

Chilton County Schools

2023-2024 Attendance Policy

(Taken from pages 8-13 of the 2023-2024 Chilton County School Student-Parent Guide)

ATTENDANCE/BEHAVIOR

The Chilton County Board of Education believes that regular school attendance is important to students and to the school system. Regular attendance by students facilitates development of the skills and knowledge necessary to function in a democratic society. Therefore, the Board endeavors to secure in compliance with Alabama law, the prompt and regular attendance of students and to secure their proper conduct and to hold the parent/guardian in charge of a student responsible and liable for such student's non-attendance and improper conduct.

ALABAMA LAWS CONCERNING ATTENDANCE

1. Enrollment

a. Alabama law requires all children between the ages of six and seventeen to attend a public school, private school, church school, or be instructed by a competent private tutor for the entire length of the school term in every scholastic year except that every child attending church school as defined by Alabama law is exempt from this requirement, provided the child has met the requirements as specified for enrollment and reporting. If any child fails to attend school without legal excuse, that the child and the person having custody of that child may be referred to the attendance officer or juvenile courts. Any child who is prosecuted for truancy may be placed in a juvenile facility or long-term residential care. Any custodial adult who is prosecuted for non-compliance with Alabama Compulsory Attendance Law may be charged with violation contributing or causing the delinquency or dependency of a minor. This offense is punishable by a fine of up to \$100 or a sentence to hard labor for the county for a period not to exceed 90 days or both. NOTE: Alabama Code Section 16-28-1, as amended by Alabama Act No. 2014-245 changed the definition of private and church school to include reference to home programs offering instruction in grades K-12.

b. "...Each local school board of education shall adopt a written policy for its standards on school behavior...shall provide at the commencement each academic year a written policy on school behavior to each parent, guardian, or other person having control or custody of the 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." (Section 16-28-12, Code of Alabama, 1975.)

c. "...Any parent, guardian or person having control or custody of any child enrolled in the public school who fails to require the child to regularly attend the school. . .or fails to compel the child to properly conduct himself or herself as a pupil in accordance with written policy on school behavior adopted by the local board of education 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 or her designee shall report such suspected violation to the district attorney within ten (10) days. . ." (Section 16-28-12, Code of Alabama, 1975).

2. Denial of Driver's License

a. The Alabama Law Enforcement Agency shall deny a driver license or a learner license for the operation of a motor vehicle to any person under the age of 19 who does not, at the time of application, present a diploma or other certificate of graduation issued to the person from a secondary high school of this state or any other state, or documentation that the person:

1) Is enrolled and making satisfactory progress in a course leading to a General Educational Development (GED) certificate from a state-approved institution or organization, or has obtained the certificate;

2) Is enrolled in a secondary school of this state or any other state and has not at the time of application accumulated disciplinary points while a student in school that would extend the age of eligibility for the student to apply for a driver license;

3) Is participating in a job-training program approved by the State Superintendent of Education;

4) Is gainfully and substantially employed;

5) Is a parent with the care and custody of a minor or unborn child;

6) Has a physician certify that the parents of the person depend on him/her as their sole source of transportation; or

7) Is exempted from this requirement due to circumstances beyond his or her control. Authority: Ala. Code §16-28-40(1975)

b. The superintendent or his designee shall use the Student Enrollment/Exclusion Status form to notify the Alabama Law Enforcement Agency of:

1) Students who have requested enrollment status and are not enrolled;

2) Students who are 16-19 years of age with more than 10 consecutive or 15 cumulative days of unexcused absences during a single semester. Authority: Ala. Code §16-28-40(1975) Alabama Administrative Code 290-3-1-.02(7)(b)(1).

3. Non-Enrollment / Non-Attendance:

“It shall be the duty of the county superintendent of education or the city superintendent of schools, as the case may be, to require the attendance officer to investigate all cases of non-enrollment and non-attendance. In all cases investigated where no valid reason for non-enrollment or non-attendance is found, the attendance officer shall give written notice to the parent, guardian or other person having control of the child.”

In the event of the absence of the parent, guardian or other person having control of the child from his or her usual place of residence, the attendance officer shall leave a copy of the notice with some person over twelve years of age residing at the usual place of residence, with instructions to hand such notice to such parent, guardian or other person having control of the child, which notice shall require the attendance of the child at the public school within three days from the date of the notice. In the event the investigation discloses that the nonenrollment or non-attendance was without valid excuse, or good reason and intentional, the attendance office shall be required to bring criminal prosecution against the parent, guardian, or other person having custody or control of the child. Authority: Ala. Code §16-28-16(1927).

ABSENCES

An absence is defined as non-attendance in a regularly scheduled class or activity. **To be counted present, a student must be present more than 50% of the scheduled class time.** The daily average value of attendance is counted as 51% of a full academic day.

