

Western New York Maritime Charter School
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Buffalo, New York 14204
(716) 842-6289 Fax: (716) 842-4241

12 June 2013

From: Commandant

Subj: COMPREHENSIVE STUDENT ATTENDANCE POLICY FOR WNY
MARITIME CHARTER SCHOOL (CH-7)

Ref: (a) Education Law Sections 3024,3025,3202,3205,3206,3210,3211, and 3213
(b) New York Code of Rules and Regulations (NYCRR) Sections 104.1, 109.2
and 175.6

Encl: (1) List of Student Attendance Codes

1. Purpose. Every student has a right to educational opportunities that will enable the student to develop his or her fullest potential. Attendance policies are based on the principle that regular school attendance maximizes the student's interaction with his or her teachers and peers and is a major component of academic success. Improved school attendance generally increases student achievement. Therefore, attendance policies that provide for the early identification of attendance problems and effective methods to address them are most likely to succeed. Successful implementation of any attendance policy requires cooperation among all members of the education community, including parents/guardians, students, teachers, administrators, and support staff. The purpose of this directive is to implement an effective attendance policy in accordance references (a) and (b).

2. Specific Strategies. The school will:

- a) Create and maintain a positive school building culture by fostering a positive physical and psychological environment where the presence of strong adult role models encourages respectful and nurturing interactions between adults and students. This positive school culture is aimed at encouraging a high level of student bonding to the school, which in turn should lead to increased attendance.
- b) Maintain accurate record keeping via an electronic Register of Attendance to record attendance, absence, tardiness or early departure of each student.
- c) Utilize data analysis systems for tracking individual student attendance and individual and group trends in student attendance problems.
- d) Utilize early intervention strategies to improve school attendance for all students.

3. Determination of Absences, Truancy, Alternative Instruction, Tardiness and Early Departures.

Based upon WNY Maritime Charter School's education and community needs, values and priorities, the School has determined that absences, tardiness, early departures and other absences from scheduled classes will be considered absence, truancy or alternative instruction according to the following standards.

a) Absence

An absence, tardiness or early departure may be due to personal illness, illness or death in the family, impassable roads due to inclement weather, religious observance and education, quarantine, required court appearances, attendance at health clinics, military obligations or other such reasons as may be approved by the Board of Trustees. **Designating these instances as an absence simply avoids the absence from being considered truancy. The student must make up all work from regularly scheduled classes missed. Absences count against the total number of missed class days allowable before credit from classes may be revoked. Therefore students are NOT allowed limitless absences without serious consequence.** The parent or guardian must call the main office to notify the school that the student will be absent or tardy to school. Additionally a note indicating the circumstances of the absence must be provided to the main office by the parent or guardian for absences upon the student's return to school. For any official function that causes absence such as military obligation, court appearance or medical appointment the parent or guardian must also provide a copy of proof of the event such as a court appearance slip or medical appointment slip. **Failure of the parent or guardian to provide the phone call and note/proof of qualifying event will result in the absence being characterized as truancy.** Instances where chronic illness results in two or more consecutive absences or greater than 5 absences in a semester must be explained in a letter obtained from a health care provider on office letterhead. The excuse should indicate the type of condition or illness causing the absences and the long-term impact on attendance the condition may have. *Students 18 years of age or older who do not live with a parent or guardian must act on their own behalf and call the school and provide their own note/proof of qualifying event in order for the missed class day to be categorized as absence.*

b) Truancy

An absence, tardiness or early departure is considered **truancy** if the reason for the lack of attendance does not fall into the above categories [e.g., lack of required immunization without a religious or medical exemption, family vacation, babysitting, unlawful employment, expressing solidarity with a cause, illegally detained by parent, no transportation, illegal pickup by a parent, missed bus, lack of proper clothing, truant (out of school without parental consent), obtaining learner's permit, road test, oversleeping, illness without proper documentation by parent or guardian, or failure to be present for designated alternate instruction due to suspension. An absence is also considered truancy if we do not receive parental notification regarding an absence in accordance with the guidance above regarding absence. **Truancy absences will all be processed as per the discipline policy and may result in suspension or other disciplinary actions as appropriate. Further if a parent has knowledge of this and repeatedly fails to address it, the school is bound by law to contact child protective services for educational neglect.**

