

WINSTON-SALEM/FORSYTH COUNTY SCHOOLS

SCHOOL ATTENDANCE PROTOCOL



2018-2019 Edition

This booklet is provided through the Social Work Services division of Student Support Services, WS/FCS. The information is designed to provide the educator with current policies and procedures relating to compulsory school attendance. For more information, or consultation regarding attendance issues, please contact your school social worker or Michael Pesce, Program Manager at 748-4007 or visit the School Social Work departmental site at <http://wsfcs.k12.nc.us>.

Table of Contents

Background and Overview

Local Procedures for Dealing with Absences	1
Frequently Asked Questions	4
Attendance and Make-Up Work, AR 5110.....	6
Absences Classified.....	6
Unexcused Tardiness and Early Departures.....	7
Record Keeping and Reporting	8
Excessive Absences, Tardies, and Skipping Class	8
Right to Appeal Denial of Course Credit	10
Make-Up Work.....	11
Attendance for Extra-Class Activities	11
Attendance Improvement Plan	11
Make-Up Days for At-Risk Students	11
Duties of School Personnel	13 – 15

Appendix A

- A-1 – Notice of 3 Unexcused Absences -
- A-2a – Notice of 6 Unexcused Absences, Elementary School
- A-2b – Notice of 6 Unexcused Absences, Middle and High School
- A-3a – Notice of 10 Unexcused Absences and Request for Conference, Elementary
- A-3b – Notice of 10 Unexcused Absences, Middle and High School
- A-4 – Referral to District Attorney
- A-5 – Letter to Require Physician’s Statement
- A-6a – Notice of Excessive Tardies, Elementary School
- A-6b – Notice of Excessive Tardies, Middle and High School
- A-7 – Letter for Students 16 or Older

Appendix B

- Attendance Procedures Flowchart

LOCAL PROCEDURES FOR DOCUMENTING ABSENCES

Classroom teachers play a pivotal role in notifying students and parents or guardians of the importance of good attendance, and in communicating with parents or guardians when an absence occurs. The principal is responsible for monitoring the attendance recording process and ensuring that the teachers and data manager work as a team to achieve accuracy.

1. **Teachers shall instruct students to bring a written explanation signed by a parent or guardian upon returning to school after an absence.** It is best practice to require a written note but there may be instances where parents or guardians provide notification either in person or over the telephone. Phone or personal notification shall be documented by school personnel and submitted to the teacher, who determines whether the absence is excused or unexcused. Many schools encourage parents to send excuses within a certain time period, but there is no legal or policy requirement.
2. Notes written by parents and guardians, notes from physicians, and other forms of documentation by school personnel regarding absences shall be assessed by the classroom teacher to determine whether they are excused or unexcused, **and then submitted to the Principal's designee to be maintained in a centralized master file.** To determine whether an absence is excused or unexcused the teacher must know the reasons recognized by the State Board of Education. The following are the valid/lawful excuses for temporary nonattendance of a student:
 - Illness or injury
 - Quarantine
 - Death in the immediate family
 - Medical or dental appointments
 - Court or administrative proceedings
 - Religious observances
 - Educational opportunity
 - In accordance with local School Board Policy

Three unexcused days

3. When a student accumulates three (3) unexcused absences in a school year, the parent or guardian must be notified. Three-day notification is mandatory but does not have to be written. The Principal may elect to give notification by ConnectFive. **When there is no phone, the Principal's designee may use the 3-day letter or the teacher may send a note.** In all cases, documentation of the notification must be dated and kept in a centralized master file, which is available to the social worker upon request. (See Appendix A-1 – Notice of 3 Unexcused Absences). Elementary schools may involve their Home School Coordinators at this point.

Six unexcused days

4. When a student accumulates six (6) unexcused absences in a school year, the parent or legal guardian must be notified through the U.S. mail by the Principal per se (a signature stamp may be used). Notification must include the warning that the parent or guardian may be in violation of the Compulsory Attendance Law and may face prosecution if the absences cannot be justified under N.C. law and WS/FCS Board policies. The data manager or principal's designee shall print copies for the social worker and the centralized master file. The copy of the 6-day letter will serve as a referral to the social worker for monitoring and interventions.
(See Appendix A-2 (a) and (b) – Notice of 6 Unexcused Absences.)

Ten unexcused days

5. If a student accumulates 10 unexcused absences in a year, the Principal shall:
 - review the information presented by the school social worker;
 - notify the parent or guardian through the U.S. mail of the absences and their liability under the Compulsory Attendance Law (a copy of the student's Attendance Profile shall be included and

a copy of the 10-Day Letter shall go to the social worker so he/she will be aware of the conference) (*See Appendix A-3 (a) and (b) – Notice of Ten Unexcused Absences and Request for Conference*); and

- confer with the student and family to determine whether proper notification has been received and whether the family has made a good faith effort to comply with the law.
6. The Principal may determine that appropriate notification has been provided if there is documentation of some form of 3-day notification and copies of the 6 and 10-day letters signed by the Principal and mailed to the address provided by the parent or guardian. Any “undeliverable” correspondence returned to the school should be placed in the centralized master file to be used as evidence of the school’s efforts. If the Principal determines that the parent or guardian *has not* been given appropriate letter notification, that the school does not have documentation of notification, or that the number of days between the 6 and 10 notification letters is not appropriate, the letter process should start immediately at the point of omission and proceed from there. Corrections from parents shall be integrated in the count of unexcused absences. The general statute requires that the parent be informed of the absences in a timely manner; 3, 6, and 10 day letters may not be mailed out at the same time.