EXPLANATION FOR ABSENCES

Written Explanation - In accordance with State Law, a parent/guardian must explain the cause of every absence of students under his/her control or charge. Every student, upon return to school, must bring a verifiable written excuse from home signed by the student's parent/guardian or doctor office for each absence and present it to the principal or designee. THE WRITTEN EXCUSE SHOULD BE PRESENTED TO THE PRINCIPAL OR DESIGNEE ON THE DAY THE STUDENT RETURNS TO SCHOOL, BUT NO LATER THAN **TWO (2) DAYS** after his/her return or absence(s) will be recorded as unexcused.

Documented Explanation - The parent/guardian will be required to provide written medical or legal documentation for absences to continue to be excused when:

Grades K-8: After six (6) occurrences where a parent/guardian uses written explanations to explain his/her child's absences in a school year. **One parent note can excuse no more than THREE (3) consecutive days.**

Grades 9-12: After three (3) occurrences where a parent/guardian uses written explanations to explain his/her child's absences in a school term/semester. **One parent note can excuse no more than THREE (3) consecutive days.**

EXCUSED ABSENCES

All absences shall be designated as either excused or unexcused. In accordance with Alabama law, a student shall be excused for an absence from school for any one of the following reasons:

1. Personal illness of the student, or
2. Death in the immediate family, or
3. Inclement weather which would be dangerous to the life or health of the student as determined by the principal, or
4. Legal quarantine, subpoena to court, or
5. Emergency conditions as determined by the principal, (limited to 3 per school year) or
6. Prior permission of the principal and consent of the parent or guardian.

UNEXCUSED ABSENCES

ABSENCES, FOR REASONS OTHER THAN THOSE DEFINED ABOVE, SHALL BE CONSIDERED AS UNEXCUSED.

MAKE-UP WORK (EXCUSED ABSENCES)

If a student is absent for any excused reason as defined above, the student shall be allowed to make up all major assignments and other work missed during said absence(s) at a time agreeable to the teacher(s). Teachers shall not be required to reteach lessons, but students shall be given a reasonable opportunity to learn the lessons missed due to excused absences. **AT THE SECONDARY LEVEL, THE STUDENT SHALL BE RESPONSIBLE FOR CONTACTING THE TEACHER(S) TO ARRANGE TO MAKE UP THE WORK. AT THE ELEMENTARY LEVEL, THE PARENT OR GUARDIAN SHALL BE RESPONSIBLE FOR ARRANGING NECESSARY MAKEUP WORK.** Arrangements for make-up work, in all grades, must be made within two (2) calendar days after returning from an excused absence.

CHECK-OUT PROCEDURES

Students are allowed to check-out of school through the principal's office by either of these procedures:

1) Being signed out by their parent /guardian or designated responsible adult (verified by school documentation).

2) Having a note signed by a parent/guardian that can be verified by phone by a school official **BEFORE** a designated time set by each school principal.

All check-ins/check-outs shall be considered unexcused absences from those class periods missed unless written evidence is presented to the principal or his/her designee by the parent or guardian that the check-in/ check-out was for an excused reason.

****PLEASE NOTE: Parent excuses that are used for check-outs will be part of the six (6) parent notes allowed per year for excused absences.**

STUDENT TARDIES

School Tardy - A school tardy, for attendance marking purpose, is defined as a student's arrival in the classroom after the official time set for the beginning of the respective school's regular day. A check in or check out is also labeled as a tardy. **Three (3) or more unexcused tardies will result in the student being entered into the Early Warning Truancy Prevention Program.**

****PLEASE NOTE: Once a student has attained 10 or more unexcused tardies, a warrant may be issued for the parent/guardian according to Alabama Law. Six (6) written parent notes will be allowed per year for tardies.**

Class Tardy - A class tardy, for attendance and marking purposes, is defined as a student's arrival to class after the time set for the beginning of class or after the tardy bell. Class tardies will be handled through school discipline procedures.

TRUANCY

Truancy is the habitual and unlawful absence from school. In accordance with the Code of Alabama, the parent or guardian is responsible for requiring any student under his/her control or charge and is registered for school to attend school. Alabama Code Section 16-28-1, as amended by Alabama Act No. 2014-245 changed the definition of private and church school to include reference to home programs offering instruction in grades K-12.

A parent, guardian, or other person having charge of any mandatory school-aged child shall explain in writing the cause of any and every absence of the child on the day following the absence. A failure to furnish such explanation shall be evidence of the child being truant each day he is absent. The child shall also be deemed truant for any absence determined by the principal to be unexcused based upon the State Department of Education's current Alabama Attendance Manual. The latter truancy status shall also include skipping or cutting class. The Interagency Committee on Youth Truancy Task Force recommendations known as the Early Warning Truancy Prevention Program timeline for reporting truancy shall define the truancy status of any student as follows:

1. FIRST TRUANCY/THIRD UNEXCUSED ABSENCE (WARNING)

a. Parent/guardian shall receive written notice by the school attendance clerk that the student was truant and the date of the truancy.

b. Parent/guardian also shall be provided a copy of Alabama's compulsory school attendance laws and advised of the penalties, which can be applied, and the procedures, which shall be followed in the event that other unexcused absences occur.

