

NOTE: Colorado school boards are required by law to adopt a policy on this subject and the law contains some specific direction as to the content or language. This sample policy contains the content/language that CASB believes best meets the intent of the law. However, the board should consult with its own legal counsel to determine appropriate language that meets local circumstances and needs.

Student Absences and Excuses

One criteria of a student's success in school is regular and punctual attendance. Frequent absences may lead to poor academic work, lack of social development, and possible academic failure. Regular attendance is of utmost importance for school interest, social adjustment, and scholastic achievement. No single factor may interfere with a student's progress more quickly than frequent tardiness or absence.

According to state law, it is the obligation of every parent/guardian to ensure that every child under their care and supervision receives adequate education and training and, if of compulsory attendance age, attends school.

Continuity in the learning process and social adaptation is seriously disrupted by excessive absences. In most situations, the work missed cannot be made up adequately. Students who have good attendance generally achieve higher grades, enjoy school more, and are more employable after leaving school. For at least these reasons, the Board believes that a student must satisfy two basic requirements in order to earn full class credit: (1) satisfy all academic requirements and (2) exhibit good attendance habits as stated in this policy.

Excused absences

The following will be considered excused absences:

1. A student who is temporarily ill or injured or whose absence is approved by the administrator of the school of attendance on a prearranged basis. Prearranged absences will be approved for appointments or circumstances of a *serious nature only* which cannot be taken care of outside of school hours.
2. A student who is absent for an extended period due to a physical disability or a mental or behavioral health disorder.
3. A student who is pursuing a work-study program under the supervision of the school.
4. A student who is attending any school-sponsored activity or activities of an educational nature with advance approval by the administration.

5. A student who is suspended or expelled.

As applicable, the district may require suitable proof regarding the above exceptions, including written statements from medical sources.

NOTE: While the definition of “student in out-of-home placement” in state law closely tracks the federal law’s definition of a student in foster care, the state law’s definition is slightly broader. Thus, the use of the term “student in out-of-home placement” is intentional in the following paragraph, as state law requires the district to excuse the absences of a student in an out-of-home placement due to court appearances and participation in court-related activities. C.R.S. 22-32-138 (6).

If a student is in out-of-home placement (as that term is defined by C.R.S. 22-32-138 (1)(h)), absences due to court appearances and participation in court-ordered activities will be excused. The student’s assigned social worker must verify the student’s absence was for a court appearance or court-ordered activity.

Unexcused absences

An unexcused absence is defined as an absence that is not covered by one of the foregoing exceptions. Each unexcused absence will be entered on the student's record. The parents/guardians of the student receiving an unexcused absence will be notified orally or in writing by the district of the unexcused absence.

In accordance with law, the district may impose appropriate penalties that relate directly to classes missed while unexcused. Penalties may include a warning, school detention, or in-school suspension. Academic penalties, out-of-school suspensions, or expulsion will not be imposed for any unexcused absence.

The administration will develop procedures to implement appropriate penalties. The school administration will consider the correlation between course failure, truancy, and a student dropping out of school in developing these procedures and will implement research-based strategies to re-engage students with a high number of unexcused absences.

Students and parents/guardians may petition the Board of Education for exceptions to this policy provided that no exception will be sustained if the student fails to abide by all requirements imposed by the Board as conditions for granting any such exception.

The maximum number of unexcused absences a student may incur before judicial proceedings are initiated to enforce compulsory attendance is 10 days during any calendar year or school year.

NOTE: The following section on “chronic absenteeism” is optional. C.R.S. 22-33-104 (4)(b.5) (boards are “encouraged” to establish procedures for identifying students who are chronically absent). If the school district initiates a court proceeding to compel a student’s compliance with the state’s compulsory attendance law, the district must submit evidence to the court regarding the district’s efforts, strategies, etc. to encourage the student to attend school, including “evidence regarding whether the student was identified as ‘chronically absent’ and if so, the strategies used to address the student’s chronic absences.” C.R.S. 22-33-108 (5)(d)(II). Thus, it may prove helpful to the district in a truancy court proceeding to have a policy or procedure regarding chronic absenteeism. We recommend the board consult with district administrators to determine how to approach this issue.

Chronic absenteeism

When a student has an excessive number of absences, these absences negatively impact the student’s academic success. For this reason, a student who has 14 total absences in a school year, whether the absences are excused or unexcused, may be identified as “chronically absent” by the principal or designee. Absences due to suspension or expulsion will not be counted in the total number of absences considered for purposes of identifying a student as “chronically absent.”

NOTE: Research indicates that an absenteeism rate of 10 percent results in an increased likelihood that the student will struggle academically and potentially drop out of school. Accordingly, the board may choose to set the “chronic absenteeism” rate at 10 percent, or 16 days total (i.e. 10 percent of 160 days, per C.R.S. 22-32-109 (1)(n)(I)).

If a student is identified as “chronically absent,” the principal or designee will develop a plan to improve the student’s attendance. The plan will include best practices and research-based strategies to address the reasons for the student’s chronic absenteeism, including but not limited to a meeting including the student, parents, and administration, online opportunities to attend classes during illness, development of an attendance plan. When practicable, the student’s parent/guardian will participate in the development of the plan.

Nothing herein will require the principal or designee to identify a student as “chronically absent” prior to declaring the student as a “habitual truant” and pursuing court proceedings against the student and his or her parents/guardians to compel the student’s attendance in accordance with state law.