Referral to District Attorney

7. Once a determination has been made that notification to the parent or guardian is in order, the Principal must determine whether the parent or guardian has made a good faith effort to comply with the compulsory attendance law.
- If the Principal determines that a good faith effort has been made to ensure that the student attends school, prosecution does not proceed. Continued interventions to improve attendance may include directing the school social worker to consult with the Forsyth Truancy Court Coordinator for consideration of a juvenile complaint against the student as an undisciplined youth for his or her role in the unexcused absences.
 - If the Principal determines that the parent or guardian *has not made a good faith effort*, a notification letter shall be sent to the District Attorney. Copies of previous letters and the Attendance Profile shall be included in the D.A. letter and the copy to the parent. The social worker shall receive a copy of the D.A. letter and Attendance Profile. The School Social Work Office will forward a copy of the D.A. letter to the Department of Social Services. This action will automatically be recorded in PowerSchool within “All Student Correspondence.” (*See Appendix A-4 – Referral to District Attorney.*)
8. The school social worker may schedule a conference through Mediation Services, pursue legal action, and/or offer additional interventions.

Letter to Require Physician’s Statement

9. At any point in the year that a student’s excused absences are for an illness or injury, the Principal may require a statement from the student’s physician in order to excuse future absences. This action will be recorded in PowerSchool within “All Student Correspondence.” (*See Appendix A-5 – Notice of Request for Physician’s Statement. These requests should not be done at the beginning of the year, based on the previous year’s attendance record without any absences occurring for the current year.*)

Notice of excessive tardies

10. At any point in the year a separate notification may be sent to inform the parent that five unexcused tardies converted to one unexcused absence. (*See Appendix A-6 (a) and (b) – Notice of Excessive Tardies.*)

All copies of attendance notification must be filed in a centralized master file and letters must be noted in PowerSchool under All Student Correspondence. All documentation regarding absences (notes from parents, notes from physicians, correspondence returned as undeliverable and other documentation by school personnel) must be kept in a centralized master file.

Attendance: Frequently Asked Questions

Q: Is my 5 or 6 year old kindergarten student subject to the NC Compulsory Attendance Law?

A: *Yes, once your student is enrolled in school, compulsory attendance is applicable.*

Q: What procedures do I follow if I decide to home school my child?

A: *You should contact the North Carolina Department of Non-Public Education at (919) 733-4276 or at their web site (www.ncdnpe.org). Until you are approved as a home school, your child must continue to attend his or her assigned school.*

Q: What is the difference between homebound instruction and home schooling?

A: *Homebound instruction is offered to students who have been referred by their physician or psychiatrist and approved by the director of homebound instruction, or to students who receive Exceptional Children's services and are placed on long-term suspension. A teacher instructs the student at home or a pre-arranged site twice a week for two hours per session.*

Home schools are administered under the North Carolina Department of Non-Public Education. Parents must follow NCDNPE's guidelines, which include instructional guidelines, curriculum, testing, etc.

Q: How does moving in the middle of the school year affect my student's assignment?

A: *Your student may remain in his or her school for the rest of the school year, but you are responsible for transportation to and from school. You may choose to transfer your student to his or her residential school. Proof of address is required.*

Q: Why should I provide the school with my personal demographic information?

A: *There are several reasons the school needs updated demographic information. The information is needed in order to share information about school events, i.e. school pictures, field day, snow days, etc., as well as your child's grades, discipline information, attendance information and other important matters. The school also needs accurate information in case of an emergency involving your child.*

Q: Why do I have to provide a note to excuse my student's absence?

A: *It is the parent's responsibility to inform the school of the reason for a student's absence so that the school can determine whether the reason meets state guidelines (See Policy 5110 – Attendance). It is also helpful information for the school to appropriately serve the student after an illness or injury, or for health concerns in the school environment. Even if the school sends your child home sick, a note is needed as documentation because all notes are maintained in a centralized file.*

Q: If I am requested to provide a doctor's note to excuse an absence, does this violate HIPAA law?

A: *If you are requested to provide a physician's statement, you need only provide documentation that the student was seen by the doctor and the date(s) covered. No confidential medical information is needed.*

Q: How does attendance affect my student's participation in sports and extra-curricular activities?

A: *If your student misses 10 days within a semester, he or she must apply for and receive a waiver in order to participate.*

Q: What if my student is absent due to a suspension from school?

A: *Suspensions are excused absences and do not count against your student under the Compulsory Attendance Law.*

Q: Will the school let me know when my student is absent from school?

A: *Yes, many attempts are made but they depend on the accuracy of the information you provide to the school. You are notified of your student's absences through an automated calling system, teacher telephone calls, attendance letters from the principal and calls and/or home visits by the school social worker.*

Q: Is the school required to provide make-up work when my child is absent, including when my child is suspended?

A: *Yes. Work should be requested by the parent or student as soon as possible. It is due by the third day from the date each absence occurred. Make-up work can be requested for a suspended student if the suspension is not a long-term suspension. Most schools require a 24 hour period to allow the teacher to gather materials to send home.*

Q: How can I get a copy of my student's attendance record?

A: *You may request a copy of your student's attendance record in the school office at any time.*

ATTENDANCE AND MAKE-UP WORK *from* AR 5110 April 2010

I. **Introduction.** There is no substitute for the uninterrupted personal contact between teachers and students in the classroom environment where learning experiences are carefully planned by the teachers. Even though students may make up class work missed because of absences, they may never be able to replace the educational, cultural and social contacts which they would have experienced through face-to-face instruction and class participation. Students with good attendance generally achieve higher levels of learning than those with poor attendance.

Absences Classified.

A. **Excused.** In accordance with the rules and regulations of the State Board of Education, the following conditions shall constitute valid reasons for excused absences.

1. Illness or injury
2. Quarantine
3. Death in the immediate family
4. Medical or dental appointments
5. Court or administrative proceedings
6. Religious observances
7. Educational opportunity

For a more complete definition of each condition, reference should be made to the State Board of Education regulation.

B. **Religious observances.** Students, upon written request of their parents, will be granted an excused absence to observe a religious holiday or to participate in off-campus religious instruction or worship/devotional exercises.¹

1. A student shall not be excused to participate in off-campus religious instruction or worship/devotional exercises for more than two (2) hours of an instructional day.
2. It shall be the duty of the students, with the support of their parents, to make-up any work missed.

