



SECTION J: Students

JH-O Attendance and Tardy Policy

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JH-O Attendance and Tardy Policy

Colorado Early Colleges (CEC) believes that academic success is fundamentally dependent on class attendance. Absences, whether excused or unexcused, hamper students' ability to be successful in their classes, hindering their progress toward the opportunities CEC offers. Absences place a burden on the teacher who is trying to teach all objectives of the course. Tardiness disrupts the classroom experience for all students.

All CEC students are expected to attend all classes as scheduled and to arrive punctually.

Excused Absences

The state recognizes the following as excused absences:

- ✓ Temporary illness or injury and absence is approved by Head of School or designees;
- ✓ Absence due to a physical, mental, or emotional disability;
- ✓ Suspension, expulsion, or denial of admission in accordance with C.R.S. 22-33-105 and 106;
- ✓ Students to whom a current age and school certificate or work permit has been issued pursuant to the Colorado Youth Employment Opportunity Act of 1971;
- ✓ Student is in the custody of a court or law enforcement authorities; and/or
- ✓ Work-study programs under the supervision of a public school.
- ✓ If a student is in out-of-home placement (as that term is defined by C.R.S. 22-32-138(1)(e)), absences due to court appearances and participation in court-ordered activities shall be excused. The student's assigned social worker shall verify the student's absence was for a court appearance or court-ordered activity

The above list is not exhaustive. CEC may recognize additional absences as excused, such as funerals, religious observations, legal obligations, or other occurrences as identified in the Student and Family Handbook. CEC may require notice and appropriate documentation to verify excused absences.

Unexcused absences:

The state defines the following as unexcused absences: Unexcused absences occur when the student is absent without a reason or for a reason outside of the excused absences identified in the school's attendance policy.

Each unexcused absence shall be entered on the student's record. The parents/guardians of the student receiving an unexcused absence shall be notified orally or in writing by CEC of the unexcused absence.

In accordance with law, CEC may impose appropriate penalties that relate directly to classes missed while unexcused.

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.

Habitually Truant and Chronically Absent

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 10 total absences in a school year, whether the absences are excused or unexcused, may be identified as "chronically absent" by the Head of School or designees. Absences due to suspension or expulsion shall not be counted in the total number of absences considered for the purposes of identifying a student as "chronically absent."

If the student is identified as "chronically absent," the Head of Schools or designees shall develop a plan to improve the student's attendance. The plan shall include best practices and research-based strategies to address the reasons for the student's chronic absenteeism. When practicable, the student's parent/guardian shall participate in the development of the plan.

Nothing herein shall require the Head of School or designees 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.

Truancy: Truancy means a student is absent from school without a valid and verifiable excuse from the parent/guardian or the student leaves school or class without permission. This is synonymous with "unexcused absence."

Habitually Truant: A habitually truant student is one who accrues 4 total days of unexcused absences in a calendar month, or 10 total days of unexcused absences in a school year. Absences due to suspension or expulsion are considered excused for purposes of calculating habitual truancy. Habitually truancy is reported by schools to CDE annually through the School Discipline and Attendance data collection.

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, penalties shall be imposed for excessive tardiness. Parents/guardians shall be notified of all penalties regarding tardiness. For students who are not in class for 50% or more of the class period, they will be counted absent.

In an unavoidable situation, a student detained by another teacher or administrator shall not be considered tardy provided that the teacher or administrator gives the student a pass to enter the next class. Teachers shall honor passes presented in accordance with this policy.

General procedures for penalties for tardiness and/or leaving school early as denied as an "early out" are as follows:

1. On the fourth tardy/early out, the teacher or other designated school employee will contact the student's parent/guardian.
2. On the fifth tardy/early out, or an accumulation of five tardies for any/all classes, a referral may be written, the student may have an administrative conference and may receive disciplinary consequences, and the parent will be notified. At that time, the student will be notified of the consequence for further incidences of tardiness.
3. Upon accumulation of (10) tardies/early outs, the student will have an administrative conference and may receive further disciplinary consequences. At that time parents/guardians will be called and an administrative conference will be held to establish a written corrective plan of action. The parent and or guardian along with the student must agree to follow the plan.
4. The plan will include the consequences for further occurrences of tardiness, including a possible designation of being "Habitually Tardy". After this conference, the behavior will be considered "insubordination," and consequences will be assigned accordingly including a referral for truancy.

Attendance Protocol and Procedures

Students may miss sixteen periods i.e. three days with unexcused absences before their parents receive a letter. Schools contact parents on a daily basis when a student is absent and parents have not called in the student absent whether excused or unexcused.