c) Alternative Instruction

A student who misses class due to approved school field trips, approved "Student to Work" days, approved college visits, or approved cooperative work programs will not be counted as absent and this will be considered present for *alternative* instruction. **However the student is still required to make any work up from the regularly scheduled classes missed.** Students serving in-school suspension will not be counted as absent but as present for *alternate*

instruction. Students serving out of school suspension will be counted as present for *alternate* instruction if they arrive on time and in uniform to the designated alternate instruction. Students on authorized medical or maternity leave will be marked present for *alternative* instruction if they in fact receive such services from authorized school personnel or sanctioned tutors. Students who are incarcerated or placed temporarily into juvenile holding homes or facilities will be considered present for *alternative* instruction so long as it is confirmed that the student is receiving such services. All classes missed in this category do NOT count toward the total number of absences and thus do not bear on the awarding or withholding of class credit. **However students who miss their regularly scheduled classes under this category who fail to keep up on all assigned work may still lose class credit due to academic failure.**

4. Student Attendance Recordkeeping/Data Collection

The record of each student's presence, absence, truancy, tardiness and early departure shall be kept in an automated database in a manner consistent with Commissioner's Regulations. An absence, tardiness or early departure will be entered as "absence" or "truant" along with the school code for the reason. The appropriate codes are listed in enclosure (I).

a) *Attendance shall be taken and recorded in accordance with the following:*

The Attendance Policy begins upon the first day of formal enrollment in each class. Enrollment in class begins when a teacher is notified of placement. Attendance is marked beginning the first day of school.

Any absence for a school day or portion thereof shall be recorded as absence or truancy in accordance with the standards articulated in this policy.

A record shall be kept of each scheduled day of instruction during which the school is closed for all or part of the day because of extraordinary circumstances including adverse weather conditions, impairment of heating facilities, insufficiency of water supply, shortage of fuel, destruction of or damage to a school building, or such other cause as may be found satisfactory to the Commissioner of Education.

Attendance records shall also indicate the date when a student withdraws from enrollment or is dropped from enrollment in accordance with Education Law Section 3202(1-a).

5. Student Attendance/Course Credit

Compulsory education requirement is 18 years of age. Students *must complete* the school year in which they become 18 years old.

The school believes that classroom participation is related to and affects a student's performance and grasp of the subject matter and, as such, is properly reflected in a student's final grade. For purposes of this policy, classroom participation means that a student is in class and prepared to work.

Consequently, for each marking period, a certain portion of a student's final grade will be based on classroom participation as well as the student's performance on homework, tests, papers, projects, etc. as determined by the building administrator and/or classroom teacher.

Students are expected to attend all scheduled classes. Consistent with the importance of classroom participation, student absences, trancies, tardiness, and early departures will affect a student's grade, including credit for classroom participation, for the marking period. Only alternative instruction will not affect a student's grade so long as all work missed is made up in a

timely manner as defined by the individual classroom teacher.

As a requisite part of course completion in order to obtain credit and gain admission to final examinations, students must not miss more than *9 days of class in a semester course or 18 days of class in the school year* due to absence. Just prior to a student exceeding the maximum allowed absences in any class per this policy, the student will be referred to a hearing, chaired by the Commandant and attended by the Attendance Officer and the student's parent or guardian. If there are no mitigating circumstances which resulted in the accumulated absences, and the student continues to accrue absences and then exceeds 18 absences in a year long class or 9 absences in a half year class, the student *may* be removed from the affected class(es) and assigned a "no credit". In this instance the student and parent will be notified in accordance with section 6 of this policy. If the student loses credit for all classes due to excessive *whole day* absences, and if the parent so chooses, the student and parent will be offered the opportunity to withdraw in order to enroll elsewhere. If this takes place during the first semester, and the student and parent choose to remain enrolled at the school, all efforts will be made to place the student into half year courses for the second semester.

For a summer school course, credit for course completion and participation in the final exam will not be granted when a student has more than 3 absences.

Transfer students and students re-enrolling after having dropped out will be expected to attend a prorated minimum number of the scheduled class meetings during their time of enrollment.