C. **Educational opportunity.** A student may be granted an excused absence to take advantage of a valid educational opportunity such as travel, an internship or a legislative page. To be approved, the student or the student's parent must submit a written statement explaining how the experience will enhance the student's knowledge or understanding of one or more subjects contained in the North Carolina Standard Course of Study. In addition, the student must agree to write a paper or produce some other work product that evidences the knowledge he/she has gained from the educational experience.

D. **Exam Exemptions.** Students qualifying for an exam exemption pursuant to AR 5124 and not attending school or class during the specific class period in which the exam is administered shall not be counted absent from that class.

E. **Pre-arranged absences.** Upon the request of a parent, guardian or custodian, preferably made in

¹ See: *Zorach v. Clauston*, 343 U. S. 306, 72 S. Ct. 679, 96 L. Ed. 954 (1952)

writing and in a reasonable period of time in advance of the absence, the Principal may excuse a student's absence for a good and substantial cause in addition to those listed in "A" above, with one exception: secondary school students may not be granted "prearranged absences for any cause other than those listed in "A" above during the last ten days of the school year."

F. Pre-arranged early departure. Upon the request of a parent, guardian or custodian, preferably made in writing and in a reasonable period of time (24 hours) in advance, the Principal or the Principal's designee may permit a student to depart before the end of the instructional day for any of the reasons for an excused absence or for a good and substantial cause. If a student is removed without a valid reason for an excused absence, the removal shall be considered an "unexcused" early departure.

G. Perfect Attendance Awards. Up to three (3) excused absences in a school year due to a death in the immediate family, religious observances, or college scholarship interviews will not be considered in determining eligibility for perfect attendance awards. Students must provide a copy of the written invitation to the scholarship interview and proof of attendance in order for this provision to apply to such absence.

H. Unlawful and unexcused absences. In accordance with the compulsory Attendance Law and the Attendance Regulations adopted by the State Board of Education, an unlawful absence (sometimes referred to as unexcused absence) is defined as "a child's willful absence from school without the knowledge of the parent, or a child's absence from school without cause with the knowledge of the parent." The term "unlawful absence" applies only to the Compulsory Attendance Law.

Unexcused Tardiness and Early Departures

A. Definitions.

1. **Tardiness** is defined as arriving to class or school after the scheduled time for class or school to begin. A tardy is considered "unexcused" unless there is a valid reason for being late. Valid reasons for being late include, but are not limited to, the reasons for an excused absence as defined above as well as circumstances beyond the control of the student such as when a teacher or staff member detains a student.
2. **Unexcused early departure** is defined as the removal of a student from school prior to the end of the instructional day without a valid reason for an excused absence as defined above.

B. When tardiness or early departure is considered an absence.

1. If a student misses more than fifty percent (50%) of a class period at the secondary level, the student will be considered absent from class, except as provided in Section IV, paragraph E.
2. If a student misses more than fifty percent (50%) of a school day, the student will be considered absent from school, except as provided in Section IV, paragraph E.

C. Excessive Tardiness and Unexcused Early Departures. An accumulation of five (5) unexcused tardies or five (5) unexcused early departures, as defined above, shall be equal to one unexcused absence for the purpose of enforcing the compulsory attendance law and the provision of this regulation for addressing a student's excessive absences.

Record Keeping and Reporting

- A. Each student shall be assigned to a teacher, generally the homeroom teacher, for the purpose of recording daily attendance. It shall be the responsibility of this teacher to record the daily attendance of each student assigned to him or her and to inform the students of the value and importance of regular school attendance.
- B. The teacher shall inform the students that they are required to bring written excuses signed by a parent, legal guardian or custodian, stating the cause of their absences on the first day back in school after an absence. Students who are eighteen (18) years of age may not sign their own written excuses for their non-attendance unless they are emancipated, living independent of a parent, legal guardian or custodian, and such is reflected in the school records for such students.
- C. If the teacher does not receive a written excuse or learn that the cause of the absence was a valid condition for an excused absence in accordance with Section II.A., the teacher shall record the absence as unexcused.
- D. A Principal may require a student, the student's parent, legal guardian, or custodian to provide a statement from the student's physician verifying the student's illness.
- E. A student shall be recorded present for any day present at a place other than the school with the approval of the Principal for the purpose of attending a school activity which has been officially authorized under the policies of the board of education of the school administrative unit. This may include field trips, athletic contests, music festivals, student conventions, and similar activities.

Excessive absences, tardies, and skipping class

- A. **When consecutive.** The teacher shall inform a student, if absent or expected to be absent for three (3) or more consecutive days, it is the responsibility of the student's parent, guardian or custodian to notify the school and explain the cause for the absences.
- B. **When cumulative.**
 - 1. **3 Unexcused Days, First Notice, Compulsory Attendance Law.** If a student accumulates three (3) unexcused absences in a school year, the Principal or a designee shall notify the student's parent, guardian, or custodian of the student's excessive absences by telephone, note sent home with the student, and/or U. S. mail.
 - 2. **Five Days, Denial of Course Credit, High and Middle School Students.** If a student in grades 6 through 12 is absent from school or any class five (5) times (three (3) for the Career Center) during a grading period (whether or not the absences are excused, prearranged, unexcused, or unlawful), the teacher shall notify the Principal's office and the Principal or a designee shall notify the student's parent, guardian or custodian the student's absences have become excessive and one or more of the following actions will be considered in the order listed:
 - a. If the work has been satisfactorily made up, the student may be permitted to remain in class with credit;

