**STUDENT ATTENDANCE POLICY**

State law requires all children of schooling age to be enrolled in school (“compulsory education”), and state law requires the Academy to report any incidences of truancy (i.e. three or more days of unexcused absence). In addition, Esperanza Academy places a high value on student attendance. Regular school attendance is a primary factor in a student’s successful academic and social development and lays the groundwork for a successful and productive life beyond school. Frequent absences of pupils from regular classroom learning experiences disrupt the continuity of the instructional process. The benefit of regular classroom instruction is lost and cannot be entirely regained, even by extra after-school instruction. Consequently, many pupils who miss school frequently experience great difficulty in achieving the maximum benefits of schooling. Students are required to make-up their work within one week of returning from an authorized trip. In case of an absence:

* A parent/guardian is expected to call the school before 8:30 a.m. on the day of the absence, and a written or electronic absence note explaining the cause for the absence is required on the day of return. Failure to provide these notices will result in the absence being recorded as “unexcused”.
* A student absent from school **may not** participate in any after school activity on the day they were absent.
* A student missing 10 or more class days from a semester-long course (or 20 days from a year-long course) may receive a failing grade for excessive absences. Students who have excessive absences may temporarily receive a grade of NG (no grade) until they are in compliance with the guidelines established in their individual Truancy Elimination/School Attendance Improvement Plans.
* Students with 20 or more unexcused absences from school will not be permitted to attend summer school.

**Compulsory School Attendance Requirements**

All students of compulsory school age who attend the charter school shall be subject to the compulsory school attendance requirements.

A student shall be considered in attendance if present at any place where school is in session by authority of the Board; the student is receiving approved tutorial instruction, or health or therapeutic services; the student is engaged in an approved and properly supervised independent study, work-related study or career education program; or the student is receiving approved homebound instruction.

The following students shall be excused from the requirements of attendance at schools, upon request and with the required approval:

* On certification by a physician or submission of other satisfactory evidence and on approval of the Department of Education, children who are unable to attend school or apply themselves to study for mental, physical or other reasons that preclude regular attendance.
* Students sixteen (16) years of age regularly employed during the school session and holding a lawfully issued employment certificate.
* Excused/Lawful Absence

For purposes of this policy, the following conditions or situations constitute reasonable cause for absence from school:

* Illness, including if a student is dismissed by designated charter school staff during school hours for health-related reasons.
* Obtaining professional health care or therapy service rendered by a licensed practitioner of the healing arts in any state, commonwealth or territory.
* Quarantine.
* Family emergency.
* Recovery from accident.
* Required court attendance.
* Death in the family.
* Participation in a project sponsored by a statewide or countywide 4-H, FFA or combined 4-H and FFA group, upon prior written request.
* Observance of a religious holiday observed by bona fide religious group, upon prior written parental request.
* Non-school-sponsored educational tours or trips, if the following conditions are met:
1. The parent/guardian submits a written request for excusal prior to the absence.
2. The student's participation has been approved by the Chief Executive Officer or designee.
3. The adult directing and supervising the tour or trip is acceptable to the parents/guardians and the Chief Executive Officer.
4. College or postsecondary institution visit, with prior approval.

The charter school may limit the number and duration of non-school-sponsored educational tours or trips and college or postsecondary institution visits for which excused absences may be granted to a student during the school year.

***Temporary Excusals***

The following students may be temporarily excused from the requirements of attendance at school:

* Students receiving tutorial instruction in a field not offered in the charter school's curricula from a properly qualified tutor approved by the Chief Executive Officer, when the excusal does not interfere with the student's regular program of studies.
* Students participating in a religious instruction program, if the following conditions are met:
1. The parent/guardian submits a written request for excusal. The request shall identify and describe the instruction, and the dates and hours of instruction.
2. The student shall not miss more than thirty-six (36) hours per school year in order to attend classes for religious instruction.
3. Following each absence, the parent/guardian shall submit a statement attesting that the student attended the instruction and the dates and hours of attendance.
* School-age children are unable to attend school upon recommendation of the school physician and a psychiatrist or school psychologist, or both, and with approval of the Secretary of Education.

***Parental Notice of Absence***

Absences shall be treated as unlawful until the charter school receives a written excuse explaining the absence, to be submitted within three (3) days of the absence.

