

PROCEDURE FOR STUDENT ATTENDANCE

1. Tuition and Age - Refer to NCGS 115C-1, General and Uniform System of Schools; NCGS 115C-364, Admission Requirements; and NCGS.115C -140.1, Cost of Education of Children in Group Homes, Foster Homes. See also Board Policies 10.105 and 10.106.
2. Those Entitled to Attend School - Refer to NCGS 115C-364, Admission Requirements; NCGS 115C - 366, Assignment of a Student to a Particular School; and NCGS 115C – 383, Attendance of Deaf and Blind Children.
3. Compulsory Attendance Ages - Every parent, guardian or other person in Pitt County having charge or control of a student between the ages of seven and 16 years shall cause such student to attend school continuously for a period equal to the time which the school to which the student is assigned is in session. Every parent, guardian, or other person in Pitt County having charge or control of a child under age seven who is enrolled in a school in grades kindergarten through two shall also cause such child to attend school continuously for a period equal to the time which the Pitt County Schools are in session unless the child has withdrawn from school. No person shall encourage, entice or counsel any such student to be unlawfully absent from school. (NCGS 115C-378, Children Required to Attend)
4. Requirements for Entrance
 - a. A child, to be entitled to initial entry in Pitt County Schools, must have passed the fifth anniversary of his/her birth on or before August 31 of the year in which the child is presented for enrollment, and must be presented for enrollment during the first month of the school year. (NCGS 115C-364, Admission Requirements)
 - b. No child may attend a K-12 school in Pitt County without presenting a certificate of immunization to the school that indicates the child has received the immunizations required by NCGS 130A-152. The principal has the authority to require the parents of any child presented for admission to Pitt County Schools for the first time, to furnish a certified copy of the birth certificate or other satisfactory evidence of date of birth.
 - c. No child, except those Hospital/Homebound, Staggered Kindergarten, Medically Fragile, or Teacher-in-Treatment Program, may be enrolled in school unless they are present at school on that day.
5. Compulsory School Attendance
 - a. To be considered in attendance, a student (except for Hospital/ Homebound) must be present in school for the school day, or at a place other than the school with the approval of the appropriate school official for the purpose of attending an authorized school activity. Such activities may include field trips, athletic contests, student conventions, musical festivals, or any similar approved activity. Attendance must be taken each of the 180 days in the school year.

- b. A student must be present at least one-half of the school instructional day in order to be recorded present for that day.
- c. During the time regularly scheduled homebound services are delivered, the child should be counted PRESENT at school. If a student is confined at home, is unable to attend school, and is receiving face-to-face homebound instruction from his/her home school, he/she is considered homebound. Supporting documentation should be maintained at the school.
- d. Lawful Absences

LAWFUL ABSENCES ARE ABSENCES AND ARE COUNTED AS SUCH. HOWEVER, STUDENT GRADES MAY NOT BE LOWERED AS A RESULT OF LAWFUL ABSENCES. TESTS AND WORK MISSED MAY BE MADE UP BY THE STUDENT WITHIN A REASONABLE PERIOD OF TIME. A REASONABLE PERIOD WILL BE DETERMINED AT THE SCHOOL LEVEL.

The valid/lawful excuses for temporary non-attendance of a student at school are as follows:

- (1) Illness or Injury: when the absence results from illness or injury that prevents the student from being physically able to attend school.
- (2) Quarantine: when the absence results from the isolation of the student as ordered by the local health officer or by the State Board of Health.
- (3) Death in the Immediate Family: when the absence results from the death of a member of the immediate family of the student. For the purpose of this regulation, the immediate family of a student includes, but is not necessarily limited to, grandparents, parents, brothers and sisters.
- (4) Medical or Dental Appointments: when the absence results from a medical or dental appointment of a student.
- (5) Court or Administrative Proceedings: when the absence results from the attendance of a student at the proceedings of a court or an administrative tribunal, if the student is a party to the action or under subpoena as a witness.
- (6) Religious Observance: when the absence results from attendance at a religious observance or service where the tenets of a religion to which the student or his/her parent(s) adhere require or suggest such attendance.
- (7) Deployment Activities: when the absence results from the student's attendance at official deployment ceremonies or activities when the student's parent is a deploying member of the U.S. Armed Forces.
- (8) Educational Opportunity: when the absence results from a demonstrated purpose of taking advantage of a valid educational opportunity, such as travel. Approval for such an absence must be granted prior to the absence. (16 NCAC 2D.0404)

- (9) Short Term Suspensions: when the absence results from the student's suspension for ten days or less.