- b. If the student agrees to make up the work, he or she may be permitted to remain in class with credit and a grade of “I,” incomplete, until the make-up work is completed and accepted by the teacher;
 - c. If the student does not make up all of his/her work, the teacher may give the student whatever grade is appropriate, including an F;
 - d. If the student’s absences become so excessive that make-up work cannot satisfy the requirements for course credit and the majority of the student’s absences were excused, the student may be permitted to remain in class with no credit or grade. If the majority of the absences were unexcused, the student may be dropped from the course and given a grade of “F”.
 - e. If the student has an excessive number of unexcused absences, the Principal may take appropriate disciplinary action.
3. **Six Unexcused Days, Second Notice, Compulsory Attendance Law.** If a student in grades K through 12 **who is subject to the Compulsory Attendance law** has been absent without an acceptable excuse for six (6) cumulative school days during the school year, the Principal or a designee shall notify the student’s parent, guardian or custodian, in writing, of the student’s excessive number of unexcused absences/tardies and (unless the student is over sixteen (16) years of age) the student and the parent, guardian or custodian may be prosecuted under the Compulsory Attendance Law (N.C.G.S. § 115C-378) if the absences/tardies cannot be justified. If the student is less than seven (7) years of age the notice shall inform the parent, guardian or custodian of the option to withdraw the student from school in order to avoid prosecution. However, withdrawing the student may result in the student being required to repeat the grade. A copy of this notice shall be sent to the school’s social worker.
4. **Ten Day Notice and Action, Compulsory Attendance Law.** If a student between the ages of five (5) and sixteen (16) accumulates ten (10) unexcused absences in a school year, the Principal shall:
- a. Notify the parent, guardian or custodian in writing of the student’s excessive number of unexcused absences/tardies and (unless the student is over sixteen (16) years of age), the student and the parent, guardian or custodian will be prosecuted under the Compulsory Attendance Law (N.C.G.S. § 115C-378) if the absences/tardies cannot be justified. If the student is less than seven (7) years of age, the notice shall inform the parent, guardian or custodian of the option to withdraw the student from school in order to avoid prosecution. However, withdrawing the student may result in the student being required to repeat the grade. The notice shall offer the parent the opportunity to meet or confer with the Principal or a designee about the student’s non-attendance.
 - b. Review the report or investigation of the social worker prepared under the provisions of N.C.G.S. §115C-381.
 - c. After reviewing the social worker’s report and meeting/conferring with the student and his/her parent, guardian, or custodian, if possible, the Principal or a designee shall determine whether the parent has received notification of the student’s non-attendance and made a good faith effort to comply with the law.
 - d. If the parent, guardian, or custodian has not, the Principal shall notify the district

attorney and the director of social services.

- e. If the parent, guardian or custodian has, the Principal may file a complaint with the juvenile intake counselor alleging the student is habitually absent from school without a valid excuse.
- f. Documentation demonstrating the parent, guardian, or custodian was notified and the student accumulated at least ten (10) absences which cannot be justified pursuant to Board of Education attendance policy and regulation shall establish constitute a prima facie case evidence the student's parent, guardian, or custodian is responsible for the absences.

5. Revocation of Parking Privileges, High Schools

- a. If a student in grades 10, 11 or 12 accumulates five absences, either excused or unexcused, the student shall be notified that his/her parking privileges may be revoked if the student accumulates ten (10) absences in a school year.
- b. If a student in grades 10, 11 or 12 accumulates ten (10) absences in a school year, excused or unexcused, the student's parking privileges shall be revoked for the remainder of the school year unless:
 - (1) the student agrees to participate in an "Attendance Improvement Plan" approved by the Principal or a designee; or
 - (2) the Principal finds that there was an extraordinary cause or excuse for the student's excessive absences, such as a long term illness, injury or disability.
- c. If a student's parking privileges are revoked at a school, the revocation also applies to the Career Center and vice versa.
- d. If a student whose parking privileges have been revoked for the remainder of the school year transfers to another school in the system, the revocation or "Attendance Improvement Plan" shall remain in effect at the new school that they are attending.

Right to Appeal Denial of Course Credit.

- A. If a Principal denies a student credit for any hours due to excessive absences (more than five (5) per grading period (three for the Career Center) or ten (10) per semester), the student and/or his parents or guardians may request a conference with the Principal to appeal the denial of course credit.
- B. The student and/or the student's parents or guardians may appeal from the decision of the Principal to the Superintendent and the Board in accordance with the WS/FCS Board Policy 5145, Parent and Student Grievance Policy.

Make-up Work.

- A. A key element in any effective attendance policy is the provision for make-up work during and/or following an absent period. Make-up work should be assigned when a student is absent, regardless of the reason for the absence. Make-up work may be specific material missed by the student or it may be of a reinforcement or enrichment nature.
- B. A parent or student may request make-up assignments for an absence of two (2) or more consecutive days.
- C. The Principal should establish a procedure for the collection of assignments or make-up work from teachers as requested by the parents or students. To the extent possible, assignments and/or make-up work may be communicated electronically via voice mail, e-mail or the internet.
- D. If a student is expected to be confined to his or her home and/or a hospital for a period of four weeks or more due to an injury, illness or other disability, the student's parent, guardian or custodian should be referred to a guidance counselor as soon as possible to obtain the services of a "homebound teacher."
- E. Students placed under suspension by the Principal will be responsible for work missed during such suspension. Students who are suspended for ten (10) days or less shall be permitted to make up exams and other required course work missed while under suspension from school. Responsibility for completing make-up work rests with the students. Make-up work does not have to be the same as the work that was missed.
- F. Make-up work will be completed promptly. Students will have one (1) day to complete make-up work for every one (1) day absent. Grades assigned to make-up work shall be considered in computing the student's overall grade for the particular grading period. Failure of a student to satisfy make-up requirements can be the basis for denying credit for a specific course.

VIII. Attendance for Extra-Class Activities. A student must be present for a minimum of fifty percent (50%) of the student day on the day of an athletic event or other extra-class activity in order to participate in the athletic contest or activity.

IX. Attendance Improvement Plan. When the appropriate division director determines that a particular school's attendance record has dropped significantly below the average for its group, he will request the Principal of that school to examine the factors causing this condition. The Principal will then advise the division director of the results of the assessment. If the attendance pattern for that school fails to improve, the Assistant Superintendent will request the Principal to develop an attendance improvement plan (AIP) for the school. These plans may offer awards and other incentives to instill or reinforce a positive attitude toward good attendance. Such plans must have the approval of the appropriate division director before being implemented.

