

# CLARK COUNTY SCHOOL DISTRICT REGULATION

R-5113

## ATTENDANCE ENFORCEMENT

Attendance enforcement is a shared responsibility between the Clark County School District and the student's parent or legal guardian. The parent, legal guardian, or other person in the state of Nevada having control or charge of any student is required to send the student to school during all times that the public school is in session (NRS 392.040). The Clark County School District requires that students enrolled for school in the Clark County School District attend school regularly in accordance with the Nevada Revised Statutes. Each student is expected to attend school for the entire school day.

### I. Student Tardiness

Student tardiness is a serious disruption to the educational process. Tardiness interferes with time to teach and infringes on the educational rights of other students. Each school shall develop and implement a well-communicated tardy procedure.

#### A. Elementary

A student is to be marked tardy who is not physically present in the classroom at the start of the instructional day.

#### B. Secondary

A student enrolled in grades six through twelve in a secondary school who is not physically present in the classroom at the start of the instructional period but reports to the classroom after that time is to be marked tardy. If the student misses more than thirty (30) minutes of the instructional period, the student has missed an essential part of the learning experience. Therefore, for purposes of attendance enforcement, a secondary student who is more than thirty (30) minutes late to any class period shall be counted absent from that class, and the teacher shall record the absence accordingly.

### II. Recording Daily Attendance

The Clark County School District is responsible for maintaining an accurate attendance record for each student enrolled.

A. Elementary

An elementary student shall be recorded as absent for half of the day if more than one hour and fifty-five minutes of the instructional day are missed and recorded as absent for the entire day if more than three hours and forty-five minutes of the instructional day are missed.

B. Secondary

1. A secondary student shall be marked absent for the entire day if the student is absent every class period.
2. A secondary student who is absent less than a full day shall be marked absent only in those classes from which the student was absent.
3. A secondary student who is more than thirty minutes late to class shall be marked absent for that class period only.

III. Limitation of Absences

Regular student attendance is critical to the student completing course work required for earning credit and/or being promoted to the next grade. Both in-school and out-of-school learning activities and assignments contribute to a student's ability not only to attain a passing grade in a course, but also to master the standards for each course of study.

A. Elementary Excessive Absenteeism; Retention

1. The Clark County School District expects that schools must attain a standard of 90 percent attendance. Individual student absences should be limited to a maximum of twenty (20) total absences per school year.

Elementary students who exceed twenty (20) unapproved absences during the school year may be retained in the current grade.

2. For the purpose of this subsection, all arranged absences in excess of ten (10) during a school year shall be considered unapproved. All arranged absences for which the makeup work was not completed and submitted as specified by the teacher shall be considered unapproved.

- B. Secondary Excessive Absenteeism; Denial of Credit; Retention
1. The Clark County School District expects that schools must attain a standard of 90 percent attendance. Individual student absences should be limited to a maximum of ten (10) total absences per semester. Drivers under the age of 18 are now required to show proof of school attendance per NRS 483.2521. All Nevada students will be required to submit a DMV-301, the Department of Motor Vehicles Certificate of Attendance form, to the local DMV office when applying for either an instruction permit or driver's license. Students who fail to meet the attendance standard outlined above will be unable to secure the school official's signature required on the DMV-301 to apply for an instruction permit or driver's license.
  2. A student's medical illnesses or conditions may prevent a student from meeting the above goal, and absences which are due to the student's physical or mental inability to attend school, if properly documented and submitted to the school within the timelines defined by this regulation, will not be included in the determination of a student's denial of credit or retention if the student has completed course-work requirements.
  3. For the purpose of this subsection, all arranged absences in excess of ten (10) during a school year shall be considered unapproved. All arranged absences for which the makeup work was not completed and submitted as specified by the teacher shall be considered unapproved.
  4. The limitation of absences may be adjusted for schools using block or unique schedules, which should be equal to the total number of absences allowed for schools not on a unique or block schedule.
- C. A required parent conference is to be scheduled by the principal or designee when the following occurs due to excessive absenteeism:
1. A student has been identified for possible retention;
  2. A student may be denied course credit;
  3. A student is being recommended for enrollment at an alternative school;

4. A student is deemed to be a habitual truant; and/or
5. A referral for educational neglect is contemplated (elementary).
6. Administrative sanctions are pending per NRS 392.148.