***Unexcused/Unlawful Absence***

For purposes of this policy, absences which do not meet the criteria indicated above shall be considered an unexcused/unlawful absence.

An out-of-school suspension may not be considered an unexcused absence.

***Parental Notification***

Charter school staff shall provide notice to the person in parental relation upon each incident of unexcused absence.

***Enforcement of Compulsory Attendance Requirements***

***Student is Truant***

When a student has been absent for three (3) days during the current school year without a lawful excuse, charter school staff shall provide notice to the person in parental relation who resides in the same household as the student within ten (10) school days of the student's third unexcused absence.

The notice shall:

* Be in the mode and language of communication preferred by the person in parental relation;
* Include a description of the consequences if the student becomes habitually truant; and
* When transmitted to a person who is not the biological or adoptive parent, also be provided to the child's biological or adoptive parent, if the parent’s mailing address is on file with the school and the parent is not precluded from receiving the information by court order.
* The notice may include the offer of a Student Attendance Improvement Plan.

If the student incurs additional unexcused absences after issuance of the notice a Student Attendance Improvement Conference will be required.

**School Attendance Improvement *Conference***

Charter school staff shall notify the person in parental relation in writing and by telephone of the date and time of the School Attendance Improvement Conference.

The purpose of the School Attendance Improvement Conference is to examine the student's absences and reasons for the absences in an effort to improve attendance with or without additional services.

The following individuals shall be invited to the School Attendance Improvement Plan Conference:

* The student;
* The student's person in parental relation;
* Other individuals identified by the person in parental relation who may be a resource;
* Appropriate school personnel;
* Recommended service providers;

After three attempts to schedule the Student Attendance Improvement Conference, the conference shall occur without the person in parental relation.

The outcome of the Student Attendance Improvement Plan Conference shall be documented in a written School Attendance Improvement Plan. The Plan shall be retained in the student's file. A copy of the Plan shall be provided to the person in parental relation, the student and appropriate charter school staff.

The charter school may not take further legal action to address unexcused absences until after the date of the scheduled Truancy Elimination/ Student Attendance Improvement Plan Conference has passed.

***Student is Habitually Truant***

When a student under fifteen (15) years of age is habitually truant, charter school staff:

Shall refer the student to:

* A school-based or community-based attendance improvement program; or
* The local children and youth agency.
* May notify the school district of residence to file a citation in the office of the appropriate judge against the person in parental relation who resides in the same household as the student.

When a student fifteen (15) years of age or older is habitually truant, charter school staff shall:

* Refer the student to a school-based or community-based attendance improvement program; or
* May notify the school district of residence to file a citation in the office of the appropriate judge against the student or the person in parental relation who resides in the same household as the student.

Charter school staff may refer a student who is fifteen (15) years of age or older to the local children and youth agency, if the student continues to incur additional unexcused absences after being referred to a school-based or community-based attendance improvement program, or if the student refuses to participate in such program.

Regardless of age, when charter school staff refer a habitually truant student to the local children and youth agency or file a citation with the appropriate judge, charter school staff shall provide verification that the school held a School Attendance Improvement Conference.

***Filing a Citation***

A citation shall be filed in the office of the appropriate judge whose jurisdiction includes the school in which the student is or should be enrolled.

Additional citations for subsequent violations of the compulsory school attendance requirements may only be filed against a student or person in parental relation in accordance with the specific provisions of the law.

***Special Needs and Accommodations***

If a truant or habitually truant student may qualify as a student with a disability, and require special education services or accommodations, the Director of Special Education shall be notified and shall take action to address the student’s needs in accordance with applicable law, regulations and Board policy.

For students with disabilities who are truant or habitually truant, the appropriate team shall be notified and shall address the student’s needs in accordance with applicable law, regulations and Board policy.

***Discipline***

The charter school shall not expel or impose out-of-school suspension, disciplinary reassignment or transfer for truant behavior.

In addition, it is expected that students arrive at school on time, in full uniform (including ID and lanyard), prepared for the school day. Excessive lateness also impacts students negatively and therefore will result in consequences. These consequences are outlined in section VIII, Level Two offenses, letter K. ***When a student arrives at school late after 8:30 AM, parent notification via telephone, a written excuse, or brief conference is required.***

***(Student Attendance Policy copied from the Code of Conduct 2022-2023 Academic year Pages 5, 6, 7, 8, 9 and 10.)***