2. SECOND TRUANCY/FIFTH UNEXCUSED ABSENCE (CONFERENCE)

a. The parent, guardian or person having control of the child shall (1) attend a conference with the attendance officer and principal and/or (2) participate in the early warning program provided by the juvenile court.

b. Attendance at one of these conferences shall be mandatory except where prior arrangements have been made or an emergency exists.

c. Failure to appear at the school conference and/or to appear at the early warning program shall result in the filing of a complaint/petition for truancy against the child and/or parent/guardian, if appropriate.

3. THIRD TRUANCY/ SEVENTH UNEXCUSED ABSENCE (COURT)

May issue a warrant against the parent/guardian pursuant to Alabama Law (Section 16-28-12 Section A & C)

"The Early Warning Program Meeting will be provided only once per family. If a parent and/or child has attended the meeting and the student or other students in the same family have an occurrence of seven (7) unexcused absences the following school years, their attendance record will be sent before a committee of the Juvenile Court office and the District Attorney's office for review following written notification by the Attendance Supervisor, and on approval, a warrant on parent/guardian may be filed, if appropriate."

EARLY WARNING TRUANCY PREVENTION PROGRAM

The early warning program requires principals to submit a weekly report to the attendance supervisor listing the names and addresses of students who are enrolled in school who have five (5) or more unexcused absences. These students and their parents or guardian will be referred to the early warning truancy prevention program at the school after the third unexcused absence. At the early warning conference, the parents and students will be informed of the laws regarding the compulsory attendance and court procedures for enforcing the laws and consequences for continuous violation of the compulsory attendance law. The Alabama compulsory attendance law requires children ages 6-17, and all those enrolled in public school, regardless of age, to attend school. The law also states parents and guardians having control over school-age children are responsible for the children's regular attendance and proper conduct. These students will also be referred to the early warning program for attendance. Failure to appear at the school conference and/or to appear at the early warning program shall result in the filing of a complaint/petition against the parent under Code of Alabama (1975), 16-28-12 (c) (failure to cooperate), or a truancy against the child, whichever is appropriate.

EARLY INTERVENTION ATTENDANCE PROCEDURES

The following procedures will be implemented when your child is not in compliance with the Attendance Policy mandated by the Chilton County Board of Education and the Alabama State Department of Education:

Step I: School notification

Step II: Letter from Attendance Officer requesting meeting with parent/guardian and school official and/or Court Personnel

Step III: Letter of Final Warning from Attendance Officer before filing complaint/petition against parent/guardian for truancy charges.

LOSS OF CREDIT FOR EXCESSIVE ABSENCES

1. When a student in grades 1-8 has accumulated more than 18 absences per year, the principal will evaluate the attendance record and may recommend retention. A student who has 12 unexcused absences may be retained due to excessive absences. If such is the case, the parent/guardian and the attendance officer shall be notified in writing in the event of retention.

2. When a student in grades 9-12 has accumulated more than 9 absences per class per semester, the teacher(s) and principal will evaluate the attendance record and academic achievement and may recommend loss of credit. A student who has 6 unexcused absences out of a total of 11 absences during a semester may be denied academic credit for excessive absences. The decision for loss of credit will be made by the school attendance committee. If such is the case, the parent/guardian and the attendance officer shall be notified in writing in the event of loss of credit.

3. A student who has been retained or lost credit because of noncompliance with attendance policies and had a passing grade shall receive a one (1) on the report card and all other records for that semester or that year. This loss of grades will be made up in the same manner other failures and retentions are made up.

SATURDAY SCHOOL & CREDIT RECOVERY

Saturday School and/or Credit Recovery may be offered with board approval for loss of credit.

- Absence Recovery – A program offered on the first Tuesday, Thursday, and Saturday of the months of October, November, December, February, March and April. Students will only be allowed to recover a maximum of 4 absences per semester. Absences will be recovered as follows:

- o Tuesday (3:00-5:00 p.m.) = 1 Absence

- o Thursday (3:00-5:00 p.m.) = 1 Absence

- o Saturday (8:00am-12:00p.m.) = 2 Absences

- Credit Recovery – A program in which a student may recover credits in one or more failed courses, in compliance with regulations promulgated by the State Department of Education. The curriculum will align with the student content standards in which the student seeking credit recovery is deficient. The student must have already taken the course and made between a 40-59 average to be eligible.

- Grade Recovery – Students must not have received a failing credit and it must NOT have been recorded on the transcript. There is no minimum/maximum grade for a student to earn through participation. May be available for students with grades earned in grading periods from which credit is not yet awarded. This is an approach to allow students to recover unfinished learning in coursework that is still in progress.

DUE PROCESS PROCEDURES

1. The parent, guardian, or student may request a hearing with the principal in writing, signed and dated, within five days from the date of the notification of the loss of credit or retention.

2. The failure of the parent, guardian, or student to request a hearing shall be sufficient evidence to sustain the loss of credit or retention.

3. The decision of the principal at the local school to deny credit or to retain a student may be appealed to the superintendent in writing within five days after the hearing at the local school has taken place.