Schools may investigate, in cooperation with the parent and student, the cause of absences and the principal or designee may determine a course of action to address excessive absenteeism.

IV. Absence Documentation/Explanation; Readmittance to Class

Each school will include specific directions and/or procedures relative to the manner in which students will be readmitted to class subsequent to an absence in the student/parent handbook or other written communication to the parent/guardian. For purposes of consistency, schools may require parental/guardian confirmation of the reason for the absence in writing prior to or upon return from each absence. Verified medical appointments, medical excuses, medical documentation and/or other explanations must be presented in writing by the student from the parent/guardian or personally by the parent/guardian within three days directly following the absence.

V. Classification of Absences

The determination of the proper classification of an absence requires the exercise of judgment on the part of the teacher, principal, or designee. To evaluate the proper classification of the absence, the school may reasonably inquire, investigate, and/or request further documentation from the parent/guardian.

Absences from class or school due to a student's participation in a school sanctioned activity or absences from class or school resulting from a student's suspension or required parent conference shall not be counted as absences for the purpose of attendance enforcement.

A. Approved Absences

Explanations by the parent, legal guardian, or physician stating the reason the student was absent within the meaning of sections 1-4 as listed below must be presented to the teacher or principal designee not later than three days after the student returns to school. Absences shall be approved for the purposes of attendance enforcement within the meaning of the *Nevada Revised Statutes* when:

1. The student is physically or mentally unable to attend school, or the absence is related to the student's disability and the course work has been completed.
2. The approval of the teacher, principal, or designee has been given for an unavoidable absence due to an emergency.
3. The student is absent due to a required court appearance or a religious holiday.
4. The absence has been arranged pursuant to the request of a parent or legal guardian prior to the absence and does not exceed the allowable ten (10) arranged days per school year.

B. Unapproved Absences

Within the meaning of the *Nevada Revised Statutes* an absence is unapproved when:

1. The arranged absence was not requested in writing in advance of the absence or exceeded the allowable ten (10) arranged days per school year;
2. The absence was not due to the physical or mental inability of the student to attend school, the student's disability, an emergency, a required court appearance, or religious holiday;
3. The absence from class or school was without written permission from the teacher, principal, or designee;
4. The parent/guardian or person in charge of the student failed to notify the school of the reason the student was physically or mentally unable to attend, or the nature of the emergency, court appearance or religious holiday within three days after the student returned to school;
5. The student failed or refused to attend school when so directed by the parent or legal guardian or school official; or,
6. The parent or legal guardian or person having charge of the student failed or refused to require the student's attendance at school.

C. Truancy

1. An unapproved absence for one or more class periods or the equivalent of one or more class periods during a school day shall be deemed a truancy (NRS 392.130[2]).
2. If a student has been declared truant three times for unapproved absences, the principal of the school, or designee, shall report the student to a school police officer or the local law enforcement agency for investigation of habitual truancy and issuance of a citation, if warranted, in accordance with NRS 392.149 (NRS 392.144).
3. The *Nevada Revised Statutes* do not distinguish between truancy resulting from an action of the student and that of the parent or legal guardian.
4. Any child who has once been declared a habitual truant and who in an immediately succeeding year is absent from school without a valid excuse may again be declared a habitual truant.
5. Once a student is identified as a habitual truant in accordance with NRS 392.144, the school shall conduct an investigation, set a hearing date, and provide a written notice of the hearing to the parent or legal guardian of the student. If the student remains a habitual truant following the investigation and hearing, the school may issue an order imposing administrative sanctions.

Administrative sanctions include the suspension of the driver's license of the habitual truant student for thirty (30) days for the first offense. If the student does not possess a driver's license, the order must provide that the student is prohibited from applying for a driver's license for thirty (30) days. The second offense and any subsequent offenses will result in the suspension of the driver's license of the habitual truant student for sixty (60) days. If the student does not possess a driver's license, the order must provide that the student is prohibited from applying for a driver's license for sixty (60) days.

VI. Notification of Absence

Notifications of student absences will be made to the parent, legal guardian, or other person having control or charge of the child as recorded in the student information system upon each unverified absence.

In the event of an unapproved absence, the teacher, attendance officer, or other school official shall deliver or cause to be delivered a written notice of truancy to the parent, legal guardian, or other person having control or charge of the child (NRS 392.130[4]).