3 days > Letter of Concern is initiated

5 days > 2nd Letter of concern is issued and the Head of School or designees completes a corrective plan of action.

7 days > Notice of Non-Compliance is issued

10 days > A Truancy Petition is completed, and Head of School or designees completes a Truancy Intervention Summary; in accordance with terms of Notice of Non-Compliance.

CEC will work with students who are habitually truant with the development of a plan to assist the student to remain in school with the full participation of the student's parent or legal guardian whenever practicable. CEC will make all reasonable efforts to meet with the parent or legal guardian to review and evaluate the reasons for the student's truancy and will work with local community services groups when developing a plan. Accordingly, a school should not be using mandatory withdrawal as a solution to chronic absenteeism.

Make up work

Make-up work shall be provided for any class in which a student has an excused absence unless otherwise determined by the Head of School or designees 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.

Make-up work shall 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 Head of School or designees.

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

CEC may, in some cases, deem it necessary for a student to repeat a grade due to excessive absences where the absences have significantly impacted the student's learning and the work has not been made up within the standards of the educational curriculum.

Student Withdraw/Dropout:

When a student is identified by the staff as a potential or immediate dropout, the following procedure is to be implemented:

1. The student and the Head of School or designees will meet for the purpose of discussing the reason(s) for leaving school and the student's plans for the future.
2. The Head of School or designees and the student's teachers will meet to discuss the student's present scholastic standing.
3. The student, his/her parents, guardian or legal custodian, the Head of School or designees will review all pertinent information and give their recommendations.

If, after the above procedure has been followed, the student remains firm on his/her intention to leave school, a final meeting will be scheduled between the student and the Head of School or designees to discuss those educational and occupational alternatives available to the student. The discussion will include, but not be necessarily limited to, the following subjects: (1) equivalency diploma; (2) adult education classes; (3) correspondence courses; and (4) available skill training programs. In addition, work-study programs will be explored.

If the student refuses to meet with the Head of School or designees, and/or when the student has been a dropout for 10 school days, an attempt shall be made by the Head of School or designees to meet with the student and the student's parent(s)/legal guardian/custodian for a re-evaluation of the student's decision to leave school, with the option offered to return to school at this time as a student in good standing, depending upon the student's willingness to make up missed scholastic assignments.

When a student is truant for an extended period of time without notice that the student is withdrawing or transferring, and the school has made several documented attempts to reach the family unsuccessfully, the school should code the student as a dropout beginning on the first date the student was absent for this extended period of time. There is no statutory number of days a student must be absent with no contact before a student should be marked as a dropout; rather, this determination is generally at the school-level. In all cases, this should only be used once it is reasonable to assume the student is no longer attending. Where a school does receive oral or written notification of the withdrawal or transfer, the school must record the withdrawal or transfer as of the last date of attendance prior to the date of the notice.

When a student has been a dropout for 15 school days, the Head of School or designees shall send a written notice to the student's parent(s)/legal guardian/custodian. At a minimum, the written notice shall include notification of the student's dropout status and an explanation of the educational alternatives available to assist the student in re-engaging in school. Such written notice shall be sent even if the student is not subject to the compulsory attendance laws, i.e. those students 17 years of age or older. The written notice may also include, but not be limited to, an encouragement that the student return to school; an explanation of the long-term ramifications to the student of dropping out of school; and the availability of services for at-risk students, such as counseling services, drug or alcohol addiction treatment programs, and family preservation services. The written notice shall be sent within five school days after the student has been a dropout for 15 school days.

All efforts possible will be extended in an attempt to retain students in school and assist them in earning a high school diploma.

Special Education

Federal and state special education laws prevail over state laws and regulations for attendance. When applying attendance policies to students qualifying for an IEP or 504 Plan, the school must consider those special education rights first. If a student with an IEP or 504 Plan is removed from the school through suspension, expulsion or otherwise, certain rights and protections are triggered (e.g., manifestation determination review) and CSI must be notified. In making any placement decisions, the IEP Team (including the CSI Director of Special Education) must identify an appropriate alternative placement for the student.

Additional Legal Refs:

C.R.S. 22-33-104(1-3)(5) Compulsory School Attendance

C.R.S. 22-33-104(4)(b.5)

CCR 301-78, Rule 2.00(12).

1 CCR 301-78, Rule 2.00(7).

C.R.S. 22-33-104(4)(b).

C.R.S. 22-33-107(3)(b).

CEC has a waiver for this statute which waives CEC schools from district policies and procedures. CEC Attendance Policy is in place and is designed to meet the intent of the statute.

Policy References:

Student Handbooks