When a student is absent for any of the first eight reasons listed above, he or she shall provide appropriate documentation of that absence as lawful, as required by policy of the local school and as made known to parents through the school handbook. Such documentation shall be kept on file. If there is any question regarding lawful absences, a person designated by the principal shall make contact with the parent or guardian of the child.

If a student is to be absent for medical or dental appointments, court or administrative proceedings, religious observances, or educational opportunities, the parent shall, except in emergencies, file the excuse and the dates for absences with the principal ahead of the date that the student is to be absent.

e. Medically Fragile

Students who are medically fragile are frequently absent from school for reasons directly related to their severe or life-threatening physical condition. Medically fragile students are identified as those students who qualify for special education in one of the existing categories of handicapping condition and for whom a licensed physician has provided documentation that an associated or accompanying chronic illness is so severe as to affect the student's school attendance. Medically fragile students are those whose illness frequently places them in life-threatening situations. In addition, they may be technology-dependent for life support systems, i.e. tracheotomy, gastrostomy, etc.

There may be rare instances when a child does not qualify for special education as defined in the Individuals with Disabilities Education Act (IDEA), but would unquestionably meet the definition of handicapped under Section 504 of the Rehabilitation Act of 1973, and thus would also be eligible for consideration as a medically fragile student.

The absence of students who are medically fragile should be coded **1H**. Such absences are not included by the Department of Public Instruction in the calculation of a school's attendance rate.

f. Unlawful Absences

For students between the ages of seven and 16, and all other students who are entitled to attend public school and who have enrolled in a public school, unlawful absence is defined as:

- (1) A student's willful absence from school with or without the knowledge of the parent.
- (2) A student's absence from school for any reason other than those listed in Section 5d under "Lawful Absences."

Parents who refuse to comply with the health regulations of a community, such as compulsory vaccination, thereby causing a student to be excluded from the school, or parents who permit a student to stay at home or to be employed in any way contrary to the Child Welfare Law (Chapter 110 of the General Statutes), are responsible for the nonattendance of the student.

Unlawful absences must be recorded for proper calculation of ADM.

DECISIONS CONCERNING THE LOWERING OF A GRADE, MAKING UP WORK, OR TAKING A MAJOR TEST SHALL BE LEFT TO THE DISCRETION OF THE PRINCIPAL IN CASES OF UNLAWFUL ABSENCES.

- g. Suspensions and Expulsions - Refer to NCGS 115C - 391, Corporal Punishment, Suspension or Expulsion.
- h. Tardies

Please see the Pitt County Student Code of Conduct for specifics.

- i. Required Attendance for Course Credit

Students in Grades K- 8

Students are required to be in attendance 160 school days to receive required credit. Any exception to this policy shall be ruled on by the principal. Parents who are denied an exception may appeal the decision to the Board of Education. Requests for a board hearing must be received in the Superintendent's office no later than the fifth business day after grades are reported.

Students in Grades 9-12

A student who is absent a total of 8 or more periods (after all make-ups are applied) per course shall fail that course. At the discretion of the principal, a student who is passing a course and has been absent between 8 and no more than 15 periods, may be provided an opportunity to make up time missed. Each high school shall provide sufficient make-up opportunities to allow the make-up of three days (twelve class periods) per semester.

A student who has missed a total of 8 or more periods and is passing a course may appeal to the principal for a waiver of his/her lawful absences. If waivers are granted, absences will be recalculated. Principals shall notify students of their right to appeal lawful absences and of the deadline by which to request an appeal for that semester. If a waiver for lawful absences is not granted, the principal shall notify the student of the denial and of his/her right to appeal the decision to the Pitt County Board of Education.

There will be no school level appeal or option for students who remain absent more than 15 periods per course after waivers and make-up sessions have been applied.