X. Make Up Days for At-risk Students

- A. **At-risk** students who miss days or classes may be allowed to make the missed hours up during non-school hours. The time must be made up on an hour-for-hour/day-for-day basis with participation limited to those students who are identified as an at-risk student based on the criteria set forth below.

- B. Documentation.** If the at-risk student completes the required make-up time, an absence may be changed to a present in PowerSchool, but documentation shall be placed in the student's cumulative folder indicating
1. the day(s) or class(es) that the student actually missed,
 2. the dates and times when the make-up work was done, and
 3. the date on which the absence was changed in PowerSchool.
- C. Definition of At-risk Student.** Any student who, because of a wide range of personal, familial, social, or academic circumstances, may experience school failure or unwanted outcomes unless there is intervention to reduce the risk factors. The following are the primary factors that may identify at-risk students:
1. school performance two or more years below grade level; or test scores below the 25th percentile;
 2. academic failure or non-promotion;
 3. truancy/excessive absences, substance abuse, delinquency, disinterest in school, low self-esteem,
 4. learning disabilities or other physical, mental, or emotional handicaps;
 5. physical or mental problems;
 6. physical or sexual abuse;
 7. pregnancy, unstable home environment/family trauma;
 8. family income at or below poverty level;
 9. negative parent attitude toward school; low parental educational attainment;
 10. frustration of unchallenged giftedness and unrecognized talents; and
 11. limited English proficiency.
- D. Procedure for Identification of At-risk Students.** Any teacher, counselor, or social worker may identify a student as "at-risk" by completing the at-risk identification form and submitting it to the Principal or Assistant Principal for certification. Upon receipt of the identification form, the Principal or Assistant Principal shall satisfy himself/herself that there is a sufficient basis to certify the student as "at-risk" based on the above definition. If a student is certified as "at-risk," the Principal or Assistant Principal shall notify the student and the student's parent(s) that the student is eligible to make up missed days or classes by attending after-school, evening or Saturday classes. In addition, the school data manager shall be notified of those students who have been certified as at-risk.

- E. **Deadline for Completing Missed Work.** Any missed work completed by an at-risk student pursuant to this Regulation must be completed before grades are entered in NC WISE for the semester in which the class or school day was missed by the at risk student. In other words, at risk students must make up work during the semester in which the work was missed.

Adopted: November 1974

Revised: May 1975; February 1980; June 1985; June 1992; August 1992; August 1993; September 1993; February 1996; February 1998; September 1998; June 1999; January 2001; June 2002; July 2003; May 2007; November 2007; March 2009; September 2009; October 2009; February 2010; April 2010.

Duties of School Personnel²

Teacher: The teacher is essential in the enforcement of the Compulsory Attendance Law. It is his/her duty:

- a. To inform students and parents of the value and importance of regular attendance through:
 - 1.1 Classroom activities;
 - 1.2 Programs and announcements at parent-teacher association and teachers' meetings; and
 - 1.3 The development of public sentiment in the community for regular school attendance;
- b. To ascertain the cause of nonattendance and thus determine when an absence is lawful or unlawful. (The practice of requiring written excuses is recommended as a means of obtaining information as to the cause of absences. However, when a teacher obtains knowledge through reliable means that the cause of an absence is lawful and a written excuse is not provided, such absences should be reported as lawful.)
- c. To record absences and absence reason codes accurately; and
- d. To maintain accurate student accounting records.

Social Worker: The primary responsibility of the social worker is to ensure the regular attendance of all students. The social worker shall, as prescribed by law, investigate all violators of the Compulsory Attendance Law. The social worker must:

- a. Investigate all violators of the Compulsory Attendance Law reported to him/her by the Principal;
- b. Work with the student and his/her family to analyze the causes of the absences and determine steps, including adjustments of the school program and obtaining supplemental services, to eliminate the problem; and
- c. Have authority to report and verify on oath, the necessary criminal warrants or other documents for the prosecution of violations of the Compulsory Attendance Law.

² *Ibid*, pp.17-19.

Principal: The Principal, as executive officer of the school, has the following responsibilities for the enforcement of the Compulsory Attendance Law and the provisions of the North Carolina Administrative Code as approved by the State Board of Education:

- a. He/she must, insofar as it relates to his/her activities, utilize the means outlined under "Duties of the Teacher" to inform students, parents, and teachers as to their respective duties with regard to school attendance. He/she must also perform his/her duties as specified under "Duties of the Social Worker."
- b. He/she must provide such prescribed forms for use by himself/herself and the teachers working under his/her supervision. These forms should be secured from the local Superintendent.
- c. The Principal or his/her designee must notify the parent, guardian, or custodian of his/her child's excessive absences after the child has accumulated three unlawful absences in a school year. After not more than six unlawful absences, the Principal must 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 local boards of education.
After ten accumulated unlawful absences in a school year, the Principal must review any report or investigation prepared under G.S. 115C-381 and must confer with the student and his/her parent, guardian, or custodian, if possible, to determine whether the parent, guardian, or custodian has received notification and made a good faith effort to comply with the law. If the Principal determines that a parent, guardian, or custodian has not made a good faith effort to comply with the law, the Principal shall notify the district attorney and the director of social services of the county where the child resides.
- d. In the case of a student or parent being reported to the court for failure of the student to attend school, and the Principal is called as a witness, it shall be the Principal's duty to appear when so called at the time and place specified, and have with him/her the teacher's report of unlawful absence. The teacher may also be called as a witness.
- e. He/she must ensure that students are withdrawn on the day following their last day in attendance.
- f. He/she must report, in writing, all cases of suspension or expulsion to the social worker and to the local Superintendent.

Superintendent: The Superintendent of the LEA is responsible for creating and encouraging public sentiment favorable to regular school attendance and to the enforcement of the Compulsory Attendance Law and the provisions of the North Carolina Administrative Code as approved by the State Board of Education.

- a. He/she must endeavor to obtain cooperation among all concerned - students, parents, teachers, Principals, social workers, and court officials - in the administration of the Compulsory Attendance Law.
- b. Through teachers' meetings, parent-teacher association meetings, newspapers, periodical releases, and other media, he/she must keep the public informed about the value, importance, and necessity of regular school attendance. He/she must

advise Principals and teachers as to their duties and responsibilities in respect to the enforcement of the law.