6. Notice of Minimum Attendance Standard/Intervention Strategies Prior to the Denial of Course Credit

In order to ensure that parents/persons in parental relation and students are informed of the school's policy regarding minimum attendance and course credit, and the implementation of specific intervention strategies to be employed prior to the denial of course credit to the student for insufficient attendance, the following guidelines shall be followed:

a. *Student Notification*

The Attendance Officer or an Administrator will present the attendance policy at Basic Leadership Training for new cadets each summer.

The school will provide a copy of the Attendance Policy to each student in grades 9 through grade 12 on their first day of school, for those cadets who did not get a copy of the policy at Basic Leadership Training.

A synopsis of the policy will be included in the Cadet Handbook.

b. *Parent(s)/Person(s) in Parental Relation Notification*

Students' parents or guardians will be afforded opportunities to learn of the attendance policy, including parent-teacher conferences, open houses, new-student orientations, or telephone conferences.

School newsletters and electronic publications will include periodic reminders of the Attendance Policy.

Parents or Guardians will be notified by an automated phone system if their student is marked truant from school. They will receive a follow-up phone call at the end of the day if the student remained in a truant status in throughout the day.

The school will provide letters for parent notification of accrued student absences of *4, 8, 12 and 16 days* in a school year for year long courses and *2, 4, 6 and 8 days* for half year courses. *A record of absences is also provided on the student progress report and report card.*

A school conference may be scheduled between the parent or guardian and appropriate staff members in order to address the student's attendance at any time. When accrued absences in any class exceed *8 days in the school year, 4 for a half year course, the Attendance Officer will counsel the student and have the student sign an attendance contract. A record of this meeting will be sent to the parent. When accrued absences exceed 12 in any class, 6 for a half year course, a mandatory conference chaired by the Attendance Officer with the responsible parent or guardian will be scheduled.* This conference will address appropriate intervention strategies that meet the needs of the student. *When accrued absences reach 16 in any class, 8 for a half year course, a mandatory conference chaired by the Commandant with the responsible parent or guardian will be scheduled.* This conference will determine whether or not the student **will lose credit** in any affected classes if they exceed 18 absences in any class, 9 for a half year course. If the Commandant determines that the student will retain credit the Attendance Officer will make note of the parameters of the decision. *The student may be required to attend remediation for classes missed and/or make-up all work to include tests, regardless of current grade in the class, in order to maintain credit.* **If the student continues to accrue absences after the Commandant's Attendance Hearing and exceeds 18 absences in any class, 9 for a half year course, the student will be notified that he/she has lost credit in the affected classes and a letter will be sent home notifying the parents/guardians of the decision. If this happens it is the responsibility of the parents/guardians to initiate the appeal process in accordance with sections 11-13 of this policy if they wish to challenge this determination.**

7. Notice of Students who are Absent, Tardy or Depart Early Without Proper Excuse

The school staff will notify the parent or guardian for a student who is absent, or departs early without proper excuse. Such instances will be handled in accordance with the school discipline policy regarding truancy. Instances of tardy to school will be handled in accordance with the school discipline policy regarding tardiness to school. Parental notification of all such instances will be conducted in accordance with the school discipline policy.

8. Attendance Incentives

In order to encourage student attendance, the school will utilize grade-appropriate/building-level strategies and programs, for example, classroom acknowledgment of the importance of good attendance (e.g., individual certificates, bulletin boards) and individual rewards ("dress down days", etc).

9. Disciplinary Consequences

Truancy, tardiness and early departures will result in disciplinary sanctions as described in the school's discipline policy. Consequences may include, but are not limited to detention, assignment to Extra-Military Instruction, in school suspension, and denial of participation in interscholastic and extracurricular activities and finally, expulsion from school.