Appeals concerning a principal's denial of lawful absence waivers, or appeals concerning absences of more than 15 periods, shall be made to the Pitt County

Board of Education at the conclusion of the semester in which the absences occurred. Requests for a Board hearing must be received in the Superintendent's office no later than the fifth business day after grades are reported.

j. Ten Day Rule

The State Board of Education's Ten Day Rule states that when a student accumulates more than ten consecutive days of unlawful absences, he/she is to be withdrawn from funded membership as of the first day following his/her last day in attendance. The NCWISE software automatically handles the administration of the Ten Day Rule. The software functions are as follows:

1. On the eleventh consecutive day of unlawful absence, the student in violation of the Rule will no longer be counted in the calculation of ADM as of the first day of absence. However, he/she will continue in membership and will be counted as absent from school.
2. If and when the student returns to school, he/she is simply to be counted present for the days of attendance. Beginning on the first day of attendance, the student will once again be counted in the calculation of the school's ADM.

3. If and when it is determined that the student has withdrawn from school, the withdrawal is to be posted on the first day after the student's last day in attendance.
4. Students under age 16 who are unlawfully absent for more than 10 consecutive absences are not to be withdrawn until their whereabouts are known or it's determined that they have left the attendance area.
5. If the student is in violation of the Ten Day Rule on the last day of the school year, the NCWISE software requires that, before submission of the Month 09 PMR, action must be taken to withdraw the student from membership on the first day after his/her last day in attendance.

Absences caused by out-of-school suspension are considered neither lawful nor unlawful. Consequently, they are not a factor in the administration of the Ten Day Rule.

6. Responsibilities in Enforcing Compulsory Attendance

The parent, guardian, or custodian of the child is required to notify the school of the reason for each known absence of the child, in accordance with school policy. School personnel have additional legal responsibilities for student attendance. The duties of the teacher, social worker, principal and superintendent are outlined in *The North Carolina Student Attendance and Student Accounting Manual*.

7. Truancy

Truancy is defined as unauthorized absence from school. An absence without permission from any scheduled class, study hall, or activity during the day is truancy. Disciplinary action shall be taken when truancy occurs, beginning with notification of parents. Continued truancy may lead to academic failure, suspension, or expulsion from school.

8. Permission to Leave School before Closing Hour

All requests to leave the building while school is in session must be approved by the principal's office. Leaving school without permission constitutes truancy. Students shall not be permitted to leave school before the regular closing hour except for extraordinary reasons.

- a. Senior high school students are initially required to obtain the principal's permission to leave the school grounds for participation in dual enrollment and established cooperative work programs.
- b. A student may be dismissed from school for a medical or dental appointment for the time required by the specific appointment. Such an absence shall be considered excused.

Students shall not be excused for outside activities, such as music lessons, dancing lessons, etc., because of the state's minimum school day requirement.

Each school has the responsibility for developing its own procedures for permission to leave school before the closing hours. These shall be included in the student/parent handbook.

9. Notification to Parents of Noncompliance with the General Compulsory Attendance Law

The parent, guardian, or custodian of a child shall notify the school of the reason for each known absence of the child, in accordance with Pitt County Schools policy.

Whenever a student has accumulated three unlawful absences in a school year, the principal or his designee shall notify the parent, guardian or custodian of the child's absences. After no more than six unlawful absences, the principal shall notify the parent, guardian or custodian by mail that he/she may be in violation of the Compulsory Attendance Law and may be prosecuted if the absences cannot be justified under the established attendance policies of the state and of the Pitt County Schools.

After ten accumulated unlawful absences in a school year, the principal shall review any report or investigation prepared under NCGS 115C-381 (School Social Workers) and shall confer with the student and, if possible, his/her parent, guardian or custodian, to determine whether the parent, guardian or custodian received notification pursuant to this section and made a good faith effort to comply with the law. Depending on the circumstances, the principal must then notify the district attorney (accomplished by filing a warrant with a magistrate) or file a complaint with the juvenile intake counselor.

Last Revisions/Adoption: November 22, 2010, December 16, 2009, January 8, 2009, June 28, 2006

Legal References: NCGS 115C-1, -140.1, -364, - 366, -378, -381, -383, -391, 130A-152

Cross References: None