- c. He/she must arrange with the social worker for meetings with teachers and Principals for discussions concerning school attendance and the enforcement of the Compulsory Attendance Law.
- d. He/she must provide such forms and materials as are necessary for the administration of the Compulsory Attendance Law and of the rules and regulations of the State Board of Education, and distribute these materials to the school Principals. (G.S. 115C-276)
- e. He/she must maintain data on each student suspended for more than 10 days or expelled. (G.S. 115C-276)

Note: Documentation of 3 Day Unexcused Absence Notification is required. Parents may be notified by email to valid address. Use the following letter when phone access is not possible.

Parent's Name
Street Address
City, State

Date:

Regarding: (student's name)

Dear Parent,

We hope that your child is having a successful school year. Daily attendance is a strategy for academic achievement. When a student misses all or part of the day, he or she misses valuable instruction time. Our records indicate that this year your child has accumulated at least three unexcused absences in addition to any excused absences. If there are valid reasons for unexcused absences, please provide an explanation in the space below and return it to the school immediately.

The N.C. Compulsory Attendance Law requires that I notify you of all unexcused absences and that I give you an opportunity to provide an explanation of the absences. I am required to inform you that you may be in violation of the law, G.S. 115C-378, which holds parents responsible for their child's attendance and that additionally, local school board policy equates five (5) unexcused tardies with one unexcused absence.

If you have concerns about attendance or any aspect of your child's school experience, do not hesitate to call my office. Together we can support your student's daily school attendance and academic success.

Sincerely,

Principal

Parent's response (please include date and explanation for each absence):

Signed _____ Date _____

Appendix A-2 (a)

**Letter entitled NOTICE OF 6 UNEXCUSED ABSENCES
ELEMENTARY SCHOOLS (on school letterhead)**

Parent's Name
Street Address
City, State

Date:

Regarding: (student's name)

Dear Parent,

We hope that your child is having a successful school year. Daily attendance is a strategy for academic achievement. When a student misses all or part of the day, he or she misses valuable instruction time. We are concerned that in addition to any excused absences, records indicate your child has reached six (6) days of unexcused absence. The attached information gives a detailed listing of all absences and tardies. The school system equates five (5) unexcused tardies with one unexcused absence. If there are valid reasons for unexcused absences, please provide an explanation in the space below and return it to the school immediately.

The N.C. Compulsory Attendance Law requires I notify you of all unexcused absences and give you an opportunity to provide an explanation of the absences. I must also inform you that you may be in violation of the law, N.C.G.S. § 115C-378, which holds parents responsible for their child's attendance.

If you have concerns about attendance or any aspect of your child's school experience, do not hesitate to call my office. I am forwarding a copy of this letter to the our school social worker, who may be in touch with you to offer services. Together we can support your student's daily school attendance and academic success.

Sincerely,

Principal

Parent's response (please include date and explanation for each absence):

Signed

Date

**Letter entitled NOTICE OF 6 UNEXCUSED ABSENCES
MIDDLE AND HIGH SCHOOLS (on school letterhead)**

Parent's Name
Street Address
City, State

Date:

Regarding:

Dear Parent,

We hope that your child is having a successful school year. Daily attendance is a strategy for academic achievement. When a student misses all or part of the day, he or she misses valuable instruction time. We are concerned that in addition to any excused absences, records indicate that your child has reached six (6) days of unexcused absence. The attached information gives a detailed listing of all absences and tardies. The school system equates five (5) unexcused tardies with one unexcused absence. If there are valid reasons for unexcused absences, please provide an explanation in the space below and return it to the school immediately.

The N.C. Compulsory Attendance Law requires I notify parents of all unexcused absences and give you an opportunity to provide an explanation of the absences. I must also inform you that you may be in violation of the law, N.C.G.S. § 115C-378, which holds parents of children under the age of sixteen years responsible for their school attendance. Additionally, school board policy states all middle and high school students, regardless of age, who miss more than five days of any course within an academic quarter may be denied course credit. Guidelines are published in our handbook giving information about obtaining a waiver.

If you have concerns about attendance or any aspect of your child's school experience, do not hesitate to call my office. I am forwarding a copy of this letter to our school social worker, who may be in touch with you to offer services. Together we can support your student's daily school attendance and academic success.

Sincerely,

Principal

Parent's response (please include date and explanation for each absence):

Sign _____ Date _____

**Letter entitled NOTICE OF 10 UNEXCUSED ABSENCES
AND REQUEST FOR CONFERENCE
ELEMENTARY SCHOOL (print on school letterhead)**

Parent's Name
Street Address
City, State

Date:

Regarding: (student's name)

Dear Parent,

The purpose of this letter is to notify you of a possible violation of the N.C. Compulsory Attendance Law. We are concerned that in addition to any excused absences, records indicate that your child has reached ten (10) days of unexcused absence. The attached information gives a detailed listing of all absences and tardies. The school system equates five (5) unexcused tardies with one unexcused absence.

The N.C. Compulsory Attendance Law requires I notify you of all unexcused absences and give you an opportunity to provide an explanation of the absences. I must also inform you that you may be in violation of the law, N.C.G.S. § 115C-378, which holds parents responsible for their child's attendance.

Please contact me to schedule a conference to discuss this matter. This conference is an opportunity to address the issues that prevent your child from attending school on a regular basis, and to let me know you are making a good faith effort to comply with the law. Our school social worker may also attend this conference. If you do not contact my office within five days, I will assume you do not intend to comply with the law and a warrant for your arrest may be issued.

We all have the same goal, and that is to help your child succeed. Please work with us to make daily attendance a priority so that your child can be successful in school.