10. Intervention Strategy Process

In order to effectively intervene when an identified pattern of absences, tardiness or early departures occur, designated school personnel *may* pursue the following:

- a) Attempt to identify root causes of the pattern (e.g., grade level, building, time frame, type of absences, tardiness or early departures);
- b) In specific, individual cases, the student and parent/guardian in parental relation will be contacted to discuss strategies to directly intervene with specific pattern(s);

- c) Recommend intervention to Commandant or his/her designee if it relates to change in school policy or procedure;
- d) Implement changes, as approved by administration;
- e) Utilize appropriate school and/or community resources to address and help remediate student absences, tardiness or early departures;
- f) Monitor and report short and long term effects of intervention.
- g) In accordance with NY law, file the student with the appropriate authorities as a person in need of supervision (PINS).
- h) In accordance with NY law, if the school suspects that a parent/guardian has been aware of absenteeism and that a parent/guardian has contributed to the problem or has failed to effectively address the problem and that the absenteeism has led or is leading to educational impairment then the school is obliged to report educational neglect to the NYS Office of Children and Family Services.

11. Appeal Process

Students may exercise the right to the appeal process.

Parents or guardians may request a review of the decision to deny class credit and exclude a student from taking a final examination. It is the responsibility of the parent or guardian to request an appeal in writing, addressed to the Commandant. An appeal may be filed for the following reasons:

- a) Challenge the number of absences on record.
- b) Determine if any procedures listed in the policy have not been followed.
- c) Ensure that no violation of state or federal law has occurred.

12. Level I Appeal:

- a) Parents or guardians may request an Attendance Appeal. Appeals will be heard during the 2nd week of each month, October through May. All Appeals received prior to the second week will be heard that month.
- b) The Attendance Officer will notify the parents or guardians by phone and in writing of the date and time of the Level I Appeal.
- c) A decision by the Attendance Officer will be made within five days of the Level I Appeal hearing. Notification of the decision will be made by mail.
- d) If the parents/or guardians are not satisfied with the Attendance Officer's decision, the parent or guardian may request a Level II Appeal in writing, addressed to the Commandant. The letter should include the reason for dissatisfaction.

13. Level II Appeal:

- a) The Commandant or Commandant's designee will hold the Level II Attendance Appeal within five days of receipt of a request.
- b) Parents or guardians will be notified by phone and in writing of the date, time and location of the Level II hearing.

- c) At this hearing, attendance records along with the Attendance Officer's reason for denying the Level I Appeal will be examined.
- d) A decision by the Commandant will be made within five days of the Level II Appeal. Notification of the decision will be made by mail.
- e) Parents or Guardians may appeal the Commandant's decision to the Board of Trustees in writing. Appeals to the Board must be in writing, addressed to:

President, Board of Trustees
WNY Maritime Charter School
266 Genesee Street
Buffalo, NY 14204

14. Building Review of Attendance Records

The Commandant will designate an attendance clerk responsible for reviewing pupil attendance records and initiating appropriate action to address absences, tardiness and early departures consistent with this policy. The Attendance Officer and the Vice Commandant for Academics will conduct periodic reviews with the attendance clerk to identify individual and group attendance patterns and to initiate appropriate action to address the problem of absences, tardiness and early departures.

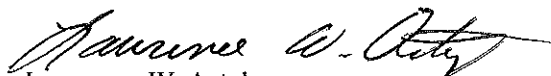
15. Annual Review by the Board of Trustees

The Board of Trustees shall annually review student attendance reports and if such reports show a decline in student attendance, the Board shall make any revisions to the Policy and plan determined to be necessary to improve student attendance.

16. Community Awareness

The Board of Trustees shall promote necessary community awareness of WNY Maritime Charter School's Comprehensive Student Attendance Policy by:

- a) Providing a plain language summary of the policy to parents/guardians to students at the beginning of the each school year and promoting the understanding of such a policy to students and their parents/guardians;
- b) Providing each teacher, at the beginning of the school year or upon employment, with a copy of the policy; and
- c) Providing copies of the policy to any other member of the community upon request.


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Student Attendance Codes

Excused Absence – AE

Truant-AU

Out of School Suspension/Alternate Instruction Missed – AOSS

Out of School Suspension – OSS

In School Suspension/Student not present-AISS

In School Suspension - ISS

Excused Tardy- TE

Unexcused Tardy – TU

Tardy Late to School-TLTS

Parent Pick Up-PPU

Field Trip-FLD

Maternity Leave w/alternative instruction – MAT

Incarceration/Long term medical w/alternative instruction - EAI