Make-up work

Make-up work will be provided for any class in which a student has an excused absence unless otherwise determined by the building administrator or unless the

absence is due to the student's expulsion from school. It is the responsibility of the student to pick up any make-up assignments permitted on the day returning to class. There will be 2 day(s) allowed for make-up work for each day of absence.

Make-up work will be allowed following an unexcused absence or following a student's suspension from school with the goal of providing the student an opportunity to keep up with the class and an incentive to attend school. This work may receive full or partial credit to the extent possible as determined by the building administrator.

Unless otherwise permitted by the building administrator, make-up work will not be provided during a student's expulsion. Rather, the district will offer alternative education services to the expelled student in accordance with state law. The district will determine the amount of credit the expelled student will receive for work completed during any alternative education program.

Tardiness

Tardiness is defined as the appearance of a student without proper excuse after the scheduled time that a class begins. Because of the disruptive nature of tardiness and the detrimental effect upon the rights of the non-tardy student to uninterrupted learning, appropriate penalties may be imposed for excessive tardiness. Parents/guardians will be notified of all penalties regarding tardiness.

In an unavoidable situation, a student detained by another teacher or administrator will not be considered tardy provided that the teacher or administrator gives the student a pass to enter the next class. Teachers will honor passes presented in accordance with this policy. The provisions of this policy are applicable to all students in the district, including those above and below the age for compulsory attendance as required by law.

Adoption date: August 10, 2020

LEGAL REFS.: C.R.S. 22-14-101 *et seq.* (dropout prevention and student re-engagement)
C.R.S. 22-32-109 (1)(n) (length of school year, instruction & contact time)
C.R.S. 22-32-109.1 (2)(a) (conduct and discipline code)
C.R.S. 22-32-138 (6) (excused absence requirements for students in out-of-home placements)
C.R.S. 22-33-101 *et seq.* (School Attendance Law of 1963)
C.R.S. 22-33-105 (3)(d)(III) (opportunity to make up work during suspension)
C.R.S. 22-33-108 (judicial proceedings to enforce school attendance laws)

C.R.S. 22-33-203 (*educational alternatives for expelled students and determination of credit*)
1 CCR 301-78 Rules 1.00 *et seq.* (*standardized calculation for counting student attendance and truancy*)

CROSS REFS.: EBCE, Closing and Cancellations
IC/ICA, School Year/School Calendar/Instruction Time
JEA, Compulsory Attendance Ages
JFABE*, Students in Foster Care
JFC, Student Withdrawal from School/Dropouts
JHB, Truancy
JK, Student Discipline
JKD/JKE, Suspension/Expulsion of Students (and Other Disciplinary Interventions)
JLIB, Student Dismissal Precautions

NOTE 1: State law requires the local board of education to designate an attendance officer for the district to enforce the provisions of the compulsory attendance law, counsel students and parents, and investigate the causes of nonattendance and report those findings to the Board. C.R.S. 22-33-107 (1). State law allows the board by resolution to authorize one or more school employees to represent the school district in judicial proceedings to enforce compulsory attendance. C.R.S. 22-32-110 (1)(mm).

NOTE 2: Penalties for unexcused absences may be approved by the Board or administration.

NOTE 3: State law requires that the attendance policy specify the maximum number of unexcused absences that it takes to trigger enforcement of compulsory attendance. In determining that number, it may be helpful to refer to the rules of the State Board of Education, which define "habitual truant" as a child who has attained the age of six on or before August 1 of the school year in question and is under the age of 17 and who has four total days of unexcused absences from school in a month or 10 total days of unexcused absences during the school year. 1 CCR 301-78, Rule 2.00 (7). Districts must report the number of students identified as "habitually truant" to the Colorado Department of Education (CDE), in accordance with the State Board of Education's rules regarding the calculation of student attendance and truancy, 1 CCR 301-78. CDE must then make this information accessible to the public by posting it on its website. The State Board's rules also specify how districts shall record and aggregate student absences.

NOTE 4: State law requires boards to consider absences due to suspension or expulsion as excused absences. See C.R.S. 22-33-102 (3.5); 22-33-104 (4)(a). CASB recommends that the district's philosophy regarding make-up work be consistent throughout the attendance and discipline policies. In accordance with state law on educational opportunities during suspension, a student is entitled to full or partial credit to the extent possible for work completed satisfactorily. The objective should be to reintegrate the student back into the classroom and this objective should be considered when determining the amount of credit the student receives for the makeup work. See C.R.S. 22-33-105 (3)(d)(III). In accordance with state law on educational opportunities during expulsion, the school district shall determine the amount of credit the student shall receive toward graduation for educational services provided during the student's expulsion. See C.R.S. 22-33-203 (2)(a). Educational services provided shall be designed to provide a second chance for the student to succeed in achieving an education. C.R.S. 22-33-203 (2)(b).

NOTE 5: State law provides that court proceedings to compel compliance with the compulsory attendance law shall only be used as a last-resort approach for addressing the problem of truancy. The district shall first have attempted other options for addressing truancy that employ best practices and research-based strategies to minimize the need for court action. Before initiating court proceedings, the district shall provide written notice to the student and his or her parent that the district will initiate court proceedings if the student doesn't comply with the compulsory attendance law. C.R.S. 22-33-108 (5). State law limits the court's ability to sentence a truant student to juvenile detention. C.R.S. 22-33-108 (7).

NOTE 6: In the event school is physically closed due to a public health emergency and remote instruction is utilized, days of remote instruction will be treated with the same exceptions as an excused absence in regard to work assigned for situations that are out of the control of the student. If local boards utilize remote learning during closures, policy EBCE, School Closings and Cancellations, needs to be updated to align with the practice outlined in this policy.