to the student. Each teacher whose class was missed must sign this slip.

A student will have three (3) school days or 72 hours after returning to school to bring a note, and after that, the absence will be unexcused. If no note is offered, the absence will be unexcused. All notes will be kept on file and marked valid or invalid upon date and time of receiving the note. Students will not be able to make up missed work if absence is unexcused. **(A phone call or the mere fact that a parent signs a student in or out cannot be accepted as an excuse for an absence, check-ins, or check-outs. We must have a written note to file.)**

*Note: Missing school or class excessively can result in loss of credit, withdrawal from school until the following semester for students age 17 and over, or referral to Marshall County Juvenile Truancy Court (Alabama Code 16-28-1 through 16-28-45).*

### **Extracurricular Activities**

In order for a student to participate in or attend an extracurricular activity (home or away), the student must attend a minimum of 50% of the school day in which the event occurs.

### **School Programs and Activities**

At the discretion of the school principal, students with poor attendance may be required to remain at school to make up work rather than attend or participate in special programs and activities during the school day.

### **Early Warning Truancy Prevention Program**

A parent, guardian, or other person having charge of any child officially enrolled in Alabama public schools (K-12) shall explain in writing the cause of any and every absence of the child no later than (3) school days following return to school. A failure to furnish such explanation shall be evidence of the child being truant each day he/she is absent. The child shall also be deemed truant for any absence determined by the principal to be unexcused. When a student accumulates **five** incidences of truancy, the Attendance Officer will file a complaint with the Juvenile Probation Office. The student and his/her parents (guardian) will be required to participate in the Early Warning Truancy Prevention Program provided by the Juvenile Court.

*If a student accumulates **seven** instances of truancy, a petition will be filed by the Attendance Officer against the student in Juvenile Court, identifying the student as a habitual truant.*

If a student is in grades K-12 and continues to have unexcused absences after being scheduled for the early warning program, a warrant can be issued for contributing to the delinquency/truancy of said child against the responsible parent or guardian. The Attendance Officer would obtain the warrant through the clerk's office. If criminal prosecution occurs, contributing or causing the delinquency of a minor, Section 12-15-13 of the Code of Alabama, is a misdemeanor punishable by a fine of up to \$500.00 or sentence to hard labor for the County for a period not to exceed 12 months or both.

Contributing warrants can also be taken against those parents/guardians of children in grades 6-12 as deemed necessary by the attendance officer. This can be obtained along with a Truancy Petition against the child.

*Note: It is the responsibility of the assigned teacher to report truancies to the principal. In-turn the principal shall report truancies to the Attendance Officer as specified above.*