VII. Makeup Work

Teachers shall provide an opportunity for a student to make up missed work due to any absence, and students shall be held accountable for the work. When a student is absent, however, the educational experiences lost during that absence might be irretrievable because the instruction and interaction in the instructional setting cannot be duplicated through makeup work.

A. Elementary

After any absence, the parent or legal guardian of an elementary student is responsible to contact the teacher to obtain appropriate makeup work within three school days directly following the absence. Once contact has been made with the teacher, the nature of the makeup work and the time allowed for completion will be determined and communicated by the teacher to the student/parent or legal guardian. Students shall be allowed a minimum of three (3) days to complete makeup work.

B. Secondary

After any absence, a secondary student is required to initiate contact with the teacher(s) to obtain appropriate makeup work within three school days immediately following the absence. Once contact has been made with the teacher(s), specific makeup work must be completed and returned to the teacher(s) within a reasonable length of time, to be determined by the teacher and communicated to the student/parent or legal guardian. The makeup work must be returned to the teacher(s) by the specified due date if it is to be acknowledged. Students shall be allowed a minimum of three (3) days to complete makeup work.

VIII. Alternative Program Referral/ Denial of Credit/Retention/Administrative Sanctions

- A. Prior to the referral to an alternative program, denial of credit, an order imposing administrative sanctions, or retention in the current grade, a written notice of the attendance record shall be sent to the parent, legal guardian, and/or the student. The written notice must include the procedure for requesting a review of absences under due process.
- B. Referral to an alternative program may be initiated for any student who has been denied credit due to excessive absenteeism. Written notice of options available for making up deficient credits shall be provided to the student and parent.

IX. Due Process

A. Elementary

Before a student is denied promotion to the next higher grade for failure to comply within the attendance requirements prescribed, the principal shall provide written notice of the intended denial to the parent/guardian of the student. The notice must include a statement indicating that the student and parent/guardian may request a review of the absences of the student and a statement of the procedure for requesting such review. Upon the request for review by the parent/guardian, the principal or designee shall review the reason for each absence of the student upon which the intended denial of promotion is based. After the review, the principal or designee shall credit towards the required days of attendance each day of absence for which:

1. There is evidence submitted by the parent/guardian that the student has physically or mentally been unable to attend school on the day of the absence; and
2. The pupil has completed course work requirements.

If the parent/guardian disagrees with the decision of the principal or designee that the standard under NRS 392.122 3(a) and (b) has not been met, the parent may appeal to the assistant superintendent or designee. The decision of the assistant superintendent or designee shall be final.

B. Secondary

After receipt of notification of the impending denial of credit, an order imposing administrative sanctions or retention in the current grade, the parent/guardian or student may request a hearing with the principal or

designee if there is reason to believe an error in the attendance record or an extenuating circumstance exists. Before a student is denied credit or issued an order imposing administrative sanctions for failure to comply with the attendance requirements prescribed, the principal or designee shall provide written notice of the intended denial to the parent/guardian of the student. The notice must include a statement indicating that the student and parent/guardian may request a review of the absences of the student and a statement of the procedure for requesting such review. Upon the request for review by the parent/guardian, the principal or designee shall review the reason for each absence of the student upon which the intended denial of credit is based. After the review, the principal or designee shall credit towards the required days of attendance each day of absence for which:

1. There is evidence or written affirmation by the parent/guardian of the student being physically or mentally unable to attend school on the day of the absence; and
2. The pupil has completed course work requirements.

If the parent/guardian disagrees with the decision of the principal or designee that the standard under NRS 392.122 3(a) and (b) has not been met, the parent may appeal to the assistant superintendent or designee. The assistant superintendent's or designee's decision is final.

X. Attendance Incentives and Interventions

- A. Incentive programs designed to promote and enforce the good attendance of students shall be developed and implemented at each school. Attendance incentive plans are to be developed with input from parents, students, and teachers and must be reviewed by each school's assistant chief or designee.
- B. Each incentive program will also include an intervention component.
  1. The intervention component will be developed with the involvement of school personnel.
  2. The interventions will be designed to address issues that affect students' regular attendance.

- XI. This regulation is applicable to students participating in a program of special education or a Section 504 Plan resulting from a student's disability, but subject to the student's "Individualized Education Plan" or "504 Plan" and in accordance with the Individual With Disabilities Education Act.

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| Legal References:      | NRS Chapter 392 Pupils<br>NRS 483.2521                              |
| Review Responsibility: | Instruction Unit  |
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