Sincerely,

Principal

School Social Worker

cc:

**Letter entitled Notice of 10 UNEXCUSED ABSENCES
AND REQUEST FOR CONFERENCE
MIDDLE AND HIGH SCHOOL (on school letterhead)**

Parent's Name
Street Address
City, State

Date:

Regarding: (student's name)

Dear Parent,

We hope your child is having a successful school year. The purpose of this letter is to notify you of a possible violation of the N.C. Compulsory Attendance Law. Daily attendance is a strategy for academic achievement. When a student misses all or part of the day, he or she misses valuable instruction time. We are concerned that in addition to any excused absences, records indicate that your child has reached ten (10) days of unexcused absence. The attached information gives a detailed listing of all absences and tardies. The school system equates five (5) unexcused tardies with one unexcused absence.

The N.C. Compulsory Attendance Law requires I notify parents of all unexcused absences and give you an opportunity to provide an explanation of the absences. I must also inform you that you may be in violation of the law, N.C.G.S. § 115C-378, which holds parents of children under the age of sixteen years responsible for their school attendance. Additionally, school board policy states all middle and high school students, regardless of age, who miss more than five days of any course within an academic quarter may be denied course credit. Guidelines are published in our handbook giving information about obtaining a waiver.

Please contact me to schedule a conference to discuss this matter. This conference is an opportunity to address the issues that prevent your child from attending school on a regular basis, and to let me know you are making a good faith effort to comply with the law. Our school social worker may also attend this conference. If you do not contact my office within five days, I will assume you do not intend to comply with the law and a warrant for your arrest may be issued.

We all have the same goal, and that is to help your child succeed. Please work with us to make daily attendance a priority so that your child can be successful in school.

Sincerely,

Principal

School Social Worker

cc:

Letter entitled REFERRAL TO DISTRICT ATTORNEY

(Print on school letterhead)

Office of the District Attorney
21st Prosecutorial District
P.O. Box 20083
Winston-Salem, N.C. 27120

Regarding: Student's name: _____ Date: _____
Student's dob: _____
Parent's name: _____
Parent's address: _____

District Attorney,

The purpose of this letter is to notify you of a possible violation of the N.C. Compulsory Attendance Law. Our records indicate that the student named above has been absent from school _____ days this school year. Of these days, _____ were excused and _____ were unexcused. As you are aware, the school system equates five unexcused tardies with an unexcused absence, which makes the total number of unexcused absences for this student _____. You received a copy of the WS/FCS Student/Parent Handbook that includes information about attendance. The attendance policy may also be viewed at <http://wsfcs.k12.nc.us/attendance>.

I met or attempted to meet with the parent of this student as required by law and determined that proper notice of the excessive absence was given to the parent. In my opinion, the parent has not demonstrated a good faith effort to compel the child to attend school. A referral has been made to our school social worker for intervention, but the unexcused absences continue to be excessive. You may contact the school social worker's office at 748-4007 for further information.

Enclosed are copies of the prior notices of excessive absences, invitation to conference, and a printout of the child's attendance record. Thank you for your assistance in resolving this matter.

Sincerely,

Principal

cc: School Social Worker
Parent

Notice of REQUEST FOR PHYSICIAN'S STATEMENT

Parent's Name
Street Address
City, State

Date:

Regarding: (student's name)

Dear Parent,

In an effort to help your child succeed in school, I am requesting you provide a statement from your child's physician verifying illness or injury in order to excuse any future absences for the remainder of the school year. Enclosed is a printout of your child's attendance record. I am concerned the absences have become or are becoming excessive and are negatively impacting, or will impact, your child's academic performance.

The N.C. Compulsory Attendance Law requires I notify you of your responsibility for your child's attendance. The law also gives the principal the responsibility and authority to determine whether or not to excuse a student's absence in accordance with policies of the N.C. State Board of Education and the WS/FCS.

Please call if there is a problem in securing medical care for your child or if there are other problems relating to your child's well-being and school success. I am providing a copy of this letter to the school social worker who is assigned to assist our students and their families. You may reach the School Social Work Office by calling 748-4007.

Sincerely,

Principal

Enclosure

cc: School Social Worker

Appendix A-6 (a)

Letter entitled **ELEMENTARY SCHOOL NOTICE OF EXCESSIVE TARDIES OR EARLY DISMISSALS**

(Print on school letterhead)

Parent's name
Street address
City, State

Date:

Regarding: (student's name)

Dear Parent,

We hope that your child is having a successful school year. Daily attendance is a strategy for academic achievement. When a student misses all or part of the day, he or she misses valuable instruction time. Enclosed you will find a printout of your child's attendance record which includes tardies.

The N.C. Compulsory Attendance Law requires I notify you of your responsibility for your child's attendance. The law also specifies that students must attend school for the full time period that school is in session unless a valid reason for exception exists. Local school board policy requires I notify parents or guardians of excessive tardies or early dismissals. The school system equates five (5) unexcused tardies, and/or five (5) unexcused early dismissals, with one unexcused absence. If there are valid reasons for the unexcused tardies or early dismissals, please provide an explanation below and return this form to school immediately.

If you have questions or concerns relating to attendance, tardies, or any aspect of your child's educational experience, please do not hesitate to call my office or you may contact our school social worker at 748-4007. Thank you for your involvement and cooperation in resolving this problem before it impacts your child's school success.

Sincerely,

Principal

Parent's response (Please indicate date and explanation for each tardy):

Signed _____ Date _____

Appendix A-6 (b)

Letter entitled MIDDLE AND HIGH SCHOOL NOTICE OF EXCESSIVE TARDIES
(Print on school letterhead)

Parent's name
Street address
City, State

Date:

Regarding: (student's name)

Dear Parent,

We hope that your child is having a successful school year. Daily attendance is a strategy for academic achievement. When a student misses all or part of the day, he or she misses valuable instruction time. Enclosed you will find a printout of your child's attendance record which includes tardies.

The N.C. Compulsory Attendance Law requires that I notify you of your responsibility for your child's attendance. The law also specifies that students must attend school for the full time period that school is in session unless there is a valid reason for exceptions. Local school board policy requires that I notify parents, guardians and custodians of excessive tardies and that the school system equates five unexcused tardies with one unexcused absence. If there are valid reasons for the unexcused tardies, please provide an explanation below and return this form to school immediately. If tardies continue after notification, appropriate disciplinary action may be taken.

Please be aware that all middle and high school students, regardless of age, who miss more than five days of any course within a quarter may be denied course credit. Please refer to your handbook for information about making up work.

If you have questions or concerns relating to attendance, tardies, or any aspect of your child's educational experience, please do not hesitate to call my office or you may contact our school social worker at 748-4007. Thank you for your involvement and cooperation in resolving this problem before it impacts your child's school success.

Sincerely,

Principal

Parent's response (Please indicate date and explanation for each tardy):

Signed _____ Date _____

Note: The following letter is sent to the parents of students 16 years of age or older who jeopardize school success with an accumulation of absences. The letter may be sent as many times as is appropriate to notify parents if absences continue.

Parent's Name _____ Date: _____
Street Address _____
City, State _____

Regarding: (student's name) _____

Dear Parent,

Daily attendance is a strategy for academic achievement and dropout prevention. When a student misses all or part of the day, he or she misses valuable instruction time. Although your child is 16 or older and no longer subject to North Carolina Compulsory Attendance Law, we are concerned that excessive absences are negatively impacting your child's school success. The attached information gives a detailed listing of all absences and tardies.

Poor attendance is the most frequent reason given for dropping out of high school. By improving attendance, your child will learn the feeling of success and grow in the commitment to graduate and be better prepared for life.

It is important for your child to be present and on time for every class. Please be aware that school board policy states that all middle and high school students, regardless of age, who miss more than five days of any course within a quarter may be denied course credit. Please refer to your handbook for information about making up work.

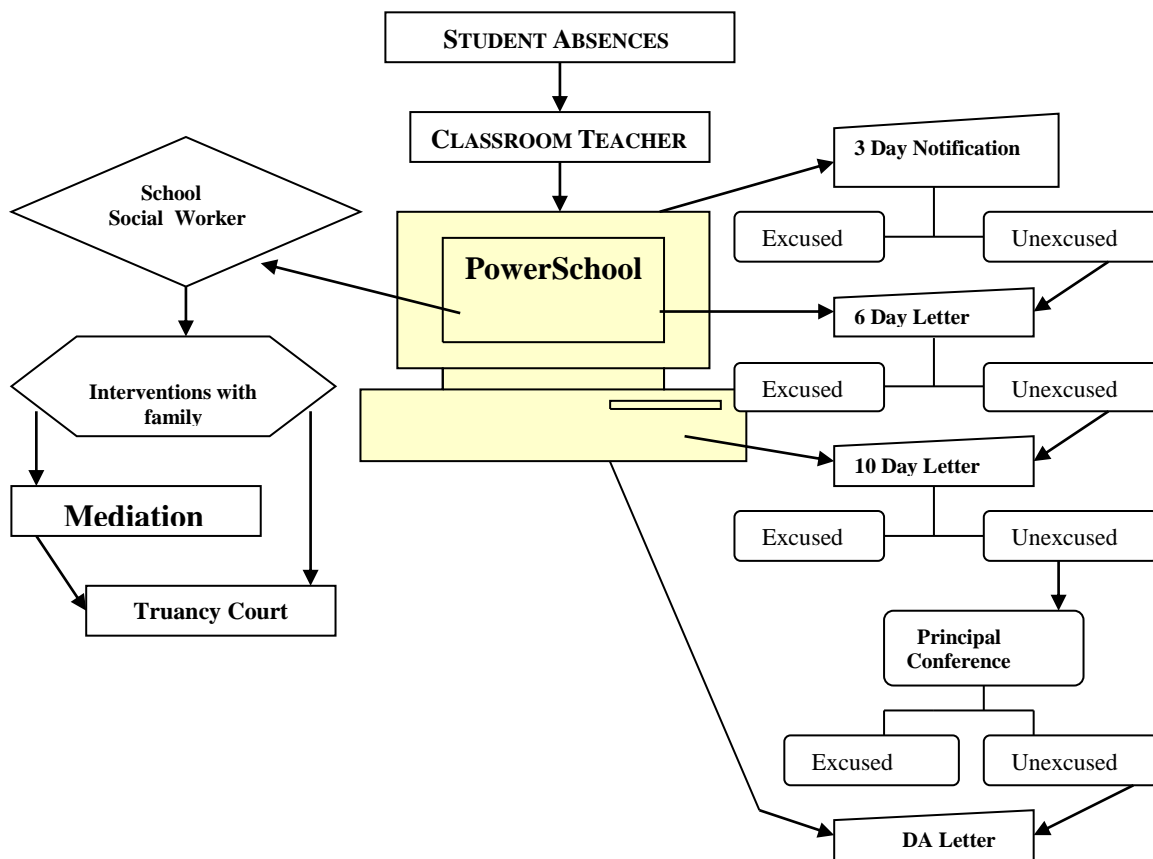
I am requesting that you contact me to schedule a conference to discuss this matter. It is my hope that we can meet to address the problems that prevent your child from attending school on a regular basis. Our school social worker will receive a copy of this letter and may be able to assist you as we work together to help your child successfully reach high school graduation and life success.

Sincerely,

Principal

cc: School Social Worker

Attendance Procedures Flowchart

**Legal Action**

- In cases that result in legal action, the social worker must demonstrate proper parental notification and evidence of excessive absences. A computer printout of the attendance record and corresponding copies of attendance letters are sound evidence, and recognizable format irrespective of the school or the social worker appearing before the court.
- Evidence that the student is between the ages of 5 and 16, that the parent or guardian was properly notified, and that the student has accumulated 10 unlawful absences, shall establish a *prima facie* case that the parent or guardian is responsible for the absence. Any parent or guardian found in violation of the provision shall be guilty of a Class 1 misdemeanor.
- Student absences that represent disciplinary suspension or expulsion shall not be used to calculate compulsory attendance violations.
- Any school official failing to carry out the instructions of the State Board of Education shall be guilty of a Class 1 misdemeanor.